

LEGISLATIVE ASSEMBLY

Thursday 4 May 2006

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

Mr Speaker offered the Prayer.

Mr SPEAKER: Order! We acknowledge the Gadigal clan of the Eora nation and its elders and thank them for their custodianship of this land.

CRIMINAL APPEAL AMENDMENT (JURY VERDICTS) BILL

Second Reading

Debate resumed from 30 March 2006.

Mr CHRIS HARTCHER (Gosford) [10.03 a.m.]: I welcome to Parliament the students and staff from Niagara Park Public School. I hope they have a very pleasant day in Sydney and that they find their visit to Parliament House instructive. Perhaps one of them will end up in Parliament in the years to come.

The Opposition supports the Criminal Appeal Amendment (Jury Verdicts) Bill, which was introduced by the honourable member for Epping. It is part of the ongoing law reform that the honourable member has instituted, which has achieved a measure of success. If the Government examines this bill it will find that it, too, is worthy of support. I preface my remarks by saying that the Opposition has the greatest respect for the judges of the Supreme Court and of the Court of Criminal Appeal. In this bill we seek simply to tighten the law, which is the structure within which the courts operate. The bill, my remarks and those of the honourable member for Epping in no way reflect adversely on the competence or integrity of the judges—far from it.

The structure within which the courts operate is determined by Parliament. The Opposition believes it is appropriate for Parliament to consider from time to time the operation of the criminal justice system and to amend that system when it is in the public interest to do so. We believe it is appropriate that Parliament examine how the courts and the criminal justice system deal with media reports that may be prejudicial to a fair trial. The bill seeks to insert new section 6AAA into the Criminal Appeal Act 1912. It will provide that when a court grants an appeal against a jury verdict on the grounds of a miscarriage of justice and determines that the miscarriage of justice was due to the publication or broadcast of prejudicial material relating to the case, the court should further be satisfied that a juror has read, seen or heard the prejudicial material relating to the case and was influenced by that material.

At present there is no way for the court to determine that the jury was influenced by prejudicial material. But the court must make that determination and thus is forced under the current system to surmise what the jury's view might be. I will recount an experience that occurred upon my election to Parliament in 1988. At the request of local media, I sought from Gosford District Court the release of certain information regarding a trial. It was forthcoming and the local newspaper ran a story about the trial that the District Court judge considered to be prejudicial to the defendant. He contacted me and said, "Because of way the story has been run and the way the information that you sought has been interpreted by the media, I may have to discharge the jury." I was concerned about that. The judge called in the jury and asked them whether they had seen the material in the local newspaper that he deemed prejudicial and not one of them had actually seen the offending article.

On that basis the judge allowed the trial to proceed; he did not discharge the jury. Had the judge simply acted on the basis that the material published in the local paper was, in his opinion, prejudicial, he would have taken the further step of discharging the jury, and the witnesses, the Crown, the defendant and the whole community would have borne the inconvenience and expense of a new trial, even though not one juror had actually seen the offending material. That puts into perspective what the bill seeks to achieve. However, the bill does not remove the ability for the judge to order a new trial where there is a miscarriage of justice caused by prejudicial material. It simply seeks to take the matter one step further to provide that there must be some evidence that the prejudicial material has been seen by the jury and yet a further step that the jury was capable of being influenced by that prejudicial material.

We are all aware of the fact that we live in a robust society and that matters that relate to criminal trials are debated in the media and in this House. None of us would seek to influence the deliberations of the court or seek to influence in any prejudicial way any material to go before a jury, but that can happen. Therefore, it is appropriate that if there is a miscarriage of justice, the Court of Criminal Appeal is there as a final bulwark to correct that miscarriage. However, we submit that should be on the basis of evidence being put before the Court of Criminal Appeal.

Experience in the United States of America has shown enormous media coverage of certain criminal cases that we in New South Wales regard as quite sensational. We certainly do not want to see that experience replicated here. Yet the American system of justice does seem to work fairly effectively, probably because of the points made by the Director of Public Prosecutions, Mr Cowdery, and Mr Justice Dunford, in a paper he prepared about the fact that juries can be influenced by media coverage, and referred to by the honourable member for Epping. Mr Cowdery stated:

I don't think that the proposition is correct. I think that juries are quite robust and intelligent and they are not given the credit.

That is the key point. We are entitled to take the view that, just like most judges are robust enough not to be influenced by material that they read, so, too are most juries. The most relevant remark is of the royal commission into the Australian Wheat Board [AWB] wheat scandal with oil for food program in Iraq. It was put to the commissioner that he should cite the Prime Minister for contempt for remarks that the Prime Minister made after he gave evidence before the AWB inquiry. The commissioner said:

I will make my determination according to the evidence submitted to me. I am not going to be influenced by what any politician says or by any media and I will so determine.

Judges, true to their judicial oath, act only on the evidence that is presented to them. Members of the jury, true to their own responsibility, act only on the evidence that is put to them. Although there may be grounds for arguing that from time to time prejudicial material appears, we are entitled to regard juries as reasonably robust and unless there is evidence that the material has actually prejudiced their judgment, there is no real reason that the judgment should be set aside.

The Act seeks to give the Court of Criminal Appeal a clear indication of the view of Parliament and to set for the court the parameters within which it operates, and that is always the proper function of the Parliament, which is something that the Parliament does regularly. Only yesterday the Parliament passed the Jury Amendment (Majority Verdicts) Bill, which, when proclaimed, will make it necessary for the court to accept the verdict of only 11 jurors instead 12. That is a radical change to the parameters within which the courts operate in the criminal justice system but it is a parameter that will be readily understood and appreciated, just as this bill changes slightly the parameters in which the court operates, but it is in no way reflective of the court.

It is appropriate for me, as successor to the honourable member for Epping as shadow Attorney General, to point out that we have the greatest respect for the Supreme Court, the Court of Appeal and the Court of Criminal Appeal. New South Wales is well served by its judiciary. The judiciary is well regarded throughout the common law world for its competence and integrity. Although scandals have affected the Parliament, the Executive and the Legislature, the judiciary has been virtually immune from any scandal. The latest amendments announced by the Attorney General in the Judicial Officers Amendment Bill are designed to ensure that the court remains at the pinnacle of public respect and confidence. That is why those amendments will undoubtedly have the support of the Parliament.

These amendments seek to assist the court and the community. If the Government were, in that classic Aussie phrase, fair dinkum about law reform and ensuring that the process is above reproach, it would support the bill. Probably the only reason the Government will not support the bill is because it does not want the honourable member for Epping to get the credit. However, he does not seek credit. He is seeking to improve the criminal justice system and that, surely, is an aspiration that every member of Parliament should share and support.

Mr DAVID CAMPBELL (Keira—Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra) [10.16 a.m.]: The Government opposes the bill, which proposes an amendment to the Criminal Appeal Act 1912 to prevent the Court of Criminal Appeal from allowing an appeal on the basis that there was prejudicial material published or broadcast about the case unless it is satisfied that a juror or the whole jury was actually influenced by the prejudicial material. In order for the court to make a decision, new section 6AAA (2) allows the court to examine jurors on oath to determine if the

juror read, saw or heard the prejudicial material and whether the juror was influenced by the material. At present, the court decides, after examination of the material presented to it, whether the subject publicity is so prejudicial that the verdict given by the jury is unsafe and a retrial should occur. The court does not cross-examine the jurors.

This bill requires actual evidence that a juror has been influenced by media attention before the Court of Criminal Appeal can move to grant a retrial. A fundamental problem with the bill is the requirement to examine jurors on oath. Examination of jurors necessarily involves an attack on one of the foundations of our justice system, that is, that jury deliberations remain secret. This proposal is contrary to the fundamental principle that a juror's duty is complete after delivery of the verdict. The need for jury deliberations to remain secret is so fundamental that it is against the law to inquire into a jury's deliberations.

Section 68A of the Jury Act makes it a serious criminal offence to solicit information from a juror about their deliberations after the verdict. The reason for such a policy is clear. Hauling up jurors to question them about what may or may not have influenced their verdict, perhaps many months or even years after they delivered the verdict, removes the protection that jurors gain from secret deliberations. Knowing they may have to account for their verdicts down the track will leave jurors open to outside pressure and possible influence. It will remove the ability of juries to deliver their verdicts without fear or favour and will leave them open to harassment, censure and reprisals. It will curb their inclination for full and frank discussion, which in the past has been promoted by the protections offered to jurors. It will also attack the sanctity of the verdict and may erode public confidence in jury verdicts and juries per se, and it could erode the finality of verdicts.

Whilst section 6AAA (2) of the bill is expressed in terms of "may"—the court may examine a juror on oath—the requirement for actual evidence of influence means, in effect, the court "must" examine jurors on oath about the opinions or conclusions they held or drew when they performed jury service. The bill means that the court must deny an appeal where it considers that a miscarriage of justice has occurred because of the likelihood that a juror was affected by prejudicial material, but cannot be satisfied—perhaps because of juror unavailability—that the juror was in fact so affected. This is a denial of the right to a fair trial and of the presumption of innocence until proven guilty beyond a reasonable doubt. Moreover, it interferes excessively with the proper function and independence of the Court of Criminal Appeal. The Court would be forced to dismiss appeals even where it formed the view that it was highly likely that there was a miscarriage of justice because the jury was improperly influenced by publicity, but it could not be satisfied that a juror was actually influenced because of a lack of specific evidence.

Appeals would increasingly be decided by matters of chance like whether one or more jurors is available at the time of appeal, has died, or has been unable to clearly recall the degree of influence of certain publicity on them, given the lapse of time since the trial. This fundamental concern was alluded to in the comments made by the Legislation Review Committee, who have referred to the Parliament the issue that the bill appears to trespass on the fundamental right to a fair trial. The bill may also encourage more appeals, as convicted persons could use the ability to have jurors examined by the court as a means of fishing for a successful appeal point. Judges currently have various means at their disposal to ensure that the possibility a trial might miscarry due to the effects of adverse publicity is minimal. They can ensure that trials are listed at an appropriate time so that the possible adverse environment created by the publicity from a related matter will not be an issue. They can also give appropriate directions to members of juries where the possible effect of adverse publicity is of particular concern.

As was made apparent by judges of the Court of Criminal Appeal in the decision that seems to have generated the Member's interest in this issue, appellate courts give broad deference to the decisions of trial judges faced with an application for discharge of a jury or adjournment of a trial. Clearly they do not lightly interfere with a verdict where there may have been adverse publicity affecting an accused person at some time. The majority judges in that case indicated that section 6 of the Criminal Appeal Act, which the honourable member proposes to amend, enables a conviction to be set aside not just in any situation where there may have been adverse publicity, but "in an extreme case if the trial has miscarried because of the atmosphere of external hostility in which it was conducted".

In closing let me add that rather than pursuing ill-conceived proposals such as the present one, this Government has introduced reforms that will make a real contribution to a fair criminal justice system. Sensible and measured reforms, such as the amendment the Government introduced last year to ensure that complainants do not have to give evidence again at the retrial of a traumatic matter, are the types of reform that will make a real difference in this area. The Government opposes this bill.

Mr ANDREW TINK (Epping) [10.22 a.m.], in reply: The Minister for Water Utilities reminds me of when the current Premier spoke 10 years ago in relation to majority verdicts legislation. Mr Iemma then spent a great deal of time and explained why the majority verdicts bill was not feasible or possible because of its problems. It has taken the Government a decade to finally acknowledge that the concept of majority verdicts is sound by passing a bill through the House yesterday. It is therefore regrettable that this Minister is taking exactly the same tack as the current Premier a decade ago, as his prepared speech followed the same format. The Minister has put up every conceivable theoretical possibility about problems with this legislation without suggesting anything practical to deal with a growing problem that will be with us increasingly in future years.

The answer to what the Minister said is contained in the speech of the honourable member for Gosford, the shadow Attorney General. The honourable member for Gosford said that a judge observed an article and simply went to the trouble of asking the jury the elementary question of whether they had seen it. When the jury said no, it was allowed to continue. This bill will try to provide practical means to ascertain whether somebody on a jury has been influenced in such a way that a jury is required to be sent away. This problem will grow because of the intersection of media comment and general media debate about legal proceedings: it will diminish. That is the nature of the world. I notice that the Minister is using an electronic device, which highlights the way communication is with us in the Chamber and no doubt with people in courtrooms.

It is the way of the world that information which it was absolutely inconceivable 100 years ago would get into the hands of a jury will now do so. Some attempts by courts to deal with it, in my respectful view, have been quite clumsy. A suggestion was ventilated from the bench that there ought to be a prohibition placed on Internet access but I do not think that is feasible or at the end of the day necessary if juries are supported by full and intelligible directions from the bench. The corollary of finding out whether a juror has been influenced is to ensure that commonsense directions are given in plain English to jurors to understand their responsibilities so that the sorts of problems that spook the Court of Criminal Appeal in the case that has given rise to this bill will not arise.

My fundamental approach has always been to enhance the role of the jury, not quash it. At the end of the day jurors represent the community in criminal trials and I believe they have a right, except in the most extraordinary circumstances, to be allowed to continue to deliberate and finalise a decision. That is why in the case of majority verdicts I believe one juror should not be able to block the work of 11 others. Where there is a majority of 11, those 11 representatives of the community should be allowed to finish their work. Similarly, in relation to this bill, representatives of the community should not be blocked by judges, just because judges think that jurors would be unnecessarily influenced by something in the media. Judges cannot, with great respect, over-ride the representative of the community unless they have evidence that those representatives have in some way been improperly influenced by what was in the media. Contrary to what the Minister said, that is not a complicated process to ascertain, as indicated by the District Court example provided by the honourable member for Gosford.

It is a great shame that the Government will not support this bill today. I hope that it will not be the case by the time it comes to its senses that more trials will go off as a result of its failure to act. It has taken the Government and the Premier a decade to come to their senses in relation to majority verdicts and it is a matter of record that a number of criminal trials have resulted in a verdict because one juror has dissented. If the current Premier got his act together a decade ago those juries would have been able to return verdicts. Let us hope that, in the not too distant future, hopefully with the honourable member for Gosford as Attorney General after next March, this matter can be remedied without further delay.

Indeed, the Government's attitude to this bill is more evidence of why it should pack up and be sent off next year by the electorate. With this bill, the Government's approach is to continue to support a system that places unnecessary road blocks in the way of juries. The Coalition is all about ensuring that properly instructed juries, supported by good authority, including Justice Dunford and, on this occasion, the Director of Public Prosecutions, with his general supportive comments about the robustness of juries, are the way to go. I commend the bill to the House.

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

The House divided.

Ayes, 30

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

Noes, 47

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

Pair

Mr J. H. Turner

Ms Gadiel

Question resolved in the negative.**Motion negatived.****PROTECTION OF AGRICULTURAL PRODUCTION (RIGHT TO FARM) BILL****Second Reading****Debate resumed from 6 April 2006.**

Mr THOMAS GEORGE (Lismore) [10.40 a.m.]: When debate on the Protection of Agricultural Production (Right to Farm) Bill was interrupted on 6 April I was in the process of concluding my remarks on the bill. I again want to place on record my congratulations to the honourable member for Ballina on introducing these very sensible measures, which I expect Country Labor members will support in their droves. I am sure those members would agree that this proposal is not only sensible but also necessary to support our farmers and deal with an emerging issue. I would be surprised if the Government does not support the bill. If it does not, that would be yet another demonstration to rural communities that it does not have their interests at heart. I ask the Government to support the bill, which I commend to the House.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [10.41 a.m.], in reply: Firstly, I would like to thank all honourable members who have participated in this debate—members representing the electorates of Coffs Harbour, Upper Hunter, Tweed, Burrinjuck, Orange, Barwon, Bega, Hawkesbury, Bathurst, Murrumbidgee, Clarence, Wagga Wagga, Tamworth, Oxley—the Leader of The Nationals—and Lismore. All

of those members, except two—the Labor members representing the electorates of Tweed and Bathurst—spoke in support of the bill or its objects. That is, of the 16 members who spoke in the debate, 13 supported the bill outright in its current form. The honourable member for Tamworth supported the objectives of the bill, but raised several concerns, which I will address in my remarks in reply.

Briefly, the object of the bill is to provide for rural land use notices to be given to purchasers of land adjoining or adjacent to rural land, and for those notices to be taken into account in any subsequent court proceedings by such purchasers to limit or prohibit the use of the rural land. For many years farmers and landowners have been concerned about the threat to legal agricultural activities from neighbours who buy into a rural setting and then proceed to complain about existing agricultural activities next door. The problem is becoming worse as a result of the sea change and tree change phenomenon. Increasingly, we are finding that more and more people in coastal areas in New South Wales and indeed in larger regional centres want to go to rural areas to experience the pleasures of a rural lifestyle, but then complain about the legitimate and legal activities that are occurring on the farm next door.

The intention of the bill is to give landholders across New South Wales who reside on land zoned rural the right to carry out legitimate activities permitted within that zone without harassment or complaint from neighbours. The most common complaints of this kind involve noise, dust, odours and chemical sprays. This matter is to be addressed by requiring a vendor under a contract for sale of land adjoining or adjacent to rural land to attach a rural land use notice to the contract. The notice is to be issued by the local council and attached to the contract before it is signed by or on behalf of the purchaser. If such a notice is attached, the purchaser is deemed to have been given notice.

The bill also provides that a rural land use notice can be issued as part of any other notice issued by a council in relation to the proposed land sale. This means that it is possible for a council to issue this notice as part of a section 149 certificate, for example. This will help reduce costs to councils. This is not a guarantee of the types of activities to be undertaken, or not undertaken, on a neighbouring rural property, but rather advice on its current rural use and possible uses. The notice is proof that the purchaser has been advised that his or her neighbours are located on rural land and that they undertake or may undertake rural activities.

I will now address concerns that have been raised during debate on the bill. The first issue, raised by the honourable member for Tamworth, is that these measures would create more paperwork for, and impose more obligations on, local government. In particular, he referred to two letters, one from the Liverpool Plains Shire Council and one from the Gunnedah Shire Council. When he received those he passed them on to me. I took on board the concerns expressed in those letters, and sought advice from Parliamentary Counsel about whether the points raised were legitimate, and whether as a result of those points there was need to amend the bill. It was argued by the honourable member for Tamworth that the bill introduces another layer of information required to be given, and that that would involve extra time and resources being expended by council.

Whilst councils will have to issue a rural land use notice, this will be attached to the section 149 certificate and will contain information already known to council. The benefit of issuing the notice when the property is purchased is that purchasers go into the purchases with their eyes open, knowing that if there is a dispute down the track the court must take into consideration that the purchaser knew that he or she was buying land adjoining or adjacent to land zoned rural on which legitimate agricultural activities were permitted. This should result in councils becoming involved in fewer disputes, and that should save council staff time and resources once the system is in place. In any event, nothing prevents the State Government making a financial contribution to councils to cover what would be a relatively minor cost.

The issues raised by councils—to summarise them—included the issue that I have just raised, that of the extra workload of councils. I have tried to deal with that by explaining that there would be fewer disputes as a result of this legislation because it provides for more certainty. The second issue is that council officers would not be protected if they made a mistake on the land use notice. The third is that a detailed description of activities that required consent or did not require consent would be necessary. The fourth is that council staff would have to do site inspections for each property, and this would be time consuming. I raised those issues with Parliamentary Counsel and received written advice to the effect that those issues are not a cause for concern. I will read onto the parliamentary record the relevant section of advice of Parliamentary Counsel in response to those matters, received by me on 23 September 2005:

Dear Mr Page,

I refer to your requests for advice in relation to comments received by you on the Bill. I note that both submissions are made by Council officers and concern the implications of the Bill's imposition of obligations on Councils.

I make the following comments in relation to the matters raised:

- (a) Protection for liability for things done by Councils, councillors, employees etc in good faith for the purpose of executing an Act is provided by section 731 of the *Local Government Act 1993*.

Parliamentary Counsel is saying quite clearly that under section 731 of the Local Government Act councils, councillors or employees of a council, provided they are acting in good faith, have no liability in relation to the information issued by council. We can assume that council officers will act in good faith. So, there is really no issue if a mistake occurs. Provided they are acting in good faith, they are not liable. Paragraph (b) of Parliamentary Counsel's letter states:

A description of activities permissible with or without development consent in terms reflecting the relevant planning instrument would be sufficient to meet the requirements of clause 5 (2) (c) of the Bill—

that is this bill—

that is, there does not seem to be any necessity to specify every kind of activity included in agriculture as suggested by the submission—

that is the councils' submission—

and a statement reflecting the terms of the instrument would meet the Bills requirements. If necessary, relevant definitions of activities as set out in the relevant planning instrument could be included.

In other words, Parliamentary Counsel is saying that it is not necessary to specify all the activities that the two councils were concerned about. The third issue was that an on-site inspection would take time. Paragraph (c) of Parliamentary Counsel's letter states:

The concerns about the requirement for an in depth audit of surrounding land use and property inspection requirements and Council costs seem misplaced, as you indicated in your reply to the earlier submission. Clause 5 (2) (d) was not intended to require the Council to go out and seek the relevant information but merely to divulge information already known to it.

In other words, Parliamentary Counsel is saying that there is no requirement for on-site audits or for people to go out into the field to check whether this or that activity is occurring. All the legislation requires is that council divulges information that is already known to it from its local environment plan [LEP]. It has a list of all the zonings in its area and it can tell whether, when land is coming up for sale, that land is available. If it adjoins land that is zoned rural, it is a relatively simple matter for it to say so. Council employees do not have to get out of their office, they can just look at the LEP. That deals with the matters raised by the honourable member for Tamworth. I hope, my having dealt with those issues—and Parliamentary Counsel is a pretty good authority—that he will be comfortable in supporting this legislation.

Having addressed those concerns, I now move on to some of the concerns expressed by the two Government members. The bill has been criticised for the amount of extra work it might generate for local government, which, inevitably, becomes involved in disputes between neighbours when they do not like what is happening on the land next door, even though that activity is legal and permissible. I put to the Government that local government would spend less time in dispute resolution and doing paperwork under my proposal than it does at the moment. These conflicts are commonplace.

My attention has been drawn to the large amount of documentation a vendor has to supply when selling property. In New South Wales vendor documents can run into 150 pages. I am advised by Mr Jason Good, a solicitor with 15 years experience in conveyancing, that Victoria has a one-page statement of relevant material, which is so much better than the volumes of paperwork required in New South Wales. If the New South Wales Government is serious about decreasing the paperwork, why does it not do something about reducing the voluminous vendor documents that currently make it extremely difficult for the purchaser to see what is really relevant? I strongly urge the New South Wales Government to reform its disclosure arrangements and to deliver a system more like Victoria's. Instead of accusing me of adding one piece of paper, which will ensure certainty down the track, the New South Wales Government should put its own house in order and consolidate its disclosure requirements so that purchasers can see what is relevant.

I turn to other arguments put by Government members in opposing the bill. The honourable member for Tweed said the Government is opposing the bill because the current system is working very well and, therefore, this legislation is not necessary. If that is correct, why has almost every member who has spoken in this debate identified problems of urban encroachment on productive farmland and identified a range of conflicts between existing farmers and new neighbours who have complained about noise, dust, and so on, associated with normal farming activity? Clearly, the current arrangements are not working. The legislation proposed by me on behalf of The Nationals is an important step in providing more certainty for all parties concerned. Under this legislation neighbours to farming land will buy with their eyes open and will be aware of permitted activities. They will be aware that in the event of a dispute the court must consider that they purchased the land in the knowledge that the adjacent land was zoned for rural activities.

The Government says it will do something to develop land use planning. Presumably it is talking about its farmland protection policy. Although the farmland protection policy has many shortcomings, it is well intentioned and I support it. It certainly will help to protect farmland, but it does nothing to reduce conflict between neighbours when one of those neighbours is operating a farming enterprise. The farmland protection policy merely identifies farmland that needs to be kept for farming and will not be available for subdivision. It does nothing to prevent conflict between those who need to farm and those who object to farming activities. This legislation deals with that issue, whereas the farmland protection policy simply sets aside farming land that will continue to be used for that purpose. The key point is that this legislation has the ability to deal with conflict because the parties to a dispute will go into the situation with their eyes open, and this must be considered subsequently by the court in dispute resolution. All concerns raised during debate on the Protection of Agricultural Production (Right to Farm) Bill have now been fully addressed.

In addition to the 13 members of The Nationals who spoke in support of this legislation, in the past two years I have received a lot of support for the bill from a wide range of people across New South Wales. Without naming all of them I would like to read from a letter from the General Manager of the Australian Macadamia Society, Andrew Heap, to the Minister for Primary Industries, in which he indicated his support for the bill. I have received quite a few letters, but this one encapsulates the issues pretty well. Mr Heap stated:

Dear Mr MacDonald,

On behalf of the Australian Macadamia Society ... peak body for the macadamia industry, I wish to support the Protection of Agricultural Production (Right to Farm) Bill introduced by the Member for Ballina, Don Page.

It is considered that this Bill is a practical response to improving the level of community understanding of those who are proposing to relocate into a farming region in circumstances where they have little or no prior knowledge of commercial farming practices.

In very simple terms an intending buyer will be made aware prior to purchase that the land under consideration is farming land or adjoins farming land—this awareness being achieved by the attachment of a rural land use notice, issued by the local council, to the contract of sale.

In our view the need for a land use notice to be attached to the contract of sale comes about because of the increasing neighbourly conflict that can and does occur when incoming buyers do not realise that farming activity involves noise, smells and sprays—as part of normal farming life.

Although this problem increasingly occurs when individual families decide to undertake a "sea change" in lifestyle and career, the evidence shows it occurs most where urban encroachment on traditional farming areas occurs. In recent years the whole east coast of Australia has been subject to such developments.

It has been argued by people inclined to question the need for this legislation that it is an underhand way of allowing farmers to avoid normal obligations under the law in carrying out farming practices. Nothing could be further from the reality as farmers are still obliged to comply with the various government legislation relating to noise creation and the use of sprays—as for example clearly spelled out in the NSW Protection of the Environment Operations Act and the NSW Fertilisers Act.

I am also hopeful that this legislation may help to clarify decisions where for example an incoming party decides to establish a bed & breakfast business unreasonably close to farming activity—perhaps leading to unnecessary conflict between neighbouring parties. In our view local councils need to have given fair upfront consideration to such possibilities before granting a development application as they will inevitably be the mediators in the event of a conflict later on.

As the proposed Bill can essentially be introduced under the contract of sale—section 149 certificate, it is considered a very worthwhile initiative by this farming representative organisation.

Further it is hoped that many on both sides of politics will see merit in the Bill and take a bipartisan view when voting on it.

Yours sincerely,

Andrew Heap
General Manager

That letter encapsulates why it is necessary to have legislation in place. I am disappointed that the Government is, apparently, not going to support the bill. The honourable member for Tweed, probably more than anyone else in this Chamber, should understand the problems associated with conflict between established farmers and people moving into an area, because that is certainly happening in his electorate as it is happening in my electorate and many coastal electorates. This is sensible legislation that simply requires a purchaser proposing to buy land adjacent to rural land to be advised of that fact by way of a land use notice on a section 149 certificate. In that way they go in with their eyes open.

In the event of a dispute later, the court must take into consideration the fact that they knew at the time of the purchase that they were buying land adjacent to land zoned for farming. Why the Government wants to oppose this bill is beyond me. It is sensible. It is non-political and non-party political. It is not ideological. It is practical and sensible. It disappoints me greatly to know that this legislation, which I believe is a genuine attempt to resolve conflict—a pretty significant planning issue for this State—will be voted down in an irresponsible way. I urge the Government to change its mind and to support the bill. I commend the bill to the House.

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

The House divided.

Ayes, 34

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

Noes, 47

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

Pair

Mr J. H. Turner

Ms Gadiel

Question resolved in the negative.

Motion negatived.

FISHERIES MANAGEMENT AMENDMENT (CATCH HISTORY) BILL**Second Reading****Debate resumed from 5 May 2005.**

Mr ANDREW FRASER (Coffs Harbour) [11.10 a.m.]: I wholeheartedly support the Fisheries Management Amendment (Catch History) Bill. I commend the honourable member for Bega for supporting the commercial fishing industry on the South Coast. I point out to the House, particularly for the benefit of Government members, that this bill is fairly straightforward. It states:

The Minister must increase the catch history of a person for any period during which the person is unable to engage in a person's usual fishing activities because of the person's duties as a representative of the commercial fishing industry on a Management Advisory Committee or on any other organisation, such as a fisheries co-operative or an environmental committee.

The successful co-operatives that operate along the New South Wales coast have survived despite onerous regulation. For example, regulations associated with a marine park have impacted severely on the Coffs Harbour Fishermen's Co-operative. A marine park was not needed in the first place because there was a marine reserve in which fishing was managed quite well by commercial fishermen. Everything has gone haywire because of the regulation and all the committees that have been established by an incompetent Government under the administrations of Bob Martin, Eddie Obeid and the Hon. Ian Macdonald, the current Minister for Primary Industries, who has absolutely no understanding of what happens on the North Coast.

Geoff Blackburn is a member of one of the management advisory committees and is a director of the co-operative at Coffs Harbour. He is a hardworking bloke. I see him regularly on aeroplanes because he is up and down like a yo-yo between Coffs Harbour and Sydney. We often speak about fishing and commercial fishing issues in my electorate. He has undertaken to represent the other commercial fishers as the fishing industry is in desperate circumstances and is battling to survive because of the onerous regulation and legislation that has been imposed by this Government. The Coalition has heard the cries from people in the electorates of Bega and Myall Lakes. The honourable member for Myall Lakes intended to speak during this debate. Unfortunately, his wife is ill and he is unable to do so. He asked me to specifically mention that commercial and recreational fishers are absolutely fed up with this Government's interference in an industry about which it has no knowledge and no understanding.

Everything that has been done in the fishing industry throughout the term of this Government has been done on a precautionary basis. The Government has not underpinned its structuring of the fishing industry on science. Again, I draw the attention of the House to the fact that when this Government made the Solitary Islands area a marine park rather than a reserve it ignored thousands of sensible submissions on zonings from commercial and recreational fishers in New South Wales. However, it took note of the mass produced letters of environmental groups. No science underpinned any of the plans, regulations and structures that the Government put forward. As I said earlier, the Government's approach was based purely on a precautionary principle. When the Government moved to protect the grey nurse shark habitat around the Solitary Islands, the commercial and recreational fishers submitted a plan that would protect the habitat absolutely. Instead, the Government accepted a proposal from green groups that was based on stopping pelagic fishing on the eastern side of the island.

Government members probably do not know what a pelagic fish is or how its lifecycle runs. They just want to stop fishing. A pelagic fish is one that travels and one that is not necessarily native to the area in which it is found. They swim through marine parks—prawns are in that category. Prawns breed in the Clarence River—a beautiful part of New South Wales that it is well represented by the honourable member for Clarence—and they swim through the Solitary Islands Marine Park. They cannot be harvested in the marine park area. They move on to the Boambee Beach area, where commercial fishermen are permitted to attempt to harvest them. But what have those fishermen been met with from this Government? I wrote to the Minister for Fisheries, the Minister for the Environment and the Minister responsible for public works and sewage treatment plants. The Government put the outlet pipe for the non-sewage outfall—we do not have sewage outfalls any more, according to this Government, but it is a rose by any other name—smack in the middle of the trawling area. The Government has ruined the opportunity for fishermen to trawl in the area where they would otherwise have been able to catch prawns that had been bred some miles upstream in the Clarence River.

Mr Andrew Constance: They know to stop at the sanctuary.

Mr ANDREW FRASER: As the honourable member for Bega says, the marine park area is well marked and signposted, so the prawns and fish stay in that area and will not come out. The management of fisheries in New South Wales is absolutely laughable under this Labor Government. As I have said, the Government has not understood, does not understand, and does not wish to understand or reflect public opinion. I do not know how much time, money and effort Jeff Blackburn has contributed to representing not just commercial fishermen but recreational fishers and tourists.

Each time a Coalition bill dealing with primary industries is presented to this House, the Government's response is to have city-based members speak during the debate to espouse some knowledge of it. It is the constituents of city-based members who head up to the North Coast or down to the South Coast for their holidays and who want to throw in a line. They are the ones who are subject to fines and regulation, but hardworking professional fishermen, such as Jeff Blackburn, are losing out financially, directly and indirectly. He has his hand in his own pocket all the time, and his catch history suffers because he is away from the Coffs Harbour area representing fishers at endless management advisory committee meetings locally and in Sydney. He is constantly involved in relaying messages back to members of the co-operative—messages that usually members of the co-operative and recreational fishers do not want to hear.

I commend the bill to the House because it gives a little bit back. However, I do not believe the Government will support the bill. The Government has given a clear indication that it does not wish to support the bill, despite the fact that its implementation does not involve a lot of money. Then again, the Government does not need to support this bill because it will ruin commercial fishing in New South Wales with its latest round of marine park proposals and there will not be any commercial fishermen left in New South Wales to regulate. The food distributors in New South Wales will import seafood from China, Malaysia and other areas, and it will all be labelled incorrectly, which is the case now, and sold as local fish. The catch-cry will be, "Filletted locally for your convenience." That will be the standard of seafood available for consumers.

The Sydney market is the largest consumer of fish in Australia. However, the Government is doing everything it can to close the fisheries in regional New South Wales that provide magnificent fresh seafood for the people of New South Wales. The Government should insist on scientific evidence as the basis for its decisions. The marine reserve around the Solitary Islands was working. David Clayton, who set it up in the first place, told the Government that a marine park was not needed because the area was already a marine reserve. What happened? The Government ignored him and sacked him from his membership of the marine reserve board. He had had experience in setting up a marine reserve in Western Australia, as I have mentioned in the House previously. The Government ignored him and everyone else.

I commend the bill to the House. I commend the honourable member for Bega for introducing it. The bill gives people who give their time on behalf of their communities an opportunity to not lose out on their allocation of shares in a share management fishery through legislation that is poorly thought out and has had no consultation with the general community.

Mrs SHELLEY HANCOCK (South Coast) [11.20 a.m.]: I enthusiastically support my colleague the honourable member for Bega and congratulate him on introducing the Fisheries Management Amendment (Catch History) Bill 2005. The bill is a practical and simple way that Parliament can recognise the important role played by commercial fishermen in New South Wales communities and it provides some recognition of the time they have spent, and still spend, on various fisheries management advisory committees and other industry advisory bodies. The bill has become absolutely necessary since the discretion provided to the Minister under the Fisheries Management Act has not been used, for reasons best known by the Minister. Whilst he has that power, he has appeared reluctant to use it.

Section 51 of the Fisheries Management Act 1994 provides that the Minister "may" increase the catch history of a person who is a representative of the commercial fishing industry to compensate for any period during which the person was unable to engage in the person's usual fishing activities due to the person's industry responsibility. My colleague the honourable member for Bega is concerned that the Minister has been quite reluctant to use that discretion. Therefore, the object of the bill is to simply change the wording to require the Minister to increase the catch history of a person who is a representative of the commercial fishing industry on a management advisory committee or any other organisation such as a fisheries co-operative or an environment committee.

This is a simple and practical bill, and there is no reason why the Government should not support it. However, if the Government does not support it that would indicate that it does not support commercial

fishermen in New South Wales. I am aware of the sound relationship that the honourable member for Bega has built up over a long time with fishermen in his area, stretching from Bega in the south to Ulladulla in the north. I know that area extremely well. I am aware also that families who came to the area, to Ulladulla in particular, after World War II and who have contributed so much socially, economically and culturally to the area have been struggling to survive for the past decade or so under this Government. More and more boats in Ulladulla harbour are permanently tied up as those families struggle to cope with various government taxes, charges and licence fees—which amount in many cases to thousands and thousands of dollars. At the same time, the fishermen face the imposition of restrictions to quotas and fishing areas.

I know the fishermen of Ulladulla extremely well. Ulladulla is in many ways founded on the Ulladulla fishing fleet, which began in earnest with many Italian families who settled there after the war. The Ulladulla Italian community is very much valued and the impact of the Italian fishing fleet on Ulladulla cannot be overestimated. One of the major festivals for Ulladulla is the Blessing of the Fleet, which I attended a few weeks ago. That festival is remarkable in every way. It symbolises the respect that the remainder of the community has for the Ulladulla fishing fleet. Family names such as the Basiles, Grecos, Pirrellos and Puglisis and many others have become household names, and third and fourth generations of those families currently fish in that area. However, those families are facing all sorts of problems.

I regularly speak with the older generations of those families. They face catastrophe, they face the demise of their industry and their family businesses that they have built up over so long. The Government now has an opportunity to help in a very small way to recognise the time that those families contribute, for this Government's sake, on advisory bodies. I commend the bill to the House. I congratulate the honourable member for Bega on introducing it.

Mr ANDREW CONSTANCE (Bega) [11.24 a.m.], in reply: I am very disappointed that the Government has not seen fit to contribute to debate on the Fisheries Management Amendment (Catch History) Bill. That is an absolute disgrace and a slap in the face to the commercial fishing industry of this State. The commercial fishing industry will be affected by the provision of a marine park that will slash the industry on the far South Coast by 20 per cent of its revenue and slash jobs. The bill is designed to recognise the contribution made by members of management advisory committees and co-operatives in representing the industry to Government and the time that they lose from fishing, maintaining their livelihoods and in not being compensated by the Minister.

The bill deletes the word "may" and inserts the word "must", so that the Minister must recognise the catch history of a person for any period during which the person was unable to engage in the person's usual fishing activities because of the person's duties as a representative of the commercial fishing industry on a management advisory committee or any other organisation, such as a fisheries co-operative or an environmental committee. It is an absolute disgrace that the Government has not seen fit to debate this bill; it is an absolute disgrace that the Government has not made any contribution to debating the commercial fishing industry of this State.

I thank the honourable member for Coffs Harbour and the honourable member for South Coast for their contributions today. No member of the Government has contributed to debate on this private member's bill—and that is the biggest slap in the face that it could give to the commercial fishing industry. It is an absolute disgrace that no-one from the Australian Labor Party has seen fit to give the Government's view on the bill. The Government makes the rules. The honourable member for Monaro, the honourable member for Kiama, the honourable member for Tweed and the honourable member for Port Stephens have commercial fishing industries in their electorates, but they have not seen fit to debate this bill.

That is an absolute sham, an absolute disgrace. The Coalition will never forget that the Government has not contributed to debate on this bill and for that it will pay a high price in March next year. The industry is reeling about marine parks. It is an absolute disgrace that the Government did not see fit to debate the key point in relation to the recognition of catch history for people who make a contribution to their industry by representing it on management advisory committees or co-operatives. For those reasons, the Government will have a lot to answer for. I commend the bill to the House. I hope that the Government supports it.

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

The House divided.

Ayes, 31

Mr Aplin	Mr Humpherson	Mrs Skinner
Mr Barr	Mr Kerr	Mr Slack-Smith
Ms Berejiklian	Mr McTaggart	Mr Souris
Mr Cansdell	Mr Merton	Mr Stoner
Mr Constance	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 Pringle	
Mr Hartcher	Mr Richardson	<i>Tellers,</i>
Mr Hazzard	Mr Roberts	Mr George
Mrs Hopwood	Ms Seaton	Mr Maguire

Noes, 46

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

Pair

Mr J. H. Turner

Ms Gadiel

Question resolved in the negative.**Motion negatived.****COMMERICAL FISHING POLICY REFORMS****Mr ANDREW STONER** (Oxley—Leader of The Nationals) [11.38 a.m.]: I move:

That this House:

- (1) notes the reforms of commercial fishing in estuaries introduced by the former Minister for Fisheries;
- (2) notes the anger of both recreational and commercial fishers on the mid North Coast, including on the Macleay and Camden Haven rivers, about displaced non-local commercial fishers operating on the few remaining open estuaries; and
- (3) calls on the Government to overhaul this failed policy to ensure sustainable fishing throughout the State.

It is a great shame that it has been almost three years since I placed this motion on the notice paper. Having said that, over the past three years nothing has happened to fishing policy governing estuaries along the coast. The issue is just as alive today as it was three years ago. It is a sad indictment of the Government that it is simply not in touch with the anger of various fishing groups, both commercial and recreational, about a policy that is effectively in limbo. A number of estuaries have been closed to commercial fishing, yet neighbouring estuaries are still open to commercial fishing. Worse than that, commercial fishers on those estuaries that were closed were not completely bought out at that time.

In areas such as the mid North Coast licensed commercial fishermen are forced to make a living by leaving their home estuary and fishing neighbouring estuaries, where they must compete with local fishermen. Increasing numbers of commercial fishermen are fishing the few remaining open estuaries. That is not to their liking and neither is it to the liking of amateur fishermen. There are clear concerns about overfishing in the open estuaries, which include the Macleay River—one of the great fish-breeding rivers on the east coast—and the Nambucca River to the north. The Hastings River has been closed to commercial fishing. That decision caused some angst among commercial fishermen and the local fishing co-operative that sells fresh fish to restaurants and retail customers. We have moved on since then, but now there is concern that neighbouring estuaries are supporting an unsustainable number of commercial estuaries in competition with amateur fishers, who are worried about overfishing.

My motion has been on the notice paper for three years, yet the Government has taken no action on this issue. I recently asked a question of the Minister for Primary Industries, who oversees fishing policy. He responded by saying that he had no plans to revisit the situation. That is not good enough. The policy has been half implemented and is not to the liking of either commercial or amateur fishermen. That is not satisfactory. The Nationals' position has long been that we support a sustainable commercial fishing industry. To ensure its sustainability we must limit the number of commercial fishers as well as place geographical limits on where they can operate within estuaries or at sea. The current policy takes an all-or-nothing approach—and the estuaries that have it all will clearly not be sustainable in the long term.

The fishing policy must be reviewed. We need another round of voluntary licence buy-outs from commercial fishermen who wish to exit the industry, particularly those who fish on the estuaries that have remained open and about which there are concerns about unsustainability and overfishing. I know that many commercial fishers along the coast would appreciate a licence buy-out. The current situation is not satisfactory. Commercial fishers face increasing costs, particularly fuel and insurance costs. SafeFood is breathing down their necks and surrounding them in additional red tape. There are occupational health and safety issues. WorkCover and other bodies are telling fishermen what they can and cannot do, the hours they can and cannot fish, and how many crew members they need. The situation is becoming impossible for many commercial fishermen, who, incidentally, must compete with cheap seafood imports from Asia. In my view the take-up in another round of voluntary licence buy-outs would be strong.

I have mentioned the Macleay River. I receive a good deal of feedback about fish stocks in the river, particularly from amateur fishing groups such as the Kempsey Bass Club. Together with the Clarence—I see that the honourable member for Clarence is in the Chamber—the Macleay is one of the best fish-breeding rivers on the coast. Fish spawn in those rivers, where many fish stocks originate. Amateur fishermen are gravely concerned about the number of commercial fishers and about the fact that the Government has buried its head in the sand. It seems to think the current policy is good enough. But it certainly is not. The Macleay River is acknowledged throughout Australia as the prime spot to fish for Australian bass, which is a prized species. Amateur bass fishers contribute considerably to the tourism industry in the Macleay district.

Added to the Government's inertia on fishing policy is the problem of beach haulers from Queensland who are licensed to haul mullet on the beaches of the North Coast. They take everything in their hauls; they are raping and pillaging our beaches. They spot the schools of fish, including predator fish such as mulloway that follow the mullet, from ultralight aircraft. They cast their nets from jet boats and use pantechinon trucks to cart away their haul, which is destined mostly for Asian markets. They rip the roe and milt out the mullet for export and then bulldoze the carcasses. It is a horrible and unsustainable practice. If the Government were fair dinkum about preserving fish stocks it would address that problem. Amateur fishing groups such as the Kempsey Bass Club and the Macleay acid sulfate soils local action group are rehabilitating wetlands to encourage fish stock regeneration. They are doing their bit, rehabilitating wetlands and addressing the problem of acid sulfate in soil, but they need more government assistance and funding. If we are serious about regenerating our fish stocks we will address the problem of overfishing as well as environmental issues.

Many recreational and commercial fishing groups have also highlighted to me the threat posed by the creation of additional marine parks along the New South Wales coast. They have told me of a process undertaken by the Government, with little or no consultation, that threatens their pastime and their income-earning capacity. The Government is declaring large areas of marine parks and establishing sanctuary zones. Fishers are concerned that the sanctuary zones will be located on reefs, around headlands and in estuaries where the fish are. It is one thing to create a sanctuary zone covering 20 per cent to 30 per cent of a marine park and to permit fishing in the remaining 70 per cent or 80 per cent, but when that 70 per cent or 80 per cent is sandy bottom, it is of no use to anybody. The New South Wales fishing policy is an absolute mess. The Minister for

Primary Industries cannot cope with his dual portfolios of Primary Industries and Natural Resources. The raids on farms in the west of the State are proof of that. His inability to cope is also clearly reflected in the current fishing policy. I urge the Government to review this unsustainable policy as soon as possible.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [11.48 p.m.]: I am pleased that the Leader of The Nationals has given me this opportunity to highlight the significant reforms introduced by the New South Wales Government that are designed to build a viable commercial fishing industry and to improve recreational fishing opportunities for the 800,000 or more people in New South Wales who enjoy this fantastic pastime. In 2002 the New South Wales Government took the major initiative of establishing 30 recreational fishing havens along the New South Wales coastline following an extensive period of consultation with recreational and commercial fishers and, of course, the broader community. That included the establishment of havens in the mid North Coast region in the Hastings River, most of the Manning River and the Camden Haven River. The impact of new havens on the commercial fishing industry was offset through the voluntary buy-out of 251 commercial fishers, with estuary general entitlements costing approximately \$18.5 million, using funds from the highly successful recreational fishing fee.

In the Port Macquarie-Coffs Harbour region 28 commercial fishing licences were bought out. Nine of those fishers had significant catches from the Camden Haven River, so the buy-out represented a real removal of fishing effort. The Government's establishment of the havens has enhanced the attraction of many regional areas to fishers and boosted their economies. Recent studies funded by the recreational fishing trusts show that recreational fishing in New South Wales makes a significant contribution to regional economies. A recent study showed that recreational fishing is worth approximately \$22.7 million to Port Macquarie alone, with \$14.8 million from visitors. Of course, the Government's reforms have ensured that recreational fishers' fees are being put to good use on a range of other important programs that has been developed under the direct oversight of two recreational fishing trust committees comprising expert recreational anglers—one for saltwater and the other for freshwater.

Some of the major programs being funded include the installation of fish aggregating devices, including those deployed off Coffs Harbour, South West Rocks, Port Macquarie, Laurieton and Forster to create great local angling spots and enhance angler catches of pelagic species such as mahi-mahi, tuna and billfish; the installation of angler facilities such as fish cleaning tables and fishing platforms, including those at Laurieton, Nambucca and Tuncurry; the expansion of the successful Fishcare Volunteer Program; angler and community education, including fishing clinics and quality fishing guides; essential research on important recreational species such as luderick, black bream, estuary perch, baitfish and yellowfin bream; and the provision of help to enforce fisheries laws through the employment of 18 fisheries officers, including a coastal flying squad of three officers who are working successfully up and down the coast.

The Government acknowledges that our commercial fisheries face significant issues. That is why it has implemented a number of major reforms to assist the industry to improve its sustainability and viability in the longer term. All of our major commercial fisheries are undergoing detailed strategic planning and environmental assessment in accordance with the comprehensive requirements of the Environmental Planning and Assessment Act 1979, the Fisheries Management Act 1994 and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. That includes the preparation of a strategy and assessment for the Estuary General Fishery, which operates in a number of the estuaries along the New South Wales coast. That fishery now operates under a number of stringent controls, including restrictions on the gear that may be used, the areas that may be fished and the times and seasons at which fishers may work.

In addition, a zoning scheme has been introduced to limit the regions in which commercial estuary fishers can operate to mitigate social conflict within the commercial industry and with other stakeholder groups. In total, these controls are primarily aimed at ensuring sustainable harvest levels by restricting effort in the fishery and sharing the resource between user groups. I must emphasise that the commercial fishing sector is a legitimate and important source of jobs in many of our coastal communities.

Mr Andrew Constance: It is vital in Blacktown!

Mr TONY STEWART: I am pleased the honourable member for Bega understands that. I represent Bankstown, not Blacktown. One day I will take him on a day tour of Bankstown and enlighten him about what great government has achieved there. The honourable member for Bega is welcome at any time to Bankstown—not Blacktown.

Mr Andrew Constance: Commercial fishing in the Cooks River!

Mr TONY STEWART: Yes, we control fish stock in the estuaries of the Georges River, and the Cooks River has undergone an immense clean-up during the past few years. I welcome the honourable member from that wonderful area of Bega to come on a guided tour of Bankstown at any time. The excessive level of inactive and active effort in many of our commercial fisheries is a longstanding challenge, and its origins predated this Government. The Government has also implemented a number of key initiatives to address the issue, including the introduction in 1997 of restricted fisheries and the application of new transfer arrangements. The total number of commercial fishing businesses involved in estuary fishing in New South Wales has been reduced from approximately 1,000 in 1997 to 680 in 2006.

The Department of Primary Industries is working with the Seafood Industry Advisory Council and the management advisory committee for each fishery to develop a framework for addressing the major structural issues confronting our commercial fisheries. That will build on the Government's major reform for commercial fisheries, that is, the current move to implement category one share management fisheries. In addition, the department is working closely with the Advisory Council on Recreational Fishing and the Seafood Industry Advisory Council to investigate options for further voluntary buy-outs of commercial fishers without the closure of any additional areas.

I understand that particular consideration is being given to some key areas along the coast, including estuaries on the mid North Coast. I look forward to considering any proposals involving a consensus amongst recreational and commercial fishing representatives. I am confident that the reforms being implemented by the Government, in conjunction with commercial and recreational fishing representatives, will provide high-quality opportunities for recreational fishers and the basis for a strong, viable commercial fishing industry into the future.

Mr STEVE CANSDELL (Clarence) [11.55 a.m.]: I commend the Leader of The Nationals for moving this motion, and I acknowledge the complete ignorance of the honourable member for Bankstown of the problems faced by the commercial fishing industry. There is a big difference between the number of fishermen and the number of fishing licences. Over the past few years money raised by fishing licences has been totally wasted. Many of the licences are dormant. Fishermen have sold and bought again into the industry. To try to capitalise on every opportunity they have sold other interests to prospective fisheries. The Government's interference in this industry has been based on the precautionary principle, not on scientific fact. The Government has established marine parks and sanctuaries. It has ignored the advice of commercial and recreational fishers; it has listened to green groups who cannot support their claims with scientific fact. The Government has ignored the history and hands-on knowledge of local fishermen.

There is no doubt that the fishing industry is stressed. All of the studies carried out during the past 10 years have been undertaken during drought conditions. Fair and equitable studies need to be carried out. During a drought only half a tonne of wheat per acre may be sustainable compared with three or four tonnes per acre during good times. Our rivers, our estuaries and the ocean are affected in a similar way. If the Government is fair dinkum about helping commercial fishermen it should put realistic sums of money on the table to give them the opportunity to move out of the industry with honour. The Government should not force fishermen out with over-regulation and fees.

Recently, a man who has been fishing in the Clarence River for more than 50 years told me that many years ago during droughts and hard times he had trouble finding enough fish for the table. He worked somewhere else, but still managed to keep his boat afloat. At the time the fees were only \$1 or \$2, but today government charges are more than \$3,000—shared management charges, fish monitoring fees, fees for the safe handling of sea foods, plus other general fishing charges. Fishers have to comply with occupational health and safety regulations. They have restricted hours, additional crew requirements—the list goes on and on. I know that the issue of imported prawns is a Federal matter, but that problem has also put stress on fishers. The price of diesel compounds the problem.

The fishing industry has had a reasonably good year because we have had rain. I do not know if any scientific-based studies have been done this year on fish stocks. If studies have been done, I am sure they would find that we have been overfished for 10 or 11 years. It forces the remaining fishermen into a smaller number of available areas, with resultant overfishing. If areas are to be locked up, fair dinkum buy-out options must be put on the table—not to buy out one dormant licence, which enables the bought-out fishermen to get a few dollars in their pockets and go out and start harvesting. We need to buy out the total fishing operation and scrap the

licences so that that fishing boats and fishing interests become completely non-commercial. There has not been a large decrease in the number of commercial fishermen in my area because fair-dinkum and equitable offers have not been put on the table to buy them out. Many fishermen would take up buy-out offers if they were given genuine offers.

Commercial fishing is a tough industry. In the five or six years that I have been involved with the fishing industry in my electorate, it has become apparent to me that many commercial fishermen would get more money if they went on the dole. Of course, the dole is not available to them because they are running supposedly commercial businesses. Last week a fisherman told me that it costs his operation \$30,000 a year to moor his two boats. However, he keeps the boats moored because it has not been worth getting out of the industry. I commend the motion. [*Time expired.*]

Mr ANDREW CONSTANCE (Bega) [12 noon]: Again this morning I speak in a debate about fisheries. What a disappointment it was that Government members did not speak to the Fisheries Management Amendment (Catch History) Bill when it was debated earlier today. On this motion the Government yet again demonstrated its attitude to commercial fishing. With all due respect to the Parliamentary Secretary, the member for Bankstown, he is not a Government member who has a large commercial fishing industry in his electorate. That makes me begin to wonder how much care Labor members have about what happens to commercial fishing.

Mr Andrew Stoner: None.

Mr ANDREW CONSTANCE: Absolutely zero, as the Leader of The Nationals indicates. Last December the Government released the report on an investigation undertaken into the management of the commercial fishing industry. The report found that the relationship between bureaucrats and the industry was pretty much non-existent, and that it was damaging for the commercial sector. I imagine that finding was, and still remains, not particularly pleasant for the bureaucracy involved. It is said that the fish rots from the head down. Well, the rot starts with the Minister in this State. He has been ignorant and at arm's length from the processes involved in the relationships between the commercial sector and the department.

For years, estuary fishermen have been calling for meetings with this Labor Minister so that they can sit down with the Minister and explain first hand the impacts of closures on their sector. The industry will openly tell you that restrictions have resulted in overfishing in the sector. We in the Coalition remain fully committed to recreational fishing havens, but we are also strongly committed to ensuring that a voluntary commercial fishing buyout is put in place in New South Wales. In the order of \$36 million is required to provide dignity to commercial fishermen who want to get out of the industry, to ensure that those who choose to continue in it remain on their boats and productive, and to maintain this wonderful industry, which catches the seafood that the people of New South Wales love to see on their plate.

Over the years the Government has played divide and conquer politics with recreational and commercial fishermen. More recently I have noticed that its actions on the establishment of a marine park has united those people. Recently a socioeconomic study handed down by the Carr-Iemma Government spelt out the impact of the Batemans Marine Park, in my area. It was found that of the roughly \$5 million commercial industry on the far South Coast, where there are 50 or so estuary fishermen, \$1.2 million will be lost as a result of the creation of that marine park. That will devastate about 120 families on the far South Coast.

The Government, of course, did not see fit to have an assessment of the impact of that decision on the recreational fishing industry and tourism, and its indirect consequences for accommodation and other tourist outlets on the coast. That was said to be because zoning plans were not in place. It goes to show how incompetent the Government is in these matters and how that incompetence leads to decisions that impact on local families. There can be no doubt that the Government's fishing policy is an absolute failure. The industry will tell you that. The industry is fed up with the Minister, who is asleep at the wheel. It is angry at the decisions being made by bureaucrats, such as Di Watkins, who should be accountable for her decisions on the abalone industry. The Minister cannot continue to hide behind the bureaucracy on this issue. He should be accountable to the industry. But he is a member of a Government that did not see fit today to respond to sensible legislation designed to help the commercial fishing industry. Yet again, in this debate on the commercial fishing industry, we hear nothing of note from Labor members.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [12.05 p.m.], in reply: I thank the honourable member for Clarence, the honourable member for Bega and the honourable member for Bankstown

for contributing to the debate. The honourable member for Clarence and the honourable member for Bega gave a very good overview of issues regarding fishing policy in New South Wales. Both members know what they are talking about. The honourable member for Clarence raised the matter that much of the licence buy-out money had actually gone towards dormant licences, and therefore was not doing what it was intended to do. The honourable member for Bega noted that the Liberal-Nationals Coalition believes in sustainable fishing, so that both commercial and recreational fishermen can co-exist. That is possible. However, the Government, as the honourable member rightly pointed out, has attempted to divide and conquer both of those groups of fishermen, with disastrous consequences.

The honourable member for Bankstown read from a brief that was obviously written by a staffer, which demonstrated that he does not have a full grasp of current issues surrounding fisheries in New South Wales. Sadly, he has left the Chamber to do something else. That is an indication of the lack of seriousness with which the Government regards fisheries. The matter is simply not on the agenda. The honourable member for Bankstown spoke about the Government's 2002 policy. That is a flawed policy, and it is now four years old. It is time the policy was reviewed. He also talked about the 800,000 recreational fishermen. The number of recreational fishermen in New South Wales is more like two million. He and other Labor members did not even bother to make any contribution to the private member's bill introduced by the honourable member for Bega, the Fisheries Management Amendment (Catch History) Bill, very sensible legislation, which will be passed by a future Coalition government.

Those facts indicate the complete disinterest of this Labor Government in the fisheries industry. It has dropped Fisheries as a separate portfolio and made it part of the Primary Industries portfolio. What has followed has been absolute neglect and low priority under the Carr-Iemma Labor governments. We heard the honourable member for Bankstown talk about Port Macquarie. This motion is about the Macleay, Camden Haven and Nambucca rivers. He did not mention at all Kempsey, Nambucca Heads, South West Rocks and the other communities on the mid North Coast for whom this is a burning issue.

Mr Steve Cansdell: He would not know where they are.

Mr ANDREW STONER: I am sure he does not know where they are. I invite him to visit the area, and I will show him one of the most beautiful places in New South Wales—in the seat of Oxley, which has the best seafood as well. Some members might debate that, but it is without peer in my view. The honourable member for Bankstown spoke about fish-attracting devices. It is true that the Government funded a couple of those devices off the coast, including at South West Rocks. That is great! But I remind the House that the motion is about unsustainable fishing that is taking place on the remaining open estuaries.

He indicated that if there were consensus between recreational and amateur fishing the Minister would consider it. I can assure honourable members there is consensus on the McLeay. I have advised the Minister in the past that there is consensus and it is time that he reviewed this policy, talked to the recreational fishing groups and commercial fishermen, and struck a better balance than is currently the case on the McLeay and the other estuaries I mentioned. He also spoke about support for commercial fishing. For the Minister's information, another burning issue on the mid North Coast is the lack of funding for water quality monitoring, particularly for oyster growers on the Hastings River.

The oyster growers have been monitoring of their own volition. It is incredibly important that we monitor the quality of water, which enables us to implement policies that preserve clean water and quality seafood, including oysters. If the Minister wants to support commercial fishing he would do well to provide funding to enable water quality testing to continue. In conclusion, it is time for a major overhaul of fisheries policy in New South Wales. We all want to see sustainable fishing in this State. We want to see policies that allow for a sustainable commercial fishing industry as well as support for recreational fishers. To this point the Labor Government seems to be giving this whole issue scant regard. It is pursuing a marine parks proposal that has everyone up in arms, but when it comes to sustainable fishing in the estuaries to which I have referred the Government is simply not interested.

Question—That the motion to agreed to—put.

The House divided

Ayes, 31

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

Noes, 45

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

Pair

Ms Gadiel

Mr J.H. Turner

Question resolved in the negative.**Motion negatived.****CHATSWOOD RAILWAY STATION ACCESS****Ms GLADYS BEREJIKLIAN** (Willoughby) [12.20 p.m.]: I move:

That this House:

- (1) notes widespread community concern about lack of disability or elderly access at Chatswood railway station;
- (2) notes the answer given by the Minister for Infrastructure on 1 July 2003 in which he stated that the press release issued by the Minister for Transport Services on this matter should be referred to; and
- (3) demands that the Government outline its interim plans for disability and elderly access at Chatswood railway station given that no such press release exists;

Notice of this motion was given on 3 July 2003. It is regrettable that, after all this time, even though Chatswood railway station is still being upgraded, disability access is unsatisfactory in the vicinity of the station.

[Interruption]

Members opposite are saying to me, "Stop wasting time." They obviously do not care about disability access or elderly persons access in transport locations. As I said, despite notice of this motion having been given

three years ago, the Government still has not ensured that there is disability and elderly persons access in the vicinity of Chatswood railway station. I refer to the second and third paragraphs of the motion. Nearly three years ago I asked a question in this House about what plans the Minister had for access at the railway station before construction of the new station was commenced, during construction and in the post-construction phase. The Minister's response was to refer me to a press release that had been issued by the then Minister for Transport Services. I spent an inordinate amount of time researching, only to find that there was no such press release.

The Government had no plans in place for elderly and disabled persons access at the railway station before construction, during construction or after construction. Where does that leave a community when public transport is the only means of travel for many people? As if it is not bad enough that trains do not run on time, those who wish to use the railway system have been prevented from using it if they are elderly, if they are disabled or if they have a pram or any other impediment that prevents them from using the stairs. Both Chatswood and Artarmon railway stations historically have been overlooked in government facilities upgrades. Artarmon railway station continues to be overlooked by the State Government's Easy Access Program, which is supposed to provide access for disabled and elderly persons throughout the railway transport network. Regrettably, Artarmon has been consistently overlooked. Chatswood railway station will receive access facilities during the post-construction phase of the railway station, which is scheduled for the end of next year.

I draw to the attention of the House the lack of access in the vicinity of the railway station. Prior to construction of the new railway station, access to the medical centre, which is adjacent to the station, was by escalator and lift. Many local residents have used the medical centre, which is where general practitioners treat local residents, over a period of approximately 40 years. For many elderly residents of the area, that is the main place at which to seek medical attention. Regrettably, neither the escalator nor the lift access to the medical centre is available. The escalator was totally demolished during construction and the lift does not work because it is the subject of a dispute between the parties over who should pay for access to it. In the meantime, local residents are suffering.

I provide the House with two examples of the difficulties. There was a suspected case of appendicitis in the medical centre and the patient was advised to go to the hospital immediately. When the ambulance arrived, the ambulance officers were unable to take the stretcher up the escalator. Another example is a man who had a suspected heart attack. Again, the ambulance stretcher was not able to be taken up the stairs, and on that occasion police rescue officers had to be called to transport the man to hospital. They are but two examples that illustrate the serious issues faced by residents who want to utilise the medical centre but are unable to because the Government has no transition plans for providing access in the vicinity of the railway station for people who are seeking services from the medical centre. I have visited the medical centre and the doctors on a number of occasions. They are all at their wit's end as to why a single dispute over fixing a lift at the medical centre cannot be resolved.

If the Government cared about providing access for the most vulnerable people in our community, it would have ensured during the planning process for the railway upgrade that the existing amenity was not disrupted because of the construction phase. It is simply not acceptable that residents are still unable to visit their own general practitioners with confidence. I have been to the medical centre on a number of occasions to witness how difficult it is for people to negotiate the steep stairs. Many patients simply have to resort to alternative services, and that is just not acceptable. The Chatswood railway upgrading is long overdue. Finally, at some stage next year, the local community will receive a new railway station, which I am advised will have disability and elderly persons access facilities. Until that time, residents continue to have to negotiate very steep staircases.

The community has to pay a high price for the new railway station. The area desperately needs a new railway station and the community is relieved that, finally, it is becoming a reality. However, the State Government is imposing the construction of 500 extra apartments over the railway line at Chatswood, which will have a huge impact on infrastructure. While the Government is imposing the additional 500 units over the railway line at the Chatswood railway station, it is not supporting any other projects associated with related infrastructure. Chatswood primary school is a stone's throw away from the station and a stone's throw away from the site of 500 additional units that will be occupied. The school is bursting at the seams. Demountables are occupying playground space because there is not enough room for the increased number of children attending the school. When the new units are constructed and families move into the area, the pressure on facilities will increase exponentially.

It is not good enough for the Government to impose 500 additional units on the community as a result of the upgrading of the railway station without supporting the necessary associated infrastructure. It is not possible to construct three additional towers, one of which will be in excess of 40 storeys and will be the tallest building in Chatswood and the lower North Shore, without supporting the associated infrastructure that comes with it, such as schools, energy infrastructure, water supply, et cetera. Finally, the Government has implemented some measures to increase the supply of electricity to address constant blackouts that have occurred in the vicinity of businesses and the railway station, but that relief has come only after a long and protracted period of unnecessary suffering by residents and small businesses.

Just as the Government had no plans for transitional arrangements for elderly and disabled persons access, similarly it has no plans to deal with the impact of construction of the railway station on the nearby Chatswood War Memorial Garden, which, as a tribute to the many ex-servicemen and ex-servicewomen in the local community, has a very important role in the area. The roses in the garden have been there for a number of decades and have historical significance. There were concerns about the impact of the construction of the railway station upon the garden, and there are now additional concerns about the impact on that garden of the three additional residential towers. The issues are still being worked through.

The factor that concerns me the most is that the Government seems to have elderly and disabled persons access on the low point of its priorities scale. It is not only elderly or disabled people who are affected by this approach, but also parents with prams. I take this opportunity to read some excerpts from letters I have received from local residents. In January 2006 one local resident wrote:

I am a senior citizen having resided in Chatswood all my life and do need to be able to regularly see my GP ...

This distressing situation has existed since April last year and although an elevator has been installed there is a problem in the provision of the necessary electricity.

I am not privy to the facts involved but would be extremely grateful if you could assist in any way to set the elevator in motion.

This problem is still continuing. I placed a question on notice to the Minister for Transport in relation to this matter which, in part, stated:

When will disability access to the medical centre on the eastern side of the station be restored?

The answer I received stated:

A new lift to the medical centre was installed in October 2005. Disability access to the medical centre will be operational as soon as the building owner allows the operation of this new lift to commence.

The operating lift has not been installed. Although the Minister's response indicated that the lift was operational last year, it has not happened. Either the Government does not care or it is totally incompetent in ensuring that its policy position, or planning, is implemented. I thank the many constituents who have made representations to me about this serious matter. The Government has again failed to support the most vulnerable in our community. I commend the motion to the House.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [12.30 p.m.]: I compliment the honourable member for Willoughby on raising this issue. Disability access—easy access—at railway stations is an issue relating to not only Chatswood but the entire CityRail system. Between St Leonards and Hornsby there are 13 stations, and currently only three stations have disability access: St Leonards, which is a redeveloped station; Gordon, which I will refer to later; and Hornsby. Across the rail system disabled people, elderly people and people with young children who may use prams and the like are not offered easy access to a railway station. Is it any wonder that there is an increasing drift of people away from public transport and back onto our roads? Road transport in this city is grinding to a halt.

One matter that has contributed to the problem at Chatswood is that there are half a million fewer rail trips a day than there were four years ago. Consequently there are more people travelling around the city by road, and it is now taking longer. I support the motion of the honourable member for Willoughby because Chatswood and Hornsby are the large regional centres on the North Shore, an area that is served well by rail. People of varying physical abilities seek to access both centres, and without appropriate access at Chatswood they are denied the opportunity to shop at the centre. They are forced to either use cars or shop elsewhere. The reality is that not all those people have access to cars. The temporary arrangements at Chatswood are less than satisfactory. I am certain that in another setting the access arrangements could have been far more acceptable. The stairs at the end of Victoria Avenue are extremely steep and I have seen people struggling with them.

I recognise that Chatswood commuters have been promised a grander station but, as the honourable member for Willoughby said, that is at a significant price: more units, and more dense housing in a vicinity that is already densely populated. What the Government fails to provide, and which I ask the Parliamentary Secretary to expound on in his contribution, is any degree of transparency and accountability in relation to the easy access upgrade that is administered by CityRail. The honourable member for Willoughby referred to Artarmon station, which is just one station from Chatswood. Her comment could be made about any station. Despite many stations meeting CityRail's criteria for inclusion in the easy access program they continue to be denied funding under that program year in and year out.

In September 2002 I was delighted when the then Minister for Transport, the current Minister for Police, visited Gordon station, within my electorate, just four stations from Chatswood. Many people who shop at Chatswood commence their journey from Gordon station. I was particularly delighted that at that time the Minister announced that Gordon and Turramurra stations would be included in the easy access program administered by the Government and that work would start early in the New Year of 2003, with construction expected to be completed by the end of 2003. I am delighted that at the end of 2005 the easy access upgrade to Gordon station was completed. I note that it was behind schedule, which, regrettably, so often occurs under this Government's administration of the CityRail system. I note also, regrettably, as does the honourable member for Willoughby in relation to Artarmon station, that no work has commenced on the Turramurra station easy access upgrade, despite a clear and unequivocal commitment given by the then Minister for Transport in September 2002 to the local media at Gordon station and in a press release.

In relation to easy access at railway stations—and at risk of offending the Parliamentary Secretary when it comes to the upgrade of facilities at primary schools—what is needed is a far more transparent process so that commuters, such as the constituents of the honourable member for Willoughby, and the school community in relation other honourable members, understand exactly where their project is up to and when funding is likely to be available. The concept of saying no or refusing to give a time frame is what infuriates people most, whether in education or rail transport. There ought to be a rolling program that seeks to make CityRail stations accessible to the variety of people who currently have great difficulty negotiating many of the Victorian staircases that characterise too many of our railway stations.

In addition, attention should be given to railway stations where the gaps between the platforms and trains are significant and represent a major hurdle to those who may have access disabilities. The significance of the matter referred to by the honourable member for Willoughby extends far beyond her own electorate. In all honesty I suspect that every member of this House could raise this matter with some vigour. I suspect this is an issue that we are all constantly lobbied about by residents. The North Shore line is disability access poor. That significant rail line attracts twice the Sydney average for people to access their workplace. It is an area where people have historically strongly supported rail access. Yet, between St Leonards and Hornsby only three stations have easy access and a fourth will be included when the Chatswood upgrade is completed.

As is often said to me, it is terrific to have Hornsby and Chatswood included in the program for disability access but it is a pity that many users who want to get to those stations cannot do so from Killara, Turramurra, Wahroonga, Waitara and Warrawee, and these issues need to be addressed. I support the honourable member for Willoughby, principally because I live one station from Chatswood, which is the regional base that services my family. It is an important centre for people who live within my electorate of Kuring-gai. As I have said previously, what is occurring at Chatswood is regrettably symptomatic of the mismanagement by this Government of the easy access program over the past 11 years. All honourable members would expect that at the end of 11 years in office we would have a Government that would show demonstrable improvements in easy access to railway lines such as the North Shore line. Quite frankly, at the end of 11 years in power we should have a Government that could show demonstrable improvements in disability access at city stations, in the central business district. Regrettably, after 11 years that cannot be shown. In this place we are terrific at applying rules to others but we are hopeless at applying those same rules to ourselves in our public activities.

If CityRail were a private company—that is not a policy; it is not what I am proposing—it would come under the ambit of regulations that require better disability access and the like. The fact that it does not come under those regulations means that the Government can go slow on this. The Government can use funds in whatever way it wants, and pork barrelling in relation to this issue will simply reduce the program. At the end of the day the people who lose are those who want to use our rail system. We ought to be supporting those people in their choice. As I said earlier, we cannot afford to have many more people leave a failing rail system and get onto our roads without the city grinding to a halt. I share the concerns of the honourable member for

Willoughby about the medical centre—concerns that she has raised previously, both publicly and in this Parliament. What has gone on there is an utter disgrace.

The overall redevelopment reflects badly on the State Government and, in particular, on building owners. It is an issue of concern to the local chamber of commerce, the local medical community and local residents. I am not aware whether it is of concern to the local council because I have not seen council speak out on this issue. The honourable member for Willoughby has been leading the charge in this place in relation to what is going on at that medical centre, what those doctors are being put through and, more importantly, what patients are having to put up with. As a result of the stalemate, the health and medical care of those patients is at risk. Like her work in relation to the redevelopment of Chatswood station and the police station, this is an example of the sort of community work the honourable member does. I am sure she will be repaid for that community work in March next year.

Mrs JUDY HOPWOOD (Hornsby) [12.40 p.m.]: I join the Deputy Leader of the Opposition in congratulating the honourable member for Willoughby on raising the important issue of access at our railway stations. I wholeheartedly support the thrust of the motion—to bring to the attention of the Government the deplorable access available to the elderly and disabled at our railways stations. After 11 years in office that access should have been improved. There is widespread community concern about the lack of access at many railway stations for the disabled, the elderly and mothers with prams. This motion was placed on the notice paper on 3 July 2003. Three years later one would have thought the Government would have been able to improve its game. Obviously, that is not the case.

There are ten stations in the Hornsby electorate, some requiring upgrading. Two stations, Berowra and Hornsby, have been improved as a result of the \$106 million Clearways project and both stations will have an additional platform. After much community outcry and representations from me, I am glad that Berowra station will be easily accessible. However, people from the Central Coast and other areas have nowhere to park. Existing facilities must be expanded and more car parking spaces must be provided to enable them to access Berowra station. The same problem exists at Hornsby. Construction of additional platforms at both Berowra and Hornsby stations has been delayed and, even though those platforms will provide some relief on the suburban network, no additional parking is available at Hornsby station.

Earlier the Deputy Leader of the Opposition referred to other railway stations that do not provide easy access for the elderly or mothers with prams. Hawkesbury River railway station has extremely steep steps, and many elderly and retired people in the Brooklyn and Dangar areas have enormous trouble accessing that station. Over the years I have sent much correspondence to relevant transport Ministers but this issue has still not been addressed. I recently referred to Waitara station and to the appalling access at that extremely old station. A number of retirement villages are located in the area so the station presents a problem not only for the elderly but for mothers with prams, young children and schoolchildren.

People access the station through a tunnel and then have to climb uneven and worn stairs that lead onto the platform. On occasions elderly people have trouble with their vision and they find it difficult to work out where the steps are. In the mornings and afternoons many hundreds of students access Waitara station. I have previously said in this House that the Minister and the Parliamentary Secretary must address the issue. Recently hundreds of students leaving Waitara station to go to secondary and primary schools in the area knocked a pregnant woman over into some bushes. I sent urgent representations to the Minister but so far I have heard nothing from him, the Parliamentary Secretary or the Government.

Principals and teachers at schools in the area are concerned. They want answers and they want to work with the Government to solve the problem. When a pregnant woman who is having a precious baby is knocked into bushes by schoolchildren—I am sure it was inadvertent because hundreds of students exit that station in the morning to go to schools in the area—something must be done urgently to address this issue. I have drawn the matter to the attention of the Parliamentary Secretary and I hope he provides answers to my questions and to the questions of the local community. Where is the Government on this important issue?

Mr PAUL McLEAY (Heathcote—Parliamentary Secretary) [12.45 p.m.]: The Chatswood transport interchange is being redeveloped as part of the \$2 billion Epping to Chatswood rail line. The New South Wales Government is contributing \$64 million towards the construction of the new interchange, which is being delivered through a public-private partnership with CRI Australia. The \$361 million Chatswood transport interchange will include a major reconfiguration of Chatswood station with new platforms, concourses, lifts and escalators, a new bus interchange and taxi ranks, improved pedestrian access, and connections to adjoining properties and public spaces.

Temporary station facilities have been provided at Chatswood to minimise disruption to commuters during this construction period. Recently I experienced that disruption when I visited the electorate of the honourable member for Willoughby to attend an important function for the Taiwanese community. She went to great lengths to show me both sides of the station and I was impressed with her forcefulness. While the old station was accessed by a single set of stairs the temporary station facilities now include lift access from street to concourse level on both the east and west sides of the station, and direct lift access from concourse to platform level.

These interim facilities are far superior to the previous station arrangements. When complete, the new interchange will provide state-of-the-art transport facilities to support Chatswood's continuing growth as a major regional centre. The new station will feature two new island platforms enabling commuters to interchange seamlessly between the North Shore line and services on the Epping to Chatswood line. All commuters will easily access the platforms with a lift, three escalators and stairs linking each platform to the new concourse. The new interchange will be completed in late 2007 to support the commencement of services on the new Epping to Chatswood rail line in 2008.

I refer to the issues raised by the honourable member for Willoughby regarding Artarmon—issues that were also referred to by the Deputy Leader of the Opposition and reinforced by the honourable member for Hornsby. Providing equitable access to public transport services is a key Government objective. To meet this objective, barriers to access are being progressively removed to meet the travelling needs of people with disabilities. As part of this process CityRail is progressively undertaking easy access upgrades of its rail stations. Priority for easy access upgrading is based on a number of factors, including station patronage, access to educational and medical centres, parking, bus services, shopping and tourism and whether the station is a rail interchange.

Extensive works have been undertaken across the network to bring stations up to an accessible standard, including the installation of ramps, lifts, tactile tiles, improved lights and hearing loops. I am pleased to advise the House that by the end of 2005 more than \$372 million had been spent on easy access upgrades, making 78, or 25 per cent, of CityRail stations now independently wheelchair accessible for all members of the community. This brings the total number of independently accessible stations to 86. In addition, a further 63, or 21 per cent, of CityRail stations are wheelchair accessible to passengers with helpers or carers.

During 2005 Easy Access Program upgrades were completed at Wyong, Gymea, Blaxland, Thirroul, Kingsgrove, Gordon and Granville stations. By mid-2006 construction is scheduled to have commenced at 11 stations, including Auburn, Bulli, Bomaderry, Kingswood, Helensburgh, Lakemba, Mortdale, North Wollongong, Meadowbank, Merrylands, and Penshurst stations. Planning and design is currently under way at a further seven locations: Belmore, Bowral, Carlton, Eastwood, Seven Hills, Turrumurra and Werrington. This is in addition to stations that will become accessible under other programs.

The redevelopment of Chatswood station is in progress and is currently scheduled for completion in 2008. Construction work is under way at Rhodes and Berowra stations, and both are scheduled for completion in 2006. The Transport Infrastructure Development Corporation has advised that work on the three new stations on the Epping to Chatswood rail link, which will also be fully accessible, is scheduled for completion in 2008. Comprehensive advice on the accessibility of CityRail services is available from the CityRail web site and the "Accessing CityRail" brochure or by calling 131 500. The honourable member for Hornsby outlined the case of a pregnant woman who was pushed. I will take up the issue with the Minister and seek an urgent response.

Ms GLADYS BEREJIKLIAN (Willoughby) [12.50 p.m.], in reply: I thank all honourable members who contributed to this important debate. The Deputy Leader of the Opposition, who is also the shadow Minister for Transport, described the lack of access to stations in his electorate, along the North Shore and across New South Wales as a whole. The Deputy Leader of the Opposition performs admirably in his shadow portfolio and the issues he raised today were most pertinent to this debate. At the end of the day, our railway system must be accessible to all—particularly those who cannot drive, the elderly and parents with young children.

The Deputy Leader of the Opposition made a critical point about accountability. Parliament is quick to impose regulations on private entities in relation to access for the disabled and the elderly but it has been lax in ensuring through its departments and agencies that government services uphold the same standards. The Deputy Leader of the Opposition highlighted the fact that easy access should be a priority when upgrading transport services, not an afterthought. During my three years in this place I have seen how access for the elderly, the disabled and for parents with children has been an afterthought when it should have been a priority in every instance. That is regrettable.

The honourable member for Hornsby also contributed to the debate. She does an admirable job representing her constituents. There are 11 railway stations in her electorate and the honourable member has spoken many times in this House about the lack of access for the most vulnerable in our community. Not only are rail services unreliable but people struggle even to reach the platform. Rail passengers should not have to negotiate stairs and steep platforms in order to board their train. I note the comments of the honourable member for Heathcote, the Parliamentary Secretary, about this issue. I acknowledge that the Chatswood community is to receive a new railway station. However, I regret that the Minister for Transport and the Minister for Infrastructure and their predecessors did not give the access issue the priority it deserved.

The problem of appropriate access to public transport has existed for a long time. For many years people were forced to access Chatswood railway station by climbing a steep set of stairs. For the temporarily or permanently impaired, those in a wheelchair, the elderly and parents with prams that was simply impossible. As a local resident I have seen people helping women with prams to negotiate the stairs. I note also the comments of the honourable member for Heathcote in relation to the Easy Access Program across New South Wales. I stress that it is incumbent upon the Government to provide easy access to all railway stations. It is not sufficient simply to serve a large proportion of the community. We have an ageing population and many of those who use public transport cannot drive. The State Government must accelerate the rollout of its Easy Access Program. It is not good enough that major railway stations, including Artarmon station, stations in the electorate of the honourable member for Hornsby—I am not sure whether there are any stations in the electorate of the honourable member for Heathcote—and stations throughout the Ku-ring-gai electorate, cannot be accessed by all.

I thank the honourable member for Heathcote for his contribution to the debate but state for the record that access to railway stations by the most vulnerable in our community should be a priority, not an afterthought. Access to Chatswood station should have been improved years ago. We know that when access to stations is not appropriate and trains do not run on time it impacts on behaviour. People who would otherwise use the rail system have been forced to use other modes of transport. I thank all those honourable members who contributed to the debate and commend the motion to the House.

Motion agreed to.

SELECT COMMITTEE ON TOBACCO SMOKING

Extension of Reporting Date

Madam ACTING-SPEAKER (Ms Marianne Saliba): I report the receipt of the following message from the Legislative Council:

Mr SPEAKER

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

1. That the reporting date for the inquiry of the Joint Select Committee on Tobacco Smoking be extended to Friday 30 June 2006.
2. That this House requests the Legislative Assembly to agree to a similar resolution.

Legislative Council
4 May 2006

AMANDA FAZIO
Acting-President

Consideration of message deferred.

[Madam Acting-Speaker (Ms Marianne Saliba) left the chair at 12.56 p.m. The House resumed at 2.15 p.m.]

MINISTRY

Mr MORRIS IEMMA: In the absence of the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer), the Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship will answer questions on his behalf. In the absence of the Minister for Western Sydney, Minister for Fair Trading, and Minister Assisting the Minister for Commerce, who is ill, the Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra will answer questions on her behalf.

PETITIONS

Murwillumbah to Casino Rail Service

Petition requesting the retention of the CountryLink rail service from Murwillumbah to Casino, received from **Mr Neville Newell**.

East Richmond Railway Station Carpark Access

Petition requesting cancellation of fines imposed on passengers using the East Richmond railway station level crossing to gain access to the carpark, received from **Mr Steven Pringle**.

Twofold Marine Park

Petition opposing the establishment of Twofold Marine Park, received from **Mr Andrew Constance**.

Uniting Church Congregation Rights

Petition supporting amendments to the Uniting Church in Australia Act (1977) NSW to ensure that the moral and legal rights of a congregation, disaffiliated from the Uniting Church, are protected, received from **Mr Allan Shearan**.

Bega Valley Shire Policing

Petition requesting a 24-hour police station for the Bega Valley Shire, received from **Mr Andrew Constance**.

Colo High School Airconditioning

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

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 to ensure access to breast screening services for women aged 40 to 79 years and to reverse falling participation rates, received from **Mr Steve Cansdell** and **Ms Katrina Hodgkinson**.

Sutherland Hospital Management

Petition requesting the retention of a full-time general manager and the re-establishment of a local community based hospital board of management, received from **Mr Malcolm Kerr**.

Singleton Hospital Land Sale

Petition opposing the proposed sale of Singleton Hospital land, received from **Mr George Souris**.

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**.

Community-based Preschools

Petition requesting increased funding to community-based preschools to enable them to maintain parity with preschools administered by the Department of Education and Training, received from **Mr Greg Aplin**.

Fireweed Control

Petition requesting funding for research into the biological control of fireweed, received from **Mr Andrew Constance**.

Recreational Fishing

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

Yass Water Supply

Petition requesting funding to provide Yass with a safe and secure potable water supply, received from **Ms Katrina Hodgkinson**.

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**.

Bega Bypass

Petition opposing heavy vehicle detours through the street of Bega and requesting the construction of a bypass, received from **Mr Andrew Constance**.

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**.

Old Northern and New Line Roads Strategic Route Development Study

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

DISTINGUISHED VISITORS

Mr SPEAKER: It is my pleasure to welcome to the public gallery Mick Clough, the former member for Bathurst, and his wife, Doreen.

QUESTIONS WITHOUT NOTICE

SMARTPOLES CONTRACT

Mr PETER DEBNAM: My question is directed to the Premier. In the light of the decision in the Federal Court yesterday involving Goldspar and the City of Sydney Council, can the Premier guarantee that no Labor Government Ministers or former Ministers interfered in the awarding of tenders for works at the Olympic site?

Mr MORRIS IEMMA: This matter was raised by the former Leader of the Opposition on 3 July 2003 in a question to the then Minister for Energy and Utilities. I refer the current Leader of the Opposition to *Hansard* for the Minister's answer.

FEDERAL GOVERNMENT INDUSTRIAL RELATIONS LEGISLATION HIGH COURT CHALLENGE

Mr PAUL McLEAY: My question without notice is to the Premier. What is the latest information on the Government's efforts to protect the rights of New South Wales workers and their families?

Mr MORRIS IEMMA: Today is a landmark in the history of Australian constitutional law. The New South Wales Government is spearheading a High Court challenge in Canberra to overturn the unfair and unconstitutional WorkChoices legislation and, at the same time, to protect the ability of the States to govern their own communities in a fair and equitable way as they see fit, and to maintain an independent umpire to provide fairness and equity for workers in our States. This is one of the most important High Court challenges since Federation. At stake is our social fabric: the principle of a fair go and the living standards of millions of Australian workers and their families. Also at stake is the ability of the Commonwealth to reach into all sorts of areas of State responsibility and overturn what the States are doing, and overturn those principles of fairness, equity and access. Unlike the Opposition in this State, the Government will stand with workers and their families and fight to protect their pay packets and their living standards.

The Opposition is still promising to hand the majority of the State's industrial relations powers to the Commonwealth. That is the Opposition's policy: hand industrial relations powers over to Canberra so that pay packets can be cut, workers can be terminated, and young workers leaving high school or university with no bargaining position can be presented with a take-it-or-leave-it choice. That is why the Opposition has refused to support our High Court challenge. How will the Fair Pay Commission provide equity and fairness for workers when the powers of the independent umpire have been handed over to a Commonwealth bureaucrat? The Fair Pay Commission is part of the vision the Opposition has to protect workers' pay packets. The legislation has been in operation for six weeks and the evidence is already in. It is no longer a threat; WorkChoices is already eroding workers' pay packets and their conditions.

One of the victims is in the gallery today, an ordinary Australian worker who has been duded by these destructive laws. Those on this side of the House would welcome him joining us to provide some support for the High Court challenge because we stand with workers and their families. We are with them in this fight to protect their pay packets. The worker I am referring to is Mr Mark Tibbenham, a qualified tradesman who worked for a mechanical ventilation manufacturer called Project Acorn at Guildford. Mark was sacked on the spot only yesterday for querying new "general rules and regulations" in his workplace, which included a nine-hour day. Those bizarre rules and regulations included the following, and this is the type of workplace the Opposition supports.

Mr George Souris: We can speak for ourselves, thanks.

Mr MORRIS IEMMA: Well, listen to this: Working hours from 7.00 a.m. to 4.00 p.m. However, all staff must attend work before 7.00 a.m. An hour's pay will be docked from any staff member who attends work even five or 10 minutes late. That is the Opposition's definition of fairness. Two days wages to be deducted for unexcused absences. Workers will be allowed six sick days per year, with repeated absences resulting in dismissal. Staff will have the cost of damaged tools or equipment docked from their pay. Take it or leave it—no negotiation, just a bunch of third-world conditions without negotiation or appeal. That is the harsh new world of industrial relations that the Howard Government has encouraged Australian employers to impose. Under these dreadful laws this could happen to anyone who works for a business with fewer than 100 employees. The award that protected Mark Tibbenham was torn up, and when he questioned the new rules and regulations he was sacked the next day.

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

Mr MORRIS IEMMA: It gets worse. When Mr Tibbenham took Kevin Andrews' advice and sought assistance from the Office of Workplace Services, guess what he was told? He was told what we always knew, "We can't help you and nothing can be done." That's it! Out goes the award protection and in come these ridiculous new rules and regulations. When a worker exercises his democratic right to merely question them, he is sacked the next day. When he goes to Kevin Andrews' information help line, the Office of Workplace Services, for assistance he is told what we all suspected in the first place he would have been told, that is, "There is nothing we can do, go away." That is the helpline.

Ms Noreen Hay: Bury your heads!

Mr MORRIS IEMMA: That is right. This is the new world of industrial relations. This is the way Howard and Peter Costello regard workers' conditions. I also cite the example of Owen Crozier, who worked at a bakery. If Mr Tibbenham's experience was not enough, listen to what happened to Owen Crozier, who worked for a bakery wholesaler in Glendenning as a leading hand for more than two years. Mr Crozier received approval to go on annual leave over Easter after previously having been denied leave. On his return he worked for a full day and was then called to the general manager, who sacked him on the spot, claiming his work performance was not up to scratch. There was no warning about the standard of his work and no regard was paid to his capacity. He was just marched unceremoniously out the door. There was no regard for the fact that he had worked there for two years. There was no warning, no caution and no counselling. He was sacked on the spot when he returned to work after taking approved leave.

Of course the Opposition would support that! We would not expect anything different from them. I have given just two examples. That is just the tip of the iceberg. Since WorkChoices was introduced the New South Wales Office of Industrial Relations has received more than 23,000 calls, the majority of them from workers distressed about the loss of entitlements, threatened with the sack or unfairly dismissed. That is why we are in the High Court today. We are there to restore a fair go for workers and to give them back peace of mind and the security that they deserve. The States are united in their opposition to these laws. We strongly believe the laws are invalid because they are an abuse of the corporations power under the Constitution.

The framers of the Constitution deliberately gave a limited industrial relations power to the Commonwealth. That power was restricted to industrial disputes extending beyond one State. The remaining industrial relations powers were consciously left to individual State systems, and that has been the case for 105 years. It is a system that has been upheld by every conservative government until now. Not only workers' rights are at stake. The ability of the States to maintain an independent umpire to govern workplace relations and to preserve fairness, equity and access for workers is also at stake. It is little wonder academics have called this the most significant constitutional case since the engineers case of 1920, because the very fabric of our society, a decent fair go for workers, is at stake.

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

MID NORTH COAST POLICE LOCAL AREA COMMAND

Mr ANDREW STONER: My question is directed to the Minister for Police. Will the Minister explain why three police have been cut from the Mid North Coast Local Area Command since 2003 when towns such as Kempsey are suffering increased crime, including violent attacks last Thursday when juvenile gangs attacked police and fire brigade crews and a pistol was drawn on ambulance personnel?

Mr CARL SCULLY: This is the character who sent a letter addressed to me to his local newspaper first and had the media ring me for comment before I had received the letter from him. That is how seriously he treats policing in his area. This is a stunt. I said to the media, "Hang on a minute, I will see if it has come in." The newspaper got the letter before I did. I can only assume that anything the Leader of The Nationals says in his electorate about policing is baseless.

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

Mr CARL SCULLY: I have said on a few occasions that there are people on the Opposition side of the House who genuinely hold concerns about issues in their electorates, and they come to me and talk about them. But the Leader of The Nationals is not one of them.

Mr Andrew Stoner: Are you not concerned about this?

Mr CARL SCULLY: I am concerned.

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

Mr CARL SCULLY: The Government is so concerned about Kempsey policing that we will rebuild the Kempsey police station. The Government will allocate millions of dollars to Kempsey policing, so the Leader of The Nationals should not come into this Chamber and pretend that the Government is not concerned about Kempsey police because we are. In relation to those issues, if the Leader of The Nationals were serious, he would do what a number of his Nationals colleagues do: come to see me and say, "We've got a couple of issues in our electorates."

Mr Andrew Stoner: I wrote to you last week, Sparkles.

Mr CARL SCULLY: No, you did not. The Leader of The Nationals has never spoken to me about this issue.

Mr Andrew Stoner: Yes, I did.

Mr CARL SCULLY: The Leader of The Nationals has never spoken to me about this issue. He has never spoken to me about it, so I do not think he should talk like this. If the issues are as he says they are, I am happy to talk to the commander and deal with them in the manner in which his colleagues deal with issues of that nature. He should come and talk to me. Let us discuss it to see whether additional police resources need to be provided in his electorate. But the Leader of The Nationals must stop telling untruths. As I said yesterday and the day before, and as the Leader of The Nationals knows—because I keep telling him—it is all very well to trot around this State and pull out the status of a particular police area command—

Mr Andrew Stoner: We have been three down since 2003, and you know it.

Mr CARL SCULLY: The Leader of The Nationals knows that when the Coalition was last in government, police numbers were 229 below the authorised police strength. Shame on them! It was a disgusting record of police strength. At every point, the Coalition disparaged the police, and people came to me and said that the cops are sick of it.

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

Mr CARL SCULLY: People kept coming to me and saying, "How can we stop them bagging the cops? We're sick of it. Every time they get up in Parliament and every time they get on the radio, they're bagging the cops." The police in the electorate of the Leader of The Nationals are good men and women and he should not be talking them down. How dare he come into the Chamber again and disparage them. They are good people, and if they need additional resources because of particular incidents, I am happy to consider that. Come and talk to me about it.

STATE RAIL ROLLING STOCK

Mr BRYCE GAUDRY: My question without notice is directed to the Deputy Premier, and Minister for Transport. What is the latest information on investment in public transport and improvements?

Mr JOHN WATKINS: I am pleased to update the House on the unprecedented level of investment in the State's public transport infrastructure. The Government is committed to spending \$15 billion over the next 15 years in untangling our rail system, building new lines, delivering a brand new airconditioned rail carriages and upgrading railway stations right across our network. Ten billion dollars has been committed to the development of new rail lines, such as the completion of the Epping to Chatswood line in 2008 and the new north-west, south-west rail line, which is currently being planned. Also, \$1.5 billion has been set aside for this State's Clearways Program to improve the capacity and the reliability of the CityRail network. There are also new transport interchanges. Currently \$800 million is being spent at sites including Parramatta, Chatswood, Town Hall and North Sydney.

As recently as last week the Premier and I inspected the latest additions to the State's rolling stock. The outer suburban cars and Hunter diesel cars are currently undergoing testing. Our commitment to new rolling stock does not finish with the OSCars and the new Hunter cars. In March last year the Government announced a short list of Australian and international consortia to tender for the replacement of the 498 non-airconditioned train carriages that are currently in our rail system. These new carriages will fast-track the replacement of the last non-airconditioned carriages, with the successful proponent responsible for the financing, designing, building and maintaining of that rolling stock for the 35 years of its life.

I inform the House that the Government has decided to extend the scope of that huge contract. The increased order will mean that approximately 600 new rail carriages will be purchased for the network. Following an assessment of the bids submitted to date, the Government has also decided that the contract will comprise entirely double-deck cars and that a further short-listing process will be undertaken. The Government sought proposals for both single and double-deck options and both were carefully examined. Through that process, the double decks have proved to be value for money. I am able to announce that the shortlist has been

narrowed to the two remaining tenderers, the Reliance Rail consortium of Downer EDI Ltd, ABN-Amro, Babcock and Brown Australia, Hitachi and AMP and the Star Transit consortium consisting of the United Group and Mitsubishi Electric, led by Downer-EDI and United Goninan. Both companies are central to this tendering process—which is why members representing the Hunter are cheering. This is tremendous news for the Hunter.

The final short-listing process has confirmed that a Hunter-based manufacturer will win the major rolling stock contract. The short-listed proponents will be asked to submit their final bids for the contract to supply at least 59, 8-carriage, double-deck trains and at least 13 additional 8-carriage double-deck trains. That means approximately 600 carriages will be constructed and represents replacement of a third of the rolling stock of the CityRail fleet—the largest rolling stock tender in the history of Australia and probably a tender that is on par with many overseas jurisdictions. The order will allow Rail Corp to replace the remaining non-airconditioned carriages and also provide extra capacity to meet the increasing patronage that is being experienced across the network. I have reported in the House previously that the rail system has recorded 90,000 additional commuters per week since the new timetable was introduced in September last year. If the Federal Government were inclined to provide similar tax concessions for public transport use as it intends to provide for private motor vehicle use, that number would climb considerably.

[Interruption]

It is funny that whenever the Federal Government is mentioned in this place we see a Pavlov's dog reaction from members of the Opposition. They see it as their job not to defend the people of this State but to defend the Federal Government in Canberra. Well, Barry, why do you not go there and leave the good people of New South Wales to us?

The next stage of bidding will begin immediately with the two short-listed consortia. One is set to win the entire contract and maintain the full complement of trains. The final negotiating period will clarify the requirements of the additional cars, time frames, the operating specifications and other matters. Today's announcement is part of the Government's ongoing plans to progressively expand the fleet to meet patronage increases. The increase of approximately 600 new carriages is a major investment in the future of the network—the largest rolling stock acquisition in Australian history. It will ensure that the CityRail network will continue to grow and meet the needs of our expanding city.

The new carriages are also an important part of the wider plan to provide for future growth in rail and to lure people back to public transport. The contract will now require the successful consortium to tender for the delivery of the 59 operational trains by the end of 2012 and the delivery of the additional carriages by the end of 2013. This timetable reflects the expanded scope of the project and represents what can reasonably be expected, given the huge manufacturing task in front of the successful tenderer and, obviously, the quality control that RailCorp will be applying. Final proposals will be submitted in August. The Government expects to be in a position to announce the successful consortia later this year.

This commitment continues the fine tradition of State Labor governments introducing new rolling stock to our rail network. Successive New South Wales Labor governments have been responsible for purchasing and commissioning the following trains: the Millennium train in July 2002 under Premier Bob Carr; the Tangara train in June 1988 under Premier Unsworth; the XPT train in 1981 under Premier Wran; the Tulloch double-deck suburban carriages way back in 1964; and, I am reminded, the 3801 under McKell. That is an honourable record in delivering rail rolling stock to the people of this State—but it does not end there with rail. Last month the Government announced a \$250 million plan to replace more than a quarter of the State Transit bus fleet. That is the biggest ever investment in new buses in the history of New South Wales. Again, I am tempted to suggest that when the Deputy Leader of the Opposition had some control over the Transport portfolio, I think just three buses were purchased in one year. This Government is purchasing up to 100 buses in a year.

This is a 505-bus contract with the Smithfield-based Custom Coaches, the biggest single capital investment by any one operator in Australian history. It will create an estimated 330 new jobs over the life of the contract, including 50 apprenticeships in Western Sydney, 80 direct jobs at the factory and 200 more positions at suppliers. The supply of those buses is a major contract for Western Sydney. It is worth contrasting that great news—600 new rail carriages, 500 new State Transit buses—with the Opposition's plans for New South Wales. The Viscount of Vaucluse is unable to devise any plans or policies of his own, especially when it comes to delivering public transport improvements. The Opposition criticises, but brings nothing forward about what it would do. The Leader of the Opposition even admitted that to the Asia Business Connection Dinner at Parramatta on 9 February 2006 when he said:

I'm saying to the private sector, you're the creative guys ... you come up with creative solutions to deliver infrastructure in New South Wales

He has outsourced policy development as well. I congratulate the two consortia involved in the Government's massive rolling stock purchase and look forward to updating the House in future on its progress.

STATE RAIL ROLLING STOCK

Mr BARRY O'FARRELL: My question without notice is directed to the Premier, the honourable member for Lakemba. Given that two months ago, in justifying fare increases, his Minister for Transport promised commuters 498 new carriages by 2010, will the Premier explain just how his announcement today benefits commuters, when it delivers only 472 carriages by 2012? Fewer carriages and two years later!

Mr SPEAKER: Order! The Deputy Leader of the Opposition has asked a question. He will resume his seat. Government members will allow the Premier to give his response.

Mr MORRIS IEMMA: Poor Barry! The biggest rail carriage contract in Australian history and he cannot say one word in support of commuters receiving new and more, not just replacement. There is a growth capacity in the contract that makes it the biggest rolling stock contract in Australian history, yet the Deputy Leader of the Opposition asks that question.

Mr Andrew Stoner: Well, answer it.

Mr MORRIS IEMMA: I am answering it with 604 new carriages, 13 new sets. That is the answer to the question.

Mr Barry O'Farrell: Point of order—

Mr SPEAKER: Order! I take it that this is a point of order rather than an attempt to dispute the Premier's reply. What is the point of order?

Mr Barry O'Farrell: My point of order is relevance. The Minister for Transport promised 498 new carriages by 2010, but today the Premier promised 472 by 2012, two years later.

Mr SPEAKER: Order! The Premier is answering the Deputy Leader of the Opposition's question. I do not know what part of the answer the Deputy Leader of the Opposition does not understand.

Mr MORRIS IEMMA: Phase one is the delivery of the outer suburban cars, known as the OSCars, which service the outer suburban areas. The rolling stock presently serving those areas will cascade back to the metropolitan area, providing better rolling stock and more reliable services for those commuters. The new car sets go from six to eight, so there are more carriages on those sets. Phase three is the growth capacity. There are three phases: as the OSCars are delivered, the carriages providing services in the Blue Mountains, the Central Coast, the Illawarra and the Hunter will become available for the metropolitan network. That gives additional capacity to the metropolitan network. As part of the new order, they are not only all double carriages but also eight-car sets, replacing six-car sets. The final phase is the growth phase, an additional 104 carriages—that is, another 13 sets. Only a bonehead like the Deputy Leader of the Opposition would ask a question about how the biggest rolling stock contract in Australian history will benefit commuters. If he cannot work it out himself he should not be here, as the Deputy Premier said.

Mr Barry O'Farrell: Point of order: My point of order is relevance. If it loses two years and three months, what is the point?

Mr SPEAKER: Order! There is no point of order. The Deputy Leader of the Opposition will resume his seat.

COURT SECURITY

Ms MARIE ANDREWS: My question without notice is addressed to the Attorney General. What is the latest information on efforts to make New South Wales courts safer and more secure?

Mr BOB DEBUS: Everyone who enters a court building should believe that they are in a safe and secure place. Governments have a responsibility to ensure that our courts are secure so that our justice system

can function free from threat or intimidation—which includes from the honourable member for Gosford! The Government has made improving the security of our courts a priority. Since 1997 almost \$14 million has been invested in upgrading security measures. In 2003 the Government committed another \$7 million to build upon those security measures and to recruit more than 50 new sheriff's officers. We then ensured that the officers who protect the justice system had the appropriate powers to back up their authority. A comprehensive and detailed package of legislation to bolster the powers of our sheriff's officers provided court security officers with a range of new powers and imposed tighter restrictions on the use of recording devices inside court buildings.

Judicial officers are now able to order a person to leave court premises or deny the entry of persons to court premises if that is considered necessary for good order in the premises. Tighter restrictions apply in all our court buildings, restricting the use of recording devices, including tape recorders, cameras and mobile telephones. It is now an offence to use a recording device to record sound and/or images in court premises. Officers have the power to conduct searches of anyone suspected of carrying guns, knives or any other weapons. Sheriff's officers are now equipped with capsicum spray and can issue fines or make arrests. All of these powers are backed up with substantial penalties. We have invested in leading-edge court security technology, which continues to be rolled out across New South Wales.

More than \$9 million has been spent installing or upgrading airport style x-ray machines and metal detectors at 25 courts since August 2003. Those facilities exist in courts at Lismore, Gosford, Penrith, Wollongong, Newcastle and a great many others. This technology has seen already more than 100,000 restricted items, including weapons, seized. Astonishingly from time to time people try to smuggle weapons into our courts. Closed-circuit television surveillance systems have now been installed in the majority of court complexes to help monitor potential threats. High-security docks have been installed in courthouses across the State. While this technology has undoubtedly made our courts safer, it is the officers of the New South Wales Sheriff who form the front line of court security. Those men and women make our courts safe by operating the security screening equipment, conducting patrols and investigating security breaches. It is the sheriff's officers who protect our jurors and ensure the personal safety of the judiciary.

Modern day sheriff's officers will now also be better qualified than ever before. All new recruits undergo a two-year intensive traineeship that combines on-the-job training with classroom lessons. In addition to being taught about security and self-defence officers learn how to manage a jury and learn client service skills, as they are called these days. As a result of this Government's efforts we now have the best-equipped and best-trained sheriff's officers in the country. I am pleased to announce today that the Government has commenced a recruitment drive to hire 55 new sheriff's officers over the next three years. The first intake will start training in mid-June.

This recruitment drive will bring the total number of sheriff's officers in the State to over 300. They will come from a variety of cultural, religious and employment backgrounds and will include former Australian Federal Police and Army personnel. By increasing the number of sheriff's officers the Government has a greater capacity to protect our justice system against attack by extremists or other criminal elements. The presence of these well-trained professionals will reassure the community that our courts are the safe places they ought to be.

Last year more than 400,000 court cases were heard in New South Wales. As a result literally millions of people passed through the doors of our courtrooms. Often the people who are attending court do so in a highly charged, emotional and stressed state. The knowledge that our courts are secure and that professionals are on hand to deal with disturbances will make witnesses and victims much more comfortable when they are attending our courts. I pay tribute to sheriff's officers and wish the new recruits a safe and successful future.

CITYRAIL FARES

Mr STEVEN PRINGLE: My question is directed to the Premier. Given that the public hearing on his rail fare increases will be held tomorrow and CityRail has still failed to provide the level of service that Sydney requires, and given that he has already slugged New South Wales families with \$700 million in new taxes, why will he not give New South Wales families a break and finally agree to cancel his rail fare price hike?

Mr SPEAKER: Order! I draw the attention of the honourable member for Hawkesbury to the standing orders in relation to the asking of questions. Questions should seek information, not provide facts. I will give the honourable member for Hawkesbury an opportunity to reword his question and ask it at a later stage.

Mr Peter Debnam: Point of order: In relation to that last question it is only fair to say that when a member is asking a question he should be heard in silence. Under the standing orders and under your rulings the

Government has to do the decent thing and afford a member a bit of silence while a question is being asked. On countless occasions when you have been in the chair you have made that ruling. In this case, in order to protect the Government in relation to train fare increases you simply put that question off. At other times you have demanded that the House hear the question. Because this question was embarrassing to the Premier you simply let Government members run away.

Mr SPEAKER: Order! The House will come to order. The Leader of the Opposition will resume his seat. I will rule on the point of order.

[*Interruption*]

Mr SPEAKER: Order! The point I made in relation to the question asked by the honourable member for Hawkesbury is that a question should be a question, not a speech. The standing orders are explicit in that regard. I also remind honourable members that points of order should be points of order and not speeches. There is no point of order. I ask the honourable member for Hawkesbury to reword his question and to ask it again later. I call the honourable member for Dubbo.

[*Interruption*]

Mr SPEAKER: Order! The honourable member for Dubbo has the call.

[*Interruption*]

Mr SPEAKER: Order! The House will come order. That direction applies to Government members as well as to the Opposition.

SISTASPEAK PROGRAM AND DUKE OF EDINBURGH'S AWARD

Ms DAWN FARDELL: My question without notice is directed to the Minister for Tourism, Minister for Sport and Recreation, and Minister for Women. Would she inform this House whether she intends to extend the successful SistaSpeak program and the Duke of Edinburgh's Award to other areas of New South Wales?

Ms SANDRA NORI: Mr Speaker, it was difficult to hear the honourable member's question.

Mr SPEAKER: I ask the honourable member for Dubbo to restate her question, as it was inaudible to the Minister. I call the honourable member for Coffs Harbour to order.

Ms DAWN FARDELL: My question without notice is directed to the Minister for Sport, Minister for Sport and Recreation, and Minister for Women. Will the Minister inform this House whether she intends to extend the successful SistaSpeak program and the Duke of Edinburgh's Award to other areas of New South Wales?

Ms SANDRA NORI: The short answer to both parts of the honourable member's question is yes. The Government, through the Office for Women and the Department of Sport and Recreation, will extend the awards. I thank the honourable member for her interest in this program and her involvement in the SistaSpeak program. The program commenced as a six-week pilot program and 23 young girls from Delroy High School, most of them from west Dubbo, participated. The program is all about encouraging young women from indigenous communities to think about how their future might be limited if they do not correlate educational standards to a career and the salary associated with that career. The method that is used in this program is designed to whet their appetites about a particular salary, correlate it back to a career and the basic educational levels that might be required to attain that career.

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

Ms SANDRA NORI: It is also about communicating standards of behaviour, ethics and achievement that are required for a successful life as an adult. It truly fits into the whole concept of a respect and responsibility public policy program. When we ran this program the outcomes far exceeded any of our expectations. At the end of this program the young girls understood far more clearly the need for higher education levels if they were to have a career that gave them a decent salary, independence and allowed them to break with intergenerational consistencies that so often plague their communities.

At the end of the program the outcomes were quite interesting. Not only had there been an improvement in literacy and numeracy; these young lasses actually wanted to do more. At the debrief in Dubbo, at which the honourable member was present, she might recall that the mentors said, "Some of them have been seen in the library doing homework for the first time. Some of them have attended school in order to participate in this program, and some of them have been heard apologising to teachers for unseemly behaviour." For some of these young girls these were all enormous changes and they wanted to do more.

The honourable member would well know that, as a result of that program, we decided to funnel these young girls into three other activities. We decided to continue this group and to change it to a leadership group that would continue meeting. We also encouraged them and arranged for them to go to Charles Sturt University where they met with indigenous women who were either completing or had completed their degrees. Indigenous women from the university will now be mentoring these young women right through their high school years and we hope that going to university is one of their goals. Coincidentally, we were also ramping up a program of getting Aborigines in the Dubbo area involved in the Duke of Edinburgh's Award.

That project worked out quite well and we were able to funnel these young women directly into the Duke of Edinburgh's Award program. The honourable member might recall that we had the pleasure of the presence of His Royal Highness Prince Edward who, in effect, heads up the Duke of Edinburgh's Award. He came to Dubbo and met with these girls who were training at the zoo to become tour guides as part of the scheme, and two of the girls acted as his tour guides. One of the lasses comes from a town with a population of only 60 that is about five hours drive from Dubbo. I thank the zoo and the community of Dubbo, and of course His Royal Highness for taking the time and the trouble to visit. I believe it has truly galvanised community support for this award.

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

Ms SANDRA NORI: The Duke of Edinburgh's Award will be rolled out in Gulargambone, Cowra—where about 11 indigenous kids will start the program—and Wellington. We will also extend the SistaSpeak program and the Duke of Edinburgh's Award to two other university towns in New South Wales: Lismore and Newcastle. Imagine how it will empower 17-year-old Aboriginal people from regional New South Wales to turn up to their first job interview and say, "I have completed the Duke of Edinburgh's Award". It speaks of motivation, self-reliance and self-discipline. This program, although modest, is working and will continue to work as we roll it out across New South Wales. I thank the honourable member for Dubbo for her question.

SYDNEY BUSINESS AND INVESTMENT OPPORTUNITIES

Mr BARRY COLLIER: My question is addressed to the Premier, and Minister for State Development. What is the latest information on Sydney's status as a leading international business centre?

Mr MORRIS IEMMA: We are getting stronger. I thank the honourable member for Miranda for his continuing interest in jobs and investment in New South Wales. On Tuesday the National Australia Bank [NAB] March quarterly business survey reported:

Encouraging Signs of Strength in NSW

[NSW and Victoria] reported a strong bounce in the near-term expectations

Why does the honourable member for Southern Highlands not say something positive about the State for once? The comments of National Australia Bank chief economist Alan Oster about the findings were reported as follows:

... he was surprised by the strength of business confidence. He said the growth came from "cyclical industries" in NSW and not from a renewed spurt of growth in the mining states of Western Australia and Queensland.

There it is. There are "signs of strength" and there is growth—positive indications about the State's economy. Yesterday St George Bank backed up these findings. Its chief executive officer said:

There's no question [NSW] is the powerhouse economy in Australia.

They are the views of the NAB and St George but the honourable member for Southern Highlands does not share them. Those reports are spot on as far as the New South Wales economy is concerned. For all the talk of resource booms, New South Wales has the deepest, most sophisticated and most diverse economy in the nation.

This makes us more resistant to fluctuations in currency values and commodity prices, and better able to position ourselves where the real future is: in high value-added manufacturing and services. All the evidence we need can be found in the Department of State and Regional Development "NSW Competitiveness Report 2006", which I am proud to present today. By leave, I table the report.

Report tabled.

The competitiveness report brings together economic, trade and other data from a range of respected industry sources to compare business locations within the Asia-Pacific region, North America and Europe. The data is clear—even to the honourable member for Coffs Harbour. It shows that Sydney and New South Wales as a whole compare to, and often exceed, other top world locations such as London, Hong Kong, Singapore and Tokyo when it comes to doing business because we have high work force skills, excellent information technology and communications infrastructure, transparent legal and regulatory systems, and highly competitive costs. It is a highly competitive environment that is attracting investment and jobs. Government incentives are creating an attractive climate for business and investment.

In fact, Sydney remains a more cost-effective office location than other major business centres such as Tokyo, London, Hong Kong and Seoul. The competitiveness report is a valuable resource for selling the benefits of New South Wales to potential investors. The honourable member for Southern Highlands might join us in promoting New South Wales instead of running around talking the State down to investors. The report shows that we are competitive, we are strong and we are growing. Our competitiveness got a whole lot better after yesterday's decision—the honourable member for Hawkesbury cannot wait to seek the call again. To answer the second part of the question he tried to ask earlier: The State got a whole lot more competitive after yesterday's decision to scrap another five taxes. That will deliver another \$900 million a year in tax benefits to New South Wales businesses and families. The honourable member for Hawkesbury should sit down.

Mr Andrew Fraser: Point of order: The Premier has misled the House.

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

[Interruption]

Mr SPEAKER: Order! The honourable member for Coffs Harbour will resume his seat. In view of the honourable member's parliamentary experience and because he knew that his point of order was out of order, I place him on two calls to order.

Mr MORRIS IEMMA: For the benefit of the excitable honourable member for Hawkesbury, the news is doubly welcome because it brings our list of tax cuts to 11 in just nine months. That is the answer to the second part of the honourable member's question. When he gets the call again I will be more than happy to answer the first part of his question.

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

Mr MORRIS IEMMA: Those 11 tax cuts in nine months are worth almost \$2 billion.

Mr Brad Hazzard: Point of order: I am having difficulty trying to work out how it is nine months if the tax cuts do not occur until 2012.

Mr SPEAKER: What is the point of order?

[Interruption]

Mr SPEAKER: Order! I suggest the honourable member for Wakehurst consult a calendar. The Premier has the call.

Mr MORRIS IEMMA: That is \$2 billion a year for families and businesses. Those cuts include vendor duty, the indexation of the land tax threshold and the \$97 million payroll tax package. It is good to see that the honourable member for Coffs Harbour is endorsing the payroll tax concessions. I made that announcement on the same day as Peter Costello and John Howard put even more pressure on family budgets. I hope that the honourable member for Hawkesbury, who is about to ask his question, is paying attention.

Let us consider the four hits of Peter Costello and John Howard. No. 1 is the GST rip-off that is cheating New South Wales families of \$2.5 billion of their money that could be used to improve services or even to cut more taxes. No. 2 is Work Choices, which, as honourable members heard earlier, is cutting workers' pay packets. Hit No. 3 is fuel prices, which are increasing astronomically while Costello and Howard sit back and do nothing. And yesterday we had hit No. 4: the interest rate rise, which has added about \$80 a month to the average mortgage. Not satisfied with their four hits, Costello and Howard are threatening even more.

The New South Wales Government will continue to cut the cost of doing business in New South Wales. We will continue to add to the ever-increasing list of 11 taxes abolished in nine months, as we ease the financial pressure on families and business and create an environment for investment and employment. We will get on with the job of easing the financial pressure that Canberra is putting on New South Wales families.

CITYRAIL FARES

Mr SPEAKER: I call the honourable member for Hawkesbury.

[Interruption]

Mr SPEAKER: Order! The cheer squad on the Government benches will cease calling out.

Mr STEVEN PRINGLE: My question is directed to the Premier. Tomorrow there will be a public hearing into the Government's rail fare increases. Given that CityRail is still failing to provide the level of service that Sydney requires, why will the Premier not give New South Wales families a break and finally agree to cancel the proposed fare increases?

[Interruption]

Mr MORRIS IEMMA: He did listen: he got rid of the second part of the question because he was too embarrassed to continue after what Peter Costello did yesterday. We saw that disgraceful photograph on the front page of the Herald yesterday of Peter Costello jumping for joy. On the day he announced the interest rate rise—another slug for families—he was jumping for joy! No wonder the honourable member for Hawkesbury was too embarrassed to ask the second part of his question. The Independent Pricing and Regulatory Tribunal [IPART] has commenced a review of CityRail fares, the first since 2003. The submission to IPART requests that it consider a fare rise equal to the annual inflation rate. A consumer price index increase would equate to a rise of approximately 20¢ for the average journey.

As the honourable member mentioned, IPART will conduct public hearings. Since the last IPART review of rail fares, which was in 2003, the Government has indicated to IPART that it should not undertake a review of rail fares until CityRail demonstrated an improvement in services, which means that rail fares have remained steady for three years despite rising costs across the transport sector. The honourable member might want to ask Peter Costello about the interest rate rises. Since the introduction of new safer timetables, an unprecedented investment in rolling stock and infrastructure CityRail has shown encouraging gains in reliability and service delivery.

Mr SPEAKER: Order! The Opposition benches will come to order.

Mr MORRIS IEMMA: Of course a lot more work has to be done, and the Government is getting on with the job of doing just that. In the four months to the end of 2005 an average 91½ per cent of peak CityRail services ran on time compared to 61.7 per cent for the same period in 2004.

Mr SPEAKER: Order! The Premier has the call.

Mr MORRIS IEMMA: This month's new timetable for the Eastern Suburbs, Illawarra and South Coast lines will provide further stability and rail reliability. As the House has been informed on many occasions, passengers are beginning to return to CityRail in recognition of those service improvements, with an extra 90,000 passengers on trains each and every week. Commuter confidence is returning and service improvement is occurring. There is a long way to go, but the Government is getting on with the job.

HOME-BASED BUSINESSES

Mr MATTHEW MORRIS: My question is addressed to the Minister for Small Business. What is the Iemma Government doing to help small businesses in New South Wales, particularly those that operate from home?

Mr DAVID CAMPBELL: I thank the honourable member for his ongoing interest in the small business sector. On a couple of occasions I have had the opportunity to talk to small business operators in his electorate, which I appreciate. New South Wales is open for business, particularly for small business. The Iemma Government is helping business get on with the job. Its record speaks for itself. Since becoming Premier, Morris Iemma has announced a \$90 million payroll tax incentive to encourage more jobs and business investment across the State. It builds on the abolition of the vendor duty, helping to encourage further investment across New South Wales, slashing workers compensation premiums by 15 per cent, and the lifting of the land tax threshold.

Those reforms will improve the bottom line for business. They also encourage investment and economic development in communities across the State. Yesterday the Premier announced plans to abolish five other taxes, which is a total of 11 taxes cut or abolished in just nine months since he became Premier. The Leader of the Opposition and his lot would do well to take note of that strong performance. They carry on with all the nonsense in the world and try to talk down the New South Wales economy. Their \$23 billion of commitments on the spendometer would destroy the New South Wales economy. Their talking down of the economy is simply talking down the hard work of the mums and dads running small businesses that drive the State's economy.

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

Mr DAVID CAMPBELL: Members opposite will never acknowledge that the Government's work in supporting the small business sector means there are now more small businesses in New South Wales employing more people than at any time under the Coalition—more small businesses and more jobs than when the members opposite were in last in charge. New South Wales is open for small business. It has approximately 450,000 small businesses, which employ more than one million people throughout the State.

I am pleased to inform the House that on Monday I launched the start of Home-based Business Week 2006. This is our second annual Home-based Business Week and, given the popularity of the events last year, and the large number of people attending this year's activities, I am sure its success will continue to grow. The week provides an opportunity for home-based business operators to hear the latest business trends and how they can be applied to their home-based businesses. The events are a practical example of how the Iemma Government is helping small businesses. The Government is committed to supporting home-based businesses because they make a significant contribution to the strength of our State's economy.

According to the most recent Australian Bureau of Statistics figures, more than 282,400 home-based businesses operate in New South Wales, which represents almost 64 per cent of New South Wales small businesses. That is a lot of people working towards financial independence, growing their business and in some cases providing employment opportunities for others. Today in Parliament House the honourable member for Penrith and I met with both employing and non-employing small businesses, including home-based businesses. Operating a business from home has become increasingly popular. A number of factors have influenced the trend, including the rapid growth of service industries individuals opting for a sea change seeking a better work-lifestyle balance, increased outsourcing, job flexibility and the trend to self-employment. If any policy development is being undertaken on the other side of the House it is being outsourced.

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

Mr DAVID CAMPBELL: The continual evolution of technology such as the Internet, broadband, eBay, mobile phones and other communication advances have given people the freedom to work from home or virtually anywhere else. Working from home has offered people a new way to start their own business. This has allowed young people and women who traditionally are underrepresented in business to take a chance and pursue their dreams to become business operators. The New South Wales Government is a keen supporter of home-based businesses and the small business sector generally. The Iemma Government offers a range of programs to home-based business operators—programs covering business planning, marketing and operating systems. It has a wealth of experts presenting more than 25 events across the State this week—in locations as far and wide as Broken Hill, Tumut, Nowra, Parramatta, Ballina, Dubbo and Cooma. The Iemma Government is delivering for home-based businesses and small businesses while ensuring that New South Wales is open for business.

Questions without notice concluded.

SPECIAL ADJOURNMENT**Motion by Mr Carl Scully agreed to:**

That the House at its rising today do adjourn until Tuesday 9 May 2006 at 2.15 p.m.

BUSINESS OF THE HOUSE**Bill: Suspension of Standing and Sessional Orders.****Motion by Mr Carl Scully agreed to:**

That standing and sessional orders be suspended to permit the introduction immediately prior to the commencement of private members' statements of the Appropriation (Budget Variations) Bill, notice of which was given this day for tomorrow, up to and including the Minister's second reading speech.

CONSIDERATION OF URGENT MOTIONS**Fuel Prices**

Mr PETER BLACK (Murray-Darling) [3.28 p.m.]: Earlier today I gave notice that the most obvious reason for this matter having urgency is that the Federal budget will be delivered next Tuesday at 7.30 p.m., three working days from now. The matter is urgent because the bush is burning. Fuel prices are an insidious demon within the economic New South Wales. This matter is urgent because within The Nationals there are people who can bring about a change in the Federal budget. It is urgent because at the weekend the Hon. Rick Colless is going to Agfair in Broken Hill—where he is always welcome, of course. I hope he discusses fuel prices. This matter is urgent because Andrew Stoner, the Leader of The Nationals, is going to Broken Hill—where he also, I hope, will discuss fuel prices. And he will be welcome. I understand that John Cobb will be there for the occasion. He will not be welcome because he has never accorded any urgency at all to petrol prices, or fuel issues in general—unlike his Federal colleague Kay Hull. This matter is urgent because the shires have just released a report that shows that their infrastructure is declining rapidly due to inadequate maintenance.

This matter is urgent because the current budget delivers only \$1.67 billion from the anticipated \$13.98 billion to be raised in 2005-06. The matter is urgent because the price of fuel in Sydney yesterday was \$1.34.5 a litre, when diesel was \$1.51.9 in Broken Hill, \$1.51.5 in Deniliquin, \$1.48.9 in Griffith, \$1.52 in Balranald and \$1.49.9 in Hay. This matter is urgent because, whilst the Sydney price per litre yesterday was \$1.34.5, diesel reached \$1.63.9 in Wilcannia, \$1.49.1 in Dubbo and \$1.51.9 in Cobar.

Mr SPEAKER: Order! The Leader of The Nationals will come to order. He will have his opportunity to speak in a few minutes.

Mr PETER BLACK: The Leader of The Nationals is always welcome in Broken Hill. I do not know that I would go so far as to say that about John Cobb. The matter is urgent because it is the Federal Government that is currently ripping 47¢ a litre out of the price paid for fuel. The State has no fuel taxes. The Federal Leader of The Nationals sits idly by while the Federal Government rips off the people of New South Wales through the GST and pays a subsidy to Queensland.

Mr SPEAKER: Order! The Leader of The Nationals will cease inciting the honourable member for Murray-Darling.

Mr PETER BLACK: This matter is absolutely urgent because we need to galvanise Coalition leaders, including the Leader of The Nationals, to use these few remaining days to convince their Federal Nationals colleagues of the error of their ways. We need to convince the Leader of The Nationals to take on John Cobb in Broken Hill this weekend and to tell him, between now and next Tuesday night, to follow the example of Kay Hull. All members of The Nationals should follow the lead of Kay Hull, who wants to cap the GST to give western motorists a fair go—but not John Cobb!

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

Mr PETER BLACK: I challenge The Nationals to tell me why John Cobb did not take his socks off. That is another story.

Ms Linda Burney: I want to know why, too.

Mr PETER BLACK: The honourable member for Canterbury wants to know that too. Indeed! This matter is urgent because members opposite have only three working days to talk to their Federal colleagues. I repeat: The Leader of The Nationals is always welcome in Broken Hill, and at the Southern Cross in Broken Hill. His money is always welcome too! But not John Cobb. I invite the Leader of The Nationals to come to Broken Hill and have a look at the fuel prices, and then try to explain to people why he thinks the Snowy Hydro issue is so important that it must be debated today, as distinct from petrol prices and fuel prices generally in the bush. I challenge him to come to Broken Hill to explain to the people why his shadow Minister for Natural Resources has been dallying with the dregs today. [*Time expired.*]

Mr SPEAKER: Order! Before I call the Leader of The Nationals, I need not advise him that this debate will not be won or lost on whether he can match or better the performance of the honourable member for Murray-Darling.

Snowy Hydro Limited Sale

Mr ANDREW STONER (Oxley—Leader of The Nationals) [3.34 p.m.]: Never! No-one would deny that people are feeling the impacts of high fuel prices, but the motion of the honourable member for Murray-Darling once again deals with a Federal Government matter. It is also something of an own-goal because it points out his Government's failing. An issue that is extremely important to this Parliament is the sale of Snowy Hydro.

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

Mr ANDREW STONER: There has been a rush to privatise Snowy Hydro. This is an extremely urgent matter because throughout New South Wales people are saying no to Labor's rushed fire sale of Snowy Hydro. The New South Wales Government wants to force through the privatisation of Snowy Hydro without any scrutiny by, or consultation with, the community. Yesterday, The Nationals and the Liberals forced the Government to concede to a parliamentary inquiry to examine the many and varied concerns of the community about this ill-conceived privatisation, which is all about Labor's self-inflicted financial woes.

Mr Peter Black: Point of order: Quite clearly, the Leader of the Opposition is arguing his case, not establishing urgency.

Mr SPEAKER: Order! The honourable member for Murray-Darling was given a fair go, and I would like to listen to more of what the Leader of The Nationals has to say before I rule on the point of order.

Mr ANDREW STONER: Clearly, this matter is urgent, and the people of Monaro, Murray-Darling and all of New South Wales want a full and independent inquiry, and they want the sale of the Snowy Hydro stopped pending the outcome of the inquiry. The honourable member for Murray-Darling is not listening to communities along the Murray and the Murrumbidgee.

Mr SPEAKER: Order! The honourable member for Murray-Darling will cease interjecting.

Mr ANDREW STONER: They want an inquiry, and they want the sale stopped.

Mr Steve Whan: Point of order: The Leader of The Nationals seems to be engaging in an argument across the Chamber, and that is disorderly. But, more importantly, I would like to know why he did not turn up to debate the matter when it was the subject of an urgency motion yesterday.

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

[*Interruption*]

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

[*Interruption*]

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

Mr ANDREW STONER: This is an urgent matter because people are not happy with the shady way in which the honourable member for Murray-Darling and his Labor mates have stitched up this deal—without any consultation with the community, without any vote in this House, without any parliamentary scrutiny, and without giving any details of the sale. Where is the money going? My motion is urgent because the people of New South Wales want answers. What is the Labor Party hiding? If it has nothing to hide, why does the Government refuse to release the details of this deal?

Mr SPEAKER: Order! The honourable member for Monaro will cease interjecting.

Mr ANDREW STONER: The matter is urgent because, back in 1997, the Labor Government snuck through a bill called the Snowy Hydro Corporatisation Bill. At that time my colleague the honourable member for Ballina said that once the Snowy was corporatised it was almost guaranteed to be privatised. In fact, the honourable member added:

... we face the prospect of water distribution across New South Wales both through irrigation and environmental flow being controlled by some corporation that is not Australian.

Could he have been any closer to the truth back in 1997? Labor members of this Parliament supported that bill without a water inquiry. They included the honourable member for Lakemba, now the Premier, and the—

Mr Tony Stewart: Point of order: I am loath to take this point of order, but it is clear that the Leader of The Nationals is arguing the substance of his motion and not urgency. Mr Speaker, that is contrary to your recent ruling on arguing urgency. I ask that you make a ruling in relation to that issue.

Mr SPEAKER: Order! The honourable member for Bankstown has taken a point of order in relation to urgency. I remind honourable members that the House is being asked to determine priority, not urgency. It is important for members to remember that, because a number of similar points of order have been taken over the past few years on an erroneous basis. I thank the honourable member for Coffs Harbour for having brought that matter to my attention earlier in the year.

Mr ANDREW STONER: The honourable member for Bankstown wanted to shut down the debate, because he was one of the Labor members who voted in favour of the Snowy Hydro Corporatisation Bill. My motion should be given priority for debate. It is an issue for urgent consideration of this House, unlike that of the honourable member for Murray-Darling. The honourable member for Monaro has done nothing more than try to sell his party's spin to local people. He did not seek an inquiry. The Nationals candidate for Monaro, David Madew, and The Nationals in this place did. The honourable member for Monaro did not seek an urgent debate to halt the sale. The Nationals did. However, he did vote against that debate—

Mr Steve Whan: Point of order: The Nationals candidate for Monaro is on the record as saying that he is not opposed to the sale of Snowy Hydro.

Mr SPEAKER: Order! There is no point of order. The Leader of The Nationals' speaking time has expired.

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

The House divided.

[In division]

Mr Steve Whan: Point of order: An interjection from the other side of the House suggested that this vote was about supporting the sale. I point out that it is not.

Mr SPEAKER: Order! There is no point of order. The honourable member will resume his seat.

Ayes, 47

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

Noes, 34

Mr Aplin	Mrs Hopwood	Mr Roberts
Mr Barr	Mr Humpherson	Ms Seaton
Ms Berejikian	Mr Kerr	Mrs Skinner
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	<i>Tellers,</i>
Mrs Hancock	Mr Piccoli	Mr George
Mr Hartcher	Mr Pringle	Mr Maguire
Mr Hazzard	Mr Richardson	

Pairs

Ms Beamer	Ms Hodgkinson
Ms Gadiel	Mr J.H. Turner

Question resolved in the affirmative.

FUEL PRICES**Urgent Motion**

Mr PETER BLACK (Murray-Darling) [3.48 p.m.]: I move:

That this House:

- (1) again condemns the Opposition for ignoring the devastating impact of skyrocketing fuel prices on New South Wales families, businesses and rural and regional communities;
- (2) congratulates the Government on its commitment to the New South Wales biofuel industry; and
- (3) calls on the Federal Government to strengthen the Trade Practices Act and establish a full Australian Competition and Consumer Commission inquiry into the petrol industry.

The Leader of The Nationals did himself no good whatsoever in his contribution as to why this matter is not urgent. We know that the Leader of The Nationals is journeying to Broken Hill this weekend for a great cause, Agfair. I have said that he will be welcomed in Broken Hill, and I see no reason why he would not be. However, I can assure the House that the Leader of The Nationals is totally wrong if he thinks that the people of Broken Hill agree that the sale of Snowy Hydro Limited takes priority over fuel prices that must be paid in Broken Hill.

The honourable member for Wagga Wagga nods his head in agreement, and he is right to do so. I am as concerned about fuel prices in Wagga Wagga as he is. I share the concerns of the sincere members on both sides of the Chamber who are worried about fuel prices. The matter undoubtedly needs urgent consideration as far as people who live in the bush are concerned.

An examination of fuel prices reveals that on Tuesday 28 February—nine weeks and one day ago—the cost of fuel per litre in Sydney was 112.9¢ and yesterday the price per litre for fuel had increased to 134.5¢. In a period of nine weeks, the price per litre of fuel rose by 21.6¢ in Sydney, whereas the price per litre of fuel in Brisbane over the same period increased by only 15¢. I will discuss the possible reasons for that later. In Melbourne the price per litre of fuel over the same period increased by 19.5¢. The following increases were recorded in the bush: in Hay the cost per litre of diesel fuel in that nine-week period increased by 11.9¢; in Balranald, the cost increased by 13¢; in Deniliquin, the cost increased by 13.6¢; in Broken Hill, the cost increased by 13.4¢; in Bourke, the cost increased by 11¢; in Cobar, the cost increased by 13¢; in Dubbo, the cost increased by 10.7¢; and, in Wilcannia, the cost increased by 8¢. These figures represent monumental increases in the cost of fuel over a short period.

People in the bush are paying far more for petrol—in many cases more than 12¢ per litre more—than are people in Sydney. The fact of the matter is that during the past 20 years the real price of fuel has decreased, but total Federal taxation increases have created increases in the price per litre of fuel, ranging from 6¢ to 47¢. In case Opposition members want to check my sources, I direct them to the Shell in Australia web page, where they will see that total taxation, which includes excise and other Federal taxes as well as the cost of additives and refinery charges, has driven up the price of fuel by 47¢ per litre. The figures are stated on the Shell in Australia web page, if members of the Opposition care to check. The increase does not, of course, include the GST.

With respect to the GST, New South Wales motorists, particularly those who live in western New South Wales, pay more than 3¢ per litre for fuel to subsidise other States. This is a chronic state of affairs and it presents a danger to us all. We in New South Wales, regardless of our political persuasion, should be concerned about the fact that the people of New South Wales subsidise Queensland motorists to the extent of 8¢ per litre. Earlier today I mentioned Kay Hull who, together with a Nationals colleague, John Forrest, has been calling for the GST on fuel to be cut to reduce the current record high fuel prices. I totally support it. That is a first-class call and I support it because, let us face it, the cut could well be the extra amount that New South Wales motorists pay to subsidise people in other States.

New South Wales collects more than \$13.5 billion in GST, but the Federal Government returns only \$11 billion. That issue has been the subject of debate many times. I remind The Nationals that Shires Week commences in the first week of June. I hope as many of The Nationals as possible will attend sections of that conference because they might learn something. They will find that fuel prices are of much more concern out west than is the sale of Snowy Hydro Limited. I think everyone would agree with that. At the end of the day, the shires consider roads to be very important. Of the total fuel taxes, of \$13.98 billion that has been raised—of which, incidentally, \$1.4 billion was unexpected revenue—only \$1.67 billion is being allocated to road funding for New South Wales.

These are absolutely devastating figures. They are devastating for our shires. Approximately one-quarter of the New South Wales shires have infrastructure that is literally falling apart, according to a report released this week by the Local Government and Shires Associations. Wakool shire, which is in the Murray-Darling electorate, does not have the financial capacity to continue with the repair of roads and bridges between now and the end of the financial year. New South Wales tax money is subsidising fuel in Queensland by 8¢ per litre, and that is a disgrace. Surely the Opposition cannot support that. The GST arrangements mean that every New South Wales household gives Queensland a subsidy of \$133 a year. Surely no member of this House would seek to defend that position logically. As I have said, the Commonwealth Government takes 47¢ in taxes, including 38.143¢ per litre in excise on top of other taxes.

As I have said, this year fuel excise will return to the Federal Government \$13.98 billion. With unexpected windfall earnings from other taxes including excise, I suspect that fuel prices will remain high for quite some time. The long-term petrol price increases have been driven by rises in government tax. I draw the attention of those who would argue that point to a graph that has been prepared by Shell in Australia. It is a pretty interesting graph because it shows that fuel prices excluding tax over the years since 1980 have increased by only 50¢ a litre. Shell has shown in a very clear diagram the huge increase in Federal taxes from 8¢ to 47¢. In 1984 the real price of fuel excluding tax was approximately 35¢ per litre and currently the real price of fuel excluding tax is 50¢ per litre. The increase in the cost of fuel per litre over that period excluding tax is a total of 15¢.

In 1984 the price per litre of fuel was 50¢ but by 2004 that had increased to well over \$1, which is an increase of more than 50¢, which demonstrates that the increase in taxation over that period was in the order of 45¢ per litre. In 2006 consumers are paying an additional 46¢ on top of the 2004 price. The Opposition cannot explain why the cost of fuel over that 20-year period increased by only 50¢, whereas over just the past two years it has increased by 40¢ per litre. In the past nine weeks alone the average price of fuel has increased across the country by approximately 15¢ per litre. I ask honourable members to note the price differentials between city prices for fuel in places such as Sydney and country prices for fuel in the western districts.

A new survey on the New South Wales Tourism web site shows that soaring fuel prices continue to impact upon the travel plans of Australians. This is certainly borne out in western New South Wales, where tourism figures have declined. Only one in five Australians has changed their travel plans because of the high cost of fuel. A national visitors survey indicates that while 2006 prices for fuel are unknown, they are expected to soar well above 2005 prices. In conclusion, I draw the attention of the House to a media survey conducted by the NRMA that was published on 29 September 2005. It shows that 94 per cent of motorists expect fuel prices to be a component in a change to their lifestyles.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [3.58 p.m.]: At the outset I state that members of the Opposition and, I am sure, all other members of this House appreciate the significant impact of rising fuel prices on regional areas, in particular, and Australia's economy generally. Families and businesses feel that impact. Increasing fuel prices is a significant issue because it goes directly to the cost structure of the economy. However, although we are sympathetic to the situation I point out that constitutionally the Federal Government does not have the power to regulate the retail price or the wholesale price of fuel. Indeed, under the Australian Constitution the States retain that right, should they so desire. In 1999 the then Minister for Fair Trading, the current Deputy Premier, answered a Dorothy Dix question about rural petrol prices. When asked what the State Government was doing about that issue, he stated:

I can advise the House that the next stage of Country Labor's fight for cheaper petrol prices in rural and regional New South Wales will start in the next few days. From Monday, advertisements will be in rural and regional newspapers advising country consumers how they can make verbal submissions about petrol prices.

Having identified a number of regions that the Department of Fair Trading would visit, the Minister further stated that the Government had set up a hotline that ran between 16 and 22 August 1999, which was a most successful initiative. If the initiative had been so successful at the State level at that time, why is New South Wales in this current situation? The reality is that the New South Wales Opposition has no capacity to control petrol prices. Paragraph (1) of the motion, which condemns the New South Wales Opposition, is obviously a nonsense and we will oppose the motion. In a speech on this subject on 8 March this year the honourable member for Murray-Darling pointed out that fuel prices in western New South Wales were higher than they are in regional Victoria.

I would have thought, *prima facie*, that that would indicate that the State Government has the capacity to do something about fuel prices, if indeed anyone has that capacity. It has that constitutional authority in regard to the way in which fuel prices are set in Australia. However, we must bear in mind that fuel prices are linked to the international price of fuel. That is the most significant determinant by far of petrol prices. Honourable members should bear in mind that two-thirds of Australia's oil that is used for refining petrol is imported. That is a significant factor and it tells us that we need to maintain some international parity with petrol pricing. If we do not, we will not be competitive with the rest of the world, particularly those Australians who export fuel products. We need to remain competitive.

I emphasise that the price of oil is a key determinant in the price of petrol. Factors beyond the control of the Australian Government determine the price of petrol. Other Opposition members and I have made that comment, and the Australian Labor Party acknowledges that fact. On 22 July 2005 in an article in the *Age* Craig Emerson, chairman of the Federal Labor caucus economic committee, stated, "Australia's record petrol prices have one cause and one cause only—high world oil prices." One would have assumed that Craig Emerson understands what is going on, and he should educate the New South Wales Government about the true reason for higher petrol prices.

Currently there is a strong world-wide demand for petrol. The world economy is growing fast. In particular, China and India are experiencing significant economic growth. There has been an outstripping of demand for petrol beyond the current refining capacity across the globe. Indeed, Hurricane Katrina played a significant role in reducing the refining capacity in the world. It has been another factor in driving up the price of crude oil and refined petrol. No-one in their right mind would have any doubt that we need to do a lot more

with biofuels. I compliment the Leader of The Nationals on introducing the Public Sector Employment and Management Amendment (Ethanol Blended Fuel) Bill on 15 September 2005. Essentially, that bill sought to mandate the use of ethanol-blended fuel in the New South Wales Government fleet.

That is not insignificant, because the New South Wales fleet comprises 24,500 cars and light vehicles. The New South Wales Nationals have been very keen to ensure that we become more proactive in using biofuels as an alternative to fossil fuels. I ask the honourable member for Murray-Darling to consider why the New South Wales Government is not doing more about using ethanol. There are many economic and environmental benefits from using biofuels, including the capacity to value add in our agricultural industries; ethanol production from agricultural crops; environmental benefits; a reduction in vehicle tailpipe emissions; ethanol production from agricultural crops; and 30 per cent reduction of fuel pollutants result from a 10 per cent blend. Increasing biofuel usage in New South Wales would result in significant benefits. Yet the Government is sitting on its hands. It said it would do something about this, but it has not used biofuels in all of its vehicle fleet.

I refer to the GST. One reason the New South Wales Government is not likely to be fair dinkum about fuel price increases is because it greatly benefits from the rising price of fuel. The Federal fuel excise is fixed at 38.143¢ a litre, whereas the GST revenue increases as the price of fuel increases. For example, as the price of fuel rises from \$1.00 to \$1.50 the GST component rises, roughly, from 10¢ to 15¢. And the GST component, as we all know, comes back to the States. Which State is the biggest beneficiary? It is New South Wales. It is somewhat hypocritical for the New South Wales Government, and for the honourable member for Murray-Darling, to condemn the New South Wales Opposition in relation to rising fuel prices. In fact, the New South Wales Government is a direct beneficiary of the increasing price of fuel through the GST extra revenue.

The Opposition will certainly not support the motion. We believe that the New South Wales Nationals, through the bill introduced by the Leader of The Nationals in relation to mandating 10 per cent ethanol use in the Government fleet, have initiated a proactive and constructive measure. The Government should seize on that and support the bill. It should introduce biofuels into its fleet. It is important to note that New South Wales has some capacity to control fuel prices, and that is evident by the fact that prices in regional Victoria are lower than they are in western New South Wales. Constitutionally, the Federal Government has no capacity to regulate either the retail price or the wholesale price of fuel, but it has some capacity to look at competition in relation to the restrictive trade practices legislation. In fact, it is pretty active in monitoring those issues. The Opposition cannot support the motion. It is hypocritical, given that in 1999 the Government said it would do things. The then Minister for Fair Training made a big fool of himself by saying that it was very successful. The price of fuel is still rising.

Mr MATT BROWN (Kiama) [4.08 p.m.]: I support the urgent motion moved by the honourable member for Murray-Darling, one of the greatest advocates for country people in this Chamber. He is committed to doing everything he can to ease the squeeze that is being felt by the battler, the working person and the business person in this State as a result of increasing petrol prices. Members of the Opposition in this Chamber are the worst apologists for their Federal counterparts and their miserable policies on this issue. Opposition members referred to world oil prices and they then referred to their stance on ethanol. At the Manildra plant in Bomaderry in the Kiama electorate the New South Wales Labor Government and the Premier, Morris Iemma, made a commitment to commence using ethanol in petrol in July, something for which I have been lobbying for years. We call on the Commonwealth Government, which is doing nothing, to make the same commitment. What are the New South Wales Nationals doing to get the Commonwealth Government to follow the lead of the New South Wales Labor Party and use ethanol in fuel?

This matter is crucial to the people of New South Wales. While petrol prices spiral upwards families and small businesses are struggling to make ends meet. At the moment petrol in Kiama costs nearly \$1.40 a litre—sometimes it is more. Every trip to the petrol pump means that families and small businesses face tighter weekly budgets. While families are cutting corners and doing without, the profit margins of small businesses on the South Coast are being eroded. Local couriers, delivery drivers and others in the transport industry are being hit hard. I cite our local tourism industry as an example. Kiama and the South Coast are favourite holiday locations, but high petrol prices are making people think twice about day trips from Sydney to tour our local sites. That is having an impact on local businesses.

An NRMA survey found that 70 per cent of small businesses in New South Wales have experienced a cut in profits because of rising petrol prices. Judging from international reports the crisis is set to deepen even further. What has the Opposition done? What support has it given our communities? What has it done to appeal to its Federal colleagues? What pressure have members of The Nationals applied to the Howard Government?

What solutions do they offer families and small businesses in New South Wales? No-one in the State Opposition—the Liberal Party or The Nationals—is bursting at the seams to help regional communities survive in this climate. They are simply apologists and point to outdated legislation they introduced in this Parliament on which the Government has already acted.

Once again that goes to show how irrelevant members of The Nationals are. It shows just how city-centric the Leader of the Opposition and his team have become. The New South Wales Government is working hard to support regional consumers. We want to ensure that families and businesses in New South are protected in law from price gougers. Honourable members might be aware that the New South Wales Government constantly places pressure on the Commonwealth Government to give the Australian Competition and Consumer Commission greater powers to crack down on profiteers. We want to ensure we have a Federal body with the power to stop major fuel companies ripping off consumers. Recent price hikes over the Easter break illustrate that need.

The Labor Government knows that rising petrol prices mean it has to act now to insulate motorists and businesses as best it can from future international price increases. It has already signalled its commitment to fuel such as ethanol. It has made that commitment concrete by ensuring that all future government vehicles will use biofuels where available. Our next contract will call for tenders from suppliers who are able to provide biofuels such as ethanol-blended petrol and biodiesel. As well as covering State Government vehicles, many local councils and not-for-profit organisations will also be able to take advantage of this New South Wales Government initiative.

I congratulate Premier Morris Iemma on a commitment that will benefit the community and the environment. The New South Wales Government aims to save approximately \$59 million on vehicle leases and fuel costs. At the same time it aims to slash greenhouse gas emissions by 55,000 tonnes by 2008, the equivalent of taking 14,000 cars off the road. Our plan is a positive step for this country and an investment in the future for 220 workers at the Manildra ethanol plant at Bomaderry. As well as creating local jobs on the South Coast that company is also supporting our farming community. That landmark decision will unlock thousands of jobs in regional New South Wales. I call on the Commonwealth Government to acknowledge the leadership of the New South Wales Government on this issue. I commend the motion of the honourable member for Murray-Darling to the House.

Mr RUSSELL TURNER (Orange) [4.13 p.m.]: In speaking in the debate on this urgent motion I note that the honourable member for Murray-Darling and the honourable member for Kiama congratulated the Iemma Government on its initiative to promote the biofuel industry. What has the Government done to promote that industry? There was much talk when the Premier visited Bomaderry and supported Manildra Mills, but how many Government members use biofuel or ethanol in their petrol tanks? I support my local suppliers and producers of ethanol and use ethanol in my vehicle. I support the four farmers near Blayney who produce biodiesel from used fish and chip oil. They are to be congratulated. They use biodiesel in their tractors and each week make available 16,000 litres of biodiesel to help other farmers through this crisis. The Government has not thanked them.

The honourable member for Murray-Darling supports a cut to the Government's share of the GST fuel component, but the Government is not willing to forego even a portion of it. Why has it not given back to motorists in New South Wales some of that GST component from fuel? There is a lot of talk by Government members but no action. The Government talks about supporting motorists in New South Wales, but it is not doing that. It has not encouraged fuel companies or put pressure on them to ensure that they supply ethanol-based fuel. Some fuel companies in Queensland supply ethanol-based fuels. I congratulate the Caltex fuel company in Queensland, which is distributing ethanol-based fuels at most of its outlets.

The Government has not pressured Caltex into distributing ethanol-based fuels at its New South Wales outlets. Government members said today that this motion was urgent. We heard a lot of rhetoric from them, but we have seen no action. I congratulate Leewood Fuels in Orange for providing ethanol-based fuel at its service station. As was mentioned earlier, that ethanol is supplied by Manildra Mills. I congratulate United Petroleum, which is selling ethanol-based fuels produced by CSR through its outlets in Orange. That is an indication that the public supports the use of ethanol. Over 50 per cent of the fuel sold at those three at outlets in the Orange electorate is ethanol based. People have accepted this fuel and are using it but the Government is not putting pressure on oil companies to match the initiatives taken in Orange.

As I said, United Petroleum is distributing ethanol fuel at all its outlets in New South Wales but the State Government is not supporting that initiative. Very few of the 26,000 vehicles in the Government's fleet are

running on ethanol-based fuels today. The Government is strong on rhetoric but it does very little. If this motion is urgent, as the honourable member for Murray-Darling claims, the Government should ensure, wherever possible, that all vehicles in the New South Wales Government fleet use ethanol-based fuels. The Government should support the four farmers in Blayney who are producing 16,000 litres of biodiesel at a cost of \$26,000 by recycling fish and chip oil.

Farmers are committed to producing and using such fuel. Why is the Government not supporting them? It is one thing for the honourable member for Murray-Darling to move an urgent motion but it is another for the Government to use and support the growth of ethanol-based fuels. If the Government is concerned about the price of fuel in New South Wales it should give back its share of GST money—at the very least the 4¢ or 5¢ windfall it has received over the past few months. It should stop blaming the Commonwealth Government for the rise in fuel prices and acknowledge that fuel prices have risen as a result of increased usage in China and India. The increase in the price of fuel is not the fault of the Federal Government. If Government members were serious about this urgent motion they would ensure that this State's share of the GST fuel component was handed back to motorists.

Pursuant to sessional orders business interrupted and motion lapsed.

BUSINESS OF THE HOUSE

Notices of Motions

Mr DEPUTY-SPEAKER: Order! It being after 4.15 p.m. the House will now deal with General Business Notices of Motions (General Notices).

General Business Notices of Motions (General Notices) given.

APPROPRIATION (BUDGET VARIATIONS) BILL

Bill introduced and read a first time.

Second Reading

Ms CARMEL TEBBUTT (Marrickville—Minister for Education and Training) [4.23 p.m.], on behalf of Mr John Watkins: I move:

That this bill be now read a second time.

The Appropriation (Budget Variations) Bill is a key part of the annual budget process. The 2005-06 budget was delivered before the start of this financial year. Throughout the year the Government becomes aware of the requirement to cater for unforeseen and urgent expenditures that were not forecast at budget time. The Appropriation (Budget Variations) Bill ensures that variations to the 2005-06 budget are appropriated by Parliament. The bill ensures that there is a transparent process for examining this expenditure. So the practice of seeking approval for supplementary funding to cover expenditure not provided for in the annual Appropriation Act has now become an important part of the annual budget process. This is a process that has been endorsed by the Auditor-General as well as the Legislative Council's General Purpose Standing Committee No. 1 in its report on appropriation processes.

Parliament is aware that it is not always possible to seek Parliament's authority in advance for unforeseen and urgent expenditure, and previously established provisions to deal with such situations. These include the Treasurer's Advance and section 22 of the Public Finance and Audit Act 1983. The Treasurer's Advance is an amount made available to the Treasurer in the annual Appropriation Act to be used for unforeseen and urgent expenditure. This amount is available for both recurrent services and capital works and services. In addition, section 22 of the Public Finance and Audit Act 1983 allows the Governor to approve expenditure for the exigencies of government from the Consolidated Fund in anticipation of appropriation by Parliament.

The bill has four key features. First, it provides an account to Parliament on how the Treasurer's Advance has been applied for recurrent and capital expenditure. Second, it seeks an adjustment of the 2005-06 advance prior to the end of the current financial year. Third, it seeks appropriations to cover expenditure approved by the Governor under section 22 of the Public Finance and Audit Act 1983. Finally, it seeks

appropriation for payments that are intended to be made in the current financial year where no provision was made in the annual appropriation bill. Schedule 1 to the bill covers appropriations for 2005-06 and schedule 2 covers payments made in 2004-05. The payments from 2004-05 have already been brought to account in the agencies' audited financial statements and have no impact on the published budget result for that year.

The Government, in presenting further appropriation bills, has sought as far as possible to ensure that Parliament has the opportunity to scrutinise anticipated additional funding requirements prior to expenditures being incurred. The Appropriation (Budget Variations) Bill, in respect of the 2005-06 financial year, seeks appropriations of \$206.335 million in adjustment of the Advance to the Treasurer, \$20.237 million for recurrent services approved by the Governor under section 22 of the Public Finance and Audit Act 1983, and \$1 billion to reduce the State's superannuation liabilities and additional appropriation of \$52.033 million for recurrent services. Schedule 1 to the bill has a full account of how the Treasurer's Advance has been applied this year.

The Treasurer's Advance payments in 2005-06 highlight the commitment of the Iemma Government to ensuring appropriate services for the community, and includes \$36 million for ageing, disability and home care services, \$31.446 million for the development of Parramatta Justice Precinct on the former hospital site, \$27.35 million for teachers award increases, \$16.155 million for police for information management and technology strategic plan implementation, \$15 million for drought assistance programs, \$13.2 million for timber restructure initiatives, \$13 million for post and priority action schools program, and \$5 million to increase elective surgery activity for low-complexity procedures. The bill also includes under section 22 of the Public Finance and Audit Act 1983 for 2005-06 \$10.237 million for further drought assistance, in particular the New South Wales contribution to the national exceptional circumstances scheme, and \$10 million for timber restructure initiatives in the Brigalow and Nandewar regions.

The New South Wales Self Insurance Corporation will provide a return of capital distribution of \$1 billion to the General Government Liability Management Fund in order to reduce the State's unfunded superannuation liabilities. These funds are a result of lower public sector workers compensation and public liability claim costs due to the Government's workers compensation and tort law reform legislation, and higher than expected investment returns. An appropriation is sought for the \$1 billion to be applied to reducing the State's unfunded superannuation liabilities. Additional appropriations for recurrent services include \$17 million for the First Home Owner Grant Scheme, \$16.433 million to the Department of Health for immunisation and pathways programs, and \$10.6 million for training additional police recruits.

The bill also seeks appropriations for payments made during the 2004-05 financial year, approved by the Governor under section 22 of the Public Finance and Audit Act, and reports payments made under the Treasurer's Advance. Schedule 2 to the bill details the funding made in 2004-05 and includes an adjustment to the superannuation guarantee charge payments, additional interest costs on borrowings, additional Department of Corrective Services funding and the cost of increasing police officer numbers. Each of the payments made in 2004-05 has been included in the audited financial statements of the relevant agencies for that year. The practice of introducing further appropriation bills has enhanced accountability for the expenditure of public moneys from the Consolidated Fund. It is further evidence of the Government's commitment to transparent and full financial reporting to the Parliament and the community. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire.

PRIVATE MEMBERS' STATEMENTS

INTEREST RATES

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.32 p.m.]: I express my concern about the effect on families in the Tweed of the latest interest rate rise, which hits families with mortgages and follows the impact of John Howard's industrial relations policy on families and young people. That policy has dramatically reduced the take-home pay of many young workers, and threatens all people in the work force, both now and in the future. As well as the weight of higher fuel prices, the latest interest rate rise has dramatically crushed the disposable income and standard of living of many families.

To understand what a low blow Howard has inflicted on families in New South Wales and, indeed, the whole of Australia, one only has to read the statement made by the Governor of the Reserve Bank of Australia,

Mr Ian Macfarlane. John Howard is prepared to again attack the take-home pay and disposable income of families rather than take on big business, which is pushing up the rate of inflation. John Howard has chosen to control inflation through Reserve Bank policies and to hit families rather than take on the sectors that are pushing up inflation, that is, the resources, exports and finance sectors. The Governor of the Reserve Bank revealed that the Coalition has deliberately chosen to control skyrocketing inflation by hitting the pockets of young families with mortgages.

Governor Macfarlane revealed that John Howard had a number of options to control inflation, yet he opted to ignore capital gains tax and refused to adjust company tax, despite the almost runaway growth of those sectors of the economy and the massive contribution they make to inflation. Indeed, they are now benefiting from his protection. The big end of town is let off scot-free and the mums and dads suffer the pain of trying to meet inflationary targets set by John Howard and Peter Costello. Governor Macfarlane stated that households and businesses find it attractive to borrow at prevailing interest rates, yet John Howard ignores that and caters to the big end of town. Governor Macfarlane's statement confirms that the Coalition is relying on overseas countries to keep Australia's economy moving, and John Howard has no policies to promote growth in value-added industries or to protect mum and dad mortgage holders. They are being forced by Howard to carry the burden of controlling inflationary pressures and John Howard's favoured sectors are being allowed to grow.

The bottom line is that John Howard does not care how he controls inflation. He is prepared to push young families harder and harder. I will not be surprised if the Federal budget, which is to be delivered next week, has further gains for the big end of town by means of a reduction in capital gains tax and a possible reduction in company tax. If that is the case, it will be a blight on the Liberal-Nationals Coalition, which is not looking after the families in Australia. If Peter Costello reduces company tax or capital gains tax, that will further highlight the fact that John Howard is happy to have the burden of controlling inflation firmly forced onto families and those who can least afford it. I refer to those who have taken hits through recent increases in petrol prices and the WorkChoices policy, which reduces and puts at risk take-home pay now and in the future. It is deplorable that the Federal Government is hell-bent on further attacking families rather than pursuing the other options of controlling inflation that were revealed in Governor Macfarlane's statement.

SHOALHAVEN POLICE NUMBERS

Mrs SHELLEY HANCOCK (South Coast) [4.37 p.m.]: I again highlight crime and antisocial behaviour in the Shoalhaven Local Area Command. I have raised the lack of police numbers in the Shoalhaven for almost the entire time I have been a member of this place. In my office I have burgeoning files and letters from constituents regarding the serious and disturbing incidents occurring in the villages and towns of my electorate. During the past 12 months in particular I have become more and more concerned about the ability of local police, given their inadequate resources, to deal with crime in the area. Frankly, I am sick and tired of calling for more police. I am horrified at the continuing stories of crime and antisocial behaviour, which seems to be getting much, much worse.

Every day, every night and every weekend I read reports in the local media of serious incidents of crime in the Shoalhaven and about elderly residents living in fear. Apparently, the geographical nature of the Shoalhaven—the relative isolation of many of the towns and villages and the distance from Nowra Police Station—is not understood by the Iemma Government. Unfortunately, it seems that villages such as Culburra Beach, Callala Beach, Callala Bay, Huskisson, Sanctuary Point, Sussex Inlet and others are now experiencing unprecedented levels of youth crime. The simple fact is that there are too few police in the Shoalhaven to address the problems, and the law does not provide police with sufficient powers to exercise control over young people. In the time available I want to read onto the record some of the comments from residents and community groups in the South Coast that graphically describe what is going on. An extract from a diary of Sanctuary Point residents in February this year reads:

The last four Fridays have been unbearable with youths rampaging, yelling and disturbing the peace. Drinking, yelling youths imitating police with a possible megaphone so loud that every neighbour rang the police.

A resident of Callala Bay writes:

Over many months now teenagers have been roaming the streets from around four in the afternoon until two and three in the morning. They shout obscenities at one another and hurl insults at any resident who tries to get them to move on. They have absolutely no regard for anyone else and their aggressive actions have some residents fearing for their lives. "Thugs" have literally taken over the streets.

An extract from a letter to the Minister for Police, as yet unanswered, from a resident in Culburra Beach, on behalf of her 87-year-old mother, states:

Large gangs of young boys and girls some as young as 14 or 15 are holding the town to ransom. Just last Saturday night in a drunken spree they damaged my mother's letter box for the 6th time, invaded the yards of residents where they sat drinking, tore down a fence, attacked each other with palings, threw a brick through the window of another elderly woman's home, threw a letter box through another window, broke bottles, damaged road signs and other public notices.

A community group in Sussex Inlet writes:

We have received various verbal complaints about antisocial behaviour of young people in the town particularly on weekends. They report one complaint of a resident who reported young bicycle riders riding in the middle of the night leaving the footpath and riding in front of moving cars causing them to brake quickly to avoid a collision. I am also aware that this is a common occurrence in Sussex Inlet with young bicycle riders blocking bridges and preventing drivers from reaching their destination.

This is just a small but very representative sample of some of the concerns raised by residents. I have called for, and will continue to call for, more police in the area, recognising that this Government commits to increased police numbers only at election time, in the interim years driving police numbers down. That is the reality of its attitude to police numbers. Its record on police numbers and ineffective legislation to combat youth crime in particular is leading to an inability of our hard-working police officers to deal with everyday challenges, such as I have described today. The Carr and Iemma governments have never been serious about law and order, and the Minister for Police is simply missing in action on policing issues in the Shoalhaven. On behalf of all residents, once more I call on the Minister to allocate an additional 30 officers to the Shoalhaven area command and support police in this State.

In 2003 we had 137 officers. Ever since we have been hovering between 129 and 132, when the Government's target—that is, authorised strength—is 121, that is, 16 fewer officers. One of the questions I continue to ask is: If the Government purports to have a policy on increasing police numbers to record levels, why does it have such large peaks at election times and troughs in between? The clear policy of the Government is to drive down police numbers between elections. I note that the honourable member for Monaro, who must be worrying about issues of crime and police in his electorate, is laughing about this situation. It is a pity he does not support his local police.

SIMSMETAL, ST MARYS, RECYCLING PLANT

Mr ALLAN SHEARAN (Londonderry) [4.42 p.m.]: I inform the House of my visit to Simsmetal, an important local business of 26 employees in the Londonderry electorate, a local St Marys business that is making big inroads in the recycling industry. Simsmetal has been operating at St Marys for over 30 years—its first car shredding plant was commissioned in 1975. Simsmetal is one of those companies that has been quietly going about its business with little fuss but with very impressive results. It started modest operations in Newtown in 1917 but now can claim to be one of the largest metal recycling companies in the world. Domestically, I am advised that it is the largest collector, processor and supplier of recycled metal products in Australasia. One of the interesting facts the company boasts is that the shredding plant at St Marys saves the local community landfill space the size of the Sydney Cricket Ground stacked one kilometre high with scrap material every year. Another fact is that the plant recycles the equivalent of over 300,000 cars per annum—impressive statistics indeed.

Recycling of scrap metal is not new; in fact the founder of Simsmetal, Albert G Sims, commenced collecting scrap metal just before World War I. His method of collection was by bicycle or horse and cart. Today the source of this scrap material is from landfills, councils, scrap merchants, heavy and light industry, car wreckers, demolition, farms and public clean-ups. In respect to public clean-ups, I might add that the popularity of the St Marys plant amongst the community is indicated by the establishment of a public drop-off area that operates seven days a week. The nature of the material dealt with by Simsmetal includes scrapped cars, roofing iron, washing machines, hot water systems, fridges, ironing boards, structural beams and the like, all processed through the plant at St Marys.

Recycling has certainly come a long way since World War I, and the demand to protect our environment has led to successful economic operations by companies such as Simsmetal. Apart from economic success, environmental benefits also should be highlighted. For instance, I am reliably told that, compared to the manufacture from virgin materials, it has been estimated that recycled steel uses 74 per cent less energy, 40 per cent less water and it reduces air pollution by 86 per cent and water pollution by 76 per cent. Those statistics clearly show the benefits to the community of such operations.

For members of the public to gain an understanding of the operations of the Simsmetal plant at St Marys, Simsmetal conducted its first open day late last February. Short bus tours of the site were provided to enable members of the public to witness for themselves exactly how what was simply regarded as unwanted rubbish in the past can now be recycled into a significant resource. I understand the open day was a resounding success, with more than 600 residents taking the opportunity to view the St Marys plant. It was appropriate, given his long-time involvement in environmental issues, that the Chairman of Clean Up Australia, Ian Kiernan, along with the Minister for Western Sydney, Diane Beamer, and Penrith Councillor Pat Sheehy, joined Simsmetal New South Wales General Manager, Jason Whitaker, to welcome the visitors to the plant for their open day. These visitors were able to see clearly what happens to the scrap metal that is collected by volunteers during the annual Clean Up Australia Day.

Prior to my tour, Jason Whitaker and his enthusiastic staff met me. I purposely say enthusiastic because those I met were very keen about their work. It was also obvious that the company was very safety conscious, giving all visitors instructions about safety procedures and requiring all of them to wear safety hard hats. We were bussed to various significant points of interest at the plant, including three huge mobile cranes each worth half a million dollars. We were able to witness two large excavators and the main conveyor belt leading to the mill rotor crushers. The rotors are 50 tonnes each, and they break down the metal into small pieces. It was explained to me that in many ways they act similar to a washing machine in action.

Recycling the metal is one step, having a market is another step. Simsmetal has developed a market whereby approximately 98 per cent of the ferrous scrap metal recycled by the Western Sydney Simsmetal plants at St Marys, Milperra, Wetherill Park and Bankstown, is supplied to the One Steel mini mill at Rooty Hill. Additionally, the processing of the various metals leads to recycled products such as aluminium, copper, zinc and stainless steel, all of which I understand is exported to China.

A further imitative of Simsmetal is its involvement in the new emerging industry of e-recycling. What is now termed e-waste, is the labour intensive process of dismantling computer equipment, televisions, mobile phones, music players and other electronic devices. I am told that e-waste is growing at over three times the rate of general municipal waste, causing massive environmental concerns—concerns like the leaching of toxins such as lead, mercury and cadmium into ecosystems. Conversely, valuable materials such as steel, aluminium, microchips, gold and silver can be recovered. I certainly enjoyed my tour of the St Marys Simsmetal plant. I take the opportunity to congratulate them on the initiative of having an open day. Recycling is increasingly becoming a vital industry and in this respect I wish them well in the future.

MR AND MRS HAZENVELD WERRIKIMBE STATE CONSERVATION AREA GAZETTAL NOTICE

Mr ANDREW STONER (Oxley—Leader of The Nationals) [4.46 p.m.]: I draw to the attention of the House the concerns of my constituents Martin and Anna Hazenveld about the reservation of land as Werrikimbe State Conservation Area. The Hazenvelds have permissive occupancy—the licence number of which is 197782—over a block of land in the Mount Seaview-Yarras area in the Upper Hastings district to the west of Wauchope. The land in question is approximately 200 hectares, which, to the Hazenvelds' surprise, has been gazetted as Werrikimbe State Conservation Area and attached to the national park estate.

The Hazenvelds were not provided with any notice of the gazettal of this permissive occupancy area of land as a State conservation area. This is in contravention of the permissive occupancy agreement between the Government and the Hazenvelds, which requires three months notice to be given to the holders of the permissive occupancy, in this case the Hazenvelds. The Hazenvelds have looked after the land for several years, and have spent significant time and resources maintaining the land in its natural state for species conservation and ecotourism. Of great concern to them is that the loss of this block will cause them to lose access to other parts of their property. They own a number of properties that together make a large property, which is used for species conservation and other purposes, including ecotourism.

I have approached the office of the Minister for Environment regarding this matter. The response from the Minister's office was to the effect, firstly, that National Parks spoke to the Hazenvelds some time ago. However, the Minister's office could not confirm whether this was prior to the gazettal. I can inform the House that the Hazenvelds say it was certainly after the gazettal, not before it. The Minister's office also said that the gazettal is not immediate; it will phase in over an 18-month period, and even longer in a drought period. That is of little comfort to the Hazenvelds because it does not address issues concerning access to other parts of their property.

The Minister's office also said that the Hazenvelds do not have to pay licence fees as of today, therefore there is an immediate financial benefit. The financial issue is of no concern to the Hazenvelds. What is of concern is the fact that this land effectively has been revoked from permissive occupancy to become a State conservation area attached to the national parks estate without any consultation with them whatsoever, though this has a major impact on the Hazenvelds' use of other portions of their land.

It is my belief that the gazettal was not legal as it is in direct contravention of the terms of the permissive occupancy agreement between the Hazenvelds and the Government. I ask that the Minister revoke the gazettal or gazette it again and commence discussions with the Hazenvelds, as is required under the terms of the permissive occupancy agreement. That is the sensible course of action, given the Government's mistake in implementing this gazettal without prior notice or consultation, and also given the potential for an unhealthy precedent to be set in regard to the Government's treatment of landholders, in particular permissive occupancy holders. I am aware that in the past there has been considerable contention regarding the resumption of permissive occupancies in that part of the mid North Coast, and I am very aware that the New South Wales Farmers Association and also the media will be very interested in the Minister's response to this matter.

I am also of the view that the Hazenvelds may have a case to challenge the legality of this gazettal in the courts because it breached the terms of a legal document, that is, the permissive occupancy agreement. On behalf of the Hazenvelds I ask that the Minister to carefully consider this issue, that he act in a reasonable way concerning the Hazenvelds rights and that he act in a fair way to ensure that this is not seen to be a travesty of justice or an unhealthy precedent relating to the Government's treatment of landholders in rural areas.

SUTHERLAND SHIRE CENTENARY

Mr BARRY COLLIER (Miranda) [4.51 p.m.]: On Friday 28 April my wife, Jeanette, and I attended the launch of Faces of the Shire at Hazelhurst Gallery in my electorate. The event marked the beginning of the Sutherland Shire's Centenary celebrations. Faces of the Shire is a council project that recognises and showcases those men and women who have made a significant contribution to our wonderful community over the past 100 years. Whether you call it "God's country" or "heaven" or simply "home" our shire is the wonderful, thriving place it is today because of the great people, past and present, working together; people dedicated to improving their community, committed to enhancing its lifestyle and making our beloved shire a place that residents are proud to identify with and to which people are proud to belong, a place in which people want to raise their families and a place in which to grow old.

There are always those whose contribution to their community in one or more fields is outstanding. There are those whose commitment and leadership combine to bring about progress and beneficial change for groups and for the community as a whole. Over the past 100 years, during which the shire has grown from 1,600 residents to more than 215,000, many inspirational people from all walks of life have fallen into this category. Faces of the Shire serves to recognise 100 of those people who have embodied the spirit of the shire over the past century, one for each year. In 2005 council called on the shire community to nominate those persons they believed deserved this great honour. A selection panel had the extremely difficult task of selecting 100 persons who best represented the diversity of the shire and its make-up over 100 years in the fields of community service, the arts, public service, sport, politics, business, innovation, philanthropy and leadership.

Of course, there will always be criticism and debate about who should have been included, but there are so many from all walks of life whose contribution to our shire over the past 100 years has made a very real difference—no doubt, many more than the 100 who were nominated for this prestigious recognition. Following introductory remarks by Mayor Kevin Schreiber last Friday, guests were in for a very special treat. Shire General Manager, John Rayner, interviewed the delightful centenarian and shire's 1927 Miss Cronulla, Phyllis Stroud. Phyllis was recognised for her early charity work and her association with the surf-lifesaving movement. She was interviewed standing beside her 1927 photograph, which showed her waving to the cameraman while up to her knees in the Cronulla surf. It was a particularly great occasion and Phyllis simply stole the show.

Guests were then treated to the first performance of a new song to mark the shire's centenary. Lights were then dimmed and guests were asked to look out into Hazelhurst's darkened gardens. The lights were then switched on and we saw 100 faces displayed on individual posters along the walkway. Each of the billboards contained one of the 100 faces set on a large postage stamp, accompanied by an audio commentary. I congratulate the shire council, its staff and Hazelhurst Gallery on the magnificent exhibition, which I am told will tour the shire throughout its centenary celebrations. The names and faces are too many to mention here and I commend to members of the House the commemorative booklet produced by the shire council.

But let me mention some of those I have worked with and others I have had the privilege of knowing during my time in office: Merv Ryan from the Aboriginal Land Council, Brian and Wendy Brown, Mary Rimoldi, OAM, Kevin Skinner, OAM, Hazel Wilson, OAM, Bob Walshe, OAM, Les Johnson, AM, Heather Rice, Michael Tynan, OAM, Andrew Ettingshausen, Ted Brooker, OAM, Heather Causley, Arthur Gietzelt, AM, and Aileen Griffiths, OAM. All of those people have contributed so much in so many different ways to our shire community. One of the great privileges enjoyed by members of Parliament is that we are in a position to see how the jigsaw of our community fits together. We are among the honoured few who are in a position to have the insight into how and why the people in our electorates combine to contribute to the wellbeing of our communities as a whole. Faces of the Shire reflects the pieces of that jigsaw right across the shire.

I congratulate all those who were selected. I congratulate their families and their descendants, many of whom were present last Friday evening. Congratulations, too, to all those who were nominated by local residents for having made an outstanding contribution to the shire but who did not make it into the final 100. Finally, I congratulate the shire on its centenary.

GREATER SOUTHERN AREA HEALTH SERVICE MENTAL HEALTH FAMILY AND CARER SUPPORT PROGRAM

Mr ANDREW CONSTANCE (Bega) [4.56 p.m.]: Tonight I bring to the attention of the House the concerns of south-east communities about the Greater Southern Area Health Service's Mental Health Family and Carer Support Program. Over recent times a number of meetings have been held throughout the region—one in Young, one in Queanbeyan and one in Bega—by Rural Communities Unite in an attempt to save the health service's Family and Carer Support Program. Particularly at issue is the nature of the model that is going to be used to support the initiative to support families and carers who provide ongoing assistance to those who are suffering from the perils of mental illness. The Bega forum met last Friday and was conducted by Mr David Plant of Cobargo, who organised the forum. It was quite an informative affair. The health service was represented by the Manager of Mental Health Services in the region, Mr David West.

A number of issues emerged from that forum that need to be brought to the attention of the House, and I hope that the Minister Assisting the Minister for Health (Mental Health) will be able to respond to them in due course. The notion and concept of outsourcing such a service has left a bitter taste in the mouths of many across the region. The multiple award-winning program has been up and running over the past few years, and it seems a shame that the Government has altered the program in its fourth year of operation to outsource it to a non-government organisation. Many experienced people have been working as part of the program, and a lot of information and networks have been built up throughout the life of the program. It is a shame that that experience will be lost as a result of outsourcing. Each month on average 300 people are assisted by the program.

One of the many activities under the program are monthly information and support meetings in areas such as Bombala, Bega, Bungendore, Cooma, Goulburn, Harden, Queanbeyan, Yass and Young, and before the recent decision of the Government meetings were about to start in Batemans Bay and Moruya townships. The decision to tender out the program will result in less funding being spent in what were the old boundaries of the former Southern Area Health Service before it was amalgamated with the Greater Murray Area Health Service. It is of particular concern that we will see a reduction in the number of towns that will be serviced by the program—as I understand it. I hope that the Minister will be able to address those concerns.

If the Government is not willing to review its stance on this, I hope the Minister will be able to give a guarantee that the service will not be cut back in particular towns. It is particularly alarming that the community has no idea of the details of the proposed model. Members of this House on both sides of the Chamber who represent country electorates would appreciate that country people in particular are nervous in handing over private information to non-government organisations. Country people have confidence in area health services to manage their affairs, and the privacy issues associated with a mental illness are particularly sensitive.

I can understand that the Government will promote the fact that it is increasing funding. However, my concern is that because the funding will have to cover a third of New South Wales, it is not really an increase. In essence, it is a streamlining of the functions of the program. As I said, there have been some fantastic workers associated with the program, people such as Leanne Craze, who have done a marvellous job in supporting families across the region. I do not want the Government to go down that path because I think it is important for the health service to maintain the program as it is and to beef up the resources to support it. I hope the Minister will reconsider the position and, in doing so, will ensure that the model remains as is. It is an important service. On 1 July, we will want the service to continue to support the families throughout the region.

ANZAC DAY COMMEMORATION

Mr STEVEN CHAYTOR (Macquarie Fields) [5.01 p.m.]: I draw to the attention of the House recent Anzac ceremonies held in my electorate. On 12 April 2006 I attended my old school, Ingleburn Public School, for its Anzac service. The students, staff and Ingleburn community solemnly remembered the sacrifices of Australians during time of war, and honoured their contribution to the freedoms we enjoy today. The event was organised by the new Principal of Ingleburn Public School, Warwick Hall, who continues a tradition of energetic and innovative leadership at this great school and a tradition of commitment to the Ingleburn community. An example of this commitment is the upcoming meeting on 18 May, which has been organised by Warwick Hall, for the school community to meet with local businesses to develop key partnerships in the local area.

Tom Gilholme represented Ingleburn RSL at the Ingleburn Public School Anzac ceremony, and he also represented the RSL the next day at the Anzac ceremony at Minto Public School. Tom and his wife, Joyce, are very active in our local community, and are a fine example of the people that make Ingleburn the friendly village that is valued so highly by the people who call Ingleburn home. On 13 April 2006 I attended Austral Public School for the Anzac service. Again, local students, staff and the community respectfully honoured wartime service overseas and at home. Also attending this event was the local Federal Member of Parliament, Chris Hayes, and Major Paul Hawker from Holsworthy Barracks. Paul Hawker and I also have the honour to serve as councillors on Campbelltown council, and while we represent different political parties, I enjoy a productive and co-operative working relationship with Paul in the best interests of the residents of the City of Campbelltown.

Also attending the Anzac service was Margaret Cvetko, President of the Austral Parents and Citizens Association. Margaret makes an excellent contribution to Austral Public School, John Edmondson High School and the local community. Another new principal to the area, Brett Warwick, organised the Anzac service with local teacher Phil Callahan. Brett Warwick is committed to the students and to high standards at Austral Public School. As part of the Anzac service, Austral Public School opened a new upgraded memorial garden at the school's entrance. General assistants Keith Xerri and Geoff Bamett worked on the memorial garden within and outside school hours. They have produced a lasting tribute and a place of honour to war veterans.

The day before Anzac Day, I attended the unveiling of a commemorative plaque to Corporal John Edmondson, VC, and the placement of the War Service Honour Roll in Liverpool Library. The honourable member for Liverpool, Paul Lynch, also attended this important occasion. I have spoken previously in this House about the contribution of John Edmondson—a soldier of the 2/17th Australian Infantry Battalion of the Australian Imperial Force, the first Australian to receive a Victoria Cross during World War II, a resident of Liverpool and a student of Austral Public School and Hurlstone Agricultural High School at Glenfield.

Liverpool council should be congratulated on its efforts in installing the plaque and honour boards. The proceedings of the day appropriately started with a Welcome to Country by Aunty Norma Shelley, an elder of the Gandangara Local Aboriginal Land Council. In the short time I have been a member of this Parliament, I have attended several functions where Aunty Norma Shelley has provided a respectful and dignified Welcome to Country. I place on record her contribution to local Aboriginal and heritage issues and her dedication to the Liverpool community. The City of Liverpool and District Historical Society were integral to arranging support and funding for both the plaques and honour boards that now take pride of place in the Liverpool central library. The President of the Historical Society, Robert Gosling, and the secretary, Judy Pack, spoke on the day. Their dedication to local history serves and inspires the whole city. The unveiling of the plaque was done by Jack Harris, who served with John Edmondson in Tobruk, and who provided the covering fire in the battle in which John Edmondson died. Jack also served in Al Alamein, New Guinea, Borneo and Singapore.

Jack Harris spoke with pride of the men in the 2/17th Battalion and the honourable service of Australians during times of war. Jack Harris spoke in great detail of the battle on the night of 13-14 April 1941 and the mates he served alongside. Jack Harris collapsed after the proceedings at an afternoon tea hosted by Liverpool council in Liverpool Library, and sadly passed away that night at Liverpool Hospital on the eve of Anzac Day. While Jack was unwell, and in his last moments of consciousness, his concern was not for himself, but for his wife and his mates, and to make sure that everything was organised for the march of the 2/17th Battalion that was scheduled to meet at the Masonic Centre in Goulburn Street on Anzac Day. I extend my condolences to his widow, Jean, and all other members of the family. Many will miss Jack Harris, including the staff, students and community of John Edmondson High School, where he supported the school's link with the past and supported its place in the future.

I have spoken previously in this House of Jack's attendance at the school's opening last year. I note the presence in the Chamber of the Minister for Education and Training, who opened the school in December last year. This year at the school's Anzac service, Jack unveiled a plaque in a commemorative garden to the 2/17th Battalion and also planted a lone pine at the school—a lasting symbol of the Gallipoli battlefields. The lone pine will always serve as a memory to Jack Harris's service in war and service in peace. Vale, a great digger and a great supporter of our community. Jack Harris and John Edmondson are now united, as mates, for the first time since Tobruk. May Jack Harris rest in peace. Finally, on Anzac Day I attended the Dawn Service at the Ingleburn RSL where record numbers each year confirm the importance of the occasion and the ever-increasing relevance of Anzac Day to our community. I thank the RSL for its leadership in the community at this time of year. Lest we forget. [*Time expired.*]

FEDERAL GOVERNMENT TENTH ANNIVERSARY

Mr ANTHONY ROBERTS (Lane Cove) [5.06 p.m.]: On 27 January 1996 the then Prime Minister, Paul Keating, announced the dissolution of Parliament and the intention to hold an election on Saturday 2 March 1996. The beginning of the end of 13 years of Federal Labor government was nigh. On 11 March 1996, John Winston Howard was sworn in as Australia's thirtieth Prime Minister. The Howard Government has had many successful moments in the last 10 years, but one of the hallmarks has been its economic record. Inheriting a \$96 billion debt, which is equivalent to 18.2 per cent of gross domestic product, it was clear there was much work to do. In 10 years of Liberal government, Australia has moved from thirteenth to eighth on the OECD list of developed countries and the Keating legacy of \$96 billion in debt will be repaid this year—something that has been made possible by budget surpluses returned by the Howard Government for eight of the last nine years.

This strong turnaround in economic performance enabled Australia to withstand the global recession of 1999 and the tech-wreck of early this century. We are now seen by many as the shining example of how to run a modern economy—a competitive market-based economy with sustainable health and welfare policies. John Howard has stated that he is the real friend of Australia's workers and he has proved it: unemployment is at its lowest level for 29 years and real wages for Australian workers have increased by more than 15 per cent under his Government compared to an actual fall of 3.1 per cent for Australia's lowest paid workers during the Hawke-Keating accord years. But governing is about more than just economic performance. It is about steering the nation in a direction in which a government and Prime Minister believe is in our national interest.

The Prime Minister does not support the black armband view of Australia's history and, to his great credit, has refused to be intimidated by political correctness. He has forcefully defended the factually correct history of our country. He and his Government have shown leadership on issues that were not popular at the time but were necessary.

Mr Milton Orkopoulos: Point of order. The purpose of private members' statements is for members to raise issues related directly to their electorates.

Mr ANTHONY ROBERTS: We share the same electorate.

Mr Milton Orkopoulos: Spending five minutes on hagiography of the Prime Minister of Australia, whose credibility is shot to ribbons, is not the purpose of private members' statements. The honourable member for Lane Cove should be directed to show how his private member's statement relates directly to his constituency.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I remind the honourable member for Lane Cove that private members' statements should relate to matters that occur in members' electorates. I ask him to confine his remarks to matters that relate to his electorate of Lane Cove.

Mr ANTHONY ROBERTS: With respect, this relates to a luncheon held in my electorate only yesterday, celebrating 10 years of the Howard Government. The Prime Minister and his Government have shown leadership in issues that were not popular at the time but were necessary and that history will ultimately show as correct, including: the banning of automatic weapons following the Port Arthur massacre so early in the first term of his Government, which stands as a testament of the leadership qualities of our Prime Minister; his decision to deploy Australia's armed forces to support the conduct of a free and fair referendum of the East Timorese people that led to the establishment of East Timor as an independent nation; the support of the war on terror in deploying Australian troops to free the people of Afghanistan from the murderous Taliban rule; likewise the support of the toppling of Saddam Hussein and the establishment of a democratic Iraq; and the use of Federal police to disarm insurgents in the Solomon Islands, returning the country to democratic rule.

Those examples of leadership may not affect the day-to-day concerns of Australians but are important in establishing Australia as a vibrant player in today's world, and help establish global and in turn our national security. Australia is a much stronger and secure, more prosperous and dynamic country than it was 10 years ago. People too easily forget what life was like in the last years of the Hawke-Keating Government, during the recession we had to have, and the high unemployment, high interest rate, low job prospects and low morale that came with it. The Prime Minister has retained the support of the Australian people because he is one of us. He celebrates his ordinariness and dismisses hubris and self-importance.

We are, therefore, fortunate to be living through a remarkable period in Australian history. We are now almost halfway through the Howard Government's fourth term—a fifth term is rarely achieved in any democracy, but it will be. Australia is stronger and more secure because of the 10 years of Coalition Government led by John Howard. In conclusion, I congratulate John Howard, my local Federal member, and his Government on a successful 10 years. His local constituents have been celebrating that success, and may there be many more to come.

THE SHED, WINDALE

Mr MATTHEW MORRIS (Charlestown) [5.11 p.m.]: Tonight I share with the House a celebration held last week on the opening of The Shed project at Windale. I had the pleasure of participating in the proceedings at the official opening of that great community facility. The Shed is a facility to assist young people to gain skills and experience through mentoring from older persons within the surrounding community. If one reads the purpose statement for The Shed one will see that it is to provide a safe, supportive and friendly environment for people of all ages to gather, volunteer, work and seek fellowship with other like-minded people. Furthermore, and most importantly, it is to promote the mental, physical, emotional and economic wellbeing of all people in our community. What better cause could one support?

I have worked with the Windale community for many years and have always been impressed with the strength and commitment of the people to ensure that the community continues to grow and prosper. The Shed project is another great example of the strength of the great Windale community—and what a shed it is! The Shed offers so much to the community and, in particular, to our youth. In March 2004 the project officially commenced and what has followed until this day is a maze of bureaucracy and challenges that, at times, almost stifled the entire project. The project co-ordinator, Mr Kerry Thompson, was appointed in March 2004 to pull together a committee to assist in bringing The Shed to fruition—and what a task that was! The project management committee, consisting of Don Spence, Trevor Kelly, Roger Greenan and Kerry Thompson, was formed. It held its inaugural meeting on 19 May 2004, and never seriously looked back.

Construction of The Shed finally commenced in late October 2005. There were all sorts of issues to deal with ranging from fire code regulations, land zonings, development application processing delays and the need to modify the plans on many occasions, often to satisfy someone whom we could never identify. I am sure that we can all understand the frustration that was experienced by the management committee, all too often. I personally remember a meeting in my office in November 2004 that I convened to try to address the problems at that time. The rule for that meeting was simple: No-one to leave until we sorted out the problems. In attendance were the project committee, council staff, representatives from Centacare, the Premier's Department, the Police and Community Youth Club, and the Windale Community Group—nothing like a good boxing match to clear the air and get things moving. In fact, the invitation letter I sent to all stakeholders stated:

... having spoken to various stakeholders about the project, there appears to be a number of barriers stalling the progress of works including: a breakdown in communication, project funding, and the loss of focus on the desired outcomes of The Shed.

Finally, in April 2006 we gathered to celebrate the efforts of many people in bringing that great community asset into service. Over recent years there have been many people in and around the Windale community who have assisted in getting The Shed project under way. The sponsorship board displayed in The Shed highlights the many key supporters who stuck with the project and without whom the project would not have been completed. I offer my personal thanks to the following sponsors: the Two Bishops Trust, Centacare Newcastle, and reluctantly to some extent the Commonwealth Government, the Premier's Department, the Police and Community Youth Club New South Wales, Hunter Land, the Pittman Building, local Rotary clubs, local Federal members Mrs Jill Hall and Mrs Kelly Hoare, the Windale Community Group and, of course, the management committee. I extend a special thank you to Mr Kerry Thompson, our project co-ordinator.

The Shed has a bright future. We should all be very proud of what can be achieved for the good of our communities if we commit ourselves and give of our time and energy. I am pleased also to have been able to

secure State funding to effectively partner with my Commonwealth colleagues in delivering this great facility. I want to see more partnerships across all tiers of government. The atmosphere on that day was fantastic; it was a history-making day. The facility will have such a positive impact on so many in the years to come. I wish the management committee the very best as it now moves on to the delivery of programs, and I offer my continued support and assistance. The community of Windale has a great new resource at its disposal, and the community should look after it, use it well and enjoy their success. Well done to everyone associated with the project.

ANZAC DAY COMMEMORATION

Mrs JUDY HOPWOOD (Hornsby) [5.16 p.m.]: On Sunday 23 April, two days before Anzac Day, I attended a commemoration organised by the Hornsby RSL Sub-branch. Many local groups gathered on the Pacific Highway, Hornsby, to march to the cenotaph. The groups included guides, scouts, the St John Ambulance, the State Emergency Service, the Rural Fire Service and church groups, among others. A number of veterans also assembled, including one old gentleman, aged 85 years, who had walked from Asquith to join the parade. However, he collapsed as the march was about to begin. I gained first-hand experience in dialling 000 for an ambulance: once a nurse, always a nurse. I was there, amongst the crowd, feeling for a pulse on the fallen soldier and answering the 20 or so questions asked by the operator on the end of my mobile phone. The level of genuine concern was palpable as everyone gathered around the semiconscious man; a true feeling of mateship existed as only Australians can express it. It was further testimony of the Anzac spirit as we have come to revere it.

I attended a number of other commemorations, the first being in Brooklyn, two weeks before Anzac Day. Following that, an extremely memorable service was held at Galston, which the Attorney General and I attended. On Anzac Day I attended the dawn service in Hornsby, which attracted 3,000 people, the biggest by far. This was very pleasing to the organisers of the commemoration and I pay tribute to Gary Spencer and Rod White for doing such a fantastic job in managing a large group. Later that day I attended a service at the Berowra cenotaph, outside the community hall. At midday I attended a memorable service in the Berowra RSL Bowling Club.

I pay tribute to the Hornsby RSL, which managed to provide the 3,000 attendees with breakfast. People filed into the club and the showroom, as well as the bistro. Philip Ruddock and I visited the club's kitchen the day before Anzac Day to see the work that the two apprentices were undertaking. I commend Bob Ayscogh, the manager of the club, and Madhab, the services organiser, for the work that they did. They were expecting 1,200 people to attend the breakfast, but at least twice that number attended. It afforded apprentices a great opportunity to learn and work hard.

My husband and I and a number of my constituents attended the Anzac International Military Tattoo, which was fantastic. It was a great salute to the Anzacs and marked the ninetieth anniversary of the Anzacs at the western front. For the benefit of honourable members, I will list the bands and other participants that were present at that tattoo. The Band of Her Majesty's Royal Marines, the Band of the Grenadier Guards, the Tongan Royal Corps of Musicians, the New Zealand Army Band, the Thula Sizwe Zulu Warriors from Africa and the Lochiel Marching Drill Team were all in attendance. The NSW Police Rescue and Bomb Disposal Unit put on a fantastic presentation. Over nearly 60 years that unit's prominence in the daily happenings of New South Wales has been nothing short of spectacular, and that was evident to the gathered audience.

Also in attendance was the OzScot Australia group, which is based in Bathurst and which was established in 2000. It performed with Karen Johnson Mortimer and the Irish Dance Ensemble and this proved to be a spectacular array of dancing. One hundred pipers and drummers attended the tattoo—pipers and drummers from the City of Blacktown Pipe Band, the Bankstown RSL Community Club, the Manly Warringah Pipe Band, Burwood RSL Pipes and Drums, and the Northern Suburbs Pipe Band. This was a fantastic experience and one that I will never forget. It showed what Sydney can produce and was further testimony to the Anzac spirit. We can be proud of the way in which we commemorate Anzac Day.

CHERNOBYL DISASTER TWENTIETH ANNIVERSARY

Mrs BARBARA PERRY (Auburn) [5.21 p.m.]: I take this opportunity to draw attention to an ecumenical Moleben service held in Lidcombe to mark the anniversary of a catastrophic event in 1986. Twenty years ago the Soviet Union and the world were rocked by the news of an explosion in the nuclear reactor at Chernobyl. This service, organised by the Ukrainian Council of New South Wales, was a spiritual gathering, drawn together to remember the families who lived with the devastation and heartache of Chernobyl. I

acknowledge the significance of the attendance of Patrick Curtin, Mayor of Auburn, and his wife Barbara Curtin. A beautiful and emotive choir added to the solemnity of the occasion.

This was an opportunity for many people to grieve for relatives affected by this disaster. It was a chance for a community to show solidarity in their commitment to ensure that the catastrophe of Chernobyl is not forgotten. I congratulate Mr Jerry Duma, President of the Ukrainian Council of New South Wales, for a lovely commemoration and commitment to his community. Many people in the community who were touched by the effects of Chernobyl contributed to the service, such as Stephen Duma and Anastasia Suchowerska, who both provided a youthful perspective of the ongoing threat of Chernobyl. Ms Suchowerska acknowledged her concerns that Chernobyl would never receive the full assistance that is needed. She said:

Chernobyl was in no way as spectacular as Hiroshima. There was no mushroom cloud... Instead, a wisp of smoke rose into the night sky. The key difference is that after the Japanese bomb, the rebuilding began. There were no living isotopes that would linger in the soil or risk leaking into the water. We don't know what will happen in Chernobyl. 20 years may have passed but the man-made radioactivity is still there. It's easy to criticise what was or wasn't done. Or who was or wasn't to blame. But wouldn't our time be better spent trying to make a difference, both now and in the future?

The disaster at Chernobyl is a tragedy that should not and will not be forgotten. In taking the time to remember the victims of Chernobyl we will ensure that the damage caused will not go unnoticed or unquestioned. Of great concern is the entombed site of Chernobyl. A sarcophagus that is supposed to protect the people by suppressing radioactive material is now slowly leaking. There are more than 100 square metres of holes and cracks in the shell, letting radiation out and rainwater in. If the roof of the sarcophagus were to collapse all the radioactive dust, which has accumulated inside the shelter facility, will be spread around the territory causing even more untold devastation. There are plans to place a secondary sarcophagus over the original seal at a cost of \$1 billion. These plans have been in place since 2000 and still nothing is in place to protect the people around Chernobyl due to a lack of funding. What price can we place on the safety of the environment and human life?

Commemorating this anniversary is a chance for us all to acknowledge the devastating impact that Chernobyl had on Belarus and Ukraine, and indeed the whole world. This was and still is a global tragedy not only for the immediate devastation of Chernobyl but also for the ongoing threat to all people, even to this very day. People continue to die or suffer severe health implications as a direct or indirect consequence of Chernobyl. Appearing on *60 Minutes*, Professor Ian Lowe said Chernobyl casualties would number somewhere between 4,000 and 24,000 people, with increasing incidences of premature births, mental illness, birth defects and cancer, and the list goes on. According to a Chernobyl resolution to the Senate and the House of Representatives tabled by the Australian Federation of Ukrainian Organisations, two million people in Belarus, Ukraine and Russia, some 600,000 clean-up workers and more than 350,000 evacuees were exposed to high levels of radiation.

A radius of 30 kilometres around the reactor has been declared an exclusion zone that is forever uninhabitable. The Chernobyl tragedy is a constant reminder to us of the dangers inherent in the use of atomic power and the need to uphold the most stringent of safety measures in order to protect the most fragile of gifts: human life. In particular, we can only hope that this incident should be ever present in the minds of the Australian Government as it considers policy changes regarding the sale of uranium. I hope that in the future the Chernobyl era, this reference in time, can be described as the moment we learned from Chernobyl to safeguard our families, friends, relatives and the environment. It is with pleasure that I honour the people working hard to support those affected by the Chernobyl disaster and those that keep fresh in their minds the risk of nuclear power so that some good might come from this tragedy so we may never again experience the consequences of such devastation.

TRIBUTE TO MR JACOB LOLLBACK

Mr STEVE CANSDELL (Clarence) [5.26 p.m.]: Tonight I give credit to Jacob Lollback, a rising young star in the Grafton surf club industry in the Clarence Valley. Young Jacob Lollback is a genuine country kid. His father, Eric, and his mother, Kaylene, are both sportspeople in their own right. Those great parents raised four boys and they are all involved in sport. Jacob has starred in just about every sport in which he has been involved. Of late he has been involved in particular with surf life saving. Jacob, who has only just turned 17, won the New South Wales under seventeens titles in many areas. An article in one newspaper states:

At the recent Australian surf titles at Kurrawa Beach, Jacob Lollback collected a gold medal in the Under-17 board race championship, silver in the Under-17 iron man title, and finished the closest of thirds in the open surf board championships.

Earlier this year he was named as *The Daily Examiner's* 2005 Sports Star of the Year—

the event was held at Grafton Ex-Services Bowling Club—

in recognition of his surf life saving achievements last season.

In his 13 events at yesterday's Yamba club titles Lollback picked up nine first placings, two seconds and a fourth.

Among his wins were the open iron man title for the S J Eades perpetual trophy and the open surf race for the George Mills trophy, named in honour of Yamba's 1935 Australian surf race champion.

Lollback also won the open rescue tube race and open board event, as well as five events in his own age group, the Under-17s, the iron man, surf race, rescue tube, beach flags and surf board.

He finished second to Martin Dougherty in the open beach sprint and beach flags events.

After participating in the local championship he went indoors to have a shower and to get changed. Amazingly, he was called out to the beach to assist two surfers who were in trouble and who were being washed up against the rocks. A recent media report in the *Daily Examiner* states:

NSW surf life saving representative and Australian champion Jacob Lollback starred at the Yamba surf club's annual championships yesterday and then almost immediately afterwards played a lead role in a dramatic double rescue at the northern end of Yamba's Main Beach.

Lollback, a member of the day's rostered beach patrol, had competed in 13 championship events in a three-hour period, winning nine of them, and had just taken a shower in preparation for lunch when the rescue took place just after 1pm.

He walked onto the clubhouse verandah where he was alerted to two men on surf skis being washed perilously close to Lone Rock and the rocky headland at the northern end of the beach.

It was obvious the men, later found to be overseas visitors not fluent in English, were surf novices.

Surfing conditions had been heavy throughout the morning with sizeable waves made dangerous by a number of strong offshore rips.

Lollback donned patrol surf flippers and swam about 100 metres to the closest of the board riders, advising him of his dangerous situation and offering to assist him to shore.

That board rider urged Lollback to assist his friend, who was a weaker swimmer. So Lollback swam to the board rider who was a further 20 metres out to sea and headed the man and his board towards shore. He then returned for the second surfboard rider. In the meantime, another club member, Martin Dougherty, who had also competed in the championships, grabbed a rescue board and was about to join the action when club IRB captain, Brendon O'Mahoney, said that he should jump on board the rubber duckie rescue craft and act as crew. Both board riders were saved. That is an example of Lollback's tenacity. Lollback is looking at tackling the Gold Coast Marathon in July and he may have a second crack at the arduous Coolangatta Gold event later in the year. He is only 17 and this year will sit his higher school certificate—which is proof that sporting and academic pursuits can co-exist. When asked about his tight schedule, Lollback said:

It all depends on if I can juggle the HSC and get in enough training to compete in the Coolangatta Gold.

All honourable members have great sporting stars in their electorates. There is a lot to be said for the youth in our areas.

COMMUNITY SERVICE AWARDS

LAKE MACQUARIE ELECTORATE WOMAN OF THE YEAR AWARD

Mr JEFF HUNTER (Lake Macquarie) [5.31 p.m.]: This evening I acknowledge the achievements of two dedicated members of the Lake Macquarie community. At the end of February when the New South Wales Cabinet visited the Hunter region I was privileged to accompany the Premier to the presentation of the New South Wales Premier's Community Service Awards. The citation in this instance was awarded to Gordon Triplett, who has dedicated his retirement to the wellbeing and development of young people in his local community. By volunteering to read with the children of Booragul Public School four days a week, Gordon is helping these youngsters to unlock the priceless gift of literacy. Every year Gordon donates an award—presented at the school's presentation day—to recognise the student whose literacy levels have shown the most improvement. The school has, in fact, named the award in Gordon's honour.

Gordon is known as the grandfather of the school because of his kind and friendly manner. At 81 years of age Gordon shows no sign of slowing down. It was great to see on page 4 of the *Lake Macquarie News* of 8

March a fantastic picture of Gordon reading to Booragul Public School students Gemma Walters and brothers Nicholas and Joshua Milford. The story is headlined, "Award for school 'grandfather'". In part, the story says:

Gordon Triplett is known as the "grandfather" of Booragul Public School.

The sprightly 81-year-old has dedicated his retirement to the well-being and development of young people in his community.

The story continues:

Mr Triplett was one of nine people presented with Community Services Awards by Premier Morris Iemma at a civic reception in Maitland during the NSW Cabinet's visit to the area.

Mr Iemma said the awards recognised the extraordinary contributions made by people to improve the quality of life of members of their community.

Marion McAndrew, who has worked as a full-time volunteer with Eastlakes Palliative Care for the past 15 years, was another recipient.

Others in the Hunter to receive awards were Elaine Hutchinson, Peter Eason, Trevor Hamling, Cheryl Freeman, Jim Clark, Jack Lovett and Arthur Heiler.

I was also pleased to announce on International Women's Day—which is celebrated on 8 March—this year that well-respected Speers Point resident Betty Lawton was the Lake Macquarie electorate nominee for New South Wales Woman of the Year. Betty has lived in the Lake Macquarie area for many years, since moving there to help care for her mother. She has contributed greatly to the local community through her involvement in many community groups and by imparting her knowledge and compassion to many people in the local area who live with dementia as well as families who require respite care.

Since retiring, Betty continues to pass on her wisdom to nurses of the future. While Betty shuns the limelight, she brings a great deal of credit to herself and to her work. Betty has worked across a vast sphere of nursing activities and spent many hours volunteering. She has also assisted a number of local community groups. I have had a lot to do with Betty during my time in Parliament and I will list some of the activities and groups in which she has been involved. Betty was the former Canterbury Hospital Nursing Unit Manager. She was co-ordinator of Alkira Respite Centre at Toronto—I know that she has done great work there. Betty has been involved in teaching classes for aged care and mental health workers and assisting carers of people living with dementia. She is also a member of the board of the Bolton Point Ex-Servicemen and Ex-Servicewomen Nursing Home.

Although Betty did not receive the top gong this year, I was pleased to present her with a memento as the Lake Macquarie electorate nominee for New South Wales Woman of the Year. Of course, her name will be placed on the New South Wales Honour Roll. I take this opportunity once again to congratulate Betty on her achievements and the great work she has done in the Lake Macquarie community. Both Betty Lawton and Gordon Triplett are fine examples of Lake Macquarie locals who have contributed to their community. I appreciate—as do local residents—their commitment to Lake Macquarie and its people. Congratulations to both of them.

Mr MILTON ORKOPOULOS (Swansea—Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship) [5.36 p.m.]: It is most fitting that a hardworking member like the honourable member for Lake Macquarie should recognise two very deserving people in his electorate. Gordon Triplett, whom I have met, has done an enormous amount of work in his community and inspires other retirees to contribute to the education of their grandchildren and future generations. Similarly, Betty Lawton is a great New South Wales Woman of the Year nominee. Betty and those who dedicate their free time to caring for people with dementia—which is an increasing problem in our community, as my colleague the honourable member for Lake Macquarie knows well—deserve recognition for their efforts. I congratulate the honourable member for Lake Macquarie on bringing these two great Australians and Lake Macquarie residents to the attention of the House.

CENTRAL COAST ROADS FUNDING

Mr CHRIS HARTCHER (Gosford) [5.37 p.m.]: Through successive Ministers for the Central Coast, the Carr and Iemma Labor governments have promised \$30 million for upgrades to Avoca Drive. As at last year's budget, only \$2 million had been provided—and most of that is for planning. The only funding provided for Avoca Drive has been used on the intersections at each end. Thousands of commuters struggle each day

from end to end, with no help in sight from the Minister for the Central Coast, the Hon. Grant McBride. At the last election the Australian Labor Party [ALP] sent children to stand on the side of the road on Avoca Drive waving placards at passing motorists that read, "The Labor Party will fix this road." It was a desperate measure from a party that has delivered next to nothing in roads funding for the Central Coast.

The Entrance Road is next on the list of Labor's failures. The ALP promised more than \$30 million for The Entrance Road to match the legitimate promises of the New South Wales Coalition. Now, three years later, only small fractions of the promised work are under way. The Carr and Iemma Labor governments have failed completely to provide proper roads funding for the Central Coast. The list of State Government roads that require additional funding from the State Government is staggering. The Pacific Highway, Brisbane Water Drive, Avoca Drive, The Entrance Road and Terrigal Drive are major roads that are traffic gridlocked each day, inadequate, and often in a bad state of repair. It was no surprise to residents to read in today's newspaper comments from the honourable member for The Entrance, Grant McBride, regarding road funding. He said:

I have been disappointed the Central Coast has not received a greater share of road funding in recent times.

A number of important arterial roads—including The Entrance Road, Tuggerah Straight and the Pacific Highway through Ourimbah—are all in need of additional funding in this budget.

There was no denying the tone of the press release; it was very clear. The Government has failed to deliver on roads, but who is responsible for ensuring that the Government looks after the Central Coast? The Minister for the Central Coast. Grant McBride is rightly angry that the State Labor Government has not done its job and provided road funding for the Central Coast. In today's media he issued an ultimatum: if the person or persons responsible do not fix the Central Coast, he will get very angry. The person responsible for securing funding for rail, schools, police and roads in the Central Coast is, of course, the Minister for the Central Coast.

The former Minister for the Central Coast, the Hon. John Della Bosca, memorably claimed to be the champion of the Central Coast and to be responsible for the State Government's attitude and activities on everything relating to the Central Coast. So it is no surprise that when a person fails to deliver, other members of the Central Coast might complain, even publicly in a press release, knowing that that particular Minister's attitude might cost them votes in the next election. So Grant McBride did what every self-interested Labor member of Parliament would do. He issued a press release calling on the Iemma Government, presumably through the Minister for the Central Coast, to improve funding for roads.

The Minister for the Central Coast is, indeed, responsible for securing funding for the Central Coast. If a Minister does not act in the interests of a region, such as the Central Coast, for what purpose is a regional Minister appointed? The Government has gone as far as to put 1½ foot lettering on the window of an office proclaiming it to be the office of the Minister for the Central Coast in Gosford. But if it is not to secure funding for the Central Coast, why does the position of Minister for the Central Coast exist at all? Grant McBride is absolutely right to criticise the Minister for the Central Coast. He should do everything possible to secure funding for local roads and he should certainly be the subject of such a scathing attack from local members for doing otherwise.

We may have expected this press release from the honourable member for Wyong, but it was issued by the Minister for the Central Coast. The Minister for the Central Coast has issued an ultimatum to himself. It is a bizarre turn of events. Labor members, dry in the mouth from blaming the Federal Government for their problems, tried to strip powers away from councils while blaming them for State problems. Now, with no-one else to blame, they have turned to blame their own Ministers. But the Minister for the Central Coast has gone one step further: He is not only blaming the Labor Government, he is blaming himself.

HEFFRON ELECTORATE BUS SERVICES

Ms KRISTINA KENEALLY (Heffron) [5.42 p.m.]: I refer to State Transit Authority [STA] bus services in South Sydney. South Sydney is feeling the pressure from a growing residential population in Greens Square, Victoria Park, Alexandria and Redfern East, and STA bus services need to keep up with demand. In October last year I hosted a bus services forum to work with the community and the STA to ensure that residents in the Heffron electorate have access to reliable public transport. Representatives from the STA and the Minister for Transport's office attended the forum and local residents were able to raise their concerns directly with them.

Those concerns included a stop for the outbound X43 near the Mercedes dealership in Zetland, which would greatly assist passengers; examining whether speed bumps or roundabouts on the 301 route contribute to

late running; adding additional 301 routes from Eastgardens after 5:30 p.m. on Thursdays to assist late-night shoppers; stagger the 343 and 303 outbound departure times so that if passengers miss one they can still catch the other; adding one additional service to the 308 route after the last afternoon service; providing further late night services along the 343 route; providing better public transport access to the newly redeveloped Hillsdale shopping centre, which is difficult to reach without private transport; and providing better public transport access to the newly developed shopping area on O'Riordan Street, which could include the use of the 348 route.

I have written to the Minister to advise him of the issues raised at the forum, and he has responded with a guarantee to update me on the STA's progress on the eight matters to which I referred. The immediate good news that came out of the forum was that in the short term the STA will add one extra 301 trip in the morning peak and three extra 301 trips in the afternoon peak. In addition, at the forum the STA undertook to conduct a complete review of the bus corridors in South Sydney with the aim of improving on-time running. The STA indicated that the review would take approximately six months to complete.

The Minister for Transport has been able to advise me already on several other matters raised at the forum. They include the use of bus lanes by private vehicles, the need for better co-ordination between rail and bus services and access needs for older citizens, people with disabilities and persons with prams. The Minister has advised me that the trial of cameras to detect illegal use of bus lanes has been successful and will be rolled out over the next 12 months. The Minister also confirmed that all bus stops in our local area are being examined to ensure they provide easy access for buses, and all drivers have been reminded of the need to assist the elderly or less mobile passengers by positioning the bus as close as possible to the kerb when picking up or setting down. Indeed, I noticed a driver doing just that when I took the 310 from my house in Rosebery to my electorate office at Eastgardens last week.

In relation to the integration of bus and rail services, at the forum the STA noted that this is important and spoke of efforts at Mascot and Edgecliff stations to achieve that integration. Recently I raised the issue again with the Minister in relation to co-ordinating bus and train services following South Sydney Rabbitohs games. As honourable members might be aware, the Rabbitohs currently play their home games at Telstra stadium. They might also be aware that I am an avid Rabbitohs fan and I make the journey to Telstra stadium with my boys on the excellent rail service from Central. After the first game, the Charity Shield on 18 February this year, I noticed that many Souths fans needed to wait some time before a bus arrived to take them home from Central Station. I raised this with the Minister and have now been advised that the STA provided additional 393 services to ensure there was adequate capacity after games, and that the STA will continue to monitor the situation to determine future requirements for subsequent Rabbitohs games at Telstra Stadium.

These are good outcomes: the additional 301 services, the review of bus corridors, the use of cameras to detect the illegal use of bus lanes, better co-ordination between rail and bus services, and assistance to elderly or less mobile passengers. However, I am still not satisfied that all of the issues in South Sydney have been addressed. In particular, South Sydney residents need more capacity on the 343 route, an X43 stop at Victoria Park, and improved on-time running on the 370, 308, 309 and 310 routes.

At the forum we were advised that the STA review of bus corridors in our area would take place over six-months. It is now nearly six months since the forum, and I have written again to the Minister again to ask him to direct the STA to provide our local area with the outcomes of this review process. I am also lobbying the Minister for additional capacity on the 343 and X43 services. Last month I took my mobile office to Victoria Park, and bus services were the main issue residents raised with me. This month I am taking my mobile office to Alexandria, and I am certain the issue will be brought up again. I look forward to the Minister's response to the issues raised by the people of South Sydney.

WAGGA WAGGA BASE HOSPITAL DIALYSIS SERVICES

Mr DARYL MAGUIRE (Wagga Wagga) [5.47 p.m.]: On 28 March I raised in this House, on behalf of June and Roger Southwood and all the other people who are required to travel to Canberra for dialysis services, my concerns about Wagga Wagga Base Hospital dialysis services. On 22 April Mr Southwood wrote to me and stated:

Dear Daryl,

Just letting you know in writing what Debra Gratton the Area Renal Services Manager told me on the phone on Friday 21st April. She called me because Schneider the Chief Executive of GSAHS had instructed her to do so. ...

The progress she reported was:

1. Yes, she now knows the staff number she may recruit,
2. She has just completed and submitted the necessary return,
3. This form must now be signed/endorsed by intermediate directors,
4. The form must then be signed by Schneider himself,
5. The form must then return via the same Health Department track,
6. Only then will action to initiate staff recruitment occur.

Mr Southwood is referring to the announcement made by the Minister for Health immediately after my private member's statement on 28 March that he would allocate an amount of \$400,000 to double the renal care services provided in Wagga Wagga. Mr Southwood continued:

Clearly all simply a deceitful delaying tactic until the new financial year ...

I attach with this note, letters which I in sheer anger and frustration have written to Iemma, Hatzistergos and Schneider ...

The letter states:

Dear Professor Schneider,

Yesterday Ms Debra Gratton phoned me apparently on your instruction to inform of the progress to increase haemodialysis places at the Wagga Wagga Base Hospital Renal Unit, so that those on the waiting list, including my ill wife of 72 years of age, may be treated in our home town and not in Canberra.

I was not impressed, as it is three weeks since the Minister for Health on 30th March announced the immediate allocation of \$400,000 to double renal dialysis placements and not a single staff vacancy has yet been advertised.

I cannot believe that all Ms Gratton, Area Renal Services Manager, could tell me was that she had been told of the number of staff that will be recruited. That she had now completed and signed the necessary form which must now be signed by 1 or 2 Directors and then by yourself. After this the 'memo' must then be returned via the same route to her before advertising action is initiated.

I understood that, even though today both faxes and email communication is possible, the process could not be speeded up. What incredible nonsense!

One can only deduce from this response, that you with the Minister for Health are perpetrating a fraud on the people with kidney failure in NSW by delaying the necessary financial expenditure until the new financial year.

We have now covered 14076 kms between Canberra and Wagga Wagga the greater part of which is done on one of Australia's busiest highways, the Hume. Come the new financial year, if our assumption is correct, we shall have travelled approximately 25,000 kms, much of which will be done in fog conditions as we leave home at 9am and return home between 8.45 and 10pm.

Will you please, per return mail tell me when my ill wife will be able to commence her haemodialysis at the Wagga Wagga Base Hospital Renal Unit.

As Roger Southwood says, this is an absolute disgrace. The Minister said in his announcement that the allocation of \$400,000 in funding would be immediate. I call on the Minister, the Premier, the New South Wales Government and all of the members on the other side of the House to put into place now a mechanism that will allow for overtime to be paid to staff who operate the renal dialysis unit in Wagga Wagga so that the eight people on the waiting list can be treated in that city. Obviously the service operates now, but it needs more staff, as these people have said. The travelling costs of these people, the payments that have to be made under the Isolated Patients Travel and Accommodation Assistance Scheme and the 20 per cent levy under the cross-border flows agreement would well and truly cover the cost of overtime for the staff in Wagga Wagga.

This situation has gone on for far too long. It has been featured in the media—in the *Daily Advertiser* and, indeed, in the *Sun-Herald*—and the Government has done nothing. As Mr Southwood says, the Government is waiting until the new financial year to fund this process. Mr Southwood and those other eight people—and probably others that we have not been informed about—have to travel hundreds of kilometres. They are old people who need the services that the Minister and the Government are denying them. [*Time expired.*]

KEEP IT SIMPLE CLUB PROJECT FUNDING

Mr DAVID BARR (Manly) [5.52 p.m.]: Tonight I want to speak about a project that has been undertaken by the Manly Drug Education and Counselling Centre [MDECC]. I refer to the Keep It Simple [KIS] Club Project, which was developed as a response to the needs of club owners and operators and those attending dance events because of increasing concerns about drug use in clubs and about mental health issues. The project

was funded by the Commonwealth Department of Health and Ageing through the community partnership initiative for 12-months. The KIS Club Project funding period has now ended and the MDECC needs to secure recurrent funding for this much-needed project. If funding cannot be secured, the project co-ordinator position will be lost and the support and training of peer educators to ensure sustainability of the project over the longer term will be unable to continue.

This is a critical issue because 19.5 per cent of all clients presenting to the MDECC for treatment reported using psychostimulant drugs—primarily amphetamines, ecstasy and cocaine—as their drug of choice. The MDECC is a community-based organisation that has been providing services to the community based on its philosophy of community development. Those services include health promotion projects, targeted intervention programs and counselling and treatment programs. The centre is well known for its development of a range of successful peer education programs. A recent investigation into the Sydney nightclub scene revealed a significant need for the provision of drug information education. That is where KIS came in. I intend to approach the Federal Minister for Health and Ageing, the local member, the Hon. Tony Abbott, and the State Government in relation to the provision of funding for this project.

One of my concerns, which is shared by many others, is the use of methamphetamines, specifically ice, the crystallised form of amphetamines. I have always considered amphetamines to be one of the most dangerous classes of drugs. Amphetamines stimulate serotonin and the dopamine receptors in the brain. When it is abused it can stimulate psychotic episodes that are similar to schizophrenic episodes. The physical dynamics of what happens are not dissimilar because schizophrenia is caused by the overstimulation of the dopamine receptors in the brain. Nationally, 38 per cent of amphetamine users reported using the crystallised form of the drug. The point is that amphetamines have morphed into something much more potent and much more serious—ice.

In 2000 6 per cent of surveyed ecstasy users in New South Wales reported using ice in the previous six months. By 2004 that figure had risen to 46 per cent. I believe that New South Wales has serious mental health and physical health issues as a result of the use and abuse of ice. That was dramatically illustrated in a recent program on *Four Corners* and also on the *7.30 Report*. The smoking of ice is a worrying trend among young recreational drug users and warrants urgent attention. Smoking is a highly accessible, high-dependency method of administration that promotes an instant drug effect. This trend towards using ice has the potential to introduce a younger group of people into a more risky pattern of drug use and to increase their risk of becoming dependent on methamphetamines.

There are grave health problems and risk behaviours associated with methamphetamine use, with dependence often leading to poor physical and mental health and a risk of HIV infection. As many as half of all methamphetamine users suffer impairment of their physical functioning. Physical health complaints include sleep disturbance, weight loss and cardiovascular complaints such as palpitations. Poor mental health among users can be particularly pronounced, with two-thirds experiencing some degree of mental health disability and one in five suffering severe disability in mental health functioning.

Psychological problems experienced by users include increased aggression, agitation, depression, poor motivation, impaired concentration and memory, and symptoms of psychosis. It is vitally important that we reach out to young people and inform them of the dangers of these recreational drugs in the club scene. The work that is done by the MDECC is invaluable. It is vital that funding for that project continues so that we can keep young people out of harm's way. As I said, I will be urging the Federal Minister for Health and Ageing and the State Government to contribute funding for this worthy project.

DUKE OF EDINBURGH'S AWARD

Mrs DAWN FARDELL (Dubbo) [5.57 p.m.]: On Wednesday 22 March Dubbo had the honour of hosting a visit by His Royal Highness, Prince Edward, the Earl of Wessex. The Earl agreed to meet with a remarkable group of young indigenous women who have now set something of a milestone for the Duke of Edinburgh's Award, as the Minister for Women mentioned earlier today in question time. Whether they know it or not, these girls are emerging as role models within their community, and the example they set most certainly should be noted by many others. They are eager to contribute, to learn and to put something back into the community. What is even more outstanding about their decision to join the Duke of Edinburgh's Award is that they want to take their newly learned skills back into their homes, to their families and to the Aboriginal community at large.

The two hours the Earl spent with us at the Western Plains Zoo took considerable effort to organise. It certainly would never have come about if not for the tremendous work put in by the Minister for Women and

her staff, to whom I am grateful. Purpose, knowledge and confidence are important characteristics, but, sadly, they are lacking among some young indigenous women. Hence a pilot program, SistaSpeak, was devised. Steered by the Minister for Women, it was an attempt to make a difference to the lives of young Aboriginal girls seeking personal development and opportunity. The Dubbo community was chosen to host one of the programs. What makes this program different is that it was created in close consultation with the indigenous communities. Rather than us tell them, they tell us what they need. The targets of the pilot program are young Aboriginal girls in year 6 through to year 9. At the Dubbo college Delroy Campus a group of young women were identified as perfect candidates who would benefit from this new direction in thinking.

At this point I would like to thank principal Peter Bray, whose enthusiasm for this program was infectious. This is a critical time in the lives of the girls, when there are pressures by families or peers to drop out of school and turn their back on an education. SistaSpeak was about developing their awareness of higher education and the importance of a career. It allowed them to discover self-determination: about planning for their future and about gaining financial independence. They also came to value respect—for themselves and others. This would never have happened without the assistance of an equally remarkable group of Aboriginal women. These women mentored and guided the girls through the program. They were Yvonne Hill, Neita Scott, Marilyn Redman, Lillian Elmes, Christine Fernando and Coral Yates. We saw an amazing transformation in those women and the girls.

The pilot came to its conclusion and the girls asked, "What can we do next?" They sought a new challenge. Enter Minister Nori and the Duke of Edinburgh's Award. Globally, this unique development program for youth celebrates 50 years this year. Since 1962 it has been operating in Australia, and over that time no doubt has touched the lives of many. There could not have been a more perfect program to suit these young women once SistaSpeak was completed. The girls are learning skills such as becoming volunteer guides for the Western Plains Zoo, Meals on Wheels, expeditions, working with youth, et cetera. As early as their involvement is, our community is looking proudly at their participation. So, too, is the Minister.

Everything then fell into place once an agreement was reached for the Earl to pay us a visit. The timing certainly could not have been better, with the staging of the Commonwealth Games. Waiting to meet the Earl were Courtney Chatfield and Nakella Brown. Putting their newfound skills to use, they showed the Earl all of the wonders of the zoo. Along with keepers, the girls introduced him to giraffes and a blue-tongue lizard. Another animal that fascinated the Earl was a black rhino—something, he said later, that definitely would have stood out if he had tried to get it through Customs.

Wherever there were groups of young people or children, the Earl would make a beeline for them and strike up a conversation. It was very heart-warming when he got down on his haunches to talk to little children from the preschool. Before being whisked off to meet members of the Dubbo community who have been pivotal in developments for youth over the years, Prince Edward was given a welcome to Wiradjuri land by Uncle John Ryan and watched in awe as a traditional dance was performed by students of Dubbo's TAFE Yarradamarra Centre. Circulating around the official reception, the Earl appeared most at home passing on words of encouragement to the school captains, youth workers and Duke of Edinburgh's Award participants.

The purpose of the visit was clear: like Prince Edward, our focus was on youth and the Duke of Edinburgh's Award, as is the focus on Dubbo, with all the government meetings that are occurring at the moment. My thanks once again to Minister Nori, NSW Police, the mentors and girls of the SistaSpeak program, Dubbo City Council, Will Garton and his professional staff at the Western Plains Zoo, and the Earl for vesting confidence in the young people of Dubbo.

BIBLE GARDEN, PALM BEACH

Mr ALEX McTAGGART (Pittwater) [6.02 p.m.]: On 18 March 2006 I had the honour, as Pittwater mayor, of accepting into public ownership on behalf of the community a piece of land at 6 Mitchell Road, Palm Beach, known as the Bible Garden, which had been donated by the Robinson family. I would like to acknowledge the source of my statement as being the New South Wales Heritage data "Bible Garden Palm Beach", and refer readers to that document to obtain the full story of the Bible Garden. In this day and age it is not often that you see the generosity of a public donation of several million dollars, or a family able to live out their forefather's dreams. I would like to publicly thank and acknowledge the Robinson family for their contribution to the cultural assets of Pittwater.

Gerald H. Robinson, the managing director of a Sydney car distributing firm, purchased a block of land in Mitchell Road, Palm Beach, in about 1957. This sloping piece of land has magnificent views over Palm

Beach, heading north to Barrenjoey. He read about a bible garden established by a Professor Tatum Whitehead in the grounds of Bangor Cathedral in North Wales. Mr Robinson visited the Welsh bible garden and was impressed with what he saw. On his return to Sydney in 1963, he commenced work on his Palm Beach land, developing a garden designed and laid out in similar fashion to the Bangor garden.

Already in his seventies, Gerald H. Robinson did most of the initial work himself, terracing the steep land and laying out the garden with beds in biblical chronological order, commencing with the plants mentioned in the book of Genesis and ending with a plant to represent immortality. Of the 148 plants mentioned in the Old and New Testaments, 143 were planted in the Bible Garden. The Bible Garden at Palm Beach was officially opened on Saturday 26 March 1966 by Mr Justice Richardson. Gerard Robinson declared, "The garden and the view behind it provide a perfect example of the glory of God's creation".

Wishing to secure the perpetuity of the Bible Garden, in 1972 G. H. Robinson settled 6 Mitchell Road in a charitable trust, the Bible Garden Memorial Trust, "for the construction, use and maintenance of Bible Gardens for all Christians". The founding trustees were G. H. Robinson and his daughter, Deaconess Beatrice Robinson. The Right Reverend F. O. Hulme-Moir and Gerald Lacey Robinson, a son of the founder, joined Beatrice as trustees in the 1970s. In recognition of the public status of the land, in 1974 the land at 6 Mitchell Road was granted exemption from council rates. Gerald's daughter, Bea, served as curator of the Bible Garden until her death in 1994. Another family member, Barbara Robinson, served as curator from 1994 to 2004, with help from other members of the Robinson family, and friends.

In July 2000, 6 Mitchell Road was assessed for land tax of \$214,481. Upon appeal, the assessment was withdrawn. However, the trustees considered the possibility of future land tax liability, and accordingly contemplated subdividing the land to create separate lots for the existing Bible Garden and residential uses of the land. The Bible Garden area, Lot 2, would be vested in Pittwater Council as "Public Reserve (Bible Garden)" and managed by an incorporated association, "Friends of the Bible Garden Memorial". Council would recognise the committee of the Friends as a committee of the council. The remainder of 6 Mitchell Road, Lot 1, would continue to be used for residential purposes, and subject to development parameters consistent with the protection of the view from the Bible Garden. If subdivision were not feasible, all of the land would be sold for residential redevelopment.

On 30 April 2001 Pittwater Council resolved that council authorise the general manager to enter into negotiations with the owner/owner's representatives of 6 Mitchell Road, Palm Beach-Bible Garden to develop a draft heads of agreement document for the proposed subdivision. Over the following years Pittwater Council received from the trustees, and commented upon, a landscape concept plan, a draft plan of subdivision, a draft plan of management for the Bible Garden as community land under the Local Government Act 1993, and concept sketches of a proposed residence on the "Tree Tops" portion of the land. On 9 February 2004 council entered into a heads of agreement with the trustees of the Bible Garden Memorial Trust to enable subdivision of 6 Mitchell Road in order to save the Bible Garden from residential redevelopment.

A subdivision application was lodged with Pittwater Council in November 2004 and was approved by council in April 2005. Following more survey and legal work, in October 2005 council signed off the subdivision plan and related easements and covenants. In the same month, trustees entered into contracts for the sale of the residential portion of the land, with the funds being used to redevelop the Bible Garden; and on 18 March 2006 this valuable piece of land passed into public ownership. I would like to thank the Robinson family for their kind donation to Pittwater.

Private members' statements noted.

The House adjourned at 6.06 p.m. until Tuesday 9 May 2006 at 2.15 p.m.
