

LEGISLATIVE ASSEMBLY

Thursday 25 May 2006

ABSENCE OF MR SPEAKER

The Clerk announced the absence of Mr Speaker.

Mr Deputy-Speaker (Mr John Charles Price) took the chair at 10.00 a.m.

Mr Deputy-Speaker offered the Prayer.

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

YOUNG OFFENDERS AMENDMENT (REFORM OF CAUTIONING AND WARNING) BILL

Bill introduced and read a first time.

Second Reading

Mr ANDREW STONER (Oxley—Leader of The Nationals) [10.02 a.m.]: I move:

That this bill be now read a second time.

Juvenile crime is of great concern to the many communities that make up this great State of New South Wales. The good people of country townships and cities such as Kempsey, Dubbo, Taree, Broken Hill, Tamworth, Armidale, Moree and Narrandera tell me and their other representatives that they have significant problems with repeat juvenile offenders. This is a huge issue not just in country New South Wales but also in the city. I remind honourable members of the recent riots involving young people in the Western suburbs of Sydney. I refer particularly to the Macquarie Fields riots and to young people's involvement in the incidents at Cronulla late last year and earlier this year.

Juvenile crime is a major concern and an enormous cost to the community. It is difficult to put a figure on that sum, but a 1990 Australian Institute of Criminology report conservatively estimated that the direct cost of some major categories of juvenile crime in Australia in the years 1986 and 1987 was \$601.7 million. That was the highly conservative estimate 20 years ago and anecdotal evidence suggests that juvenile crime has increased since then. So one can imagine that juvenile crime now costs the community well in excess of \$1 billion. I will give some real life examples involving juvenile offenders that have been brought to my attention.

An elderly man in a wheelchair was recently bashed by a young woman. She asked him for a cigarette, he was about to give her one but before he could do so she belted him and took all his cigarettes. Juveniles were involved in a series of motel invasions south of Kempsey. These were quite violent crimes; for example, a young offender bashed an elderly woman. Just this week juveniles cut the major telephone line through Kempsey, interrupting services for telephone subscribers throughout the city. The economic cost was huge for the businesses and families of Kempsey and probably also for the telecommunications provider. A couple of weeks ago a gang of juveniles set fire to various properties and land in south Kempsey. When the emergency services responded, the teams were set upon by juvenile gangs. An ambulance officer was threatened with what is now believed to have been a replica pistol. A fire truck was hammered with bricks and branches and a police car window was smashed.

Juvenile crime is a significant problem in our communities. I believe the worsening rates of juvenile crime in New South Wales have their origins in the Young Offenders Act 1997. The intention of the Act was to ensure that young people who made a mistake did not end up with a criminal record. But it was too soft by far. The Act provided for the issuing of unlimited warnings and cautions and gave too many rights to young offenders, including the right to consent to the giving of a caution. It did not provide for the notification of parents when a warning was given. Under this soft piece of legislation, the child had many rights but the victims, the parents and the police had very few rights and all the responsibilities.

I note that since The Nationals raised the issue of the increasing incidence of juvenile crime the unlimited number of cautions has been reduced to three. We highlighted this issue a couple of years ago and, consequently, the Young Offenders Act was amended. Although the number of cautions has been reduced to three, an unlimited number of warnings can be given and these kids are getting too many chances. For the great majority of young people, one warning or caution would be enough to make them reconsider their behaviour and learn from their mistakes. Unfortunately, for some hardened, repeat young offenders this Act is nothing more than a joke. They receive a warning, then go out and reoffend. I am told repeatedly that the same young offenders are committing the same or similar crimes day after day in communities throughout New South Wales. I have seen the charge sheets of juvenile offenders, and one particular young offender may appear in court to answer a dozen charges.

We have a group for whom this notion of being given the opportunity to make a mistake is entirely inappropriate. Surely it is better to prevent the commission of repeat crime and young people progressing from petty crime to more serious crime and becoming repeat young offenders, and ending up an adult offender, in an adult gaol. Early intervention is the key, which is why the Young Offenders Act must be amended by way of this private member's bill. Under the current Act, for this core of hardened young offenders there seems to be no consequences for their criminal actions. As a result, they enter a life of crime, commit serious offences, and ultimately end up in gaol when they turn 18. They clog the gaols as we speak. In other cases, these young people end up dead.

I have heard of too many cases where young people become involved in drugs and/or alcohol, they drive too fast or commit other offences and they are found dead. Recently I had the experience of a police officer saying that it was tragic that a young offender had wiped himself out on a country road but that it was one less offender. That should not happen. These young people should be picked up early before they proceed on a life of crime. We should support police in their efforts by giving them the necessary legislative powers to do their jobs. All too often police apprehend these young offenders, obtain the appropriate evidence, put together the brief and the required paperwork but the Young Offenders Act does not provide enough support to make the charge stick. Young people know their rights. They attend a youth justice conference, feign contrition, but after the conference they have good laugh. That is what happens with this core of repeat young offenders.

In the past I have put forward on two occasions in this place similar legislation but the Government opposed it. On the last occasion the main reason given was that it was likely to lead to an increased number of Aboriginal youths before the courts. That is an unacceptable reason because at no time did I make a distinction with respect to young offenders. This bill applies regardless of race, colour or creed. If one does the crime, there should be consequences. The Government, in proffering this reason to oppose a very sensible piece of legislation, is discriminating in its application of the law. That discrimination is seen by the left wing of the Labor Party to be a good thing. However, if one talks to Aboriginal families and the parents of these young offenders, they do not regard this as compassion because these young people will continue in their criminal habits and their drug and alcohol abuse will worsen so that they will end up either in gaol or dead at a young age. It is not compassion to go soft on them. It simply makes the lives of those offenders, their families and their communities far worse.

It is nonsense, and this politically correct notion from the Labor Government of going soft on Aboriginal crime is not helping Aboriginal people. Aboriginal people in New South Wales are 12 times more likely to be incarcerated over the time of their life and far more likely to die young because this Government's soft hand-wringing policies for Aboriginal people are simply not working and the Young Offenders Act is one of them. It is commonsense to deal seriously with burgeoning juvenile crime before it is too late. Young people make mistakes and fall in with the wrong crowd, but if they are caught early, dealt with seriously, given a warning and their parents notified, they can be helped. But if they are just given numerous warnings without their parents being notified, the problem will not go away, it will merely worsen. Since the 1997 Act that is what has happened. Juvenile crime is fast getting out of control.

The left-wing lunatics who are behind the Act and who oppose this private member's bill are totally disconnected from their communities. I recommend that they spend some time with Aboriginal families or people from low-income areas. They should talk to them about what is happening in their communities and with young people, who never face the consequences of their actions. It is a great irony that the response of the right wing of the Labor Party to the increasing crime wave in our community is by boasting about record numbers of inmates. We have a record number of inmates because of the steady stream of young people becoming adults and heading for Labor's gaols from this cadre of repeat young offenders, and the Young Offenders Act is no deterrent.

The Act leads to a progression from petty or nuisance crime to serious crime and adult gaol. The progression from young offender to adult inmate comes at a huge cost to the community. First, there is the cost to victims of crime and juvenile crime is costing Australia well over \$1 billion. There is also the cost of building gaols and accommodating inmates. It costs approximately \$700 per day to accommodate and feed an inmate. Surely we want fewer inmates in gaols and juvenile detention centres and the way to do that is through early intervention. As my dear mother always told me, an ounce of prevention is worth a pound of cure.

Throwing huge sums of taxpayers' money towards building new gaols after young people have embarked on a life of crime is acting after the horse has bolted. We have to stop the revolving door for repeat young juvenile offenders and deal with the problem early and seriously. Juvenile detention centres are not an effective deterrent for the hardened repeat offenders about whom I speak. Some of these young people go off to juvenile justice centres such as Acmena, in the electorate of the honourable member for Clarence and they think it is pretty good. They have three square meals a day, and they play sports with their mates and even Nintendo.

Mr Steve Cansdell: They have soft drinks.

Mr ANDREW STONER: Yes, they have camp-like conditions. Then they come back to their communities almost a hero and the crime wave continues. This is not an effective deterrent because they have been let off so many times before they end up in the juvenile detention centre, they know their rights and they become hardened young offenders. It also affects the usefulness of juvenile detention centres in New South Wales.

Youth justice conferences are good but for the core of hardened repeat offenders they are a joke. They feign contrition while the conference facilitator and victim are present but they go away laughing. There must be prevention before these young people become hardened repeat offenders. For many who are currently in that category who thumb their noses at authority and laugh at the system, including police and elders, it is too late to them; they will end up in gaol and may even die too young, and that is a great tragedy, brought about, in part, by the Young Offenders Act 1997. This bill seeks to establish that only one warning be given, that parents be notified at the time, that one caution only be given—a slightly more formal affair where police involvement is greater—and that the rights of the young offender to refuse consent to the caution be removed.

Following the giving of one caution and/or one warning, a more serious intervention should take place. In some cases that will be a youth justice conference and in others it may be placement in a juvenile detention centre or intervention by an agency such as the Department of Community Services [DOCS] or the Department of Education and Training. Quite often the children involved are chronic school truants and that is when they do a lot of their nuisance crime. And quite often their home environment is far from desirable and that is when the DOCS should intervene and, if necessary, remove some of the children from the so-called care of parents who are simply not doing their job.

In other cases the children involved should be referred to what the Opposition called second-chance camps, which have proven to be effective elsewhere. These camps would be run by the welfare sector. I know that groups such as Youth Off the Streets and Youth Insearch have had great success in changing the behaviour of troubled young people. A second-chance camp is an appropriate option having detected a repeat young offender who has had a warning and a caution. The Opposition proposes a range of options to deal with troubled young people and does not simply provide a revolving door, give them a slap on the wrist and send them away to repeat their behaviour.

I turn briefly to the provisions of the bill. The bill provides that the number of warnings and cautions each be limited to one. The bill also requires that the parent of a young offender be given notice when the offender is warned or cautioned. It also provides that a warning, caution or conference be given or held as close as possible to the time when the offence was committed. The bill will deprive the child or person responsible for the child of the opportunity to delay the matter by refusing to choose an adult to be present at the time of the admission, caution, giving of explanation or conference. The bill provides the investigating official or person giving the caution or specialist youth officer or conference convenor the power to appoint a respected member of the community to be present at the times to which I just referred if the child refuses to choose an adult.

The bill removes the discretion of specialist youth officer's conference administrators and the Director of Public Prosecutions to overturn referrals for conferences in favour of cautions. In the past conferences have been overturned and the process became a revolving door with yet another caution. The bill also removes the requirement that a child must consent to the giving of a formal caution by a police officer or the Director of

Public Prosecutions. In summary, this is a commonsense bill about early intervention, prevention and dealing with the impacts of repeat juvenile crime in our community. The bill provides a policy that will result in some of these young people being saved from a life of crime and the communities from dealing with the impacts and costs of those crimes. I commend the bill to the House.

Debate adjourned on motion by Mr David Campbell.

UNIVERSITY OF TECHNOLOGY (KURING-GAI CAMPUS) BILL

Bill introduced and read a first time.

Second Reading

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [10.23 a.m.]: I move:

That this bill be now read a second time.

This bill has resulted from community frustration. The frustration is born from the unwillingness of the State Government to act to ensure the University of Technology, Sydney [UTS] Kuring-gai campus Lindfield site is preserved for educational purposes. The frustration is due to the efforts of UTS to have the determination of the future use of the site taken out of the hands of Ku-ring-gai Council and given to the State Government. The frustration is also that, in vesting the site to UTS in 1989, no provision was made for the site to be returned in the event it was ever found to be either no longer needed or surplus to requirements.

The University of Technology (Kuring-gai Campus) Bill has a clear and simple purpose: it will ensure the Lindfield site continues to be used for educational purposes. It would, in my view, keep faith with those who in 1989 presided over the transfer of the site to the UTS. It would also meet the desire of the immediate and wider Ku-ring-gai community. The Kuring-gai campus of the UTS is located on a magnificent site overlooking the Lane Cove National Park. It is a site with an interesting history and I am indebted to local resident Fay Pettit for the following timeline. In 1915, the site was acquired by the Commonwealth Government for use as a rifle range. In February 1961, the then State Labor Government purchased the site for the stated purpose of "public instruction", that is, education. In April 1971, William Balmain Teachers College opened on the site. In 1974, William Balmain Teachers College changed into the Kuring-gai College of Advanced Education [CAE]. In 1990, the University of Technology was created with the old Kuring-gai CAE as its Kuring-gai campus.

It is worth pointing out that significant public funds have been invested in this site over its history. For instance, when the site was acquired by the State in the 1950s it cost £44,000. Construction, in the early 1970s, of stages 1 and 2 of the buildings that remain on the site were financed by grants from the Commonwealth Government totalling \$5.2 million. The 2003 annual report of the UTS lists the value of the Kuring-gai campus at \$60 million. In the legislation establishing the UTS, section 18 (2) states that:

The Council shall not except with the approval of the Minister, alienate, mortgage or demise any lands of the University.

I will return to that point later. It is also clear that, in the process of establishing the UTS, and vesting property in the new tertiary institution, there was an expectation the land would continue to be used for academic purposes. The issue generated correspondence between the UTS and the then education Minister and his department before the vesting of the land was finally approved. The intention that the site be used for educational purposes is the justification for the transfer of the site to the UTS back then for just a single dollar. One cannot imagine any government of any political complexion handing over public assets and land worth millions to any individual or body for \$1, with the expectation it would then be on sold. If such a decision had been made, it would merit a corruption inquiry.

The issue that rankles so many residents is the windfall profit that will flow from the transfer of this site from educational to residential purposes. People resent the fact that public assets that were clearly always intended for educational or academic purposes are about to be sold for a windfall profit. I deeply regret that, at the time of the land's transfer, such a scenario was not envisaged and steps were not taken to prevent it happening. All it would have taken was a single clause stating, "If no longer needed for educational purposes the land reverts to the Crown upon payment of the original purchase price".

Such a clause would have stopped what is currently occurring. In discussions with me, the UTS argued that the Kuring-gai campus is no longer attracting sufficient student enrolments. That may be true. However, I

am sure that even given such conditions, in considering options for future use of the site, the possibility of a windfall profit has unduly influenced decision-making. I am convinced that the UTS would have more vigorously pursued other options if it clearly understood that disposal of the site would have generated just \$1 and not potentially tens of millions of dollars. But, as in life generally, hindsight is a luxury that fails to resolve a quandary.

This legislation can resolve the matter. It would ensure continued use of the site for educational purposes. Importantly it is based upon a precedent—an earlier example of a State Government stepping in to stop the alienation of a similar property. Highly significantly, the precedent to which I refer was established by the current State Government. In 1999, then State education Minister, John Aquilina, rushed the University of New South Wales (St George Campus) Bill through Parliament. That legislation—it passed both Houses—stopped New South Wales selling the site of another former CAE, a site that had also earlier housed a teachers college, a site that had been similarly transferred to a higher educational institution for just a single dollar again on the same expectation that it would be used for educational purposes. The parallels with the current situation at Lindfield are extraordinary. In justifying the decision to move special legislation to prevent this sale the then State education Minister declared:

I am not willing to see a valued educational facility like that at St George wound down and taken out of the public domain.

I say the same in relation to the Lindfield site. The then education Minister pointed out the legislation establishing the University of New South Wales, and specifically that section outlining the university's functions, did not contain a single clause referring to "selling public assets". I note the same in relation to the UTS. The then Labor Minister for Education and Training stated, "The public interest will suffer if the university effectively removes the land from public use." I say the same about the Kuring-gai campus of the UTS.

Finally, this Government's former education Minister noted his responsibility under the 1989 Act to approve or otherwise any proposed sale of land. Section 18 (2) of the University of Technology, Sydney Act gives the State education Minister the same power. That is, the current Minister for Education and Training, the Hon. Carmel Tebbutt, could, without the need for this legislation, refuse to allow the UTS to sell the Lindfield site. I regret that, to date, no such refusal has been forthcoming. I regret that the State Government seems to have double standards. I regret that, what was apparently sound policy when it came to the St George campus is not important in relation to the Kuring-gai campus. I regret that the 1999 refusal to allow a university to sell a site—a refusal based in the words of this State Labor Government, on the basis of an absence of public interest—is not being repeated in 2006 with this site. As a result I am introducing this legislation.

The University of Technology (Kuring-gai Campus) Bill 2006 is very simple. If passed it would prevent the site being used for anything other than educational purposes. Whilst I would prefer a continuing use of the site by a university or school, the definition of "educational purposes" contained in the bill would allow the site to be used, for instance, as a site for theological training. This would keep open the option of the site's use by Moore Theological College. Moore College has expressed interest in using the site. The bill would not prevent that, nor would it prevent UTS profiting from such an arrangement. That arrangement would comply with the bill's main purpose: to maintain the site for educational purposes.

There are many reasons why this site deserves to be preserved, but the bill relies on just one: preservation of an important educational precinct. It was sufficient justification to use legislative means to protect the St George campus of the University of New South Wales in 1999; it should be sufficient to justify passage of this legislation in 2006. The bill is introduced out of frustration with a Government that, despite its own history, seems deaf to residents, community and wider concerns to maintain the Lindfield site of the UTS Kuring-gai campus.

Debate adjourned on motion by Mr David Campbell.

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Mr DAVID CAMPBELL (Keira—Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra) [10.30 a.m.]: I move:

That standing and sessional orders be suspended to provide for:

- (1) the moving of a motion concerning the attendance of the Treasurer in the Legislative Assembly on Tuesday 6 June 2006 for the purpose of giving a speech in relation to the New South Wales budget 2006-07;

- (2) Government Business to have precedence of General Business on Thursday 25 May 2006; and
- (3) the resumption of the adjourned debate and progress through all remaining stages at this sitting of the following bills:

Children (Detention Centres) Amendment Bill
 Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill
 Correctional Services Legislation Amendment Bill
 Courts Legislation Further Amendment Bill
 Fair Trading Amendment Bill
 Interpretation Amendment Bill
 Liquor Amendment (2006 FIFA World Cup Hotel Trading) Bill
 Local Government Amendment (Waste Removal Orders) Bill
 State Revenue Legislation Amendment Bill
 Statute Law (Miscellaneous Provisions) Bill

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [10.31 a.m.]: This motion will be vigorously opposed. It seeks to do things. First, in accordance with recent tradition it allows the Treasurer to slink into this House and then leave it, like a thief in the night—I will come back to that point in a moment. Second, it seeks once again to do away with private members' business in this Chamber. This is an outrageous attack on every single honourable member of this House. It follows upon the decision earlier this week to, at one stroke, remove 1,400 notices of motions from the business paper and to require individual members to individually replace those notices of motions.

This is just another attempt to prevent members from raising local concerns. This is just the latest example of the victory of Executive Government over members, which was achieved on the 150th Anniversary of this House. But, in those 150 years, as the Leader of the Opposition said on Monday, there has been no more irresponsible government than those people sitting opposite. There can be no better example of the disdain for the democratic institutions of New South Wales than what the Government is currently doing. I speak here on behalf of members of the Government, because those members have motions to be debated in this House. The honourable member for Illawarra wants to raise a matter dealing with public education in the Illawarra. Clearly, when she votes against this motion she will be saying to her constituents in the Illawarra that education matters are not important.

The honourable member for Drummoyne wants to raise today issues relating to the New South Wales Rape Crisis Centre. When she comes into the Chamber to support her Government by voting on this motion she will be saying to her constituents and to people across the State that she is prepared to put the interests of those women who suffer rape behind the interests of this Government, which is only interested in winning votes at the next election. This motion will prevent the honourable member for Monaro from moving the most extraordinary motion to be moved in the 150 years history of this House: a motion congratulating himself! The Opposition would happily have contributed to debate on that motion.

This is an outrageous decision by this Government, but it is not unexpected. This is a government that is determined to cut and run; this is a government that has cancelled the last two scheduled sitting Fridays. This Government has had more early marks this year than any government on record. This Government was happy last night to suspend business to allow its Ministers to go out and be entertained at the State of Origin football game. This Government is not serious about legislation. If it were serious about legislation we would have sat on those Fridays, we would not have had those early marks, and there would not have been so many Ministers at Telstra Stadium last night. What is most concerning about this motion is what it says about the Leader of the House. I said earlier this week that the Leader of the House had lost his bling and was only a shadow of his former self. I have to say that in respect of this motion today—which he was not even prepared to move—he is restoring himself. He is taking the antidote to truth tonic.

Mr David Campbell: Point of order: The standing orders do not allow members to reflect on other members. There are particular forms of the House that enable members to do that. The Deputy Leader of the Opposition is clearly outside the standing orders as he seeks to make a personal attack on an individual member of the House instead of debating the substance of my motion. I ask that you direct the honourable member to refrain from making a personal attack on individual members of the House and return to the substance of the motion.

Mr DEPUTY-SPEAKER: Order! I uphold the point of order. The Deputy Leader of the Opposition is fully aware of the standing orders and I am sure the reflection was a momentary slip. The Deputy Leader of the Opposition has the call.

Mr BARRY O'FARRELL: I accept that ruling and I know that, as a good Christian, you would be concerned that yesterday's *Hansard* records the Leader of the House saying, in relation to the motion that was to start today's proceedings, the motion moved by the honourable member for Bega in relation to marine parks:

Normally I would say no ... the matter needs to be addressed, and the Minister will be pleased to do so tomorrow.

Hansard shows that the Leader of the House is a liar. *Hansard* shows that the Leader of the House misled every member in this House. This motion relates to the Treasurer; it relates to this Government's repeated moving of a motion to allow the Treasurer to come into this Chamber like a thief in the night but not to answer questions about the budget on budget day—which again demonstrates the ultimate triumph of Executive Government over the democratic process. The man in black from the other place will come into this Chamber and try for the eleventh time to sell the Harbour Bridge to the citizens of New South Wales. The Government's own State audit shows that every Treasurer who has delivered a budget over the past 11 years has been unable to deliver that budget's revenue or expenditure. It is going to happen again and it will happen without any questioning of the Treasurer on budget day. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 44

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

Noes, 33

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

Pair

Ms Burney

Mr Hartcher

Question resolved in the affirmative.

Motion agreed to.

BUSINESS OF THE HOUSE**Admission of the Treasurer into the Legislative Assembly:
Suspension of Standing and Sessional Orders**

Mr DAVID CAMPBELL (Keira—Minister for Water Utilities, Minister for Small Business, Minister for Regional Development, and Minister for the Illawarra) [10.45 a.m.]: I move:

That on Tuesday 6 June 2006 standing and sessional orders be suspended to allow for the following routine of business:

- (1) at 12 noon, the introduction of the Appropriation Bill and cognate bills;
- (2) the Premier to adjourn the debate on the bills immediately after moving, "That these bills be now read a second time";
- (3) the Hon. Michael Costa, M.L.C., Treasurer, Minister for Infrastructure, and Minister for the Hunter, to be immediately admitted to the House for the purpose of giving a speech of unlimited duration in relation to the New South Wales Budget 2006-07; after which proceedings will be suspended until 2.15 pm;
- (4) the Premier to give the second reading speech at a later time upon the order of the day being read for the resumption of the adjourned debate on the Appropriation Bill and cognate bills; and
- (5) That a message be sent to the Legislative Council inviting the Treasurer to attend the Legislative Assembly on Tuesday 6 June 2006.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [10.46 a.m.]: We would have thought that, with the change of the Treasurer from the diminutive Michael Egan to the *mano a mano* Michael Costa, we might finally have got a Treasurer who was prepared to stand in this place and not only deliver the Budget Speech but be prepared to answer questions on it. The Opposition again will move an amendment to the motion to require the Treasurer, the Hon. Michael Costa, to remain in this Chamber to answer questions about his budget.

This will be the eleventh budget delivered by this Labor Government. This will be the eleventh occasion on which the Budget Speech will be given by a Treasurer who, like a thief in the night, will come from another Chamber, enter this Chamber, deliver the Budget Speech and then run away. We want, for the first time in eleven years, the Treasurer to stand in this place after he has delivered the Budget Speech and be subjected to questions about his budget. That is important because of the audit report produced by the Government in February this year.

That audit report demonstrated that, despite what Michael Egan said on nine occasions in this House, and despite what Andrew Refshauge said on another occasion, throughout the entirety of the Labor Government not a single budget, either on the revenue or expenditure side, has come in on budget. In fact, expenditure overruns under this Government, with successive visits by the Treasurer from the upper House, have totalled \$15 billion. In one year, the overspend was \$2.5 billion. We want the Treasurer to remain in this House so that this year, for the first time, he can answer the questions the people of New South Wales want answered. Where has the money gone? The one clear thing that the people of New South Wales clearly understand is that this is a Government which, over eleven years, throughout a decade, has made an art form of ripping taxes—

Ms Marianne Saliba: Point of order: The Deputy Leader of the Opposition is permitted to talk to the suspension motion; he is not permitted to debate the budget and the Government's record.

Mr DEPUTY-SPEAKER: Order! I accept the point of order. I draw the Deputy Leader of the Opposition back to the leave of the motion.

Mr BARRY O'FARRELL: Mr Deputy-Speaker, I will explain—not for you because I understand you know, but for the benefit of the honourable member opposite, who is still getting used to the standing orders of this place—that the motion we are debating—

[Interruption]

If the honourable member for Port Macquarie wants to stand with the Labor Party and defend it on this issue, I am more than happy to name him in this debate. The motion provides for the Treasurer to come into this House and simply deliver the Budget Speech. The honourable member for Port Macquarie knows—he is now seeking to defend this—that the motion does not allow the Treasurer to respond to questions about the budget.

In times past the honourable member for Port Macquarie was prepared to stand up for the privileges and integrity of this place, but apparently he is now supporting the Minister for Water Utilities in attacking the privileges of this place. The point we have made time and time again is that the Treasurer should at least be prepared to stay in this Chamber to answer questions on the budget, and I intend to move an amendment to that effect.

[Interruption]

I had not intended to speak for 20 minutes, but I have been provoked by both the honourable member for Port Macquarie and the honourable member for Illawarra to do just that. Why is it important for the Treasurer to remain in this place to answer questions on the budget? The answer is that on Monday we celebrated the sesquicentenary of responsible government. I am sure high school kids in the Port Macquarie electorate understand what that celebration was about. It was precisely about the election of a government that is answerable to the people of New South Wales through this Chamber. That was the whole point of the sesquicentenary celebration. Responsible government is a government that is answerable to the people of New South Wales through this Chamber. On Tuesday 6 June we want a Treasurer in this Chamber who is prepared to be answerable to the people of New South Wales and to answer questions about the budget he will deliver.

Mr David Campbell: Point of order: If the Deputy Leader of the Opposition wants the Treasurer to read the Budget Speech in this Chamber, he simply has to support the motion. That is what the motion is about; it is about inviting the Treasurer to deliver the Budget Speech in this Chamber. The Deputy Leader of The Opposition simply has to support the motion.

Mr DEPUTY-SPEAKER: Order! The Deputy Leader of the Opposition has the call.

Mr BARRY O'FARRELL: The Minister does not get it. Having the Treasurer simply come into this Chamber and deliver a 30-minute speech, and not being prepared to answer questions about it, is hardly responsible. It goes to the point that the Leader of the Opposition made on Monday: we have had 150 years of responsible government, but only 140 years if one includes the current Government. Justification for the Leader of the Opposition's speech on Monday is the procedural motion which is moved year in and year out by the Government that sees the Treasurer come into this Chamber and deliver a 30-minute speech but not answer questions about it. If one wonders why the Treasurer will not answer questions about the Budget Speech, the answers can be found in the Government's audit of its expenditure that was released by the Treasury in February.

The Government's approach is inconsistent. On one hand the Premier and Michael Costa are saying, "We'll take a new approach. We're finally going to get serious about things." On the other hand, come the delivery of the budget, which is the most important economic statement delivered each year in the Parliament, the Government moves the same tired old motion that will see Michael Costa come in here, deliver the Budget Speech and then scuttle out like a thief in the night. Three days after we celebrated the 150th anniversary of responsible government we think the Government should adopt the new approach the Minister and the Premier have been promising us for so long. As has happened on previous occasions, the Opposition will seek to amend the motion. We hope that at least the sensible Independents who are listening to this debate will support the amendment and the privileges of this place. We do not understand why the honourable member for Port Macquarie seems to be intent on supporting the Labor Party. I move:

That the motion be amended by leaving out "after which proceedings shall be suspended until 2.15 p.m." with a view to inserting instead:

"to be immediately followed by the Leader of the Opposition, who will be given equal time to apply.

- (4) That upon the conclusion of question time on the first sitting day after his address, the Hon. Michael Costa, MLC, be again admitted to the House for two hours to answer questions on the Appropriation Bill and cognate bills put to him by members in accordance with the standing orders."

The amendment has two parts. It seeks to ensure that the Leader of the Opposition speaks immediately following the Treasurer, with equal time to apply, and that at the conclusion of question time the Hon. Michael Costa be re-admitted to the House for two hours to answer questions on the Appropriation Bill and cognate bills put to him by honourable members in accordance with the standing orders. There is nothing unusual about the amendment. Indeed, a similar amendment has been moved in previous years. This week, of all weeks, I point out that unless the Government is prepared to treat the forms of this House seriously, how does it expect the electorate to be serious about it?

It is a simple equation. It is simple enough even for the honourable member for Port Macquarie to understand. Why is the New South Wales Treasurer not prepared to come in here and not only deliver the Budget Speech but also answer questions about it—questions about unfunded infrastructure projects, the unfunded application of flashing lights at schools, the funding of additional lanes on The Spit Bridge, and necessary road works within the electorate of Bligh? Why will the Treasurer not answer those questions? Despite the words that come out of the Premier's mouth, and despite the words that occasionally come out of the Treasurer's mouth, they owe their lineage to the past 11 years—a lineage that says that the Government will do anything and say anything to get a headline. The Government is more interested in fixing headlines in this State than fixing the State's problems. The audit report produced by the Government in February of this year clearly demonstrated that.

I do not understand why the Government will not accept this amendment, which would enable the Leader of the Opposition, immediately following the Treasurer, to outline the alternative approach we want to offer to the people of New South Wales. By voting down this amendment, as the Government inevitably will, the Government will not only ensure that Michael Costa will not answer questions about his own budget but also will not permit the Leader of the Opposition to respond immediately to the budget. It is a complete and utter mockery. We oppose the motion, as we have opposed similar motions for the past 11 years.

Members opposite want to talk about a sense of humour. A sense of humour has Michael Egan and Michael Costa coming into this Chamber in each of the past 11 years and promising us better services, increased expenditure and lower taxes, but delivering the opposite. The joke is on the people of New South Wales, who are scratching their heads trying to work out where the money has gone and what the Government has done over the past 11 years with record State revenue and record expenditures from the Commonwealth Government, which do not seem to have been translated into better services and infrastructure in New South Wales.

The Treasurer should be prepared to answer such questions in this Chamber on Tuesday 6 June. However, Michael Costa, like Michael Egan before him, is not prepared to answer such questions. However, next year a Liberal Treasurer will answer in this place whatever questions Labor members want to ask. When it comes to responsibility, we will not only mark the celebration of responsible government with grand speeches but also practice it in the same way. We strongly oppose the motion, and we will divide on it.

Question—That the words stand—put.

The House divided.

Ayes, 45

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

Noes, 34

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

Pair

Ms Burney

Mr Hartcher

Question resolved in the affirmative.**Motion agreed to.****LIQUOR AMENDMENT (2006 FIFA WORLD CUP HOTEL TRADING) BILL****Second Reading****Debate resumed from 23 May 2006.**

Mr GEORGE SOURIS (Upper Hunter) [11.09 a.m.]: I am pleased and honoured to lead for the Opposition on the Liquor Amendment (2006 FIFA World Cup Hotel Trading) Bill.

Mr Barry O'Farrell: Point of order: I note that in the Government's rush to push legislation through, copies of this bill are not available for members of the House.

Mr ACTING-SPEAKER (Mr John Mills): Order! Copies of the bill are now available to members.

Mr GEORGE SOURIS: At the outset I indicate that the Opposition will not oppose this bill, which essentially is commonsense legislation. It will enable hotels to continue to trade until 1.00 a.m. during the early rounds of the Fédération Internationale de Football Association [FIFA] World Cup in Germany in approximately two weeks time. It will ensure that hotels which will screen the World Cup fixtures, particularly those involving Australia's Socceroos, will not have to adhere to the midnight closing requirement and cause their patrons to leave the premises while a match is in progress. It may well be that a match is a very vital one and midnight is a vital moment in the match, with perhaps 20 minutes before full time, and Australia's Socceroos might be ahead at that point with the score at 1-0. The last thing anyone would want is a riot that would probably occur at every hotel, should the hotel be forced to cause its patrons to leave. This bill will enable hotels to remain open to 1.00 a.m. until telecasting of the matches from Germany has been completed.

The World Cup matches will commence at 11.00 p.m. and extend beyond midnight. Other events that are scheduled to commence after midnight, for example, at 1.00 a.m., 4.00 a.m. or 5.00 a.m., et cetera, are not included in this bill. Obviously the legislation could not be stretched so far as to imagine that they could have been accommodated, but certainly when matches are in progress at midnight, it would be unreasonable to expect a hotel to close at what could be a crucial stage of a match. I am critical of the Government bringing forward this legislation in such a rushed fashion. I was notified of the Government's intention to introduce the bill last Tuesday afternoon. Unfortunately, that was after the opportunity had passed for me to take the bill through the Coalition's shadow Cabinet and party room processes, with the result that I have been forced to communicate with my colleagues in a more cumbersome fashion. I have no doubt that the Government's intention is to rush this bill through to its third reading to enable it to be debated in another place forthwith.

This legislation has been presented with an air of emergency and panic. I would have thought that the Government would have had ample opportunity during the long lead-up to the competition because the schedule of World Cup soccer matches has been well known for a long time. The Government ought to have known that some matches would be held around midnight and that that would necessitate amending the Liquor Act. I think the Government deserves criticism for the rushed fashion in which this bill has been presented and for its failure to process it through the normal course of the business of this House much earlier than today. I take this opportunity to express the Coalition's very best wishes to Australia's Socceroos not only for the World Cup, which will begin in the immediate future, but also for tonight's friendly warm-up match against the European champions, Greece, in Melbourne tonight. I wish Australia's Socceroos all the very best for success this evening.

Mr Grant McBride: It is a win-win.

Mr GEORGE SOURIS: It will be a win if Australia wins. It is a vital match. Greece has not qualified for the World Cup, but Australia has. Tonight's match is vital because it is a lead-up to the World Cup, and the outcome will be a very strong indicator of Australia's prospects in the World Cup. I wish the Socceroos all the best for success tonight and in the forthcoming World Cup. I commend the bill to the House.

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [11.14 a.m.], in reply: The Liquor Amendment (2006 FIFA World Cup Hotel Trading) Bill amends the Liquor Act to allow hotels to trade until 1.00 a.m. on certain nights during the early stages of the 2006 Fédération Internationale de Football Association [FIFA] World Cup, which will be held in Germany. I point out that the last time Australia competed was in Germany 32 years ago, so the forthcoming World Cup is a highly symbolic event for all Australians.

The matches to which the extension will apply are the 11.00 p.m. kick-off games that will occur from 10 to 19 June 2006, which is the first round of the cup matches. As I mentioned during my second reading speech, many Australians will be keen to watch the telecast of matches with friends at their local pub or club. We are assured of seeing a precursor of that custom tonight. As the honourable member for Upper Hunter has pointed out, tonight Australia takes on Greece in front of a sell-out crowd at the Melbourne Cricket Ground. The honourable member for Upper Hunter may be able to clarify for me whether Melbourne has the third-largest Greek population in the world after Athens and Salonica.

Mr George Souris: Thessalonica, yes.

Mr GRANT McBRIDE: Melbourne is obviously a great choice of location, and it is little wonder that there will be a sell-out crowd. It reflects the increased popularity of football and the respect that football has won over the past few years with the introduction of the A-League throughout Australia. We all know about the great success of the inaugural A-League, and in that context I pause to mention the success of my home team, the Central Coast Mariners. Football is attracting huge interest in Australia and this will continue as a result of Australia's success in being included in the World Cup for the first time in 32 years.

The bill will enable fans to watch their sporting heroes and our national team with their family and friends without having to leave the venue before the end of the match. The bill allows football fans, new and old, to experience the atmosphere on the big screen, including Australia's first match against Japan on Monday 12 June. I, like the shadow Minister, wish Australia's Socceroos every success in the World Cup and in tonight's match. Tonight's match will be a magnificent opportunity for Australia to establish its credentials in the lead-up to the World Cup. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

STATE REVENUE LEGISLATION AMENDMENT BILL

Second Reading

Debate resumed from 23 May 2006.

Ms PETA SEATON (Southern Highlands) [11.17 a.m.]: Yet again the Government is displaying its arrogance and breathtaking mismanagement of its own business by ramming the State Revenue Legislation Amendment Bill through this House less than 48 hours after the second reading of the bill at 11.04 p.m. on Tuesday. This is typical of a Government that is completely on the nose in terms of taxation and revenue issues. The business community has no confidence in this Government after its introduction of 15 new taxes since August last year. In spite of all that, the Government is ramming through a revenue bill, having given the Coalition no time whatsoever to examine the bill in detail and make constructive comments so that everyone will understand exactly what the Government intends to achieve through this legislation.

Anyone in the business community who referred to the second reading speech given by the honourable member for Heathcote and expected to find some exposition of the Government's intentions would have been completely disappointed. I do not know who wrote the speech. If it was the honourable member for Heathcote, he should be present in the Chamber to explain himself. If he did not write it, then why was he reading a speech that he did not prepare or have some responsibility for? The second reading speech is entirely incoherent on some very important points and completely ignores any discussion on important issues in the bill. Anyone who reads the second reading speech and expects to find a good summary and a good explanation of the Governor's intentions should save their time for something more constructive.

In the few hours available to me to consult with industry stakeholders they have expressed concern about the impact of a number of the provisions in the bill. It is still not clear to me whether the Government will

receive additional revenue directly from those provisions. I leave that question open, as there are reasons why people should believe that that might be a possibility. In the past 48 hours it was impossible for me to ask those questions of the Government. Therefore, I leave the Government on notice that the Opposition is continuing to look at the detail of the bill to determine whether it contains any additional revenue implications for the Government. Apart from that, the provisions of the bill will impose additional costs on businesses.

The objectives of this bill are to amend the Duties Act to include certain improvements in the calculation of the unencumbered value of the land for duty purposes, to extend a concession relating to cancelled transfers, to extend a concession for transfers made between an apparent purchaser and a real purchaser, to change the eligibility criteria for the First Home Plus scheme, to confirm that decisions made by the Chief Commissioner of State Revenue under the Act are reviewable, to change reporting requirements with respect to transactions relating to certain land rich entities, to clarify the method for charging mortgage duty on debenture issues that were previously the subject of a duty concession, and to make further provision with respect to insurance duty.

Further objects of the bill are to amend the Land Tax Management Act to extend various land tax exemptions and concessions, to clarify the application of the principal place of residence exemption in respect of land owned or partly owned by companies; to amend the Pay-roll Tax Act to make further provision with respect to the tax payable on grounds of shares or options to employees; to repeal the Petroleum Products Subsidy Act; and to amend the Taxation Administration Act. The Opposition has no argument with a number of the provisions of the bill, but a number of provisions deserve much closer scrutiny than the Government has enabled. I will ask some questions about that today and look forward to the Minister Assisting the Minister for Commerce answering those questions in great detail. I am sure that she would want to speak for the Government on those unresolved issues.

Schedule 1 to the bill relates to the unencumbered value of dutiable property. Industry stakeholders have a number of concerns about that provision. I seek the Government's response to the following issues. No explanation is provided about the reasons for that provision. The Opposition remains in doubt as to how the Office of State Revenue [OSR] will apply those provisions. For example, if the transferor, as owner, is named as the applicant in a development application but the transferee is responsible for costs associated with the development application, is it proposed that the New South Wales OSR will or will not apply new section 23 (4)? There is a concern that that may unintentionally catch situations where improvements were made at the expense of the transferor but which are made for, or on behalf of, the transferee by the transferor.

Consideration should be given to recasting that section to the effect "subsection (3) does not apply to improvements made to the land for or on behalf of the transferee by the transferor, at the expenses of the transferor". A new revenue ruling will have to be made if that change is adopted. Item [3] of schedule 1 amends section 55 of the Duties Act, which deals with property vested in an apparent purchaser. Concerns have been expressed that new section 55 (1A) as set out in item [4] reflects what has been the New South Wales OSR existing practice, and which is still relevant to the Duties Act. The amendment appears to be a response to the VCAT decision in *Shergold v Commissioner of State Revenue (Taxation)* [2006]. Problems identified with the amendment include that the explanatory note states that the amendment "extends" the concession, yet the amendment commences only from assent to the bill.

Where does that leave existing transactions that have relied on existing New South Wales OSR practice? Either the amendment should be amended to state that the amendment clarifies rather than extends the concession, or the commencement date of this amendment should be retrospective. Difficulties are also identified in section 55 (1B). The explanatory note to new section 55 (1B) identifies an intended purpose which, with respect, does not appear to be achieved by the wording of the actual section. To achieve the apparent intended purpose of new section 55 (1B) it is suggested that it should refer to dutiable property substituted for original dutiable property that is extinguished. It is not merely the legal description of "dutiable property" that changes upon a subdivision. New dutiable property is created different from the dutiable property that is extinguished.

Further concerns relating to schedule 1 [11] suggest that new section 163H (2) (e) will create uncertainty unless the OSR publishes a revenue ruling clarifying its requirements. If no revenue ruling is proposed, paragraph (e) should be deleted and, if necessary, inserted as an additional paragraph (d) in new section 163H (3). Further concerns are expressed about item [13], which amends section 163ZY. This is really the nub of industry concerns about the bill. It relates to new reporting requirements that will add unnecessary costs and red tape to businesses already struggling to be competitive against much less burdensome regulatory frameworks in other States, which are also lower taxing States.

Through this bill the Government is introducing red tape and business costs, which is in total contradiction of the headline claims of the Premier about his apparent interest in wanting to reduce red tape in New South Wales. The amendments will require new annual reports to be made to the Office of State Revenue by wholesale unit trusts, regardless of whether they are liable to pay duty or not. There is no explanation for this other than it is a blatant fishing expedition imposed on businesses so that they have to do all the homework and show the OSR the nature of their business, the sorts of transactions they carry out. That will, of course, give the Premier and the Treasurer more information as to fresh fields they might explore for new taxation provisions.

I have no doubt that this burdensome and unnecessary reporting requirement will do nothing more than show the cash strapped Iemma Government new opportunities to extend tax liability to other business transaction. The Government should immediately explain why it is imposing these new regulations and additional red tape on New South Wales businesses, which are already groaning under the burden of too much red tape. How can the Premier on the one hand say that he wants to cut red tape and on the other hand today push through a bill that will add to the red rape burden in New South Wales? Concerns have been expressed to me, particularly by the Property Council, which states:

... the new annual reporting requirements for wholesale unit trusts... will create administrative costs unconnected with liability to duty. The proposed new provision is over-regulatory and should not be included in the Bill.

The Property Council then states:

Indeed, increasing regulation actually contradicts the NSW Government's current review (being undertaken by IPART) aimed at reducing the burden of business regulation in NSW.

The Property Council then refers to other concerns about the detail of the provision and states:

Furthermore, since current [proposals] do not currently contain any parameters for requiring information, those sections should be amended to specify the information required (which should not involve unreasonable administrative costs unconnected with liability to duty).

The council continues:

If, however, the proposed new provision is to be included, it should be amended to:

1. Refer to 50% instead of 20% in paragraphs (a) and (b)... since there is no reasonable justification for a percentage of less than 50% to be referred to in these paragraphs.
2. not require a report to be lodged under s163ZY(1) in respect to any 12 months period if there are no acquisitions of the kind referred to in paragraphs (a) and (b) of new s163ZY(1) to report in respect to that 12 months period.

The Government is imposing requirements on businesses to report on matters and activities that are completely unrelated to the scope of taxation liability. I suspect this is a trawling expedition to try to come up with new information, new intelligence, on perfectly lawful business transactions so that the Government has some idea as to where next to turn its attention in its constant quest for new taxation opportunities. Item [17] of schedule 1 refers to circumstances in which duty is payable by the insured person. Whenever insurance issues are dealt with I always make contact with the Insurance Council of Australia and ask for its view on particular proposals. The Insurance Council undertook to get back to me in the next couple of days, but that opportunity is no longer available.

The Insurance Council notes that the second reading speech does not appear to explain the reasoning behind these specific changes. I look forward to the Minister in the Chamber giving me a detailed explanation as to what was behind the Government's thinking in relation to item [17] as these insurance provisions were not mentioned at all by the Parliamentary Secretary, the honourable member for Heathcote, in his second reading speech. I look forward to receiving an explanation in relation to those points. The Coalition has had no opportunity to consult with stakeholders, as it would normally do, on important amendments to a revenue bill.

Coalition members treat any revenue bill that comes into this Chamber with a great deal of suspicion. There is a developing pattern of revenue bills continually being introduced by this Government, all of which have in some way provided it with new revenue opportunities. Since Premier Morris Iemma was installed in the top job, 15 new taxes have been introduced in New South Wales, raising more than \$700 million. He began with increasing the stamp duty rate on insurance products from 5 per cent to 9 per cent, which costs families an additional \$50 a year and businesses an additional \$100 a year on all those policies, providing the Government with an additional \$120 million. The Government increased the waste and environment levy and made

extensions to payroll tax by increasing the number of transactions and types of remuneration that are liable for payroll tax. It has introduced new mining charges to pay for government regulation, extended land tax, introduced new measures on mortgage duty, and increased Sydney Water charges.

The Government imposed a number of other charges on families to pay for its failure to plan ahead properly for Sydney's water needs. It forced vendor duty victims to fork out \$60 million more in tax to suit the Premier's cynical personal timetable in his ascension to the top job. Only this month the Government imposed another new tax on unit trusts. It took advantage of a court ruling in Victoria to enable the Office of State Revenue to slug mum and dad property investors, and possibly a number of other categories of investors, with land taxes of around \$1,500 a year. Many people who have contacted me have said they are very angry. Investments that they made in the belief that they were providing for their future financial security and independence will now be subject to taxes of around \$1,500 every year as a result of this new land tax liability for unit trusts.

Other States have taken steps to try to reverse the effect of this court decision in their jurisdictions and to return matters to where they were, but the New South Wales Government grabbed this opportunity with both hands because it saw it as an opportunity for extra tax revenue to fill its budget black hole. Premier Iemma simply does not care. As a result, New South Wales continues to go backwards in its relativity with other States. Only last month Coalition members made the point that Premier Iemma has now well and truly earned the title of unemployment Premier, with nearly 200,000 people in New South Wales no longer in jobs. Premier Iemma is more interested in protecting his own job than he is in making the tough decisions necessary in the management of this State's finances to reduce tax, reduce the regulatory burden on businesses, and ensure that they employ more people and do not let them go.

At the moment many businesses in New South Wales are making plans to shut manufacturing plants and put people off because of the dire situation in the New South Wales housing industry. Only last week the Leader of the Opposition and I met with representatives of the Housing Industry Association and a number of captains of industry in the housing sector. They expressed concern that the worst is yet to come in the New South Wales unemployment story. They said to us that over the past few months they have done whatever they can to try to absorb the shocks resulting from the Labor Government's high-taxing policies and its failure to manage this State's finances. They have exhausted all possibilities, such as selling excess product interstate, juggling people's leave and those sorts of things, to keep everyone going.

Manufacturing plants in New South Wales related to the housing sector will now start to retract and/or shut down. At the end of this financial year the CSR plant in the Maitland area will shut down, with the loss of up to 40 jobs. That is a good example of the toll being exacted on the New South Wales housing sector and the jobs and related industries that are affected. The New South Wales housing industry is in crisis. Fewer standalone dwellings are being built now than were built in the immediate post-war period. Other States, such as South Australia and Victoria, are building more new homes than New South Wales, which is embarrassing for us and tragic for those 200,000 people—many of them young people—who are now without jobs and who would like a start in the housing industry.

Jobs are being lost and people are becoming increasingly despondent about the prospect of finding a job and a career in New South Wales. Many of those people are now choosing to go to other States, such as Queensland, Victoria or Western Australia, taking their skills and potential with them. So we are losing out on all counts. When and if we find some ray of hope in the housing sector in New South Wales—it certainly will not happen under the current Government—and we look around for people with skills to take advantage of employment opportunities in the New South Wales housing sector, we will find that the ones we want will have already gone. They have gone to Queensland, found a job and set up a home and family there. Their skills will be lost to us in the future.

There is no doubt that New South Wales is in a desperate situation. We are coming last according to almost every single economic indicator compared with our competitor States. The reason is the inordinate level of State taxation and the fact that the Premier and the Labor Party are incapable of coming to grips with red tape and business costs in New South Wales. This bill is being slammed through Parliament within 48 hours of its introduction. The Opposition has not been able to conduct the level of consultation we would have liked. The bill contains yet more red tape, yet more costs to be borne by New South Wales businesses, and yet more chances for the Iemma Government to identify and finetune more taxation opportunities for this State.

Ms DIANE BEAMER (Mulgoa—Minister for Western Sydney, Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [11.40 a.m.], in reply: The State Revenue Legislation

Amendment Bill is a good housekeeping bill. It is part of the Government's ongoing program of maintaining clear and effective State legislation. The bill will amend the Duties Act 1997, the Land Tax Management Act 1956, the Pay-roll Tax 1971 and the Taxation Administration Act 1996. It repeals the Petroleum Products Subsidy Act 1997.

The bill clarifies or extends a number of concessions or exemptions from State taxes, including extending a duty concession for transfers of property from the trustee under a resulting trust; extending the circumstances in which a refund of duty is payable on a transfer of property when the transaction does not proceed; extending eligibility for the First Home Plus Scheme; ensuring that all land subjected to the Rent-Buy Scheme operated by the Department of Housing is exempt from land tax; extending the land tax exemption for the principal place of residence of aged persons who move into a nursing home or similar care arrangements; and extending a land tax exemption for a deceased owner's former residence.

The bill also makes an amendment to facilitate the Government's new \$95 million Payroll Tax Incentive Scheme, which is designed to boost employment in areas of high unemployment. The remaining provisions of the bill improve and clarify administrative provisions relating to State taxes. This will make compliance with State tax law easier for taxpayers. All these amendments have been the subject of consultation between the Office of State Revenue and relevant industry and professional bodies.

The honourable member for Southern Highlands raised a number of concerns in leading for the Opposition in this debate. I note that the Opposition refused two offers of a briefing on the bill. The honourable member for Southern Highlands said she was waiting for a detailed reply from me but then left the Chamber before I began my speech. To respond to the issues that the honourable member for Southern Highlands raised, the new reporting requirements were agreed to by industry representatives and improvements to be effected on another person's property will be recognised by the Office of State Revenue. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL

Second Reading

Debate resumed from 23 May 2006.

Mr ADRIAN PICCOLI (Murrumbidgee) [11.44 a.m.]: I lead for the Opposition on the Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill. Although the Opposition does not oppose the legislation we have reservations about its passage through Parliament. The bill was introduced in Parliament on Tuesday with little advance notice. The Opposition has had only two days in which to consider the contents of the bill. It is a longstanding tradition in this place to give the Opposition five business days in which to consider legislation after the Minister delivers the second reading speech. In this case there has been no opportunity to conduct broad consultation on the bill. That leads to bad legislation.

In the past 11 years the New South Wales Labor Government has introduced much bad legislation. We do not know whether this bill is good or bad because we have had very limited opportunities to discuss it with industry groups and others whom it may affect. The Opposition registers our objection to the Government's handling of this legislation. The shadow Minister for Mineral Resources, the Hon. Duncan Gay, will give a more detailed response to the bill in the Legislative Council. This is just one more example of the Government's laziness. It is more worried about its political woes than about solving the problems of the State. As the Leader of the Opposition says continually, the Government is more concerned with getting stories off the front page than with problem solving.

The State Government has cancelled the parliamentary sitting that was scheduled for next week. The budget will be handed down on Tuesday week and honourable members will have only three days during this session to question the Premier, and the Treasurer in the upper House, about its contents. The Government is doing everything it can to prevent scrutiny of its actions. It rams legislation through Parliament within one or two days of its introduction. It canned consideration of private members' business today and moved a motion to stop the calling of quorums and divisions last night because a few Labor members wanted to go to the football. There is work to be done. Come the end of the session the Government will claim that it has run out of time and

will ram bills through the House. If the Government were not so lazy it would get on with the reforms we need in New South Wales to return us to the powerhouse we used to be. In the good old days New South Wales was the powerhouse of the Australian economy. These are the dying days of an extremely lazy Government.

Ms DIANE BEAMER (Mulgoa—Minister for Western Sydney, Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [11.48 a.m.]: I thank the honourable member for Murrumbidgee for his contribution to the debate on the Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill. The proposed amendment to the Coal and Oil Shale Mine Workers (Superannuation) Act 1941 addresses two vital areas of employment affecting New South Wales coal mine workers. The abolition of compulsory age retirement will mean that New South Wales coal mine workers will no longer have to cease employment in the coal industry when they turn 60. Like the rest of the community, they will have the option of choosing to continue to work in their industry beyond the age of 60. The bill will also ensure that coal mine workers in our State receive superannuation contributions at the community standard rate paid to most other Australian workers.

A safety net will be placed in the contributions provisions of the Act. From 1 July 2006 no coal mine worker in New South Wales is to receive superannuation contributions that are less than the safety net of 9 per cent of their ordinary time earnings. At the request of the scheme's trustee the bill also changes contribution remittances from the employer's base cycle to a monthly basis. There has been extensive consultation on the bill. It would have only taken the Opposition a phone call to the Minerals Council of New South Wales and the Construction, Forestry, Mining and Energy Union to find out about the great deal of consultation that has taken place on the bill, which clarifies the rights of workers. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Second Reading

Debate resumed from 23 May 2006.

Mr ANDREW TINK (Epping) [11.51 a.m.]: I am dealing with this bill on behalf of the honourable member for Gosford. As on previous occasions, this bill was circulated to shadow Ministers for their comment. So far as I am aware the Opposition does not oppose it but, I will make one or two observations about it. I am pleased that the Independent Commission Against Corruption Act will be extended to, and put beyond all doubt, the position of former officers of the Independent Commission Against Corruption. It is important to extend to former officers the jurisdiction of the commission and the legislation governing officers. That is in line with what has, for some time, been the position relating to police. In my opinion it should also relate to former judicial officers under the Judicial Officers Act.

In relation to the State Records Act, it is proposed that the Cabinet Office be the relevant responsible body relating to royal commissions and special commissions of inquiry. It seems to me that that is a critically important provision in relation to securing the records of those important inquiries, and there have been a number of them in the past decade. The proceedings of the commissions of inquiry will be of great importance to people who wish to look at the work of, for example, the Wood royal commission, and in more recent times, a special commission relating to transport—Acting Justice McInerney comes to mind. It is important, especially in relation to judgments, that sensitive documentation relating to police, transport or rail agencies ultimately be held by an office other than those agencies.

The last matter I want to refer to intrigues me. I refer to the passage on page 20 of the bill relating to the Protection of the Environment (Operations) Act, which deals with, of all things, restrictions on the release of balloons. The limit referred to in section 146E of the Act under "Restrictions on the release of balloons" has been increased from 20 to 100. Currently, it is an offence for a person to release, or cause or permit the release of, 20 or more balloons at the same time if the balloons are inflated with a gas that causes them to rise in the air. By item [3] of schedule 1.21 the threshold is increased from 20 to 100 balloons. Why were 20 balloons dangerous once upon a time and are now not dangerous? Why has the limit gone from 20 to 100? Does the change involve an issue in relation to aircraft or is it solely related to the problems that balloons cause when they ultimately land somewhere and their biodegradability, or lack of it, is a consideration? The bill amends

section 146E (3) of the Act by omitting "100" and inserting instead "300". For an aggravated offence the number of balloons has been increased to 300, whereas in the past the figure was 101. Why is that?

Ms DIANE BEAMER (Mulgoa—Minister for Western Sydney, Minister for Fair Trading, and Minister Assisting the Minister for Commerce) [1.56 p.m.], in reply: As is always the case, the Statute Law (Miscellaneous Provisions) Bill has generated a great deal of debate and interest. The honourable member for Epping has shown once again how vital these bills are to the House and to the running of government. The amendment to the Protection of the Environment Operations Act will increase the number of balloons allowed to be released without penalty from 100 to 300. Recently there was concern in Dubbo when a local newspaper reported that a cemetery, to avoid being fined under the Act had introduced a policy of not allowing balloons to be released. The article reported the release of 21 balloons at the funeral of a 21-year-old man who had been killed in a car accident. That figure was above the threshold. It is proposed to increase the number of balloons that may be released at ceremonies and celebrations and maintain the intent of the original provisions. The honourable member for Epping is probably aware of many events at which more than 20 balloons are released. The amendment will allow the release of the specified number of balloons at such celebrations without incurring a penalty under the Act. It is a privilege to speak again in debate on the Statute Law (Miscellaneous Provisions) Bill, and I commend it to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

INTERPRETATION AMENDMENT BILL

Second Reading

Debate resumed from 23 May 2006.

Mr ANDREW TINK (Epping) [11.58 a.m.]: I am dealing with this bill, which the Coalition does not oppose, on behalf of the honourable member for Gosford. I want to comment on the provision of official on-line public access to current legislation, statutory rules and regulations. That has been a great breakthrough. Until recently a complete list of up-to-date information on legislation was held in possibly only two or three places in the State—the Attorney General's Department, Parliamentary Counsel's office, and probably somewhere in the Supreme Court. That information is available online. To access that information I tend to go to the web site of Parliamentary Counsel, which is accessible 24 hours a day, seven days a week and can be searched rapidly.

In the time I have been in Parliament, the provision of information on line has been truly revolutionary. It is extraordinary. That service has come to be taken for granted because it is available to everyone, and we do not think back to what it was like. When I was at the bar, and in my early days in this place, it was a real struggle at times to find the current wording of a statute, regulation or rule. That was especially so if those statutes, regulations or rules were frequently amended. That, coupled with loose-leaf publication services that seemed to so regularly put out new leaves of changes that had to be inserted, made the task of keeping up-to-date quite oppressive. One of the most important jobs of any law librarian was to ensure that those loose-leaf services were up-to-date and in the right order. If they were not, or the wrong legislation were accessed, very bad mistakes could be made in the provision of legal advice or in doing anything that might turn upon what the law actually was.

The availability of online legislation has been an absolute revolution, as well as something of an equaliser in enabling Opposition members to better discharge their parliamentary functions. In my early days in the Police portfolio, I had my heart in my mouth at 5.30 in the morning, when called by one of the radio stations, trying to figure out what the current law was. It really was an enormous risk to go on air at 5.30 without being 100 per cent sure of the law. Once all legislation came online, we could listen to early morning radio bulletins, figure out if there was a legislative issue or legislative problem, and try to be across it as effectively and efficiently as the Government. That has been a huge equaliser in the accessing of information. That goes also for the general community.

In the electorate of Epping a large number of well-educated people, many of them in the public service, the teaching profession, or other professions, take a very keen and active interest in community affairs. The availability of this information online has greatly assisted them in their involvement in local debates and public meetings, and also in making more effective representations. For example, if you were going to a meeting about

a development matter, in the old days people might have been tempted to wing it when talking about the Environmental Protection and Assessment Act, without having brought themselves right up-to-date on the legislation. In my electorate—I suspect it is the same in most others—you would not dare go into a meeting and feel safe in assuming that people might not have access to legislation that relates to an issue on which the community meeting has been called. This online service makes such information available to the general public.

As I understand it, one of the key aims of the bill is to give more formal authority and status to online legislation. I think that is important from the point of view of efficiency, but also because it will require 100 per cent accuracy in what goes online—not that I think there is a problem with the people who are responsible for putting the material on line; I have certainly never noticed that, and it has never been brought to my attention that there has been a problem. The bill has given me an opportunity to say how important I think this development is. It is really revolutionary when it comes to persons being able to access the law and rules. I commend the bill to the House.

Mr PAUL McLEAY (Heathcote—Parliamentary Secretary) [12.04 p.m.], in reply: I thank the honourable member for Epping for his contribution to the debate. The bill makes a number of miscellaneous amendments to the Interpretation Act. Significantly, those amendments will modernise the publication process for making statutory rules, make it easier to search for rules, and improve public access to legislation in New South Wales. The bill provides for the online gazettal of new statutory rules on the New South Wales government legislation web site instead of in the printed *Government Gazette*. However, a copy of the full statutory rule will continue to appear in the gazette to maintain public access to the information for those who do not have electronic access. The bill also deals with references in Acts to "statutory bodies representing the Crown". The bill confirms that a statutory body that is expressed to represent the Crown has the status, immunities and privileges of the Crown. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

CORRECTIONAL SERVICES LEGISLATION AMENDMENT BILL

Second Reading

Debate resumed from 23 May 2006.

Mr ANDREW HUMPHERSON (Davidson) [12.06 p.m.]: Yet again this Parliament has before it a justice or correctional bill on which the community has inadequate time to comment. Again, standing orders have been suspended such that members of the community—whether they agree or disagree with the legislation—have not had the chance to scrutinise the bill and contemplate whether it contains matters that should be publicly aired, or whether it has shortcomings or inconsistencies, or will have unforeseeable outcomes in its implementation. This is typical of how the Minister for Justice overlooks his entire portfolio responsibilities—at least in the Justice area but also in Emergency Services. His management of his responsibilities is a complete shambles.

It is terrific that a country guy has done well and become Minister for Justice. The Labor Party probably takes some pride in that. But, frankly, for someone who started off as being the municipal dog catcher in his local town, he really has risen well beyond his level of competence. Frankly, this bill is typical of what occurs in his management of legislation in this Parliament, and how he runs his portfolio. This is clean up the mess legislation, oversighted by the Minister. It is pure incompetence. The Minister does not deserve to be there and, frankly, the Premier should get rid of him.

Mr Paul McLeay: This is outrageous! Talk to the bill.

Mr ANDREW HUMPHERSON: Why don't you listen to the debate and not interrupt, and maybe you will learn something too. The Government has been reactionary in respect of this bill, as it has been on many bills that relate to the Justice portfolio. The Premier, the Minister and the Government are caught out, and only ever act when there is a mess to clean up or a fire has taken off and has to be put out because it is causing them some pain or, alternatively, the Opposition or the media have highlighted a shortcoming and the Government needs to put some spin in place to cover that up. To have allowed a rapist—clearly, other offenders are involved who have been ascribed the same privileges—to have his sperm preserved at cost to the taxpayer, while other

services right across the whole government go unfunded, underfunded or under-resourced, is a disgrace. It was only because the media highlighted this particular case that the Government, in its typical manner, brought in legislation to try to tidy up the mess.

Clearly, this has been going on for many years but it is only that the Government has been caught out and embarrassed by its inaction and its soft approach to serious offenders once they are incarcerated that it has been forced to introduce the legislation. The Government has wasted money hand over fist on a range of consultancies in correctional services. In looking after its Labor mates the Government has made a number of sly appointments. An example is John Gilmore, Chief of Staff to the former Minister for Justice, John Hatzistergos, who was made redundant when John Hatzistergos took over the Health portfolio. John Gilmore was shifted sideways into an excessively paid job working for the commissioner. We cannot find out exactly what he does, what he is paid or what he is responsible for. It is a typical job for a Labor crony, a Labor mate. It is about time the Minister responsible, the current Minister for Justice, Tony Kelly, came clean on the deal.

The Government has thrown hundreds of millions of dollars at managing the correctional services system. It has a \$900 million budget in the current financial year; inevitably, it will be greater next year. This year \$575 million will be spent on the incarceration of prisoners—pure imprisonment. Yet, as the report of the independent Audit Office highlighted, a lot of money is being wasted and the outcomes of the correctional system are appalling. We have the worst prison system in the country. One in every two inmates returns to prison within two years of his or her release, which is the highest reoffending rate in the country. The recidivism rate has increased by more than 25 per cent in the past decade—from 33.5 per cent in 1994 to 44 per cent—which equates to more than \$100 million each and every year. That money is wasted.

These cold hard facts, obtained independently and presented publicly by the Audit Office, are something the Government should be ashamed of. The report highlighted the incompetence and incapacity of the Minister to deal with his responsibilities. The Government's response was to lie, which is typical of its reaction to every problem in corrections that is highlighted by the media or the Opposition. Either a senior departmental figure or the Minister lies about the facts. It is not just spin: they simply lie. The Government lied about Darcy-Searle, the paedophile who was transferred from Western Australia. The Government claimed it knew nothing, but that was a lie. Every time there is a bungle, every time the Government is caught out through mismanagement or incompetence, it lies about the facts to try to spin its way out of it. At least the Audit Office managed to cut through most of the rubbish the Government gave it, and highlighted the complete failure of outcomes.

It is not just about spending more and more taxpayers' money every year on Corrective Services. It is about the Government finding hundreds of millions of dollars extra to spend on the prison system because it does not resource, oversight or manage the rehabilitation or reintegration programs within the justice system well enough. It cost \$63,000 to house each inmate each year, which means that a lot of money is being siphoned off from schools, transport, police, and roads and transport. That is a priority that should be dealt with, but it has been ignored year after year. It is ironic that we are cleaning up the mess caused by government and ministerial oversight when the Minister for Justice has a dubious pedigree. He was caught—

Mr Paul McLeay: What?

Mr ANDREW HUMPHERSON: Some of us have not forgotten that he was caught out, engaged in criminal activity, hacking into the computers of Opposition members of Parliament—

Mr Paul McLeay: That is outrageous! Point of order—

Mr ANDREW HUMPHERSON: —and illegally had files—

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! The Parliamentary Secretary has the call. The honourable member for Davidson will resume his seat.

Mr ANDREW HUMPHERSON: He was not even around then.

Mr Paul McLeay: The honourable member suggested that Tony Kelly, the Minister responsible, was engaged in corrupt and illegal activity, which is absolutely not true. I request at this stage that he withdraw the statement.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I uphold the point of order and ask the honourable member for Davidson to withdraw his remarks.

Mr ANDREW HUMPHERSON: I am not sure which remarks. I do not recall actually saying "corrupt". Did I say "corrupt"?

Mr Paul McLeay: You said he was engaged in illegal activity.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! The honourable member for Davidson referred to illegal activity.

Mr ANDREW HUMPHERSON: "Illegal activity"—that is on the public record. He actually had illegal software and Opposition files on his computer as a result of hacking, and that was publicly disclosed back in 2001. It is on the public record.

Mr Paul McLeay: No, it is not.

Mr ANDREW HUMPHERSON: It is on the public record. The honourable member for Heathcote was not even around then. What would he know?

Mr Paul McLeay: I'm alive. Some of us read the newspapers. This is a situation where there were allegations made and you have just suggested that the Minister, himself, participated in illegal activities. That is not true. There was no evidence that he did.

Mr ANDREW HUMPHERSON: It is illegal to have stolen files on your computer. That he had. That was proven by the police and by an independent inquiry at the time, 2001. The date is approximately September. I am happy for the honourable member to check his records on that.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I have listened to the comments from both sides of the table. I ask the honourable member for Davidson to direct his remarks to the bill before the House.

Mr ANDREW HUMPHERSON: The Opposition does not oppose the legislation. Although we acknowledge that some people have complained about the loss of rights of prisoners, that is what happens when they are taken into the correctional system. Therefore we will not oppose the legislation.

Mr PAUL McLEAY (Heathcote—Parliamentary Secretary) [12.16 p.m.]: in reply: This important bill will amend the Crimes (Administration of Sentences) Act and the Children (Detention Centres) Act. It will ban the collection and storage of reproductive materials at hospitals and other places and prevent the grant of leave of absence to a serious indictable offender for the purpose of providing reproductive material for use or storage for reproductive purposes at any hospital or other places. The bill provides that prisoners other than serious indictable offenders who have—

Mr John Turner: Point of order: As per yesterday, probably the day before and next week, when will Parliamentary Secretaries and Ministers understand that a reply is a reply? They must reply to what has been said in the debate, not reread the second reading speech. I would have thought the Parliamentary Secretary would have had a golden opportunity to reply to what the last speaker said.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I am sure the Parliamentary Secretary will deal with the points made by other speakers.

Mr PAUL McLEAY: I would like the opportunity to reply to what the honourable member said. At the beginning I was challenged to listen to what he had to say on the promise that I might learn something, but he said nothing about the bill. His contribution was a load of garbage, similar to what we heard yesterday. His childish behaviour in this place when debating such a serious bill that will have consequences across the State is irresponsible and reprehensible. Prisoners who are serving sentences for serious indictable offences, such as murder, various acts of terrorism, assault and kidnapping, cannot have their sperm or any reproductive material stored and protected by the State when they are being treated for serious illnesses. We believe this is very important. Prisoners serving sentences for serious indictable offences lose civil liberties and many other rights, including the right to vote. The ban on the collection and storage of semen and other reproductive material will

be the loss of another right. We stand by the legislation. I presume the Opposition does not oppose it. I commend the bill and I thank the House for its attention.

Motion agreed to.

Bill read a second time and passed through remaining stages.

LOCAL GOVERNMENT AMENDMENT (WASTE REMOVAL ORDERS) BILL

Second Reading

Debate resumed from 23 May 2006.

Mr JOHN TURNER (Myall Lakes) [12.20 p.m.]: The Opposition will not oppose the bill, but I state for the record that the second reading speech was delivered on Tuesday and that the Opposition was asked to debate it just 40 minutes ago. This is yet another example of the Government's ineptitude in managing the affairs of the Parliament. Throughout the earlier part of this year, members of this House were filling in time, but with three sitting days of Parliament remaining before the winter recess, the Opposition is being asked to urgently deal with legislation.

It is not as though this bill concerns a matter that has emerged suddenly. It relates to the accumulation of waste that in one instance has been ongoing for many years. On many occasions in this House the Leader of the Opposition has informed the House of a home in Bondi in an area near the boundary of the electorate of the honourable member for Coogee which is contiguous with the electorate of Vaucluse, represented by the Leader of the Opposition. The Leader of the Opposition has drawn this matter to the attention of the House in private member's statements and has appealed to the Premier to take action. The Leader of the Opposition made a private member's statement on 1 November 2000 in which he stated:

I appeal to the Premier to address a matter which is of concern to the Bondi community: the fundamental failure of the Government to deal with community safety and mental health problems involving an individual in a street in Bondi.

The Leader of the Opposition stated that the ongoing problem had been evident for nine years, which illustrates the point I make. Problems that have been around for at least nine years are now the subject of urgent legislation, and the Opposition has been given 40 minutes notice of the debate. On 26 August 2000 the Leader of the Opposition wrote to the then Premier outlining the problems, and asked the Premier's Department to take action. Part of his letter states:

Your Office can facilitate a solution which:

- a) delivers mental health support for "Mary" on a daily or, at least, weekly basis; and
- b) ensures Waverley Council has the necessary power and funding to clean the property each week (including removing the overgrown vegetation between No. 19 and No. 21—vegetation which is itself a source of distress to [the neighbours].

It is unacceptable that problems of this kind are tolerated ...

The Leader of the Opposition wrote another letter to the then Premier in September 2000 and again highlighted the problem. In another letter to the then Premier dated 25 February 2005, the Leader of the Opposition stated:

Further to my previous letters regarding the garbage and public health crisis in Boonara Avenue ... I again visited the property last night and spoke to the owners and neighbours. I regret to say the garbage pile is now as bad as it was in the Year 2000 when I sought your urgent intervention.

I wish to stress again that the crisis in Boonara Avenue represents a fundamental failure of government to address issues of mental and public health and an extraordinary failure to protect community amenities.

While the local Waverley Council and your Government seem content to ignore the crisis, please be assured I will not let this issue rest.

It is a crisis that demands your action in the interests of the local community. Your office must urgently direct the Ministers for Health and Local Government to provide mental health support while the property is cleared by Waverley Council.

The Leader of the Opposition wrote letters to the then Premier over a period of five years. On 8 April 2005, he received a reply stating that the then Premier had brought the concerns to the attention of the Minister for Health and that appropriate steps were being taken. There has been a litany of delays by this Government in introducing

this legislation, yet 40 minutes ago the Opposition was asked to facilitate the Government's legislative program by debating this bill today.

As I have indicated, the Opposition will not oppose the bill, although I hold some reservations about provisions that could open the door to councils being heavy-handed in some instances. I take it on faith that that will not be the case. I put the Government on notice that if councils decide to use this legislation for the beautification of electorates by overriding reasonable rights, the Opposition will take steps to have the legislation reviewed. However, I note that the legislation has been specifically designed to address circumstances in which public health is jeopardised, and that, in doing the best that can be done according to circumstances, constraints will apply to the issuing of orders.

Orders may be issued only by the chief environmental officers of councils as that role is defined under the Public Health Act. If such an officer is of the opinion that the waste causes or is likely to cause a threat to public health or to the health of any individual, an order may be issued. As highlighted in correspondence from the Leader of the Opposition, much of the reason for this legislation can be traced to the Boonara Avenue property problems, but I understand there are other properties in a similar condition in the metropolitan area and in other areas throughout this State. Problems that arose from the clean-up that was undertaken in December last year at the Boonara Avenue, Bondi, property included a challenge to the council's notice in the Land and Environment Court, when all the vagaries of the legal system came into play. Approximately 18 months elapsed before a final order was made to clean up the property.

During that period, garbage and other refuse accumulated, adding to the public health concerns of the council and the personal health of immediate neighbours. It must be extremely trying for people who live in adjoining properties when vermin and pests emanate from accumulated rubbish. Prima facie the provisions of the bill will be used sparingly to address important issues of public health in a community or concerning the health of an individual. The orders will remain valid for five years and that enable councils to streamline their controls when dealing with recurrent problems. In the Boonara Avenue incidence, despite the order being issued in December and a clean-up of the premises being undertaken, more rubbish accumulated on the property. Under existing legislation, the council would have to repeat the process and run the gauntlet of legal action in the Land and Environment Court to be able to clean up the property again.

Before a council will be able to issue a No. 22A order, it will be required to consider whether the effect of the order will be to make the resident homeless. If that is the case, the council will have to provide alternative satisfactory accommodation, and I commend that provision. The costs of cleaning up a property will be borne by the person who is responsible for creating the hazard, such as the tenant or the owner of the property, and will be recoverable by councils.

I reiterate that although the Opposition will not oppose the bill, we abhor the indecent haste of its introduction. For once in this Government's life it should get its legislative program worked out so the House does not forgo a private member's day because of the logjam of legislation resulting from this Government's mismanagement. I commend the Leader of the Opposition for diligently persisting with this issue for five years. It is poor form on the part of the Government to introduce legislation three sitting days before the winter recess as a last-minute effort to address problems.

Mr PAUL PEARCE (Coogee) [12.30 p.m.]: I thank the Minister and the Government for introducing the Local Government Amendment (Waste Removal Orders) Bill. The honourable member for Myall Lakes outlined some of the history relating to the specific site in Bondi. In my time as mayor of Waverley Council, the council made representations to the current Leader of the Opposition in his role as local member. There was no attempt on the part of the then honourable member for Vaucluse to introduce a private member's bill that may have addressed this problem. The bill seeks to address a serious problem by strengthening the capacity of local government to address specific issues. The Leader of the Opposition and the honourable member for Myall Lakes raised issues relating to other legislation, particularly mental health legislation.

Most of us have enormous sympathy for residents who develop a condition that causes them to collect rubbish. In my previous role as mayor of Waverley, council's community services officers and other professionals offered assistance to the resident involved in the cited matter. We are dealing now with the consequences of that condition rather than attempting to land local government with an area of responsibility that it is clearly not qualified to deal with. The bill seeks to address the consequences and impact of that condition on the community.

The bill provides a number of protections of the rights of property owners and a series of legal rights which accrue from orders served by a local council. First, an order must be signed by an environmental health officer as defined under the Public Health Act 1991. That is a senior position within council. The existing provisions of section 124 of the Local Government Act, which includes a table defining orders, are cumbersome when dealing with what often can be a very difficult situation for a local community. The procedure requires a council to give an intention to issue an order, and 28 days for the person to respond and make points in relation to that intention to issue an order. The council then issues the order. There are appeal rights to the Land and Environment Court in relation to that order.

In relation to the Bondi property, the consequence is that the person on whom the order is served—should he or she choose to go down this path—can take the council to the Land and Environment Court. For example, Waverley Council was taken to court, having issued the intention to issue the order in February last year. After the hearing, the council issued the order in March. There was an appeal to the Land and Environment Court and a commissioner of the court heard the matter. The commissioner had a site inspection; regrettably the commissioner chose to have that inspection from around the corner, about a mile away in a park, as opposed to on the property. The matter then went before a judge of the Land and Environment Court, who conceded the order. The judge suspended its operation for two months to allow the person involved to clean-up, in the certain knowledge that the person would not clean up but would collect an extra two months waste.

From the initial intention to issue an order until the final clean up of the property took 10 months. In that time the house was virtually buried. The cost to the council in legal fees, in clean-up fees, disposal fees and administrative fees was approximately \$80,000. That matter was not the first such matter, it has occurred on numerous occasions over the years. In my time on the council there were a dozen such occasions, and each case was fought. The bill is a very determined attempt by the Minister and the Government to give local government powers to deal with that sort of situation. I expressed my concern to the Minister that we should ensure that the bill does not allow abuse. In a proverbial white-picket-fence suburb where one property has a bit of refuse behind a fence, we do not want these orders to be issued or a council to behave in a dictatorial fashion.

The bill does not allow that. The bill amends the Act by putting substantial onus on councils to act reasonably, to act when clearly there is a public health risk involved to the occupant or the broader community. The bill amends section 129 of the Act relating to circumstances in which compliance with division 2 is required. Section 131A of that division, relating to homelessness, continues to apply. Obligations are placed upon councils to ensure that when a person is made homeless by the result of a 22A order, councils have an obligation to assist in finding alternative accommodation.

The appeal rights under section 138 of the Act do not apply to the new order 22A. However it must be noted that that is not to be viewed as an ouster clause. Although there are no appeal rights to the Land and Environment Court about councils' intentions to issue orders—which is a major cause for delay in councils being able to clean up premises—various rights are retained by the person on whom the 22A order is served, including the right of a person to bring proceedings before the Land and Environment Court to order a remedy or restrain a breach of the Act. That is, the court's power of judicial review is unfettered by the amendment. Similarly, compensation can be ordered if, after the person has complied with the order, the court finds that the giving of the order was unsubstantiated or the terms of the order were unreasonable.

In essence, the bill strikes a balance between the rights of the occupier of a property subject to an order and the rights of the broader community to a safe and healthy local environment. For the property sited in Bondi this will mean that Waverley Council will be able, in accordance with the provisions of the bill when it is enacted, to act quicker to clean up the property. The bill does not address the mental health issues referred to by the Leader of the Opposition and the honourable member for Myall Lakes in correspondence to Ministers. The bill addresses the issues relating to the impact on the broader community.

One only had to see recent Channel 7 television coverage that panned on the putrescible waste on a Boonara Avenue property. In one image there was a large, contented looking ginger cat sitting on a large pile of rubbish. I think the cat was licking its paw, which indicated it might have gone into the property after a rodent. That property is a problem for the neighbours and for the council in terms of cost, process and time. That property is a problem for the occupant and her resident daughters. No doubt that type of problem impacts on other residents, occupants and neighbours of other similar properties throughout New South Wales.

The neighbours in Boonara Avenue have been incredibly tolerant of that situation, they have been very understanding. It is a credit to my constituents that they expressed to me, when I was mayor, their concerns for

the person involved. People were not thumping my desk saying that they were concerned that their property value was reducing, and that they would have difficulties selling their properties. That would be the normal response in that type of situation. Instead, a number of residents asked what they could do to help those people. Their property values were secondary. There were concerns about health and with the ongoing drought there were concerns about fire. The local fire brigades had raised their concerns with me.

This very caring community is looking for a solution to this problem—something to help the persons involved and address the health impacts in their neighbourhood. I note on the public record the tolerance and understanding of these neighbours over the years. I am proud to be a representative of a community that has that level of concern for its fellow citizens. I am pleased, as the honourable member for Coogee, to support a bill introduced by the Minister for Local Government. He has done a great job in responding to concerns I have raised with him. I commend the bill to the House.

Mr GREG APLIN (Albury) [12.40 p.m.]: The Local Government Amendment (Waste Removal Orders) Bill, which was introduced in this House only minutes ago, represents the rushed nature of policy introduced by this Government—policy that is media driven in all respects, which brought this issue to the fore. This issue has been around for about 15 years but it has been neglected over that period. Now that it hit the headlines once again prior to an election it brought about this rushed legislation. Opposition members will not oppose a bill that should have been introduced some years ago. I refer to a letter written in August 2000 that reflects that this issue has been around for the previous nine years. The letter, which was addressed to the former Premier, the Hon. Robert J. Carr, was written by the honourable member for Vacluse and refers specifically to the problems at Boonara Avenue, Bondi—the issue raised earlier by the honourable member for Coogee. The letter states:

The enclosed letter... and photos are self explanatory and document a fundamental failure of the government to address issues of mental and public health and an extraordinary failure to protect community amenity.

Well might the honourable member for Coogee be concerned about this matter as he is equally responsible. The letter continues:

This is an issue for urgent resolution by Premier's Department—not for Departments of Health or Local Government, because those Departments have failed under the current division of responsibilities. I understand that Waverley Council is also currently constrained by court action.

This is a blatant example of ongoing government failure to serve the community. Mental health challenges should be addressed by our entire community, led by Government. Instead, the burden of this problem falls heavily on residents of Boonara Avenue and surrounding streets.

That point was well made by the honourable member for Coogee. The honourable member for Vacluse subsequently received replies to his letter, but they did not deal sufficiently with the issue. On 12 September 2000 the honourable member for Vacluse again wrote to the Premier and said:

I have received the attached bureaucratic letter from your Minister for Health in response to my... letter to you which sought YOUR urgent assistance for residents in Boonara Avenue, Bondi.

The Health Minister's "business as usual" response is unacceptable to our local community and clearly demonstrates the paralysis of your Government when confronted by a difficult issue...

The continual accumulation of garbage in one property in Boonara Avenue represents a fundamental failure of government to address issues of mental and public health and an extraordinary failure to protect community amenity.

This bill, which is all about the protection of public health, was introduced because of the Government's inaction. On 1 November 2000 the honourable member for Vacluse made a private member's statement and drew attention to the fact that the Government had neglected this issue in Bondi and that the Premier was well aware of the person because the issue had been ongoing for nine years. The honourable member for Vacluse referred to a David and Goliath battle—David being the distressed residents on the street in Bondi versus the might and arrogance of the Carr Government.

This media-driven issue has resulted in the introduction of this bill to counteract a problem that is embarrassing to the Government. This is not the only issue relating to waste. I recently received a call from a resident in the Tumbarumba shire who said that, under the Native Vegetation Act, the Government was preventing the purchase of a tip that had been concluded by the shire council. Instead of providing for refuse depots, the Government is making it more difficult for people to comply with aspects of this bill.

Ms VIRGINIA JUDGE (Strathfield) [12.45 p.m.]: I support the Local Government Amendment (Waste Removal Orders) Bill and commend the Minister, his staff and members of his department for the timely introduction of it. Some of the comments made by the honourable member for Albury show what little experience he has had in the community. He believes that the bill was introduced today because of a media-driven event. I think he lives in a gum tree somewhere in the bush, as he obviously has never been around local residential streets.

Having served my community in local government for about 12 years, as a councillor and then as mayor, I know that the majority of residents do not stack rubbish in their yards as it is a potential health hazard and poses a significant threat to the health of the community. However, it does happen in a few cases. The honourable member for Albury can climb a tree, read a book, or look at the sunset and pretend that such behaviour does not happen, but in reality it does. The Iemma Government, through the introduction of this legislation, will do whatever it can to protect those members of the community faced with potential health hazards and fire risks in their streets.

The Minister for Local Government introduced this bill in an attempt to support local government. It appears to me that the honourable member for Albury is not interested in doing anything to support local government and to ensure that the rates it collects are spent wisely to enhance community facilities and maintain a healthy environment. I remember a house on a street in Strathfield municipal area that had piles of rubbish in the backyard, the front yard and down the sides of the property. Included in the piles of rubbish were pieces of cars, a couple of old washing machines and wringers, old television sets, reams of newspapers in either a flattened or rolled up state, plastic bags, bits of toys, old tyres and vacuum cleaners.

Grass was growing out of some of the rubbish that was stacked up against the walls to the height of the eaves of the house. Neighbours constantly complained about rodents that had made their homes in and were living amongst the debris. Honourable members would be aware that rodents cannot be contained behind little white picket fences; when the time suits them they burrow away and pop up on neighbouring properties, and we all know what germs they carry. I know it is a beautiful area around Goulburn, with the sheep wandering around. Perhaps the honourable member for Albury is out there bush lost with the sheep because he does not have the interests of his constituents at heart. He did not speak in favour of a proactive measure introduced by this Government to protect the health of residents.

This legislation is not heavy-handed; it is a balanced measure that will be used only in extreme circumstances. At the end of the day some people do not want to listen to council's orders to clean up their properties. I do not know how they can live in a house that has rubbish blocking their doorways and obscuring all the windows thus preventing them from being opened to obtain some fresh air. I am sure that anyone attempting to walk up the front path could easily trip over and break his or her neck. The honourable member for Coogee and I have been lobbying the Minister for a long time to ensure that councils have the tools they need to protect their residents. We want to ensure that this does not happen again. As I said earlier, a few people have a tendency to accumulate disparate items.

Most councils have clean-up days. I know that Strathfield Municipal Council used to collect problem items, such as bundles of branches, white goods and so on, from nature strips each month. Councils have different methods of collecting material that residents cannot dispose of themselves. But the people who will be the subject of these orders refuse to participate in such schemes and do not put out their rubbish at the appropriate times for collection. Strathfield council used to distribute a flyer to residents that identified which items would be collected and when. As mayor, I issued every household with a free tidy bin for compost in an effort to ensure that people disposed of such material in a healthy and hygienic manner.

The bill will allow councils to issue a clean-up order for household waste that constitutes a threat to public health or to the health of an individual, including those individuals living in the property concerned. The bill will allow councils to issue a clean-up order when a council health inspector—such officers are properly trained—determines that domestic refuse such as that which would ordinarily be found in garbage bins, in skips and during council clean-ups is being kept on premises and constitutes a risk to public health or to the health of an individual. No notice of the intention to issue an order will be required. However, except in the case of an emergency, before a council officer enters the premises reasonable notice must be given, setting out when the entry is to occur. The order must set out the reasons why it has been made and allow people a reasonable period in which to comply with its terms.

The order can remain in force for up to five years. If, after the premises have been cleared, waste accumulates again within that period—heaven forbid—the council can take additional steps to clean it up

without having to issue another order. The bill is cutting back on paperwork and on the time that council officers waste trying to do their job. It will make sure that our communities are safe environments in which to live. I commend the bill to the House and welcome its timely passage through Parliament.

Mr GREG APLIN (Albury) [12.52 p.m.], by leave: I shall complete my contribution on the Local Government Amendment (Waste Removal Orders) Bill that was cut short because of a problem with the clock. For the benefit of the honourable member for Strathfield, who was clearly not in the mood to listen, I shall reiterate the point I made earlier. This waste removal issue has been around for some 15 years. It is not a new issue, but the bill is. Therefore, we must explore the reasons that have prompted the introduction of this legislation. I refer honourable members to a letter that the honourable member for Vacluse wrote in August 2000 to the then Premier, asking for the urgent resolution of this particular problem. How long does it take for a problem to be fixed? Is it 15 years, nine years or five years? In 2005 the honourable member for Vacluse again addressed the same subject to the same Premier. He referred to his 2000 letter, and said:

I regret to say the garbage pile is now as bad as it was in the Year 2000 when I sought your urgent intervention.

I wish to stress again that the crisis in Boonara Avenue represents a fundamental failure of government to address issues of mental and public health and an extraordinary failure to protect community amenity.

The honourable member for Vacluse wrote that letter in February 2005 and now, some 15 months later, this bill is addressing that issue. I think that puts paid to the protestations by the honourable member for Strathfield that there has been lobbying for such legislation for some considerable period. The issue has been around for 15 years. It has been seriously brought to the Government's attention in the past five years, most recently in 2005. The result is this rushed bill, which is itself the product of media attention.

Opposition members are obviously concerned about protecting public health, as the honourable member for Vacluse made very clear when he first brought the matter to the Premier's attention in 2000. Shame on the Government for waiting so long to introduce this bill. We will not oppose the bill as we obviously sought such a measure in 2000. Your incompetence and your fear of the media has prompted the bill to be rushed through Parliament today. The Government is afraid of the media but, thank goodness, it has acted on the Opposition's recommendations, which were first made in 2000. You did not listen or act then. I thank the media and the honourable member for Vacluse for bringing the matter to the Government's attention.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I remind members that they should address their remarks through the Chair, not to members opposite.

Ms KATRINA HODGKINSON (Burrinjuck) [12.55 p.m.]: To add to the remarks of the honourable member for Albury on the Local Government Amendment (Waste Removal Orders) Bill, domestic waste removal is not solely an urban issue but a rural problem as well. While there are not a lot of examples of problem cases in my electorate—most people are conscious of the need to dispose of their waste appropriately—I recognise that this bill is necessary. I have not had the chance to discuss the matter with councils in my electorate because the bill was introduced only this week and has not been allowed to lie on the table for five days. So I will have to make some assumptions about what those councils would like to see. I believe they would want to be able to take action as needed with regard to refuse surrounding houses in their local government areas.

I hope that the bill's provisions will extend to public housing properties. Neighbours' complaints to the relevant Minister often fall on deaf ears. Perhaps there are not sufficient departmental personnel to deal with such issues. I trust that councils will be able to take action in those circumstances and then charge the New South Wales Government accordingly. We must make every effort to destroy the environments in which vermin and disease-carrying insects, such as mosquitoes, breed. Our children's health is of particular importance. I have a question for the Minister for Local Government about half-built buildings and building sites. When owners go broke, building sites across rural New South Wales are abandoned. Building materials, such as timber planks with protruding nails, are left lying around. In towns and villages throughout rural New South Wales building sites are abandoned sometimes for years. What will happen if the council wields a big stick and tells the owner that he or she must clean up the site immediately? I ask the Minister to address that issue when he replies to the debate.

The Tidy Towns Program is a wonderful initiative. If councils are able to enforce the cleanliness of yards in their local government areas it will be of positive and tangible benefit for the Tidy Towns and tidy streets programs. Tidy rural towns attract tourists to country areas, which can only be a good thing. Good and

considerate relations with one's neighbours should be encouraged by every member of this House. I have been horrified by media reports about properties in Bondi and other places that have led to the introduction of the bill. Such circumstances should never be allowed to materialise. In many ways it is a shame that people are so inconsiderate and lazy that this bill has had to be introduced.

The honourable member for Strathfield represents a beautiful inner city area. She accused the honourable member for Albury of looking at sheep in Goulburn. I do not know whether she is under the misapprehension that Goulburn is in the electorate of Albury, but for her benefit I should remind the House that Goulburn is in the electorate of Burrinjuck. New South Wales is a big place, but Albury is a long way away from Goulburn—it is probably about a four-hour drive—and both cities are in the area for which the Greater Southern Area Health Service is responsible, which is another sad indictment of the Government. The Opposition does not oppose this bill. We are concerned to ensure that the health and welfare of all citizens of New South Wales are looked after. If the bill assists in achieving that aim, it should not be opposed.

Mr DAVID BARR (Manly) [1.01 p.m.]: I strongly support the bill. Recently, neighbours lodged complaints about health issues caused by a pile of garbage on a property in William Street, Fairlight. The resident of the subject property is a former Christian Democratic Party candidate for the State electorate of Manly, which is a little sad. The general manager of Manly Council was forced to apply for a court order to allow officers to remove the garbage from the property. That process took the council many months. The bill allows councils to move quickly when public health issues are involved. This is very important legislation in that respect. Circumstances in which neighbours have to put up with rubbish that poses a health threat for many months cannot be allowed to continue. The bill will rectify that by allowing councils to act straightaway in an emergency. The bill also provides proper mechanisms that councils must follow in circumstances other than an emergency. The situation in Fairlight would not have happened had this legislation been in place at the relevant time. I strongly support the bill.

Mr KERRY HICKEY (Cessnock—Minister for Local Government) [1.02 p.m.], in reply: I thank all honourable members for their contributions to this debate. The honourable member for Myall Lakes raised some pertinent points. He said that councils could walk over the top of ratepayers, but that is not the issue. As I said in my second reading speech, when a 22A order is implemented councils must take into consideration homelessness and the mental stability of those who collect waste. That is currently provided for in the Act and is further addressed in the bill. The honourable member for Albury said that the Leader of the Opposition has written to the Premier and the Minister for Health about the situation in Bondi.

In the 10 months I have held the local government portfolio, the honourable member for Manly and the honourable member for Coogee have raised that matter with me, but I have not received representations from the Leader of the Opposition or any other member of the Opposition. It is a sad day when the Opposition tries to justify its position in that way. The Leader of the Opposition has shown that he has no idea of ministerial responsibilities because it is a local government issue; it is not an issue for the Premier.

I commend the honourable member for Coogee for his contribution. The second reading speech made it clear that this legislation will address only public health issues and the health of individuals. The honourable member for Burrinjuck referred to the incomplete construction of dwellings. If such dwellings do not pose a public health risk, a 22A order will not be issued. A certificate is issued only when the circumstances involve a public health risk. The bill has been commended by the Local Government and Shires Associations. It provides a sensible way for councils to deal with this aspect of the problem of waste, and I commend it to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 1.05 p.m. The House resumed at 2.15 p.m.]

PETITIONS

Pensioner Travel Voucher Booking Fee

Petition requesting the removal of the \$10 booking fee on pensioner travel vouchers, received from **Mrs Shelley Hancock**.

South Coast Rail Services

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

Hornsby and Berowra Train Station Parking Facilities

Petition requesting adequate commuter parking facilities at Hornsby and Berowra train stations, received from **Mrs Judy Hopwood**.

Pets on Public Transport

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

Bus Service 311

Petition praying that the Government urgently improve bus service 311 to make it more frequent and more reliable, received from **Ms Clover Moore**.

CountryLink Rail Services

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

Marine Parks Consultation

Petition requesting consultation with industry and community groups affected by the creation of new marine parks, 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 **Mrs Shelley Hancock**.

Shoalhaven River Water Extraction

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

Jervis Bay Marine Park Fishing Competitions

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

Chatswood Public School

Petition requesting that capital works funding be included in the 2006-07 State budget for Chatswood Public School, received from **Ms Gladys Berejiklian**.

Mount Austin Public School

Petition requesting funding for the provision of a school assembly hall at Mount Austin Public School, received from **Mr Daryl Maguire**.

Holbrook Public School Airconditioning

Petition requesting funding for the installation of airconditioning in all learning spaces at Holbrook Public School, received from **Mr Daryl Maguire**.

Snowy Hydro Limited Sale

Petition opposing the sale of Snowy Hydro Limited and urging public consultation, received from **Mr Andrew Tink**.

Campbell Hospital, Coraki

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

Breast Screening Funding

Petition requesting funding for breast screening to allow access for women aged 40 to 79 years, received from **Mr Steve Cansdell**.

Shoalhaven Mental Health Services

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

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**.

Mental Health Services

Petition requesting increased funding for mental health services, received from **Ms Moore**.

HMAS *Parramatta II* Memorial

Petition requesting the Government to grant heritage status to the *Parramatta II* memorial, received from **Ms Tanya Gadiel**.

Manyana Residential Land Rezoning

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

East Darling Harbour Project

Petition requesting design changes to the East Darling Harbour project to minimise the effects of excessive high rise adjacent to the waterfront, received from **Ms Clover Moore**.

Community-based Preschools

Petitions 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** and **Mrs Shelley Hancock**.

Recreational Fishing

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

Sydney Harbour Master Plan

Petition requesting that Sydney Harbour remain a working harbour, and calling for long-term strategic planning culminating in a published master plan, received from **Ms Clover Moore**.

Bega Valley Shire Council

Petition requesting funding for Bega Valley Shire Council to enable it to recycle waste, received from **Mr Andrew Constance**.

Shoalhaven City Council Rate Structure

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

CSR Quarry, Hornsby

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

Grafton Bridge

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

The Rock/Bullenbong Road Upgrade

Petition requesting funding for the immediate upgrade of The Rock/Bullenbong Road, received from **Mr Daryl Maguire**.

QUESTIONS WITHOUT NOTICE

STATE INFRASTRUCTURE

Mr PETER DEBNAM: My question without notice is directed to the Premier. Given that the Premier has abandoned Sydney's north-west by delaying indefinitely completion of its rail link, forcing residents onto private toll roads to get to work, and refusing to commit to light rail, why will he not admit that his infrastructure announcement is all about fixing the headlines rather than fixing the New South Wales transport mess?

Mr MORRIS IEMMA: The Leader of the Opposition ought to talk about infrastructure after the southern rail link! I am sure honourable members remember that in the dying days of the Parliament before the 1995 election Bruce Baird raced out and said, "Here's a new rail link to the southern suburbs from the airport at no cost to the taxpayer", and \$800 million later we are still counting the cost of the Coalition's approach to infrastructure.

Mr George Souris: What about Bob Carr's plan for Newcastle? That cost \$5 billion!

Mr MORRIS IEMMA: I am glad the honourable member for Upper Hunter is interjecting. Just for fun George gave us examples of old sporting infrastructure—Luna Park at no cost to the taxpayer, but the bill came in at \$50 million and, of course, there was Eastern Creek. I am sure honourable members remember Eastern Creek. It was going to cost the taxpayer \$2 million, but the bill is still mounting at \$130 million plus.

Mr SPEAKER: Order! The Premier has the call.

Mr MORRIS IEMMA: We have not got to the best one yet—Port Macquarie Hospital. I am sure honourable members remember that great model of public-private partnership to provide public-private infrastructure. The public hospital was sold off, leaving the taxpayer to pay for it.

Mrs Jillian Skinner: Why don't you get back to Snowy Hydro?

Mr MORRIS IEMMA: Why don't you reconsider Telstra?

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

Mr MORRIS IEMMA: In the famous words of the Auditor-General, it was sold off, paid for by the taxpayer twice over and, in the end, what did we get? Nothing! We had to buy it back. Just like the taxpayers had to bail out the southern rail link to the tune of \$800 million, they had to buy back Port Macquarie Hospital. Who knows what the bill has been to repair Eastern Creek? We will leave Luna Park to George—just for fun.

Mr Peter Debnam: Point of order: Standing Order 138 would draw me back to Carl Scully's Action for Transport 2010, with its great list of promises, including the north-west rail link to be delivered by 2010.

Mr SPEAKER: What is your point of order? The Leader of the Opposition is debating the issue; he is not presenting a point of order.

[Interruption]

Mr SPEAKER: Order! The Leader of the Opposition will present a point of order or resume his seat. The Premier has the call.

Mr MORRIS IEMMA: North-west rail link 2017! A budget allocation of \$30 million will buy key parcels of land required to deliver the north-west and south-west links, for example, settling the purchase of the James Meehan estate to progress the south-western rail link. In relation to the north-west, the Government is backing the project with serious dollars as part of a record investment in public transport. In case those opposite have not been out there lately the north-west transitway is well under construction. It is part of the biggest investment in public transport of any government in the nation.

PASSENGER RAIL SERVICES

Mr ALLAN SHEARAN: My question without notice is directed to the Premier. What is the latest information on the Government's efforts to further improve passenger rail services?

Mr George Souris: What happened at one o'clock? Come on!

Mr MORRIS IEMMA: The honourable member for Upper Hunter can speak about it later, if he is interested. Today the Government released further details of its record investment in public transport services in New South Wales: the announcement of a massive boost of funding for rail services to be delivered in next year's budget. There is a new direction in rail, an aggressive drive to rebuild the rail network and invest generously for the future—new trains, new rail lines, new stations and more structure. The 2006-07 budget will deliver an 18 per cent boost to rail spending, bringing next year's budget to \$2.4 billion. Rail's capital program will increase by \$243 million to a massive annual allocation of \$830 million.

Mr Barry O'Farrell: Point of order: My point of order goes to relevance. This is the same speech that his predecessor—

Mr SPEAKER: Order! The Deputy Leader of the Opposition knows that he is out of order. I call him to order. He will resume his seat.

Mr MORRIS IEMMA: That is a telling point of order from the majority leader and key adviser to a former Minister for Transport, Mr Baird. Good on you, Barry! The Deputy Leader of the Opposition might have been the person who wrote the final advice stating that the southern rail link would not cost the taxpayers a cent. He was just as good at counting in those days as he was a few months ago. In this Government's first budget, \$3.4 billion will be spent on public transport, which represents an increase of \$435 million or 14.4 per cent. To put that into perspective, the passenger rail budget for 2006-07 will almost double the funding of the 2001-02 budget of just five years ago.

An unprecedented surge in spending will enable this Government to embark upon a new direction in public transport and build a more safe and reliable network while beginning the biggest expansion of the rail system in 90 years. Major projects in the budget will include \$207.8 million to continue the Rail Clearway's Program, \$327 million for the Epping-Chatswood rail line that will open in 2008, \$285 million to purchase and upgrade rail carriages, \$16 million for reliability and safety upgrades to rolling stock, \$50 million for easy access station upgrades as well as major capital works at Town Hall, North Sydney and Chatswood. In addition,

\$130 million will be invested in maintaining country rail lines, plus \$32 million over the next three years for new signalling and train control systems.

The 2006-07 budget will enable commuters to enjoy the first of 730 new rail carriages that the Government is acquiring on behalf of the people of New South Wales. The first new outer suburban cars will be on the network shortly, as will the new Hunter rail cars. Soon we will announce the winning tenderer that will deliver approximately 600 new airconditioned carriages for Sydney. Our \$8 billion metropolitan rail expansion plan is the biggest addition to the Sydney rail network in 90 years, and this Government is making that a reality.

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

Mr Ian Armstrong: Point of order: Does this mean that 15 branch lines will be reopened?

Mr SPEAKER: Order! I am tempted to treat the honourable member for Lachlan's remarks as an Opposition question, but I will resist the temptation. Clearly, there is no point of order.

Mr MORRIS IEMMA: What about all those rail lines he closed?

Mr Ian Armstrong: I did not close any.

Mr MORRIS IEMMA: Yes, you did. His colleagues think so much of the honourable member for Lachlan that they put in a submission during the redistribution to abolish his electorate. Yesterday the Transport Infrastructure Development Corporation lodged project applications with the Department of Planning, which is another important milestone for rail projects. The next step in the process is for the Department of Planning to issue its requirements for the full environmental assessment process.

Mr SPEAKER: Order! I call the honourable member for Albury to order. He will resume his seat.

Mr MORRIS IEMMA: Of the \$129 million that will be set aside in the budget to purchase the north-west and south-west rail corridors, \$95 million will be used to acquire significant parcels of land in the north-west and \$34 million will be used to continue to buy land for the south-west link. All the Government's rail expansion plans are sensible and achievable. This Government is getting on with the job of implementing the rail expansion program. The Government's action is in stark contrast to that of the Leader of the Opposition who, at 7.30 a.m. today on the radio, once again criticised the Government's plans. He said that he did not know any of the details. Given that his criticism came three hours before I announced the plans, I am not sure what he was expecting. He wants to fast-track the north-west rail link. For a change, I will not ask him how he intends to pay for that.

We know that he has made \$22 billion worth of unfunded promises. We are all standing by to hear how the Leader of the Opposition will pay for the north-west rail link. The people would be interested to know which projects the Leader of the Opposition intends to shelve to fast-track the north-west rail link. There is no way that the Leader of the Opposition will be able to complete this Government's massive Rail Clearways Program without shelving other projects and without finishing the Epping to Chatswood rail link. Which projects will the Leader of the Opposition shelve? Will he not finish the Epping to Chatswood rail link? Will he not complete the Town Hall project?

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

Mr MORRIS IEMMA: Will he not maintain this Government's record investment in infrastructure? Will he not retain the maintenance program? Will he not maintain the safety program? All the projects I have mentioned are funded and are under way, particularly on the Epping line. Will the Leader of the Opposition push them back? If so, which ones? The Leader of the Opposition should respond to these questions. Yet again today, up he popped, quick as a flash, saying, "Yes, we will do it. We will just add another \$1 billion to our \$22 billion to bring forward the north-west rail link project." He has not the foggiest idea how he will ever pay for it. Perhaps he will take advice from the majority leader, the Deputy Leader of the Opposition, who provided very good advice to his former boss, a former Minister for Transport, when he signed off saying, "We can build that southern rail link at no cost to the taxpayers." Yet, \$800 million later, we are still counting the cost.

CASINO TO MURWILLUMBAH RAIL LINE

Mr ANDREW STONER: My question is directed to the Premier. In view of his media announcement of billions of dollars for Sydney's public transport to stem the tide of voters' anger, why has he not announced the reinstatement of the Murwillumbah to Casino rail link when North Coast voters are just as angry about being sold out by the honourable member for Tweed?

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

Mr MORRIS IEMMA: There is a four-year infrastructure investment of \$34 billion in rail, road, health, water and energy that is being invested in the State's future infrastructure. It is a four-year \$34 billion investment right across New South Wales. All of the detail of all those projects for road, rail, health, education, water and electricity will be in the budget.

CRIME STATISTICS

Mr PAUL McLEAY: My question without notice is addressed to the Minister for Police. What is the latest information on crime statistics in New South Wales and related matters?

Mr CARL SCULLY: The Australian Bureau of Statistics [ABS], which is a John Howard funded body, has released its independent study of the victims of crime. As does the independent Bureau of Crime Statistics and Research, the ABS has produced figures that the Opposition hates. The Opposition loves it when crime statistics increase and they love it when they can issue press releases about law and order chaos in communities. The trouble is that it does not occur to the extent that members of the Opposition would like it. So they invent it, they make it up.

I have some bad news for the Coalition. Four serious crime categories have fallen to their lowest levels in at least a decade. The number of armed robbery victims in New South Wales is at its lowest level since 1996. The number of motor vehicle theft victims in New South Wales is at its lowest level since 1996. The number of attempted murder victims in New South Wales is at its lowest level since 1996. The number of break, enter and steal victims in New South Wales is at its lowest level since 1996, and the number of murder victims is at its second-lowest level in 10 years. Members of the Opposition really do not like to hear such statistics.

Let us not forget that the number of victims of crime has fallen while the State's population has risen. The Opposition does not want the people of New South Wales to know about these results. According to John Howard's Australian Bureau of Statistics, armed robbery is down for the fourth year in a row, motor vehicle theft is down for the fourth year in a row, unlawful entry involving the taking of property is down for the fifth year in a row, and attempted murder is down for the fourth year in a row. Those figures reflect very well on our police, and they need to be congratulated, again. I am pleased that slightly more than half the House is prepared to provide that thanks and appreciation.

Mr Andrew Stoner: Hear! Hear!

Mr CARL SCULLY: The Leader of The Nationals is saying that only because he knows I am going to his electorate tomorrow.

Mr Andrew Stoner: That's right.

Mr CARL SCULLY: I told the Leader of The Nationals that, if he was good, I might shift a bit of capital works his way. So he had better be on his best behaviour.

Mr SPEAKER: Order! The Minister will cease trying to elicit praise from the Opposition and continue with his answer.

Mr CARL SCULLY: I try to get thanks and praise wherever I can. These figures show that the police are using the powers, resources and equipment that the Government is giving them, and they are getting great results. What does the Opposition do when it has to deal with these figures? As part of the Opposition's invention of figures, they try to will the crime rate to go up, hoping they can run a law and order campaign in the run-up to the forthcoming election. In a press release, the honourable member for Murrumbidgee said that robbery without a weapon, other than a firearm, went up 150 per cent over 10 years. My goodness, law and order chaos! I thought that was terrible; there must be hundreds of crimes in the Murrumbidgee electorate. So I sought advice.

Mr Joseph Tripodi: How many?

Mr CARL SCULLY: Wow! When I asked how many such crimes had occurred in Murrumbidgee, I was told 15. The honourable member for Murrumbidgee forgot to mention that.

Mr Adrian Piccoli: Point of order: My point of order is relevance. I cannot believe that the Minister is trivialising the 15 armed robberies that occurred in the Murrumbidgee electorate. One is too many. Each and every one of the victims of those robberies will read *Hansard* and see the Minister trivialising the offences committed against them, whether it was 1 or 100.

Mr SPEAKER: Order! The honourable member for Murrumbidgee may have made a number of points, legitimate or otherwise, but he has clearly not made out a point of order. He will resume his seat.

Mr CARL SCULLY: I will continue to trivialise the disgraceful behaviour of the Opposition in trying to trump up crime rates. The rates are stable and falling. The House needs to hear a little more about the performance of the Leader of the Opposition at the police union conference last weekend. With apologies to the House, I omitted to mention an important aspect of his pathetic speech which, had it been an essay in year 11, would have been awarded about 2 out of 20 by the teachers of this House. When the Leader of the Opposition gave his address, the police union delegates were so contemptuous of his performance that they interjected, "What about WorkChoices?"

The Leader of the Opposition was caught out. One cannot be cute in this game, but he thought, incorrectly, that by attending a police union conference and saying to the delegates, "Don't worry, I am here to protect you. Don't think the Government was going to trick me into opposing its legislation to protect State Government employees. I supported your protection." that the police union delegates would not care about any other workers, their families, or their comrades in other occupations. He told delegates that he supported their protection. Their response was, "No thanks. What about our families? What about other workers?" The Government introduced that legislation because it should have and because we genuinely believe in protecting workers. The Leader of the Opposition did so only because he was worried about losing votes in the run-up to the State election. I want honourable members to know that the police union delegates at that conference treated that policy position with the contempt that it deserved.

Yesterday there was a performance by the honourable member for Davidson, which I will reflect on. In an embarrassed way, in an attempt to defend himself he held up yellow folders that I was informed later was a juvenile attempt to cast light on some of things I have been responsible for over the years. And, shock, horror, I was accused of having no friends in the House. This is how he held up the folder—

Mr SPEAKER: Order! Yesterday the honourable member for Davidson was called to order on three occasions, and was almost ejected from the House for holding up a document.

Mr CARL SCULLY: Many members on this side of the House, if not all, are my friends.

Mr SPEAKER: Order! Earlier I warned the Minister for Police to stop trying to elicit praise from the Opposition. I did not expect that the honourable member for Coffs Harbour would be the first member to stand up. Does the honourable member for Coffs Harbour seek to take a point of order?

Mr Andrew Fraser: Point of order: Pursuant to Standing Order 138, if the Minister is to show his achievements, in the folders, to his friends, he should table the documents so that the Opposition knows what they are. I am sure the folders are empty.

Mr SPEAKER: Order! The honourable member for Coffs Harbour was having a good look at them yesterday. I doubt that their contents will be a surprise to him.

Mr CARL SCULLY: How did I come by this secret tome, this massive attack? I am so overwhelmed by those wet lettuces, it is almost worth quitting. Where did I get it? A man answering a vague description to the Swamp Fox was seen wearing a fake nose and glasses, and a beanie, putting them around. I have asked that the closed-circuit television be examined in case he was the one. I know that someone opposite is not his friend. I am happy to have my achievements, or lack thereof, held to account. I have been in government for 11½ years and often have been held to account. But if the honourable member for Davidson is going to have a go at my achievements, of which there are many, I am happy to say, while being modest, I want—

Mr SPEAKER: Order! The honourable member for The Hills will come to order. The next member to hold up a poster will be called to order.

Mr CARL SCULLY: I want his achievements held to account against mine; and they are first, a fake pizza delivery order to a prison; second, bagging a vitally important counter-terrorism exercise; third, throwing a frisbee on a Fijian beach while taking a hard-earned break from sunbaking; and, fourth, roting an auction process at his house, at his own expense. Shame on him!

Mr Peter Debnam: Point of order:—

Mr CARL SCULLY: I have finished now. Remember he did it on your behalf.

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

Mr Peter Debnam: The Minister needs to name his friends. If he has friends in here, name them. It looks like it is John Price. One.

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

CITYRAIL SAFETY

Mr BARRY O'FARRELL: My question is directed to the Premier. Given that Anna Grocholsky was nearly forced onto railway tracks into the path of an oncoming train when both sets of carriage doors in the overcrowded carriage in which she was travelling opened at two successive stations, the train's intercom was not working, and the 131 500 operator did not want to take her details, how many more commuters are being put at risk on the CityRail system?

Mr MORRIS IEMMA: I provide the following information to the Deputy Leader of the Opposition. I am advised that a call detailing this incident was received by operators at the 131 500 transport information line at 6.35 p.m. on 18 May. I am further advised that the operator recorded the details of the caller's concerns, and contacted RailCorp's rail management centre to advise it of the incident. The train in question was then held by CityRail between Granville and Parramatta where the guard isolated the affected door. That means it could not have been activated for the rest of the journey. I am advised that the doors were fully examined by maintenance staff the following day and the door motors were replaced.

NEW ENGLAND INFORMATION TECHNOLOGY AND BUSINESS OPPORTUNITIES

Mr JOHN PRICE: My question without notice is directed to the Minister for Regional Development. What action has the New South Wales Government taken to encourage innovative technology and business opportunities in the New England region?

Mr DAVID CAMPBELL: The honourable member for Maitland is a strong Country Labor member. Any Country Labor member or any of the Independents could have asked this question. They all know that the failure of The Nationals to fight the Federal Government over its neglect of country communities only highlights the fact that the Howard Government sees the New South Wales Nationals as a spent force. The Iemma Government is working hard to ensure that regional communities are able to make the most of every opportunity to boost the State's economy. It has been working with Uralla Shire Council to create local jobs. I am sure that the honourable member for Northern Tablelands, who is attempting to interject, would acknowledge that fact. He is aware of, and is often involved in, the work of Uralla Shire Council to encourage jobs growth in the region.

Today, with New South Wales Government support, Uralla is well and truly open for business. Recognising that information technology [IT] is a growth industry that can be located anywhere in the State, Uralla Shire Council became the lead agency for the New England smart communities action project. This agency aims to attract new IT business to the region and the Uralla IT cluster is one of its success stories. Since 2003 the New South Wales Government has provided Uralla with \$70,000 to support local economic growth. It is money well spent. Today Uralla is an IT success story. In March this year the Uralla IT cluster formed to further promote the excellent information and communications technology available in the region. It is a one-stop shop for IT servicing companies Australia-wide.

By working together these local businesses are tackling projects they would otherwise individually not be able to undertake. I am advised that many of these local businesses are reporting an increased demand for their services as a direct result of working together. That is good news for Uralla, for local businesses and for the New South Wales economy. It is a practical example of the New South Wales Government's investment in the future of the region. The 14 companies involved in this cluster range from home-based businesses to ones with annual turnovers of more than \$1 million. They include firms involved in graphic design, digital and offset printing, web design and programming, archival audio expertise, business intelligence, data warehousing and network administration.

The cluster is now attracting other businesses to Uralla. This year eVolition, an IT company based in Sydney and Melbourne, relocated its data warehousing business to Uralla. The move also allowed another Sydney-based company, the Data Mill, to move to Uralla where it provides technical support for its clients throughout the country. I am advised another Brisbane-based company is also looking at relocating to Uralla. This is another example of a company recognising that New South Wales is open for business. It destroys the myth perpetuated by The Nationals members who wander around the State talking down their local economies and saying there is a flight of business interstate. The flight of business is from interstate to New South Wales.

Under the leadership of Morris Iemma, New South Wales is open for business. This is another blow to Opposition members and it demonstrates yet again why Country Labor and the Independents in regional New South Wales are so effective. Uralla's ability to win business is strong evidence of the Iemma Government's success and its investment in the future of regional communities. Mr Speaker, earlier you welcomed students from Bulli High School. I join you in welcoming them. When I talked to those students just before question time, one young woman asked me what the role of regional development in New South Wales was about. I gave her an answer along those lines.

My answer to this question will reinforce this Government's approach to encouraging investment in regional New South Wales. Uralla's new direction is an example of what can be achieved when the New South Wales Government and the community work together. I congratulate these businesses and Uralla council for creating a strong local economy—one that encourages investment and jobs growth for local people.

NORTH-WEST RAIL LINK

Mr MICHAEL RICHARDSON: My question is directed to the Premier. Given that in 1998 Labor promised the north-west rail link would be completed by 2010 and today the Premier said that the link would not be completed until 2017, why should residents in Sydney's north-west not be angry when it appears Labor will never deliver this important piece of infrastructure?

Mr SPEAKER: Order! The honourable member for The Hills has asked his question. He will resume his seat.

Mr MORRIS IEMMA: Not only has the planning process commenced but \$130 million has been allocated to commence purchasing the key parcels of land required to deliver the north-west rail link and the south-west rail link—the biggest investment in public transport in this nation. That is the biggest budget for and investment in public transport. An amount of \$130 million has been allocated to buy the parcels of land required for the rail link. I thank the honourable member for asking this question.

The honourable member for The Hills might like to explain to residents in the north-west or any other part of Sydney—those who rely on rail transport—which projects he would cancel, suspend or defer to progress his proposition. That is a responsibility he has. His second responsibility is to say how he would pay for bringing it forward. Once again, this is a knee-jerk reaction by Opposition members. They make it up as they go and then call a press conference, just as they did a couple of weeks ago. Despite the criticisms, I also have to congratulate the honourable member for The Hills, as he is the first Opposition member to come up with a policy. Good on you, Mr Richardson, member for The Hills.

[Interruption]

Yes, it is a policy—one aimed at dealing with the cane toad invasion in New South Wales. Apparently he drew his inspiration from an episode of the *Simpsons*. That sure beats taking the advice of the Department of Natural Resources. A couple of weeks ago he raced out to his press conference brandishing a plastic cricket bat and said, "This is our weapon in the fight against cane toads."

Mr Michael Richardson: Point of order: It was not our cricket bat; it was their cricket bat.

Mr SPEAKER: Order! I warn the honourable member for The Hills that if he tries to produce a plastic cricket bat as a prop he will be in serious trouble.

Mr MORRIS IEMMA: He told his press conference, "Get a plastic cricket bat and whack those cane toads from Queensland."

Mr Malcolm Kerr: Point of order: My point of order relates to relevance. The Premier seems to have leapfrogged to another subject.

Mr SPEAKER: Order! There is no point of order. The Chair appreciates the honourable member's humour.

Mr MORRIS IEMMA: Finally we got the chance to cost his policy. At \$50, with seven million people in New South Wales, the policy of the honourable member for The Hills comes to a cool \$350 million to equip the residents of New South Wales with a plastic cricket bat to whack those invading marauders from the north. That was the announcement by the honourable member for The Hills. The State is on the hop over toads! The news article stated:

Brandishing a plastic cricket bat, opposition environment spokesman Michael Richardson declared "The only good cane toad is a dead cane toad."

He got that right. That is why Bill Heffernan refers to the honourable member for The Hills as "deadwood".

Mr SPEAKER: Order! I remind members that this is question time, not *The Wind in the Willows*.

RECONCILIATION WEEK

Mr PAUL LYNCH: My question is addressed to the Minister for Aboriginal Affairs. What is the latest information on Government initiatives for Reconciliation Week and related matters?

Mr MILTON ORKOPOULOS: I acknowledge the continuing interest of the honourable member for Liverpool in this matter. As Australians we are proud of the way we pull together to look after each other as we fight bushfires or restore order after the chaos of a cyclone. In recent weeks each of us has been moved by the tremendous community spirit in Beaconsfield. This capacity for empathy also saw Australians provide much assistance in the aftermath of the tsunami.

We have all been horrified by the stories of child sexual and physical abuse in the Northern Territory, but I must say that I have been rather stunned in the past week as the response to those reports has descended into a blame game—who will and will not engage in discussions; who is or is not responsible for law enforcement in remote regions—and a litany of other finger-pointing exercises. We are bigger than that, and the community expects us to face challenges squarely. In that context, political and Aboriginal leaders across Australia have an opportunity in coming days to send a clear message that this issue is above party politics.

Next week is national Reconciliation Week. In fact, it is the tenth anniversary of this event on the national calendar. Events will be held at dozens of locations across New South Wales, from Kempsey to Port Macquarie, Deniliquin and Armidale. Reconciliation Week is a golden opportunity for each of us to think about the policies we need to take us forward. We are all familiar with the central arguments around dispossession, disadvantage, welfare dependency, and economic independence. Those issues have been debated for the past 25 years and more, and they have been valid and well intentioned. However, the time has come for governments and Aboriginal leaders across Australia to commit to a greater emphasis on practical solutions that contribute to better outcomes for Aboriginal people and to a broader understanding of Aboriginal culture.

It is appropriate that during Reconciliation Week we reflect on policy settings to which all of us have made direct or indirect contributions. Both sides of the policy debate must be big enough to agree that mistakes have been made all round. The "forced removal" policies of the past, regardless of whether they were well intentioned, were a monumental failure. Research proves that those who were removed suffer more unemployment and have more disabilities, less income and less education. Equally, whilst I support the rights-based approach to Aboriginal affairs, that approach must prioritise the rights of kids to grow up without the fear of violence and sexual abuse, to receive an education, and to be employed. Neither the assimilation policies of

the distant past nor the hand wringing of some current commentators will deliver sustainable results. It is essential that our responses to current and future policy challenges balance respect with responsibility.

As part of Reconciliation Week I will be meeting Aboriginal leaders from different parts of New South Wales. We know that our best results will be achieved through genuine partnerships with Aboriginal people, and in New South Wales we have formal partnerships with Aboriginal peak bodies in areas such as health, education and justice. We are committed to continuing those partnerships, but I want to emphasise the two themes of respect and responsibility as part of a fresh approach. The Government is committed to respect for Aboriginal people, respect for traditional Aboriginal culture, respect for their goals of economic independence, and respect for the grace and courage they have shown over the past 200 years.

Equally, Aboriginal people are responsible for ensuring that their kids have an optimistic future. They are responsible for getting their kids to school, for keeping them safe, and for working with the Government to ensure that criminal activity is punished. The judiciary has a responsibility to ensure that the criminal justice system has the confidence of victims. These are the themes that I will be putting to Aboriginal leaders during Reconciliation Week. I want the debates about current and future challenges to be viewed through the twin prisms of respect and responsibility.

New South Wales has already stated that it is willing to work with the Commonwealth and with Aboriginal leaders. I will be meeting the Federal Minister for Families, Community Services and Indigenous Affairs, Mal Brough, separately in coming weeks and I will emphasise to him the value of a partnership approach with Aboriginal people. We will be entering into discussions in the coming months with both an open mind and genuine goodwill. As I have said before, no side has a mortgage on wisdom in this debate. I encourage everyone to put aside political differences as we deal with one of the most serious challenges that we, as public representatives, will ever be charged with. I thank Opposition members for their co-operation and for their silence during my answer.

DUBBO POLICE STATION

Mr ANDREW STONER: My question is directed to the Minister for Police. Now that the promised redevelopment of Dubbo police station has once again been put on hold, will the Minister tell the House when his Government will stop making promises it cannot deliver on and start fixing the problems rather than the headlines?

Mr CARL SCULLY: That is such a naughty question. It is very misleading and deceptive. As I have said many times, it takes a Labor Government to fix capital works, infrastructure and police stations in country New South Wales. Tomorrow I am visiting Kempsey—I have informed the Leader of The Nationals—because there is a very legitimate request—

Mr Brad Hazzard: Dubbo is west and Kempsey is north.

Mr CARL SCULLY: I will get to it. The Kempsey community and local police have made a very legitimate request for a new building on the basis that Kempsey police station is allegedly the worst in the State. I told the Leader of The Nationals that if I am to be satisfied that the Government should spend millions of dollars in Kempsey, I must go and have a look myself. I am doing that tomorrow. The following week, as the honourable member for Upper Hunter knows, I will be turning a sod to start the construction of the new Muswellbrook police station. I have had a chat with the Opposition Whip, the honourable member for Wagga Wagga, about how the council is close to approving the construction of the new station at Wagga Wagga. The honourable member for Northern Tablelands knows that Armidale is progressing. The Mayor of Orange thinks this Government has got it right when it comes to the new police station at Orange. Before I forget, yes, Joe, there is a police station coming for Fairfield.

Mr Andrew Fraser: What about Coffs?

Mr CARL SCULLY: I have spent so much money in Coffs Harbour, and the honourable member is not getting any more. As to Dubbo police station, I will not allow this question time to end before I dispel any suggestion or inkling that the Government will not build a new police station at Dubbo. I will tell the House what happened.

Mr Peter Debnam: When?

Mr CARL SCULLY: I will tell you when.

Mr SPEAKER: Order! The Minister for Police was about to tell us and I am sure that he will do so if the interruptions stop.

Mr CARL SCULLY: Late in the tender process petrol was found to have leached onto the site. What would members opposite have done?

Mr Morris Iemma: Expose them.

Mr CARL SCULLY: The Premier is correct: Members opposite would expose the police to a potentially contaminated site.

Mr Peter Debnam: This is Scully's promise on the north-west rail link.

Mr CARL SCULLY: The Leader of the Opposition should not talk to me about rail links.

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

Mr CARL SCULLY: The Coalition's record on capital works disgusts me. We have done the right thing. Members opposite would have us ignore that problem. I was pleased when it was brought to my attention because I think the public servants who were involved acted appropriately. They said to the tenderers, "We need to have this properly surveyed to see the extent of the leaching on the site. We need to see what remediation has to take place." Most importantly, when the tender is submitted and the price ascertained, we need to make sure they know what to do and take full responsibility for it. The honourable member for Dubbo knows that only this Government will build a new police station at Dubbo.

Mr SPEAKER: Order! The Minister for Police has the call.

Mr CARL SCULLY: The Opposition only discovers Dubbo around election time. We can bet that when the honourable member for Dubbo is re-elected, and the Premier attends the opening of the new Dubbo police station in the second half of next year, the Opposition will forget about Dubbo. The Leader of the Opposition should stop telling untruths. The Government will build Dubbo station—and maybe Kempsey, depending on the behaviour of Leader of The Nationals tomorrow!

Mr ANDREW STONER: I ask a supplementary question. I appreciate the Minister's commitment in relation to Kempsey, but the question was about Dubbo. The good people of Dubbo want to know exactly when the police station will be redeveloped.

Mr SPEAKER: Order! The Leader of The Nationals will resume his seat. The Minister clearly answered that question when he gave a specific time.

Mr ANDREW STONER: He did not tell us when.

Mr SPEAKER: Yes, he did.

Mr ANDREW STONER: I just want to know when. How long is a piece of string?

Mr SPEAKER: The Leader of The Nationals should have been listening to the Minister's answer.

MENTAL ILLNESS HOUSING AND SUPPORT IN THE HOME

Mr MATT BROWN: My question is addressed to the Minister Assisting the Minister for Health (Mental Health). Will the Minister update the House on what the Government is doing to help people with mental illness stay living in their own homes?

Miss CHERIE BURTON: I thank the honourable member for his continued interest in this important issue. The Iemma Government is taking action to improve mental health services across New South Wales. As honourable members are aware, last week the Premier, the honourable member for Parramatta and I announced a new direction for the Housing and Supported Accommodation Program. The Government will invest an extra

\$52 million over five years in the housing and support initiative [HASI], providing housing and support for at least 234 people at any one time living with a mental illness in the community. This will include 100 places for people with high-support needs and 134 places for a new stage in the program called HASI in the Home.

HASI in the Home will provide support for people already living in private accommodation and will particularly focus on people being discharged from hospital. We know that supported accommodation provides people with a mental illness a chance to live well in the community. HASI has already seen a 90 per cent reduction in the number of days that clients spend in hospital, and that is why the Government is continuing to invest and expand this successful program. The program has been endorsed by a number of community organisations. Mr Fred Kong, the chief executive officer of the Richmond Fellowship of New South Wales, said:

It is gratifying to see Mr Iemma acknowledge the success of HASI over the past three years and to offer such encouragement to people who have been disadvantaged.

Professor Ian Hickey of the Brain and Mind Institute said, "This is one of the key steps forward in mental health reform." This enhancement will take funding for non-government organisations through HASI to a total of \$142 million over the next five years, a testament to the sector having convinced the Government to invest more in community-based care.

I turn my attention to the honourable member for Albury, the shadow Minister for Housing. Everyone on this side of the House knows what is HASI—the housing and support initiative. Under that initiative the Department of Housing provides the stock and mental health clinicians, and non-government organisations provide services. We also know that recent trials of the program have seen a 90 per cent reduction in hospital admissions. When the Government announced this initiative, what did the snoozer say? At noon the alarm bells rang when he heard the Premier announce on the news an extra \$52 million, and the honourable member for Albury had to quickly respond. With his messy hair he said, "Extra funding for housing the mentally ill must be backed up with support services." Enough said for the honourable member for Albury! The honourable member for Willoughby said, "It is not enough funding. It doesn't go anywhere near it."

The honourable member for Willoughby had an opportunity to have some impact on health, particularly mental health, when she worked for Peter Collins when he was the Minister for Health. At the time there was one child and adolescent unit across New South Wales, and paltry funding of \$350 million a year. What a disgrace! The facts are that it is the Iemma Government that has delivered the HASI program, which allows 700 people to live well in the community and stay out of hospital. It is the Iemma Government that has provided 300 beds over the past few years, and another 300 "long-term" and "short-term acute" beds to come online. It is the Iemma Government that introduced the successful Court Diversion Program, which is keeping more than 2,000 people who suffer from a mental illness out of prison. It is the Iemma Government that is providing support for family and carers. It is the Iemma Government that is providing mental health first-aid training to its staff. It is the Iemma Government that put mental health on the national agenda.

Mr Peter Debnam: Point of order: The Opposition will keep quiet because it is concerned—

Mr SPEAKER: What is your point of order? The Leader of the Opposition will resume his seat.

Mr Peter Debnam: My point of order is that if the Minister calms down, the honourable member for Heffron will show her a better way to do it.

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

[*Interruption*]

Mr SPEAKER: Order! The Leader of the Opposition has almost insulted the Minister. I call him to order.

Miss CHERIE BURTON: I am very passionate about mental health and there is nothing wrong with getting a bit passionate. It is the Iemma Government that has rolled out nine psychiatric emergency care centres to make sure that people suffering from a mental illness are not stuck in emergency departments. It is the Iemma Government that has boosted funding for research into depression. It is the Iemma Government that has boosted funding so that non-government organisations can increase their services. It is the Iemma Government that has increased funding by 141 per cent to a record \$854 million. It leaves the Opposition for dead. The Opposition is

sleeping and does not know what it is doing. The honourable member for Willoughby referred to a five-point plan, but her web site is empty of mental health issues because the five-point plan comes from initiatives the Government has already implemented.

Mr Barry O'Farrell: Point of order: The Minister would achieve much more if she directed her remarks through the Chair.

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

Mr Barry O'Farrell: According to the standing orders, if the Minister directed her remarks through the Chair, as you have asked on previous occasions, we would avoid all that.

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

Questions without notice concluded.

STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS

Report

Mr John Price, as Chair, tabled, by leave, the report entitled "Parliamentary Commissioners, Advisers and Auditors—Ethics, Education, Information and Assistance to Members: New South Wales and Other Jurisdictions", dated May 2006.

Ordered to be printed.

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Special Adjournment

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

- (1) That standing and sessional orders be suspended at this sitting to:
 - (a) provide that the routine of business be varied to not call on motions for urgent consideration and matters of public importance;
 - (b) permit the postponement of the taking of General Business Notices of Motions (General Notices) and private members' statements until the conclusion of Government Business;
 - (c) permit the introduction, up to and including the Minister's second reading speech, of the following bills, notice of which was give this day for tomorrow:

Drug Misuse and Trafficking Amendment (Hydroponic Cultivation) Bill
Sydney Cricket and Sports Ground Amendment Bill
 - (d) permit consideration of motions relating to the Parliamentary Ethics Adviser, the Code of Conduct, and the Standing Committee on Parliamentary Privilege and Ethics;
 - (e) provide that from the commencement of private member's statements until the rising of House, no divisions or quorums be called.
- (2) That the House at its rising this day do adjourn until Tuesday 6 June 2006 at 12 noon.

Mr PETER DEBNAM (Vaucluse—Leader of the Opposition) [3.19 p.m.]: The Minister just cannot manage the business of the House. He has a sad track record; regardless of whether it is in a ministerial portfolio or as Leader of the House, he leaves a trail of wreckage. Let us go back to where he started: Action for Transport 2010. This document goes back to the start of all Minister Carl Scully's promises. Of course, he was only the agent for the New South Wales—

Mr Milton Orkopoulos: What's the point?

Mr PETER DEBNAM: The Minister asks, "What's the point?" The voters of New South Wales are asking themselves, "What's the point of the eleven long years of Labor?" Time and again Minister Carl Scully

has not delivered on promises like those in Action for Transport 2010. A cobbled-together announcement on infrastructure was put together for the *Daily Telegraph* last night. When the Government recognised it had got into a \$300 million hole in relation to school crossings, it made a cobbled-together announcement on infrastructure in the *Daily Telegraph*. The only objective of that announcement was to try to deal with criticism of the \$300 million hole it had created.

Action for Transport 2010 contains many projects, but the one the people of New South Wales are screaming the loudest about is the biggest, and that is the north-west rail link. Minister Carl Scully and his Labor mates promised delivery of that link by 2010. That is a 1998 promise. But, as the years move on, the Labor Party decided "No, 2017." There is no way anyone is going to believe any date, so it may as well be 2017. That rail link simply will not be delivered. I think Minister Scully was involved with the honourable member for Manly in the Spit Bridge widening announcement of 2002. But the Minister does not deliver. Let me run through the list of infrastructure projects mismanaged by this Government. Some 171 infrastructure projects have been either delayed significantly or suffered a budget blow-out. About 114 have been delayed.

Mr Carl Scully: Point of order: I am happy to be held to account, but it must be through the proper forms of the House, not on this motion.

Mr SPEAKER: Order! I agree with the Leader of the House. The issue is whether the business of the House should be dealt with in accordance with the motion.

Mr PETER DEBNAM: One word sums up the motion: it is all about mismanagement. That is exactly what we are talking about in this motion. The Minister has left a trail of wreckage across New South Wales because of his incompetence in this institution of Parliament and in every single portfolio for which he has been responsible, whether it be rail safety or all the projects noted in the document to which I have referred. The budget for the Liverpool to Parramatta transitway, which was to be built over two elections, doubled. The Minister has failed the people of New South Wales on every one of his portfolio projects, but he has especially failed the people of western Sydney.

Look at last year's list of infrastructure projects that were delayed or had a blow-out in their budgets: 114 projects were delayed, with an average delay of 1.4 years; 85 infrastructure projects were delayed more than one year; 19 projects were delayed more than two years; and 10 projects were delayed more than three years. There was a budget blow-out in 128 infrastructure projects, totalling \$515 million. I will run through a couple of those. The Ministry for the Arts building upgrade blew out by almost \$400,000. The CourtLink project of the Attorney General's Department, that hive of left-wing activity, blew out by two years. The Legal Aid Commission budget for computers blew out by another half a million dollars. You guys are absolute experts! My colleague honourable member for Myall Lakes reviewed road projects under the former Minister's portfolio and found that every single road project over five years had blown out by 50 per cent. It is no wonder the Coalition will have to axe the Roads and Traffic Authority on day one. It is no wonder the people of New South Wales are screaming out to get rid of these Labor Ministers—people who can only mismanage. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

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

Noes, 36

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

Pair

Ms Burney

Mr Hartcher

Question resolved in the affirmative.**Motion agreed to.****PARLIAMENTARY ETHICS ADVISER****Appointment****Motion by Mr Carl Scully agreed to:**

That:

- (1) the appointment of Mr Ian Dickson as Parliamentary Ethics Adviser, as resolved by the House on 23 February 2005, be extended until 30 June 2007; and
- (2) a message be sent requesting the Legislative Council pass a similar motion.

CODE OF CONDUCT FOR MEMBERS**Motion by Mr Carl Scully agreed to:**

That clause 2 of the Code of Conduct for Members be amended as follows:

- (2) Members must not knowingly or improperly promote any matter, vote on any bill or resolution, or ask any questions in the Parliament or its committees, for the private benefit of themselves or others.

STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS**Reference****Motion by Mr Carl Scully agreed to:**

- (1) That the Committee on Parliamentary Privilege and Ethics inquire into and report on:
 - (i) the draft Constitution (Disclosure by Members) Regulation 2006, in accordance with section 14A (5) of the Constitution Act 1902; and
 - (ii) amendments to the Code of Conduct for Members of the New South Wales Parliament;
- (2) That the Committee in conducting its review, in addition to considering supplementary returns, give consideration to the feasibility of reporting changes to pecuniary interests by "exception reporting";
- (3) That the Committee consult with the Clerk of the House to ensure a streamlined process is introduced for updating the Pecuniary Interests Register;
- (4) That the Committee report to the House by 1 September 2006;

- (5) That the Committee have leave and power to confer with the Legislative Council Privileges Committee for the purposes of this inquiry;
- (6) That a message be sent informing the Legislative Council of this resolution and requesting that leave be granted to the Privileges Committee to confer with the Standing Committee on Parliamentary Privilege and Ethics.

JOINT SELECT COMMITTEE ON THE CROSS CITY TUNNEL

Establishment and Membership

Motion by Mr Carl Scully agreed to:

That:

- (1) this House agrees with the Legislative Council's resolution relating to the appointment of a Joint Select Committee on the Cross City Tunnel and fixes Wednesday 14 June 2006 at 12 noon in room 1108 as the time and place for the first meeting;
- (2) the following members of the Legislative Assembly be appointed to serve on the committee:

Matthew James Brown
Andrew James Constance
Michael John Daley
John Harcourt Turner.
- (3) a message be sent to the Legislative Council accordingly.

JOINT SELECT COMMITTEE ON TOBACCO SMOKING

Establishment and Membership

Motion by Mr Carl Scully agreed to:

That:

- (1) this House agrees with the Legislative Council's resolution relating to the appointment of a Joint Select Committee on Tobacco Smoking and fixes Wednesday 21 June 2006 at 10.00 a.m. in room 1108 as the time and place for the first meeting;
- (2) the following members of the Legislative Assembly be appointed to serve on the committee:

Angela D'Amore
Thomas George
Shelley Elizabeth Hancock
Dianne Virginia Judge
Matthew Alan Morris
Paul Edward McLeay
George Richard Torbay; and
- (3) a message be sent to the Legislative Council accordingly.

CHILDREN (DETENTION CENTRES) AMENDMENT BILL

Second Reading

Debate resumed from 23 May 2006.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [3.18 p.m.]: The Children (Detention Centres) Amendment Bill is the Government's response to a long campaign by the Opposition to toughen security and procedures inside detention centres. But the legislation is no more than a fig leaf to hide the effect of 11 years of a softly-softly management approach to administration of juvenile justice in this State. The trouble for the Government is that, despite all the tough talk, it is not a very big fig leaf. The bill does not undo 11 years of appointing welfare staff to key management posts, 11 years of compromising discipline and safety inside centres, and putting the rights of so-called clients, who are, in reality, hardened young thugs, ahead of victims, workers and commonsense. This tiny fig leaf means that the Iemma Government continues to be exposed and embarrassed for its insipid and weak approach to juvenile crime. And can I say that that is not a very pretty sight at all.

Members are aware of my strong views on juvenile crime. I spend a great deal of time working with local communities and police to find solutions to problems that this Government describes as difficult and complex. The problem is that while juvenile crime is out of control in many regional communities, the solutions are not complex, as the Government claims: they are simple. The Government must stop turning a blind eye to repeat offending. There is an epidemic of crime against property and persons. The idea that ignoring it will cause it to go away is not working. Indeed ignoring recidivist criminal behaviour has the effect of entrenching that behaviour. It increases the frequency of offending and the type of crime rapidly becomes more serious. It helps nobody, least of all the young person, to keep excusing and ignoring juvenile crime.

The Government should do our community, the victims, the police, the offenders and everybody else a favour by supporting The Nationals private member's bill that recognises we cannot ignore juvenile crime, we must take a tough approach to all crime, and we must stop making excuses for it. The softly-softly approach in the community also has been the approach taken by Labor inside detention centres. That is why this bill is before the House today. The bill finally answers some of the Opposition's calls for reform, but only some. It gives the department certain powers to drug and alcohol test staff. These powers are long overdue and were recommended in the Newberry report in 2004. The Opposition has called many times for the findings of that report to be implemented, but it has taken until May 2006 for this particular report to be acted upon.

The bill clarifies powers to drug and alcohol test detainees as per existing practice. The Opposition obviously supports that, but believes that existing practice is weak and ineffective. There is no drug testing for detainees until at least six weeks after admission to centres. All detainees should be drug tested as part of their assessment when they arrive at the centre. There needs to be more drug testing, and detainees whose test is positive must be charged by police. The bill clarifies the definition of a visitor to include a family member. The Opposition is unaware why this is a problem, but, assuming it is a tidy-up provision, we have no objection to it. The bill improves procedures for transferring detainees who are over 18 years old to prison so that if a detainee requests a transfer, the director general can order it. Again the Opposition has no objection, but we continue to believe adults over the age of 18 should not be in detention centres at all.

The custody arrangements for prisoners should not be determined by how old they were when they committed the crime. Rather they should be determined by their age while they are serving the sentence. It is ludicrous that up to a third of people in custody in these centres are aged over 18. Detention centres are not built for adults; they are built for children. Adults ought be with all the other offending adults—in the prison system. The bill provides for the chief executive officer of Justice Health to order lifesaving medical treatment for detainees, and the Opposition does not oppose that provision. It also ensures the Department of Juvenile Justice must liaise with Minister for Health regarding forensic patients. The need for legislation in that regard is unclear, but again the Opposition does not object. The exemption of certain drug intelligence unit documents from the Freedom of Information Act appears to be in line with arrangements among Juvenile Justice, Police and Corrective Services. On that basis, the Opposition does not oppose those changes.

There are other issues in the bill in respect of which the Opposition reserves its position because of the speed with which the bill has been introduced and rushed through the House, and we may consider amendments in the other place. For example, the bill seeks to authorise the Director General of Juvenile Justice to segregate a detainee for safety reasons. This is a power that may be better delegated to centre managers. The ridiculous obsession of the director general making almost every operational decision in a detention centre is head office empire building gone mad. The Opposition wants to empower detention centre managers and staff to run the centres properly. Detention centre staff have made many calls for that to happen. Constant interference by head office is a hindrance, not a help, and so the Opposition wishes to consider that matter further.

The bill provides that adults aged over 21 years and 6 months who were arrested on a juvenile parole warrant will be detained in an adult facility. The Opposition believes that adults are people aged over 18 years. The Government's definition of an adult being a person over 21 years 6 months is typical of the weak, softly-softly approach that has filled detention centres, which have been designed for children as young as 10, with prisoners who are more than twice that age. The bill proposes that the Director General of Juvenile Justice should be allowed to hand over management and control of a detention centre to the Commissioner of Corrective Services if he thinks there might be an incident that is about to take place. This is the famous so-called send in the prison riot squads initiative that was announced by the Minister for Juvenile Justice, Mr Kelly, after the Acmena riot on 29 January this year when four children, including a 14-year-old, were allowed to lock themselves in a unit and trash it for two hours. The staff at the centre were forbidden to enter the unit and were forced to stand at the door, listening to the detainees going berserk. That happened in spite of the fact that those staff had specialist training and riot gear.

Eventually somebody called the police, who immediately entered the unit and arrested the culprits. The police were astonished by the lack of action taken by staff at the centre and were annoyed because it meant that Grafton was without a police service that night. Naturally there was an investigation and report into this bizarre incident. That report, which tells the truth about what happened at Acmena that night, has been suppressed by the Iemma Labor Government. The Legislative Council has ordered the Government to hand over the report so that the upper House may consider why the staff could not put their training and equipment into action. The Government claims that this report, which was written by a regional officer in relation to an operational incident in his area, is a Cabinet-in-confidence document.

The Opposition does not accept the Government's ridiculous claim and will be taking further action on the matter. It is essential that the report be released to enable further consideration to be given to the need for amendments to the detention centre Act. If it is another unworkable media stunt by this discredited Government, Parliament needs to be told. My colleague the honourable member for Clarence is very knowledgeable about these issues. He works exceptionally hard on all issues, but I know that he is particularly passionate about these matters. On the evening of Sunday 29 January 2006, he personally attended Acmena and saw the frenetic activity at the centre. That is the type of local member he is—not an armchair critic, but a man at the scene of what is happening in his community. He holds strong and convincing views on the issue. I urge the Government to listen closely to his contribution to this debate.

Mrs BARBARA PERRY (Auburn) [3.47 p.m.]: This bill amends the Children (Detention Centres) Act 1987, the Children (Criminal Proceedings) Act 1987 and the Crimes (Administration of Sentences) Act 1999. As the member for Auburn, the Juniperina Juvenile Justice Centre is in my electorate. This centre is the sole juvenile detention centre for young women in New South Wales. When the centre opened last year, I had the opportunity to have a close look at the facilities provided to manage young offenders in custody. These facilities indeed are impressive and reflect the commitment of the Iemma Government to provide the most modern, secure and safe physical environment for holding young people in custody.

This Government has nearly entirely rebuilt the juvenile detention centre system since coming to office. But holding young people in custody is not just about the buildings. Importantly, it is also about the laws that govern how we manage young people in that environment. It is this Government's firm belief that it is time for a major overhaul of these laws, and that is what this bill will do. The Department of Juvenile Justice has concluded a lengthy review of the Children (Detention Centres) Act 1987 in consultation with all significant stakeholders. This legislation reflects the results of that consultation. It introduces new powers to detect contraband, strengthens misbehaviour provisions, provides for post-critical incident drug and alcohol testing of staff to be undertaken, and formally recognises the role of Justice Health in centres. It also provides for the use of Department of Corrective Services response teams to deal with serious disturbances on the very rare occasions that they occur.

The bill also introduces major changes to the use of segregation in detention centres. Segregation is not a punishment for misbehaviour; it is used in situations where a detainee is behaving in an extremely challenging or dangerous way. The bill will remove the present strict upper limit on segregation periods if approved by the director general. As with all strict measures such as this, strong safeguards are put in place to ensure the welfare of detainees, including regular checks. This bill also recognises the valuable role that Justice Health plays in providing health services to detainees. It provides for Justice Health to have the power to require detainees to be provided with medical treatment. It will allow them to be given medical treatment without their consent if it is necessary for the purpose of saving life or preventing serious damage to health.

Finally, to cater for older detainees, it is proposed to allow for the transfer of detainees aged 18 and over, who are deemed suitable, to adult custody for operational or administrative reasons. That will allow the department to focus on its core target group of juvenile offenders aged 10 to 18 years. This is an important package of reforms that reflects the Government's ongoing commitment to ensuring the safety and security of our juvenile justice system. As such, I commend the bill to the House.

Mr STEVE CANSDELL (Clarence) [3.51 p.m.]: I do not oppose the Children (Detention Centres) Amendment Bill. However, it fails to address many issues. The bill increases confinement periods from three hours to 12 hours for detainees under 16 years of age. The workers at Acmena Juvenile Justice Centre told me that those kids think it is a joke that if they undertake what is called "challenging behaviour" they can be confined for only three hours. They take their pillow and doona, lie down, turn up the music and veg out for three hours. They laugh at the system. When they come out they say to the workers, "This is a joke"—but not in that manner! When detainees turn 18 they should be transferred to adult institutions. Detainees aged from 18 to 21 years should not be kept in an institution with vulnerable 13-year-olds.

I turn now to the control of riots by Corrective Services staff. I have seen two riots at Acmena, Grafton. The latest occurred on 21 January 2006 when initially five youths started misbehaving, smashing things. There was a lock-down and the staff, who had the riot equipment and had been trained to quell the riot, to nip it in the bud there and there, could not gain entry to the centre because they needed authority from the manager. They could not contact the manager, so they were prevented from going near the centre. One youth gave himself up, but another four youths did more than \$100,000 worth of damage. The police arrived a couple of hours later.

The duty officer at that time travelled from Yamba to cope with the incident. On arrival, he asked the workers outside the centre why they did not go in and cope with the riot, as they had the equipment. They replied that they had been prevented from doing so; they could not enter. After the police arrived, they entered the centre within 15 to 20 minutes and told the youths to get down off the roof or they would go up and drag them down. The youths climbed down and walked out. It is obvious that the workers need to be empowered to walk in and stop any disturbance before it escalates into a riot. The bill provides that when an incident escalates into a serious matter, the Corrective Services staff can be called and they will send in trained personnel to break up a riot. By the time that happens, hundreds of thousands of dollars worth of damage could have been done. Additionally, the kids would be in a more serious position than they would have been in at the beginning of the disturbance.

At the start the kids would be making a bit of noise, causing a bit of trouble. When that escalates to riotous behaviour and affray, more serious charges could be laid. Once again, that adds to their sentence and makes them feel that they are immune to prosecution, to action by the centre's staff. Since the inception of Acmena there have been continual problems with the management style and impoundment of staff. A female staff member was thrown in the pool with her radio and other equipment. The kids laughed at her, and were given only three hours confinement. I have previously mentioned in this House another incident, which I will repeat because it is serious. It is an indication of the lack of respect that some of the detainees—some of whom are hardened criminals—have for authority, especially when it has no teeth.

One youth chased a female worker, masturbated and rubbed semen in her hair. That is a serious sexual assault that should have had serious consequences. But that did not happen, because the staff try to be nice to the kids who have extreme challenging behaviour. In other cases knives have been pulled on staff, and staff have been thumped and hit. Staff have tried to wrestle extremely violent kids to the ground, and have overreacted by trying to get them into a bear hug, which ended up in a head lock. Consequently the staff were sent to rehabilitation training for anger management and better control of the detainees. The staff are not empowered. They feel that they cannot step in and do anything, because they fear investigation of their actions. I am not endorsing staff thumping the kids, but they should be able to step in and use reasonable force—the same force that Corrective Services personnel would use.

After the first riot at Acmena a couple of years ago some kids were put under the control of Corrective Services staff. They started screaming and thumping. One kid was told, "Listen, sonny, you are not in Juvenile Justice now. Sit down and behave yourself." And he did, because he knew that he would be in serious trouble if he did not. But the kids at Acmena treat the staff as a joke. The Kariiong Juvenile Justice Centre was handed over to Corrective Services and within two weeks a situation that had been uncontrollable for two years was dealt with. That control was achieved with 20 or 30 per cent fewer staff, because the staff set boundaries. Lines were drawn in the sand, and that is exactly what the youth need. They need direction, they need to know the boundaries and the limitations, and they need consistency.

At Acmena over the past few years, when kids play up and refuse to behave, they are given Mars bars and soft drink to encourage good behaviour. That is not direction. The younger detainees soon work out how easy it is to play up. On 29 January 2006 one of the main troublemakers was a 14-year-old, about 155 centimetres tall, and lucky to have weighed 35 kilograms. That boy was out of control and along with others caused close to \$100,000 worth of damage over four hours. Why? Because no-one at the centre was empowered to go straight in and nip the trouble in the bud.

I do not oppose the bill. It is a step in the right direction. However, the Minister for Juvenile Justice needs to walk away from the softly-softly practices of the previous Minister, the current Minister for Fair Trading. Minister Kelly should retrain the bleeding hearts in Juvenile Justice who run the centres with love but no direction. Minister Kelly must talk to officers in the Department of Corrective Services. Kariiong is a good example of a correctional facility that has been able to achieve better results for children and the community through its consistent discipline. Recently I was speaking to an Aboriginal worker at Acmena Juvenile Justice Centre, who said that the kids needed some direction. This worker, who was previously stationed at Kariiong,

said that the youth at Kariong were more comfortable, they knew where they stood, and they were happy to be there. Members of the Aboriginal community in Grafton said that this centre is training kids to have no respect for authorities at the centre or for society. When the kids leave the centre that lack of respect is evident to their families and to the community. It is a major problem.

The Minister must talk to workers on the ground, not to middle and upper management at these centres. They are the people who can tell the Government what must be done. Those workers have the training and equipment; they just lack the power to do their jobs. The bill will endorse what is happening now. Kids play up and turn something minor into a major event before any action is taken. As I said, if we are to protect our youth we must address these small behavioural problems before they turn into riotous action and charges follow. We must empower these workers. I do not oppose the bill. The Government has part of it right, but it must go a bit further to resolve all these issues.

Ms MARIE ANDREWS (Peats) [4.02 p.m.]: The reforms in this bill will improve the safety and security of the juvenile justice system. This is an important issue for my electorate of Peats, which houses two juvenile facilities. The new Frank Baxter Juvenile Justice Centre, which opened in October 1999, is located at Kariong near Gosford. It is a large centre with a current bed capacity of over 100. The centre accommodates young male offenders over the age of 16 who primarily are serving control orders. The centre also holds young offenders who are on remand from the Central Coast and Hunter regions. The Kariong Juvenile Correctional Centre is also located within the Peats electorate. As a juvenile correctional facility under the management of the Department of Corrective Services, the bulk of reforms in this legislation will not directly affect its operation.

The Department of Corrective Services has managed Kariong since 10 November 2004. Kariong will continue to hold male detainees who are 16 years of age or older on serious charges and those whose behaviour warrants higher security. Staff in the Department of Juvenile Justice deal with some of the most challenging and demanding young people in the community. These young people come to the department having committed, in some cases, serious and violent offences and it is a challenge to Department of Juvenile Justice staff to turn around the lives of these young people from the path of disaster, whether through our highly successful youth conferencing scheme in the community or in our detention centres. The people of Gosford and surrounding areas are well served by these dedicated officers.

The bill will enable the Commissioner of Corrective Services to provide officers from the Department of Corrective Services to assist with quelling actual or imminent serious disturbances at juvenile detention centres upon the request of the director general of the Department of Juvenile Justice. The commissioner, or a delegated officer, has command in relation to the operation of that part of the centre that is subject to a disturbance or imminent disturbance. Department of Corrective Services officers would intervene at the centre only to the extent necessary to quell the actual or imminent disturbance and to facilitate the restoration of order. Once Department of Corrective Services officers have restored order in a juvenile detention centre, management and control of that part of the centre that is subject to a disturbance or imminent disturbance will be restored to the Department of Juvenile Justice as soon as practicable.

While Department of Corrective Services officers are in the centre, those officers remain responsible to, and will take directions and orders from, the commissioner or the commissioner's delegated officer. The commissioner must be able to meet his occupational health and safety obligations in relation to those officers. The commissioner may permit Department of Corrective Services officers deployed to such centres to use chemical agents on juvenile detainees or deploy dogs, where it is necessary, to quell an actual disturbance or to ensure the safety of staff and other detainees. It is envisaged that these powers will be used rarely and that officers will intervene and attend only to the extent that is necessary to quell a disturbance. In many cases it is envisaged that the presence of Department of Corrective Services officers with dogs and chemical agents will provide a sufficient deterrent to quell a disturbance without having to use force.

There are two advantages in using these Department of Corrective Services officers. First, they are experts in defusing critical incidents in secure environments. Second, their use allows police to focus on core policing duties in the community. Department of Juvenile Justice staff and their Department of Corrective Services counterparts are extensively trained in managing conflict. However, in rare cases specialist officers would better service the safety and security of staff and detainees. The abuse of drugs and alcohol is a scourge on our community and it is a major factor in juvenile offending. The presence of illicit drugs and alcohol in juvenile justice centres, together with other items of contraband, undermines the department's efforts to maximise the rehabilitation of juvenile offenders.

The presence of these substances in centres also represents a significant occupational health and safety issue. An amendment in this bill will provide new powers to Department of Juvenile Justice staff to test for drugs and alcohol, an important initiative to address these issues. This power is in line with the powers conferred under other legislation relating to police, correctional officers and State transit officers. The department will continue to consult with staff and the Public Service Association about the implementation of these important measures. This amendment complements the existing provision to carry out drug and alcohol testing on detainees and to monitor detainee telephone communications.

Urinalysis drug testing of detainees, along with the use of drug dogs and telephone monitoring, were projects identified in the Government's plan of action—an outcome of its 1999 New South Wales Drug Summit. The Drug Intelligence Unit currently provides information on detainee drug use and trafficking in contraband at juvenile justice centres via a system that monitors telephone conversations of detainees. The system provides valuable information on drug use, possession and trafficking of contraband by detainees. It also provides invaluable information about escape plans, plans to pose as bogus visitors, detainee welfare and other information related to centre security.

The bill seeks to include explicit legislative provisions in the Act to support these practices. This proposal will enable the department to better minimise risks to both staff and detainees that are inherent in the use of alcohol or drugs by detainees. The bill will also strengthen provisions to keep drugs and alcohol out of juvenile justice centres, allowing juvenile justice centre staff to search visitors and staff to detect contraband by clarifying that a visitor means everyone who visits centres, including family and representatives of government and non-government agencies.

The final amendment I wish to address is the exemption of documents from the Drug Intelligence Unit of the Department of Juvenile Justice from the Freedom of Information Act. That is consistent with the exemptions provided to the State Crime Command in NSW Police and the Corrections Intelligence Group of the Department of Corrective Services. It will ensure the consistent and free flow of information among the intelligence units of NSW Police, the Department of Corrective Services and the Department of Juvenile Justice and ensure that intelligence is not compromised, especially in regard to counterterrorist measures. That is particularly important, given the transfer of Kariong Juvenile Correctional Centre to the Department of Corrective Services. Recent changes to the Children (Detention Centres) Act 1987 and the introduction of the department's classification system mean that detainees and their visitors are moving between the adult system and the juvenile system. For that reason it is essential that levels of protection around information are consistent between departments. This sensible package of reforms will improve the safety and security of juvenile justice centres and the surrounding community. I commend the bill to the House.

Ms VIRGINIA JUDGE (Strathfield) [4.10 p.m.]: I support the Children (Detention Centres) Amendment Bill and I commend the Minister, his hardworking staff and the departmental officers for their diligence and hard work in bringing the bill to the House. The bill amends the Children (Detention Centres) Act 1987, the Children (Criminal Proceedings) Act 1987 and the Crimes (Administration of Sentences) Act 1999 to provide stronger management of juvenile detention centres, to tighten discipline and to improve safety for staff and detainees. To summarise, the bill contains a wide-ranging package of reforms identified during a long review of detention centres. I believe all relevant unions were consulted about the legislation. In recent times there have been big changes to the physical environment of juvenile detention centres so now we are turning our minds to what is occurring within them.

Thankfully, far fewer young people are being sentenced to incarceration in detention centres. It is always tragic when we must incarcerate young people who break the law. However, initiatives such as the successful diversionary programs that were introduced under the Young Offenders Act have had a positive effect on the young offender population. The fact remains that detention centres serve a purpose and we must make sure that the staff who work in those environments have the tools they need to do their job. The proposals in the bill reflect the Government's determination to ensure that staff working in juvenile detention centres have sufficient and wide-ranging powers to deal with some of the most difficult young people in the State. It gives those hardworking staff the capacity to draw on the same specialist support as adult correctional officers when dealing with very serious disturbances and riots in juvenile justice centres. Such events are, thankfully, very rare but the Government is committed to ensuring that they are dealt with in the most efficient and effective manner.

The Director General of the Department of Juvenile Justice, pursuant to section 26 of the Act, will enter into a memorandum of understanding with the Commissioner of Corrective Services to facilitate the use of Corrective Services teams. Custodial environments pose a unique challenge and Corrective Services teams are

specialists at resolving difficult situations. The staff are well trained and drilled in applying the most effective techniques to resolve disturbances, using only necessary force. Indeed, in many cases their skill and training enable them to resolve incidents without the need to resort to the use of force. The strategy also has the benefit of freeing police resources, allowing officers to concentrate on their main responsibility of law enforcement.

An additional power introduced in the legislation will allow the director general to authorise the placement of detainees in their rooms during riots, disturbances or other emergencies in centres. This measure will enable centre staff to secure centres and, importantly, to maximise the safety and protection of detainees in difficult and potentially dangerous situations. The bill also strengthens the ability of the Department of Juvenile Justice to detect and prevent drugs and other contraband from entering juvenile detention centres. Contraband includes illicit drugs and alcohol but also other dangerous and prohibited articles, such as cigarettes, weapons and mobile telephones. Apart from having a detrimental effect on young people, such items also pose serious safety and security problems for staff and other detainees. All visitors to centres will be subject to searching similar to that carried out at airports, that is, walk-through metal detector screening, wands and a request to search visitors' bags. The searching proposed does not involve physically touching a visitor. The changes introduced in this bill are sensible measures that are designed to provide support to juvenile justice centre staff and to ensure the integrity of the juvenile justice system. I commend the bill to the House.

Ms SANDRA NORI (Port Jackson—Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development) [4.14 p.m.], in reply: The Opposition has alleged that the current system of juvenile justice does not provide sufficient discipline. That is precisely why the Children (Detention Centres) Amendment Bill proposes a number of measures to deal with the challenging behaviour of juvenile detainees. Those measures include increased confinement and allowing Department of Corrective Services response teams access to juvenile justice centres to quell serious disturbances.

The bill builds on existing practice. All centre staff are trained to handle violent and emergency situations. There is an emphasis on safety and security, with the wellbeing of staff a top priority. With the help of the Department of Corrective Services, management and senior staff at Acmena have been trained specifically in managing emergency situations. Last August staff participated in a joint exercise with police and the fire brigade designed to test emergency procedures. It was a full-scale emergency simulation. The honourable member for Clarence has alleged that Department of Juvenile Justice staff are too afraid to act for fear of being investigated for using force inappropriately. The Government takes this issue very seriously. That is why, as the Parliamentary Secretary said in his second reading speech, we are pleased to advise that an historic class or kind agreement under section 33 (1) of the Commission for Children and Young People Act 1998 has been finalised by the Commission for Children and Young People and the director general of the Department of Juvenile Justice.

This agreement recognises for the first time the particular challenges faced by Department of Juvenile Justice staff in exercising legitimate use of force. The agreement specifically recognises that legitimate use of force is not "reportable conduct" for the purposes of the Commission for Children and Young People Act 1998. The agreement also means that complaints concerning the use of force will not be reportable when the outcome of an investigation is that the allegation is "not sustained due to insufficient evidence" and the allegation is not of a serious nature. Furthermore, allegations of low-level neglect when no harm occurred to the detainee will no longer be reportable. At the same time the bill ensures that the department is accountable to appropriate child protection services for its actions in dealing with young people who often have a background of abuse. Far from excusing and ignoring the problem of juvenile crime and misbehaviour in juvenile justice centres, the Government has tackled these issues head on with this bill. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

ADMISSION OF THE TREASURER INTO THE LEGISLATIVE ASSEMBLY

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

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it agrees to the request of the Legislative Assembly in its Message dated 25 May 2006 for the Honourable Michael Costa, MLC, Treasurer, Minister for Infrastructure, and Minister for the

Hunter, to attend the Legislative Assembly on Tuesday 6 June 2006 at 12 noon to give a speech of unlimited duration in relation to the New South Wales Budget 2006/07.

Legislative Council
25 May 2006

MEREDITH BURGMANN
President

DRUG MISUSE AND TRAFFICKING AMENDMENT BILL

In Committee

Consideration of the Legislative Council's amendment.

Schedule of the amendment referred to in message of 10 May

Page 3, Schedule 1 [1], lines 4–6. Omit all words on those lines.

Ms SANDRA NORI (Port Jackson—Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development) [4.21 p.m.]: I move:

That the Legislative Council's amendment be agreed to.

Mr DARYL MAGUIRE (Wagga Wagga) [4.21 p.m.]: The Opposition has no objection to this amendment.

Legislative Council's amendment agreed to.

Resolution reported from Committee and report adopted.

Message sent to the Legislative Council advising it of the resolution.

SYDNEY CRICKET AND SPORTS GROUND AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Ms SANDRA NORI (Port Jackson—Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development) [4.22 p.m.]: I move:

That this bill be now read a second time.

The objects of this bill are to amend the Sydney Cricket and Sports Ground Act 1978, being the principal Act, to enable the lands defined as scheduled lands under the principal Act which are dedicated for public recreation to be used for additional purposes in accordance with State environmental planning policy, to place certain restrictions on the use of that land and to update references in the principal Act to the provisions of the Crown Lands Consolidation Act 1913 that have been repealed and replaced by the Crown Lands Act 1989. The Sydney Cricket and Sports Ground Trust identified in its Strategic Asset Management Plan, Condition Audit Assessment Report and a draft master plan the need to provide new and upgraded public and corporate facilities within trust lands including the construction of the Sydney Cricket Ground [SCG] Hill grandstand. The trust considers there are two sites within trust lands with potential for redevelopment to fund these new and upgraded facilities: the gold members car park site and the area behind the SCG Hill.

The trust considers the gold members car park site is underutilised and that its commercial development has the potential for generating funds to be used on the construction of public infrastructure on its lands, including the proposed SCG Hill grandstand. The trust considers that the SCG Hill site has become a liability due to its deteriorating condition, inefficient operation and high maintenance costs. The trust believes the current state of the Hill area is disadvantaging it in comparison to other venues both within the State and interstate. Construction of the proposed Hill grandstand is considered an urgent priority by the trust. The commercial development of this land has the potential to generate funds for the construction of the grandstand and other projects in the trust draft master plan.

The Sydney Cricket and Sports Ground Act came into force in April 1978. The Act established the Sydney Cricket and Sports Ground Trust, known as the trust. The trust is charged with the responsibility of care,

control and management of the land and assets of the trust, which are dedicated for public recreation. The trust's powers extend to the ability to carry out works on the trust land which includes the SCG, Aussie Stadium and the surrounding land, including the members' car park. Trust land is described in schedule 2 to the Act. The Sydney Cricket and Sports Ground Act currently allows the Minister to authorise certain uses on trust land and allows the trust to carry out works or enter into agreements to carry out works for those uses.

Section 14 of the Sydney Cricket and Sports Ground Act allows trust land to be used by persons, clubs, associations, leagues or unions as the trust may think fit and proper for cricket, football, athletic sports or public amusement, and any other purpose the Minister may approve consistent with public recreation dedication. Section 16 of the Sydney Cricket and Sports Ground Act allows the trust to carry out any work in connection with the improvement, development and maintenance of trust lands for public recreation purposes. Section 16A (1) of the Sydney Cricket and Sports Ground Act requires the Minister to consult with the Ministers administering the Environmental Planning and Assessment Act and the Public Works Act before approving the carrying out of certain improvements and plans relating to the improvements on trust lands.

Section 16B of the Sydney Cricket and Sports Ground Act allows the Minister to approve the carrying out of certain improvements on scheduled land and assets of the trust for public recreation under 16A of the Act, without reference to the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993 in respect to the approval of the Minister to the carrying out of improvements, the use of those improvements or the designated land on which the improvements are carried out. Section 12 (2) of the Sydney Cricket and Sports Ground Act only permits trust land to be leased in accordance with division 3 of the Crown Lands Consolidation Act 1913 or the equivalent provision in the Crown Lands Act 1989.

This bill provides a mechanism for the authorisation of additional land uses on SCG land in the following manner. The Minister for Planning may authorise additional uses on specified sites within the "scheduled lands" through a State environmental planning policy, and the concurrence of the Minister for Sport and Recreation is required before making the policy. Developments on land where additional uses are authorised will be subject to State planning processes. Once additional uses are authorised, section 16B of Sydney Cricket and Sports Ground Act will no longer apply.

Exceptions will apply in relation to approvals granted under section 16A of the Act before a State environmental planning policy or these changes to the Act took effect or took affect in response to an application by the trust. Section 16B of the Sydney Cricket and Sports Ground Act does not prevent provision being included in a State environmental planning policy in relation to any part of the scheduled land that is designated land. The trust will also be required to gain the approval of the Minister for Sport and Recreation before submitting a proposal for additional uses.

I would like to highlight this last point. The Minister for Sport and Recreation will have a critical role in approving any proposed additional uses that will impact on the most important sporting icon in New South Wales. I personally will take this responsibility to consider the heritage and sporting history of the venue in the most serious manner. Furthermore, the need to ensure the interests of the broader sporting community in accessing the venues administered by the trust will be foremost in my considerations for any changes to the allowable uses.

The bill enables the trust to enter into commercial agreements and other legal arrangements to allow additional uses to be realised in respect of the specific areas of the scheduled lands, including the gold members car park site and the area behind the area of the proposed hill grandstand. The bill also enables the trust to enter into agreements, with the approval of the Minister for Sport and Recreation, with the private sector for the development and funding of projects identified in the trust's draft master plan. These projects could include the development of a new grandstand to replace the Doug Walters Stand and building the proposed hill grandstand, incorporating corporate facilities and commercial facilities. Commercial uses are not currently permitted under section 14 of the Sydney Cricket and Sports Ground Act.

A significant aspect of the bill is that allowing trust lands to be used for additional purposes ensures that the land is used for the benefit of the trust and the community. The public and business community will benefit from additional uses. The bill prohibits residential development over the whole of the scheduled lands other than on the land described in schedule 2B, which is currently the site of the gold members car park. The bill also prohibits tourist and visitor accommodation—including hotels and serviced apartments—from any part of the scheduled lands that are not designated lands, which is the southern half of the scheduled land in the environs of the Sydney Cricket Ground, including the Sydney Cricket Ground hill site.

The bill amends section 16 of the Sydney Cricket and Sports Ground Act by inserting new sections 16C, 16D and 16E after 16B relating to additional uses on the scheduled lands. Section 16C prescribes additional uses allowed on the scheduled lands. Subject to the restrictions proposed in section 16D, section 16C (1) provides that any part of the scheduled lands may be used for permissible purposes, that is, purposes permitted on that part by a State environmental planning policy. Section 16C (2) provides that, despite any provision under the Environmental Planning and Assessment Act 1979, provision permitting or prohibiting the use of any part of the scheduled land for specified purposes may not be included in a State planning policy without the prior concurrence of the Minister for Sport and Recreation. Section 16D prescribes certain uses of scheduled lands which are prohibited. Section 16D (1) prescribes that:

- (a) no part of the scheduled lands (other than the land described in schedule 2B—the members car park site) may be used for residential accommodation;
- (b) no part of the scheduled lands (other than designated land) may be used for tourist and visitor accommodation.

Section 16D (2) clearly defines the terms "residential accommodation" and "tourist and visitor accommodation". Section 16E prescribes ancillary provisions relating to the development and use of scheduled lands for additional purposes, that is, permissible purposes permitted by a State environmental planning policy. Section 16E makes it clear that the dedication of scheduled lands for public recreation does not prevent or otherwise affect the use of any part of the scheduled lands for a permissible purpose, and makes it clear that the dedication of scheduled lands for public recreation does not prevent or otherwise affect the grant of a lease or licence that permits or otherwise provides for its use for a permissible purpose.

The section also extends the provisions of sections 102, 103 and 108 of the Crown Lands Act 1989 to the leasing and licensing of any part of the scheduled lands for a permissible purpose; extends the provisions of section 16 of the Act to enable the use of any part of the scheduled lands for permissible purposes in the same way that they apply to purposes referred to in sections 14 and section 15 of the Sydney Cricket and Sports Ground Act in respect to trust powers to authorise use of schedule lands and powers in respect additional lands; and allows the trust to exercise its functions in a partnership, joint venture or other association with other persons or bodies for the purposes of enabling the use of any part of the scheduled lands for purposes permitted by the State environmental planning policy.

The provisions relating to additional uses are similar to existing provisions in the Crown Lands Act 1989 that allow the Minister to authorise additional uses of Crown land. In July 2005 amendments were introduced into the Crown Lands Act 1989 to provide for additional uses on Crown Land and allow for greater flexibility in leasing land. These provisions provide for additional uses on reserves where the Minister considers it is appropriate and the proposed use has been duly notified. The bill also amends outdated references to the predecessor of the Crown Lands Act 1989 allowing the trust to exercise its functions as if it were a reserve trust established under that Act.

The Sydney Cricket Ground was originally dedicated for public recreation under the Crown Lands Consolidation Act 1913, which was repealed by the Crown Lands Act 1989. No order has been made previously in relation to the Sydney Cricket and Sports Ground Act to amend the references to the Crown Lands Consolidation Act 1913 to provide for the application of the Crown Lands Act 1989 on trust land. The bill rectifies this by amending sections 8, 9, 10, 11 and 12 of the Sydney Cricket and Sports Ground Act by replacing references to the Crown Lands Consolidation Act 1913 with appropriate references to the provisions of the Crown Lands Act 1989.

Following the enactment of this bill by the Parliament the Minister for Planning will broaden the permissible uses allowed within the site consistent with the provisions of the bill. This will be done by a suitable planning instrument such as an amendment to the Major Projects State Environmental Planning Policy. The amendment to the instrument will not only allow for a broader range of uses but also introduce appropriate controls to ensure compatibility of any proposed development with the main recreational functions of the Stadium and the Sydney Cricket Ground.

Perhaps the most important aspect to note in the proposed amendments to the legislation is that there will be two processes of checks and balances to ensure that the continued operation of this most important sporting venue precinct is protected for future generations. The Minister for Sport and Recreation is required to approve any new uses on the trust lands, and the Minister for Planning will provide an additional level of scrutiny through statutory planning processes. These safeguards are comprehensive to ensure that public interests are protected, yet allow for some flexibility for the trust to further develop the venues under its management to best meet the needs of the State's sporting community. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

DRUG MISUSE AND TRAFFICKING AMENDMENT (HYDROPONIC CULTIVATION) BILL

Bill introduced and read a first time.

Second Reading

Ms CARMEL TEBBUTT (Marrickville—Minister for Education and Training) [4.37 p.m.], on behalf of Mr Bob Debus: I move:

That this bill be now read a second time.

This bill addresses the cultivation of prohibited plants by hydroponic or other enhanced indoor means and is directed towards organised commercial production using residential premises. In recent years NSW Police have detected a significant increase in the number of hydroponic cannabis operations conducted in domestic dwellings, as well as an increasing tendency for these operations to involve organised crime syndicates. Cannabis plants cultivated by hydroponic and other enhanced indoor means grow much faster than plants grown by traditional outdoor methods, and produce between five and seven times the yield. The current quantity amounts in the Drug Misuse and Trafficking Act at which maximum penalties apply for cannabis cultivation offences are based upon the yield, harvest patterns and profitability of outdoor, or "bush grown" cannabis. They are not an accurate reflection of the commerciality of hydroponic cannabis operations. This bill addresses this inequity.

Schedule 1 amends the Drug Misuse and Trafficking Act 1985. Item [1] inserts in the Act a definition of "cultivation by enhanced indoor means" in relation to a prohibited plant. The two leading methods of enhanced indoor cannabis cultivation—hydroponics and aeroponics—are covered by the definition. Item [16] inserts a new plant category into schedule 1 of the Act entitled "Cannabis plant cultivated by enhanced indoor means", with the commercial and large commercial quantities being set at levels five times lower than for outdoor cannabis to reflect the much higher yields produced by this method. This means that existing maximum penalties for cultivation offences involving commercial and large commercial quantities will cut in at these lower levels in respect of cannabis cultivated by enhanced indoor means to reflect the commerciality of operations of this size. The bill makes no change to existing small and indictable cannabis quantities, with current maximum penalties continuing to apply in these cases.

Item [5] creates a new offence targeting the enhanced indoor cultivation of a prohibited plant for a commercial purpose. The offence will be available in cases involving not less than the small quantity and less than the new commercial quantity for enhanced indoor cultivated cannabis—five to 49 plants. The new offence recognises that there may be enhanced indoor operations within this range that produce commercial yields for the purpose of sale, but that there may also be home growers who cultivate this number of plants for their own use. As a result, the offence will require the prosecution to prove a "commercial purpose", which will require proof of intention to sell any of the plants or its products, or proof of a belief that another person intends to do so. The new offence will carry the same maximum penalty as a cultivation offence involving a commercial quantity, that is, \$385,000 and/or 15 years imprisonment.

Item [8] introduces offences into the Act with respect to the enhanced indoor cultivation of prohibited plants in the presence of children. The aggravated offences take the same form as those included in the recent Drug Misuse and Trafficking Amendment Bill 2005, and recognise the inherent risks to children of exposure to the hydroponic process, such as fire, electrocution, extreme heat, dangerous chemicals, insecticides and fumes as well as toxic gases and airborne bacteria. Maximum penalties for the aggravated offences will be 20 per cent higher than for existing offences.

The bill also amends the drug premises provisions of the Drug Misuse and Trafficking Act 1985 and the Law Enforcement (Powers and Responsibilities) Act 2002 to enable police to respond effectively to the clandestine and highly organised criminal activity associated with commercial hydroponic cannabis operations. Item [13] extends the definition of "drug premises" to include "premises used for the unlawful commercial cultivation by enhanced indoor means of any prohibited plant". The current indicia in section 36W of the Drug Misuse and Trafficking Act that assists the court in determining whether a particular premise is in fact a drug premise will also be amended to include items specific to the enhanced indoor cultivation of cannabis and other prohibited plants.

Due to the widespread practice among organisers of hydroponic cannabis operations to steal electricity from the grid to operate their lights, ventilators and other equipment, the bill also amends the Electricity Supply

Act 1995 to increase maximum penalties associated with this practice. In summary, the measures in the bill constitute yet another decisive response by the Government to developments in drug crime as they emerge. The new laws have been designed in such a way as to specifically target the commercial cultivation of prohibited plants through hydroponic and other enhanced indoor means, and will ensure that maximum penalties for these offences accurately reflect the level of commerciality and criminality involved. They will also provide law enforcement agencies with the necessary armoury to infiltrate the clandestine and highly organised criminal activity associated with operations of this nature, sending a clear message that "out of sight" will not necessarily mean "out of the reach of the law" for these criminals. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George.

BUSINESS OF THE HOUSE

Notices of Motions

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! Pursuant to the resolution, the House will now deal with General Business Notices of Motions (General Notices).

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

MULTIPLE SCLEROSIS AUSTRALIA FIFTIETH ANNIVERSARY

Mrs BARBARA PERRY (Auburn) [4.55 p.m.]: It is with great pleasure that I take this opportunity to draw attention to 50 years of service to our community by MS Australia, which was formerly the Australian MS Society. In late March I had the privilege of attending a gala evening in recognition of the fiftieth anniversary of the society's inception and celebrating the end of an international conference that was held in Sydney. The occasion honoured those who have played significant roles in the establishment and growth of the society, namely John Godfrey and Ron Phillips, who were responsible for the formation of the Australian MS Society in Sydney in 1956. In no time at all, the organisation spread throughout all States in Australia. In all its years, MS Australia has been a source of hope, support and innovation for all people affected by multiple sclerosis [MS]—sufferers, their families, friends and the community.

Over the years the greater Australian community has come to recognise the society as an organisation that is dedicated to finding a cure for MS. This mysterious disease is something that continues to hold many unknowns for researchers. In all this time, MS Australia has had a resilient dedication and enthusiasm towards finding answers and has continued its fantastic support for those who are living with MS. Along the way the society has gained the support of many arms of government, the health sector and other corporate industries. I acknowledge recent financial support from the Government through the office of the Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer), the Hon. Frank Sartor, and the office of the Minister for Ageing and Minister for Disability Services, the Hon. John Della Bosca, for the international conference that was held in Sydney in March.

I applaud the commitment of the Government in working together with MS Australia to help to find a cure and to support those who are affected by MS. It is imperative that we take our support beyond those who are directly affected by the disease. We must make a commitment to researching MS to protect everyone. We must continue to support all people who have experienced the debilitating affects of MS through a loved one, friend or colleague. This is not just a disease that affects 16,000 Australians who have been diagnosed with MS: it extends far beyond that immediate boundary. MS is, and should be, a whole-of-community concern. As it stands, MS is still for many an unfathomable disease that mostly hits people in their prime, especially between the ages of 20 to 40, and it affects predominantly more women than men.

MS sufferers can be afflicted with any number of symptoms that can come and go or depart as randomly and unpredictably as they arrive. The thought of living with MS is almost incomprehensible to me. That is why I consider it so important that we maintain our support. MS Australia founders, John Godfrey and Ron Phillips, said it best when they declared that the fight would continue until MS stands not for multiple sclerosis but for "mystery solved". The hard work of MS Australia and its committed staff throughout the years

has maintained the pioneers' original vision to raise awareness of MS and find a cure. The Governor-General of Australia, His Excellency Michael Jeffrey, who attended the gala dinner, said rightly:

... the success of MS Australia can be attributed not only to dedicated and passionate people but to the blatant grit and determination of those involved. Not only is it a recipe for success, it is the epitome of the Aussie character.

I am sure that with the continued support of all members of our community we will soon see many mysteries solved, and much relief given to those living with MS. I also acknowledge the hardworking and dedicated staff from the New South Wales branch office of MS Australia, which is located in my electorate in Lidcombe, particularly Bill Northcott and John Roubichek, who are no longer with the society. I also acknowledge staff who have worked for many years to look after people who are living in residential care facilities as respite clients or as longer-term residents. It is a great pleasure to honour the people at MS Australia, who continue to work hard to research and better understand multiple sclerosis, and who are committed to searching for a cure—seven days a week, 52 weeks a year.

MR STANLEY ALLEN AND MR JOHN ALLEN OLD BONALBO PROPERTY DAM

Mr THOMAS GEORGE (Lismore) [5.00 p.m.]: I make this private member's statement in support of Stan Allen and John Allen from Duck Creek Road, Old Bonalbo, who are third and fourth generation farmers, and in support of the entire community in the Old Bonalbo district. Stan and John recently constructed a dam whose capacity they thought was within the limits of harvestable rights. However, following receipt of a complaint, the Department of Natural Resources inspected the dam and found it to be approximately twice the size it should be, albeit that its current level is nowhere the permissible water storage limit. The community in general supports the Allen family in their attempts to negotiate a suitable arrangement with the Department of Natural Resources. I draw the attention of the House to this issue because regrettably all those attempts have failed. I ask honourable members to picture the Allens' property. It is at the top of a gully and does not have a running creek, and the dam is a constructed facility. The land surrounding the dam and beyond the boundary at the rear of the Allens' property is a national park.

The adjoining Richmond Range National Park has no water. I have copies of 16 letters in support of Mr Allen retaining his dam. They are from the Casino Rural Lands Protection Board, the Old Bonalbo Rural Fire Brigade, Upper Clarence Combined Landcare Incorporated, the New South Wales National Parks and Wildlife Service, and Mr Athol Young, and Mr and Mrs John Clark, neighbours. The organisations and neighbours are supporting Mr Allen because they realise that his dam will be the water supply for the next fire in the area. The last time a fire occurred in the area the National Parks and Wildlife Service helicopter had to fly to Toonumbar Dam to access water. If the top water level of Mr Allen's dam is lowered to that required by the Department of Natural Resources, emergency services would not be able to access the water. That would create a firefighting problem.

Last week the Allens received a letter headed "Water Act 1912 Direction Under Section 21B (1) (b)", signed for the Water Administration Ministerial Corporation by Richard Sheldrake, Director General of the Department of Natural Resources. The letter directs the Allens to lower the dam wall within 90 days of the date of signing of the letter, which was 11 May 2006, or be liable for a fine of \$11,000. The Allens did not receive the letter until a week later. In addition, the letter states that they will face a further penalty not exceeding \$1,100 for each day that the offence continues. The letter further directs them to obtain a written report from a qualified civil engineer. He cannot get a civil engineer to do that until the middle of next month. And, guess what? All the local contractors are 12 months behind in their work. There is no way that Mr Allen can comply with that direction within 90 days.

I will make further representations to the Minister for Natural Resources, and Minister for Primary Industries, who instructed the Department of Natural Resources to issue that direction. Mr Allen has written to the National Parks and Wildlife Service asking for it to transfer its water entitlement to him, because the service has nowhere to put a dam in the national park. The service administers approximately 3,000 acres that adjoin the Allens' property. Mr Allen suggested that his dam be exempted so that the animals that graze in the park can use his water and the service can use his water every time a fire occurs. The department will not transfer the service's harvestable rights to Mr Allen, notwithstanding that that transfer would benefit the whole community. This is a ridiculous situation. I draw it to the attention of the Minister and ask him for his support in fixing the problem. [*Time expired.*]

STATE EMERGENCY SERVICE CANADA BAY FIFTIETH ANNIVERSARY

Ms ANGELA D'AMORE (Drummoyne) [5.05 p.m.]: It gives me great pleasure to acknowledge on the parliamentary record the brilliant work of my local Canada Bay State Emergency Service [SES]. On Wednesday 17 May 2006 at the Canada Bay SES Headquarters, 15-17 Regatta Road, Five Dock, I had the honour of presenting to a number of the local SES volunteers the SES Fiftieth Anniversary Medallions. I give a special thank you to local controller, Alan Parkin, for his invitation and kind welcome on the evening. The medallions have been produced by the New South Wales Government in conjunction with the New South Wales SES Volunteers Association. It is a clear indication of the value that the State Government places on volunteers serving in our communities.

The medallions were presented to Bill Hoyles, Robert Hoyles, Alan Parkin, Michelle Lim, David Johnsun, Pat Parkin, Darrin Parkin, Caroline Suster, Stuart Hanshaw, Phyllis Ikin, Glenda Stowell, Andrew Stowell, David Remollino, Thi Nguyen, Samantha Connelly, Arthur Lo, Leanne Bendall and Kenneth Bendall. I thank wholeheartedly Kerry Bibb, Helen Dewhurst and Trish Parkin for the wonderful barbeque they prepared for us after the ceremony. The presentations were made during National Volunteer Week, celebrating a strong call to action for our traditional week of recruitment and awareness raising. The theme for 2006 National Volunteers Week, which ran from 15 to 21 May, was "Change your world—start now". That theme seeks to both promote awareness of the role that volunteers play in their communities and encourage recruitment of new volunteers.

I acknowledge the recruitment of four recent SES volunteers to Canada Bay SES, who were present for the medallions ceremony. They are Lyndon Blok, Joanna Ginotto, John Gattenhof and Rosetta Lindino. I extend my personal thanks to those four new SES volunteers for making the commitment. It is important that I record the history of the Canada Bay SES. The Canada Bay SES is the descendent of two civil defence organisations in the local government areas of Concord and Drummoyne, which amalgamated in 2000 to become Canada Bay. In 1961 Concord had a civil defence organisation under local controller E. N. Robinson. In that year basic training was under way and warden post areas had been delineated.

Drummoyne's unit existed even earlier: T. J. Marsh was the controller in 1958 and by 1961 a household register had been completed and the members had participated in Operation Picnic, which simulated a mass evacuation from inner Sydney to the Blue Mountains. By that time the welfare section was supplying Meals on Wheels within the council area and nearby. That activity gave the members experience in home nursing and allowed them to gather information on who would need special attention in the event of evacuation. In addition, the Drummoyne Civil Defence Organisation undertook clean-ups of overgrown yards that were, as stated in the Civil Defence Bulletin, "a menace to health and a fire risk".

Members also distributed a pamphlet on civil defence to households within the municipality. The Drummoyne SES first operated from the local RSL building. The RSL provided other support to the local Civil Defence Organisation too, including donating an Oxyviva automatic resuscitator. There are records showing that Concord SES members participated in the responses to the Newcastle earthquake in 1989 and the northern suburbs wind and hailstorm of early 1991. Later in 1991 there was a merger and the Concord-Drummoyne SES came into being. The combined unit began with a bang—literally.

On the eve of the opening of the new headquarters in Rhonda Place, Concord, there was a smash and grab raid which netted the thieves \$8,000 worth of emergency equipment. The unit's staple fare was storm damage response, and between 1991 and 1996 it participated in a number of storm and other emergency response operations. These were not without incident—in 1994 one of the unit's trucks was badly damaged in a bushfire while its crew was assisting with evacuations and road closures at Bilpin. There were lighter moments, too: in 1994, while raising money for a hydrotherapy pool at Five Dock's Lucas Special School, the unit won the Great Billycart Race against teams from the police and fire brigades. A speed of 41 kilometres an hour was reached.

Following management and other problems the unit closed down in 1996. It was re-opened the next year under new Local Controller Alan Parkin, who initially had no headquarters and no members. A headquarters was provided at Regatta Road, Five Dock, and under Alan Parkin the membership has been built up to about 30. In 2000, following the council amalgamation, the unit took its present name. Today's Canada Bay SES is a full participant in Sydney Western Region rescue competitions. The unit came second in the last two competitions. I have requested that the Minister for Emergency Services, the Hon. Tony Kelly, visit the Canada Bay SES volunteers and I look forward to his visit. On behalf of the Canada Bay SES, I have requested

a \$10,000 grant to purchase training equipment for the volunteers, and I look forward to the Minister's response to my request. Recently, the local area commander, Alan Parkin, was awarded the Inaugural Premier's Award for Excellence in Emergency Services, and has twice reached the finals for the Village Voice Canada Bay Citizen of the Year. Congratulations to Canada Bay SES Volunteers, you certainly make our local community proud.

BIOFUELS

Mr IAN ARMSTRONG (Lachlan) [5.10 p.m.]: It is no secret that the cost of fuel affects everyone in the community, particularly in New South Wales. As the State with the largest population and business activity, and the second-largest port in Australia, New South Wales attracts a large section of the tourist industry. The area I represent is the middle of the State, give or take a bit. The Lachlan shire takes in the geographic centre of New South Wales. We have a concentration of transport and road transport costs. I appeal to the New South Wales Government to take the lead in ensuring that biofuels are available in New South Wales, and I would be quite happy to give it the political kudos if it does. The use of biofuels would assist in the reduction of the high cost of fuel that is needed for everything, from heavy industry and the running of State trains to the large plant used in agriculture which chew up enormous quantities of fuel, especially at this time of the year.

Why is that occurring at this time? It is occurring because of the exceptionally dry circumstances in New South Wales. Currently, most farmers in the broader acres are putting in crops and the amount of horsepower that is necessary to pull machinery through those heavy dry grounds is enormous. Many farmers have told me that costs have gone through the roof. These high petrol prices are affecting tourism. It costs tourists more to travel and it costs bus operators a great deal more to travel interstate. In the past 18 months there has been a 24 per cent decline in tourism across much of inland New South Wales. A number of companies have said that they are interested in commencing biofuel processing and manufacturing operations. Four companies located in Gunnedah, Forbes, Narrandera and Orange are willing to invest their capital to produce biofuels. They are not asking for government money. All this Government needs to do is mandate the use of biofuels and lead the way in this area.

This Government has a fleet of 26,000 vehicles; it is the largest owner of combustion engines in this State. It would be within the capacity of this Government to use biofuels in all those vehicles. At the moment it is a bit like *Keystone Cops* in country towns. Little white government cars charge out in the morning burning up expensive petrol and emitting blue smoke from their exhausts. The Government has an opportunity to take the lead in this area. Scientific facts relating to biofuels have been well and truly proven and the majority of modern vehicles are quite compatible with biofuels, in particular, ethanol-based fuels. The Minister said recently in answer to a question on notice that even the ministerial car fleet of 23 vehicles are biofuel or ethanol compatible.

The honourable member for Orange, who is in the Chamber, has a six-cylinder Australian-made car that has been running on an ethanol mix for a long time. I assure all honourable members that he would not be doing so unless it was economically and environmentally satisfactory and was helping to reduce the effect of fuels on the general community. Biofuels are already available in some communities, and government vehicles that use these biofuels are based in a number of country towns. If this Government indicates that it is prepared to use a certain percentage of biofuels every week, I am sure a number of service stations would spring up and sell that fuel without any government assistance.

On behalf of the general users of fuel in this State—in particular, light industry, heavy industry, agriculture and manufacturing companies in country areas that are faced with the tyranny of distance and getting their products to the seaboard and into major markets in Sydney—I appeal to this Government to show some initiative by promoting the use of biofuels, in particular, ethanol-based fuels. The mills at Manildra and Nowra have championed this cause for some time. The Government should acknowledge that fact, support the use of biofuels, and do this State a service. [*Time expired*]

CRYSTAL METHAMPHETAMINE AND GAMMA-HYDROXYBUTYRATE

Mr MICHAEL DALEY (Maroubra) [5.15 p.m.]: On 11 May I made a private member's statement relating to a drug called gamma-hydroxybutyrate [GHB]. I was inspired to do that for a number of reasons, principally the dangers inherent in these new or newly introduced drugs. I am mindful of how much the pattern of drug usage has changed in the last 20 years. I am fearful of the threat presented, especially to young people who use these drugs on a recreational or casual basis. My private member's statement on GHB was reported in

this week's *Southern Courier*, which has a wide distribution in my electorate and in the electorates of Coogee and Heffron. As result of that story I received many representations this week, and I suspect I will have many more when I go back to my electorate office tomorrow.

Most of those representations have come from parents who are fearful of the fact that they know very little or nothing about these new and emerging drugs. On 11 May I spoke about GHB. Today I wish to speak briefly about other new and emerging drugs. I acknowledge that I rely heavily on publications issued by the National Health and Medical Research Centre of the University of New South Wales, which is located in my electorate. I congratulate that centre on the excellent work it does and encourage parents to have a look at some of its publications. I refer principally to a report issued in 2005, the principal author of which is Dr Rebecca McKetin, entitled "Estimating the number of regular and dependent methamphetamine users in Australia", which is frightening. The report states:

Almost one in ten Australians have tried methamphetamine (known locally by the street terms 'speed', 'base', 'ice', and 'crystal'... and around half a million Australian adults are current users of the drug.

Consider that! The report continues:

Heavy methamphetamine users show high levels of criminal involvement and contact with the criminal justice system, while police, together with other frontline services, bear the brunt of managing aggressive behaviour associated with methamphetamine-induced psychosis.

As I said earlier, the numbers are frightening. According to the report:

The estimated number of regular methamphetamine users in Australia was 102,000... Of these regular methamphetamine users, it was estimated that there were 72,700 dependent methamphetamine users.

That is the number of people who are dependent on these drugs in one form or another. The report then states:

The bulk of regular and dependent methamphetamine users—

surprisingly to me—

were located outside Sydney.

What are the implications of this? They are frightening. The numbers and the implications are frightening. Traditional conceptions of chronic and problematic drug use in Australia have focused on dependent heroin users who contribute to the disease burden and crime disproportionately to their numbers in the population. The current findings in this report demonstrate that Australia also has a large population of dependent methamphetamine users, most of whom inject the drug. The size of this population appears to be larger than recent estimates of the size of the heroin using population in Australia.

Tonight I want to refer principally to one methamphetamine drug called ice or crystal meth. While speed is said to have 5 per cent purity, crystal meth has 80 per cent impurity. It causes individuals to feel falsely or overly confident, euphoric, alert and energetic. However, at toxic levels individuals may become extremely agitated, irrational, impulsive, paranoid, psychotic and—most worrying for people who have young children who go out on Friday and Saturday nights and wish to have a good time—aggressive. A frightening prospect for any parent is the fact that young children, principally young men, might have too much to drink. They might then have what they think is a nice whack of crystal meth or ice on the way home and, all of a sudden, we have monsters to deal with.

In light of this and other drugs into which I have been looking recently, I said to the *Southern Courier* that later this year I will organise a drug forum in my electorate to educate parents and children on the health effects of these drugs, the effect they have in relation to aggression and crime, the impact they have on families, and the fact that parents are not equipped to deal with rapid changes in the nature and chemical compensation of drugs that are emerging and changing patterns of use.

VOLUNTEERS WEEK

Mrs JUDY HOPWOOD (Hornsby) [5.20 p.m.]: Last week, from 14 May to 19 May, was national Volunteers Week. On 18 May I attended the annual Home and Community Care volunteers celebration. Tonight I shall refer to all the fantastic things being done by volunteers in my electorate. On 18 May Hornsby Art

Society opened its 9 x 5 exhibition. I attended and thoroughly enjoyed the exhibition, which had great historical significance. In the early days artists in Sydney used to paint on the lids of wooden cigar boxes that measured 9 inches by 5 inches. Artists such as Tom Roberts, Arthur Streeton, Frederick McCubbin and Charles Conder, to name but a few, have become Australian icons. It was a most enjoyable experience. On 20 May I attended the Normanhurst Uniting Church Musical Society production of *Me and My Girl*. I congratulate the musical society on that fantastic production, which was thoroughly enjoyed by all in attendance. Also on Saturday 20 May I had the honour of opening the Berowra Lions Club op shop in Berowra. The Berowra Lions Club is well known for its fundraising, and I am sure that the op shop will contribute valuable funds to be spent on important projects.

The national Volunteers Week celebration lunch was held at the Asquith Golf Club and catered for by Simply Functional Catering. It is important to note the significant contribution that volunteers make to our society. I have some interesting facts about volunteering. In the 12 months to January 2005, 6.3 million adult Australians volunteered. Each year in Australia volunteers give around 836 million hours of their time. In 2005, 41 per cent of Australians volunteered, compared with 34 per cent in 2002 and 24 per cent in 1995. Some 47 per cent of volunteers are aged between 35 and 44 years, which is the most active age group of volunteers. On average, 18- to 24-year-olds volunteer 132 hours per year. The annual value of the volunteering effort in Australia can be counted in the tens of billions of dollars. Four out of 10 Australians volunteer, and volunteering in Australia is growing. That is fantastic news.

Volunteering is defined as work that benefits the community that is done of one's free will in an unpaid capacity for not-for-profit organisations. But it means much more than that to the volunteers. Australians are renowned for their mateship. We will always give a person a hand. Volunteering may help people to identify new and better ways of assisting others. The Australian Rugby League Federation; Bloom Chemist, St Ives; David Southwell, Village Concierge, St Ives; Gelatissimo, St Ives; Hopscotch; Hunter Valley Gardens; La Bell Café, St Ives; Maureen Hogan of Wassail Cellars, St Ives Chase; Michel's Patisserie, Turramurra; New Choice in Retirement; Rast Brothers Nursery; Sorrento, St Ives; and St Ives Village Florist donated fantastic prizes that were given away at the lunch.

Financial donations were made by Clubs New South Wales, Hornsby council, Ku-ring-gai Council and 11 participating agencies that form the Ku-ring-gai/Hornsby Volunteer Co-ordinators Forum. These agencies included Catholic Health Care, Ku-ring-gai Neighbour Aid, Easy Care Gardening, Ku-ring-gai Meals on Wheels, Pennant Hills Neighbour Aid, Hornsby/Ku-ring-gai Lifeline Neighbour Aid, Hornsby Meals on Wheels, Berowra Neighbour Aid, Hornsby/Ku-ring-gai Community Transport, Tuesday Activity Group and the Ku-ring-gai/Hornsby Volunteer Service. The room at Asquith Golf Club was packed. I extend my heartfelt congratulations to all those present, who volunteer many hours every year in order to help other people. Volunteering gives people a chance to help others and to give something back to the community, but it means even more to the volunteers.

SUTHERLAND RELAY FOR LIFE 2006

Mr BARRY COLLIER (Miranda) [5.25 p.m.]: On Saturday and Sunday 6 and 7 May my wife, Jeanette, and I participated in the Sutherland Relay For Life [RFL]. This is a 24-hour overnight community event to raise funds for the Cancer Council of New South Wales. The Sutherland RFL, one of four relays held across metropolitan Sydney, took place at the Sylvania Waters athletics field. The Relay For Life is not a race but a team event in which team members take turns to run or walk around a track for a 24-hour period. This year's event attracted 99 teams, with a total of 1,068 participants. Jeanette and I took part in this year's event as members of Collier's Crew—a team of 14 local supporters committed to raising funds for the Relay For Life. Other team participants included the young and old, male and female, cancer survivors and those undergoing treatment, their families, friends and carers as well as work, school and community groups, and service and sporting club members.

The diversity and composition of the teams reflected in the most tangible way two fundamental facts about cancer: first, each of us has had our life touched in some way by the scourge of cancer; secondly, cancer has no respect for age, occupation, status or gender. As one who lost his father to cancer at age 60 and his mother to leukaemia at 64, I know only too well the heartache of watching a loved one suffer from those terrible illnesses. I know, too, that unbearable feeling of helplessness as one watches one's family members and friends endure their treatment. But there is hope—hope in the form of those who have survived cancer, hope in the enormous advances that we have made in the early detection and treatment of cancer, and hope that one day we will be able to give every child born in Australia the assurance that they will never have to face the scourge of cancer in their lifetime.

That is where the Relay For Life comes in. It is a community event that raises money for the Cancer Council, which is a non-government organisation committed to cancer research, improving the prevention, detection and treatment of cancer, and providing support and advocacy for cancer patients and their families. The Sutherland Relay For Life got under way with the survivors' and carers' walk. Centenarian Mrs Flo Denning cut the ribbon to start the walkers and joggers on their 24-hour journey. Mrs Denning was diagnosed with bowel cancer at age 95 and had further surgery and radiation treatment for cancer at age 99. She is a fighter, a survivor and an inspiration to us all. The cancer survivors and carers walk is the first lap of the Relay For Life, during which we celebrate the survivors and carers for their strength, their courage and their victory over cancer.

The 99 teams, including Collier's Crew, then took to the track, raising funds for the Cancer Council through sponsorships, donations and even raffles at the track. At dusk we gathered for the very moving candlelight ceremony that celebrates the lives of those who have passed on and recognises the success of cancer survivors. It is a time to remember and a time to hope. Photographs of loved ones were flashed on the large screen, as each relay participant held an illuminated candle bag inscribed with a personal message in memory of a family member or loved one. Sutherland Relay for Life patron and local licensee Rob Stanley-Jones addressed us during the candlelight ceremony. Rob is currently engaged in his own battle with cancer. His energy, positive attitude and enthusiasm left us in no doubt that he would win his fight with the disease.

At least one walker or jogger per team remained on the track throughout Saturday night, while other team members stayed in tents pitched alongside the track, waiting to take their turn. On Sunday morning after a big breakfast we came together for a final lap. The 2006 Sutherland Relay for Life was a great event that raised more than \$160,000. I congratulate all the teams that participated in the 2006 Relay for Life and thank them for their mighty fundraising efforts. I congratulate the members of Collier's Crew, who raised more than \$6,500. Members of this hardworking and enthusiastic team, captained by Maree Shepherd, were Tony Iffland, Tim Iffland, Dominic Iffland, Chris Downing, Ann Holland, Mike Latta, Liz Larbalestier, Josh McIntosh, Nathan McIntosh, John McLean, Loretta Iffland and Jeannette Collier. Our team was ably supported on the ground by Jocelyn and Simon Ague and Warren Saxelby.

The Relay for Life would not have been the great success it was without the hard work, dedication and commitment of the committee, sponsors and so many magnificent volunteers. I particularly congratulate the 34 members of the Relay for Life Events Committee and its chair, Rod Coy. The committee includes five-year veterans such as Lisa Madden and Kim Taylor. Others such as Rod and Val Coy and Dennis Stamatelos are four-year veterans. Special thanks go to John Davies, Dianne Yates, Kellie Cousens and Reg Potter for their catering and site management work. Don and Marion Wood, together with their son Stuart, also deserve our thanks. I congratulate all major sponsors of the 2006 Sutherland Relay for Life and thank them for their contributions. Last but not least, I thank the ever-vigilant St John Ambulance officers and residents of the shire of all ages and backgrounds who got behind this wonderful community event. I thank each and every one of them for their individual contribution to the success of the 2006 Sutherland Relay for Life.

CONSERVATION HUNTING

Mr RUSSELL TURNER (Orange) [5.30 p.m.]: I shall speak this evening about conservation hunting on declared lands. The Game Council of New South Wales is a statutory authority of the New South Wales Government established under the Game and Feral Animal Control Act 2002. It is pleasing to note that the head office of the Game Council is located in Orange. There are five game managers across New South Wales. Hunting on declared lands is limited to State forests and Crown land. It does not include national parks. Two areas near Orange that specifically allow conservation hunting for licensed shooters are the Mullion Range State Forest and the Glenwood State Forest. Landholders whose land adjoins those forests are concerned about allowing licensed shooters and bow hunters into the forests. They are also concerned about confusing writing on the signs. They say one sign has in big print that licensed shooters are allowed to shoot in the adjoining lands, but in finer print it emphasises that they must be licensed shooters. We all know, unfortunately, that unlicensed shooters have always gone into State forests and various Crown lands throughout New South Wales. No-one has any idea about who they are and when they will start shooting.

One of the concerns of people around Mullion Range, and more particularly the Mullion Creek village and the Glenwood State Forest, is that shooters walk through those areas but no-one knows if they have the authority to do so. For many years farmers have asked for permission to go into State forests, Crown lands and national parks that adjoin their farms to help control feral animals so as to prevent them from killing lambs in farming country, for instance. Those farmers welcome being able to go into those places to help to control feral animals in this way but, as I said, not everyone is happy.

Mr Graeme Dray owns a property on the other side of the Macquarie River at Long Point, beyond the Mullion Range State Forest. He has seen an increase in the number of bow hunters on his private land. The shooters suddenly feel uncomfortable going into State forests because they are unlicensed and, in his words, "can't be bothered getting one". Mr Dray runs a number of goats that were once feral but he has introduced boar goats to improve their quality. He controls them, rounds them up and sells his stock once or twice a year. He has come across increasing numbers of bow hunters who have killed his goats. In some instances he has found arrows still in goats. The wounds have become fly blown and the goats have been walking around for some time in agony.

Whilst I generally approve of the Government allowing licensed bow hunters and shooters to go into these areas, an adverse follow-on is that unlicensed shooters go onto private lands. Because Mr Dray lives on the river—and there is a different local area command on each side—when he rings the police they show a lack of interest. One local area command refers him to the other because in their words "They might be back over the river by the time we get there. It is nearly an hour to get there." Mr Dray does not get much support from the police. He is concerned not only that he is losing goats but that many of them are in pain until he rounds them up and removes the arrow or destroys them. [*Time expired.*]

JOHN MARSDEN

Mr STEVEN CHAYTOR (Macquarie Fields) [5.35 p.m.]: I speak to the legacy left by a leading constituent, John Robert Marsden, AM, of Denham Court. John Marsden passed away on 17 May 2006 aged 64 while on holiday in Turkey. Many individuals and organisations in south-western Sydney were influenced and improved by John Marsden's personal dedication to justice. His legacy will always remain relevant to the lives of future generations through the homosexual equality that he championed, through the law firm that he started and through being south-western Sydney's leading patron of the arts.

My first experiences with law and politics, like many other community leaders around Australia, was associated with John Marsden. One of my first jobs was to work for Marsdens in Campbelltown. John Marsden was the first person outside the Australian Labor Party to encourage and promote my involvement in politics. He did this by telling me to resign if I wanted to stand as a Labor candidate for Campbelltown council, and I did. John Marsden constantly remained committed to law and politics as devices to make a better world. There was no place that John wanted that better world to start than Campbelltown. I know the honourable member for Campbelltown and the honourable member for Camden would agree with that assessment.

In the same way that John Marsden's virtues were far greater than the average man, so were his vices. However, beneath John Marsden's bohemian style was a soul deeply committed to civil liberties and access to justice. Marsden was complex, controversial, passionate and intelligent. He added persona to polite conversation. Beneath Marsden's loud, confronting and sometimes obnoxious style were words that provided a voice for segments of the population unable to be heard. When I worked for Marsden the following statement was displayed prominently in his office:

In Germany they first came for the Communists, and I didn't speak up because I wasn't a Communist.
Then they came for the Jews, and I didn't speak up because I wasn't a Jew.
Then they came for the trade unionists, and I didn't speak up because I wasn't a trade unionist.
Then they came for the Catholics, and I didn't speak up because I was a Protestant.
Then they came for me and by that time no-one was left to speak up.

John Marsden was always outspoken. He was always a voice for freedom against discrimination. He loved art and was the driving force for the contributions by the State Government and Campbelltown and Liverpool councils to the recently opened Campbelltown Arts Centre and Casula Powerhouse. John Marsden was chairman of both those leading art institutes. He will be most remembered and most missed at the opening of the new Casula Powerhouse.

Campbelltown was Marsden's home. However, he performed on a much wider stage. He was President of the New South Wales Council for Civil Liberties and the New South Wales Law Society. He was board member of the Anti-Discrimination Board and the Police Board. In recent years he recovered from an unjustified attack on his personal life by politicians in this Parliament and by the media. He never recovered from stomach cancer. In his last years John was patron of "A Just Australia", campaigning for the rights of refugees. The week he passed away he wrote a letter to all Campbelltown councillors persuading them to work harder to protect a heritage building in his beloved city.

Phone calls from John Marsden happened too early in the morning. I always called back at a more polite hour. Marsden's voice mail was always entertaining and provocative. Today, for the last time, I rang to listen to his last voice message:

Hi, it's John Marsden. Well, life's not that good at the moment. Howard let us down, there's no protection of Human Rights and Civil Liberties. He just follows the leader, follows Bush all the time. Bob Carr gave us 10 years, no infrastructure, no action, nothing. However, there is hope for Australia. Pray for Australia. Don't pray for America, it's a waste of time. Ring me back, my mobile is on all the time. Good luck, God Bless, John Marsden.

In typical Marsden passion and style there is enough there for all of us to agree and disagree. John Marsden remained steadfastly committed to public causes, despite the increasing toll on his health, to the end. His family, his friends, his colleagues, his clients, his community and his local member of Parliament will miss him. Vale John Marsden.

MURRUMBIDGEE ELECTORATE PRESCHOOL AND CHILD CARE FACILITIES

Mr ADRIAN PICCOLI (Murrumbidgee) [5.40 p.m.]: I support the many preschools in the Murrumbidgee electorate and congratulate them on their great contribution to our community. These days there is a great emphasis on the need for parents to work. Therefore, there must be opportunities for parents to have their children cared for while they work. The demands of modern life often mean that both parents work and additional pressure is put on them to find the resources to send a child to a child care centre or preschool. New South Wales and the whole of Australia have experienced a proliferation of child care centres, but I refer specifically to community based preschools.

As a child in Griffith I attended the Dorothy Wade and Police and Community Youth Club preschools, and gained a lot from those preschool days. Many of our children these days also benefit from attending preschools. One cannot speak about preschools without congratulating those who work in them and the volunteers who help run them. Griffith has a few preschools, Leeton has a couple and Finley has a very lovely preschool, but it always has difficulty surviving, struggling with trying to keep its fees as low as possible. Great volunteers and teachers support the kids and the parents who send them to that preschool. Coleambally has a terrific preschool, which not long ago received some Commonwealth funding to upgrade its facilities. That upgrade has now been completed. That is a great asset for the community and parents of Coleambally and the children who attend it now and will attend it in future.

I endorse the preschool policy announced several weeks ago by the Leader of the Opposition. It commits to additional funding of about \$300 million for preschools throughout New South Wales, to bring many of them up to the standards that we expect of our preschools. I am sure every member of this Parliament—whether members of the Labor Party, The Nationals or the Liberals—has been lobbied by their local preschools about the freeze on funding that has been in place since 1988. Those schools are dealing with financial pressures, increases in salaries, additional compliance costs, occupational health and safety compliance costs and the cost of providing facilities of the modern standard that we expect of any facility that looks after children.

I am aware how pleased the preschools in my electorate are to have the commitment by the Leader of the Opposition of the Coalition's support for preschools. I would welcome a similar commitment from the New South Wales Labor Government. Preschools should have bipartisan support. If the Government gave a similar or even better commitment, those who work in, support and rely on preschools would be comfortable in the knowledge that, no matter who wins the next election, preschools will be better off. We must support preschools, give them the financial support they need to keep operating and ensure their fees are affordable. Ultimately, we want an increase in the number of preschools and the number of preschool children they can look after. That will happen only with additional funding and other support from government, irrespective of who wins next year's election. At the end of the day, we want our preschools to remain viable so that they may continue to provide their valuable services to parents and children.

BEST DEAL DONE CONSUMER PURCHASING TECHNOLOGY

Mr MATTHEW MORRIS (Charlestown) [5.45 p.m.]: I bring to the attention of the House the recent launch of *BestDealDone.com*. Best Deal Done is the newest information technology based consumer purchasing package, and puts the consumer in the driving seat. I had the pleasure of officially launching the program at the Hunter Business Chamber's office recently. I am proud that this technology has been conceptualised, produced and delivered to the world from the Hunter region. Best Deal Done was created by a small group of individuals who identified a need to give greater power to the consumer and make the business sector work for their business.

The team—Mr Tony Richards, Mr Ray Balks, Mr Paul Fenton, Ms Glenise Anderson and Ms Sasha Fenton—has spent many hours getting this great service in place to offer a unique program that delivers benefits to the consumer and business alike. Essentially, Best Deal Done is a program that reverses the onus, which has historically been on the consumer, to source out the best deal for goods and services. Now, consumers simply identify what goods or services they need, and Best Deal Done then contacts businesses and suppliers, who then bid against each other to provide those services or goods.

The benefits to consumers include no cost being involved in looking for any products; shopping anonymously if they choose; significant opportunities for getting the best price or product; a positive shopping experience of watching providers compete for their business; no cost in seeking availability of any services; no necessity to advertise their needs externally for products or services; access to identity of providers can be used in the future; flexible options with out-of-hours shopping; consumers control the shopping process; they can get all their shopping needs in one place; an unlimited variety of suppliers available on all products and services; and isolated shoppers having access to the world.

Many may be familiar with eBay and the associated risks of making payments for purchases and the goods never turning up. Best Deal Done is free to the consumer, and once a business is identified and the price is right the consumer can then contact the business directly and make arrangements for payment and collection of any goods. The strongest benefit for consumers is their ability to simply specify what they want and watch business bid without knowing each other's price. As an example, you can specify a type of washing machine. Business people then bid to supply the machine for their price. The consumer picks the best price and contacts the business to finalise the purchase. Some would say this a reverse eBay system.

This system is simple to use. It is a concept that is obvious, yet it has not been in the marketplace. Technology is constantly changing and even trying to keep up with the home computer is sometimes difficult. The use of the Internet to source and purchase goods and services has grown rapidly. Now the new player in the market, Best Deal Done, is set to further advance opportunities for Internet buyers and sellers to grow their business. Its application is worldwide and currently is free to both the business sector as well as the consumer. The potential is enormous and the benefits obvious in empowering the consumer to get the best deal.

Proudly, this program demonstrates the diverse mix of skills and ability of people in the Hunter in the field of information technology services. I am pleased that the team at Best Deal Done are Hunter people and that they are now delivering this outstanding package to the world, for use primarily by Australians. As my constituent Mr Paul Harrigan would say, along with his favourite hand gesture, "That's gold!" That gesture seems to have amused our colleague the honourable member for Davidson—he must be a rugby league fan.

Mr Milton Orkopoulos: He's a Knights supporter.

Mr MATTHEW MORRIS: He may be a Knights supporter. I conclude by saying that this is a fantastic package, and it will take off as it becomes established and known in the marketplace. It puts the consumer in the driver's seat and, importantly, raises the bar in the level of competition between individual businesses in vying for a consumer's business. That is an enormous benefit, and it will result in products and services being made available to consumers at much more competitive rates than has been traditional. I congratulate the team, and I look forward to the growing success of the service into the future. [*Time expired.*]

WARRINGAH COUNCIL RATE INCREASE

Mr ANDREW HUMPHERSON (Davidson) [5.50 p.m.]: I want to talk about Warringah Council's management and proposed major rate increase. The Labor-appointed administrator has proposed that each ratepayer will pay a major rate increase of not only 3 per cent across the board but an extra \$60 under a levy that he proposes. This grab for cash may be for identified infrastructure needs, but it does not recognise the need for efficiency and effectiveness on the part of the council and its management. They seem to regard ratepayers as a soft touch. Warringah Council compares poorly with comparable councils of a similar size and rating base. The proposed rates would put Warringah's rates well above those of Sutherland, for example, one of the higher charging councils, but with vastly better resources and infrastructure than Warringah. Our residential rate is about \$110 above the comparable group average.

As it is typical of a Labor government to hike up taxes and charges in New South Wales, the same approach seems to be occurring in Warringah under a Labor bureaucrat. The council should be reducing waste such as the ill-fated studies to ascertain whether Nolans Reserve was suitable for netball, artists impressions and

investigation into the Civic Centre relocation to Dee Why after offering it to the State Labor Government as the site for a new hospital. It should place priority on providing evening and weekend services at Belrose Library, which were cut by the administrator, so that students can have a fair deal. Hundreds of thousands of dollars have been wasted on flights of fancy.

The electorate needs infrastructure improvements but the administrator needs to get his own house in order. His manner is typical of Labor. It is little wonder that the residents of Belrose and the Forest voted in huge numbers at a recent meeting for him to go and new elections to be held in Warringah. After almost three years of Labor's imposed dictator it is time that this corruption of democracy ended. Corruption it is. There is no longer any valid reason to stall on elections. It is a corruption of process to deny Warringah residents a vote to elect their representatives. It is a corruption of process to leave Mr Persson, a Labor mate, hated by Liberals and most Liberal voters, in his position to pay him off as a Labor mate. When 400 residents voted for him to go, he failed to acknowledge their views and wishes. His only response was to claim that the Liberals were upset at the loss of influence.

It was more arrogance and a case of him showing his true colours—an anti-Liberal bias. The message is that people who are Liberal or have Liberal connections will be ignored. Many people may form the view that this means that if they are Labor friends or donors his door is open. The Liberal Party discloses its financial circumstances publicly, but not so the administrator. How much does it cost for his flights of fancy? How much for his car and other expenses such as his mobile phone, meals and political statements in the ratepayer-funded column in the *Manly Daily*? I call on him to disclose those things, along with the pay he receives from ratepayers, taxpayers and the few hours he puts in for his work. He is simply a lapdog for Labor.

He has offered up the Civic Centre for a hospital and he has been silent on major issues of public concern that elected councillors would speak out on. He has made no criticism on the silly plan to widen The Spit Bridge or outrageous development projects such as the one in Oxford Falls or the first proposal by Stocklands for gross expansion of Glenrose Shopping Centre. He has made no comment about the appalling level of bus services, which the State Government oversights on the northern beaches, in particular, constraints on Forest Coach Lines, which wishes to expand and improve services but is unable to because of State Government contracts. Mr Persson is not prepared to bite the hand that feeds him. As a Labor bureaucrat and a person close to the Premier, as a former head of one of the public works departments, he will not say a word about the State Government's contempt of the northern beaches and ongoing mismanagement.

Mr Milton Orkopoulos: Point of order: The discredited member is impugning highly improper motives against a senior Crown employee, who is not a member of the Labor Party, the governing party of the day. That he is continuously traducing a senior public servant on issues that are not within the purview of his responsibility is appalling.

Mr ACTING-SPEAKER (Mr John Mills): Order! I uphold the point of order. I draw the attention of the honourable member for Davidson to the considered statement by the Speaker about attacks on members of the public during private members' statements.

Mr ANDREW HUMPHERSON: There are rumours that the council plans to locate a crematorium in Belrose adjacent to Frenchs Forest Cemetery. I hope this has no substance and will not be similar to the plan to extend trading hours at the President Hotel, which council and the administrator kept secret from the community. What else are we not told about what he plans or knows? This corruption of democracy in Warringah has to end. Warringah residents needed time out with a council that would not function, but now we need elections. With the election of a Liberal Government, elections will be held and Mr Persson can return home to the eastern suburbs. [*Time expired.*]

HELENSBURGH PUBLIC SCHOOL

Mr PAUL McLEAY (Heathcote—Parliamentary Secretary) [5.55 p.m.]: I inform the House of progress at Helensburgh Public School, a fantastic institution in the geographical heart of my electorate. It is a well-resourced school, headed by Principal Gary Royston. It has excellent teaching staff, administrative staff and support staff, including general assistant, Mr Roger Hendry, a former student, who proudly continues his family's association with the school. Helensburgh Public School students have a new school hall, thanks to the Iemma Government's \$2.8 million upgrade, which also includes a new canteen, an improved carparking area and a covered outdoor learning area. It will also receive an additional \$15,000 for ground improvements. The school is relishing its new learning environment. Several years ago I inspected the site and the progress was very

pleasing. Construction has been on time and on budget. Students, teachers and the community all enjoy this magnificent resource.

The school has a long history and is on a beautiful site, but some of its buildings are challenging because they are quite old. On one of my previous visits the administrative staff showed me their facilities and some of the classrooms, and it was obvious that renovations were required. Representations were made and the Department of Education and Training has agreed that the points raised have merit and has placed the school on the upgrade list. I call on the Minister for Education and Training to ensure that Helensburgh Public School receives the necessary funds to upgrade the classrooms and administrative block. I have lobbied to the Minister to ensure that all students in my electorate receive their fair share of this year's education budget. The Iemma Government has consistently stood by its commitment to ensure that primary school children receive the best possible start at school, particularly with the reduced class size program, which ensures that five, six and seven-year-olds have smaller classes during those important first years.

Every dollar we spend on education will reap rewards for society. Better-educated and trained young people will be in a much better position to find jobs and to have more rewarding careers. In addition, they will be better able to participate in family and community life. We all know that respect and responsibility are taught first and foremost by family, and those values will now be reinforced at school. The Government's Respect and Responsibility Program is an important plank in helping to improve values that are taught at home and that will now be reinforced at school. The Iemma Government's plan to teach Australian values and to help combat anti-social behaviour will prove in years to come to be the right move. Adding respect and responsibility to the traditional 3Rs of reading, writing and arithmetic will be reinforced and, in some cases learned, so that children respect others and take responsibility for their actions. Australia is a great place to live and we must ensure that every young person has respect for our society, our institutions and our values.

Another initiative will be the school report on respect and responsibility. The Premier has said that schools must be accountable for their performance in improving respect and responsibility. Therefore, he has introduced measures to ensure that every New South Wales school reports to parents on its efforts to improve respect and responsibility among its students. Schools are able to do this effectively and accountably. Schools will also reinforce Australian values and Australian symbols. Schools will be provided with facilities to enable them to do that in a safe and modern way. I call on the Minister to fast-track those further developments on top of the \$2.8 million hall, canteen and outdoor covered learning area.

FAR SOUTH COAST SMALL BUSINESSES

Mr ANDREW CONSTANCE (Bega) [6.00 p.m.]: I bring to the attention of the House difficulties experienced by a number of small businesses on the far South Coast in the Shoalhaven City Council area and the Eurobodalla Shire Council area. A number of subcontractors were contracted by Kore Constructions, which is in administration, to undertake work at the Kiola campus of the Australian National University [ANU]. Chris Young's Joinery of Narooma was subcontracted by Kore Constructions to provide, and provided, wardrobes, desks and shelving valued at \$18,9700 to the ANU. Kore Constructions assured Mr Young that payment would be made, but that has not happened. Kore Constructions was paid before the job was finished, but before checking whether the subcontractors had been paid.

The Contractors Debt Act 1998, a State Government initiative to address the problem of building industry subcontractors being left unpaid, has not worked in this instance. I hope that the New South Wales Government will intervene to assist Mr Young and right this injustice. I am advised that a number of subcontractors were owed money as a result of Kore Constructions going into administration. I would have hoped that some assistance could have been given to these good local far South Coast business people who were not paid for the work they undertook for the ANU. At various site meetings subcontractors were assured that they would receive payments, but it never happened. Following an approach to the ANU by one subcontractor, the university sent him a letter virtually wiping its hands of the whole situation.

Although I recognise that the ANU paid for the work, I had hoped for some assistance in the form of some sort of payment for the businesses that did the right thing. The State Government Contractors Debt Act has let small business people down. As the local member I have tried to approach the ANU on a number of occasions to set up a meeting with Chris Young to determine whether anything can be done. Ultimately, the only people suffering are the small business people from the area who cannot afford to lose such large amounts of money. I hope that the Minister for Fair Trading and the Minister for Small Business might be able to assist me in obtaining some recompense for these small businesses, in particular Chris Young's Joinery, for their wonderful work. It has not been easy for them.

E G WATERHOUSE NATIONAL CAMELLIA GARDEN RAIL BARRIER

Mr MALCOLM KERR (Cronulla) [6.05 p.m.]: I refer to public safety, something the Government should be aware of after the events of the past 14 days and the publicity given to the danger posed to pedestrians. I hope the Premier has received his copy today of the *St George and Sutherland Shire Leader* because the front page—

Mr Milton Orkopoulos: Of course.

Mr MALCOLM KERR: Of course. I am glad the Minister is able to say that. I suppose the Premier passes it on to the Minister once he has finished reading it.

Mr Milton Orkopoulos: Along with the *Land*.

Mr MALCOLM KERR: Yes. An article in today's *St George and Sutherland Shire Leader* states:

Concerns have been raised about safety at a popular children's playground in Miranda after serious car accidents just a few metres away.

Mr Milton Orkopoulos: Where?

Mr MALCOLM KERR: It is in my electorate. The Minister need not panic. The article continues:

The fenced playground at the EG Waterhouse Camellia Gardens is below road level on the south-east corner of President Avenue and Kareena Road.

On the Thursday before Easter, a car crashed through a brick wall into a house, which is in a similar, below road-level position, on the south-western corner.

In an accident at the intersection on May 7, a motorcyclist was seriously injured in a collision, although the vehicle did not leave the road.

Megan and James Holmes who live in the house that was damaged said that they were particularly worried about the playground because there were always a dozen or so kids in there. The father-in-law of Mr Holmes, Ralph Clark, who owns the house said that during the past eight years three cars had crashed through the fence. The latest accident caused \$50,000 damage to the house. He went on to say:

You would think that after what happened to Sophie Delezio [when a car crashed into a preschool at Seaforth] the council would realise they have a serious litigation problem.

It is not the council, but the Roads and Traffic Authority that said that guardrails cannot be installed. A council spokeswoman said:

The minimum requirement for a guardrail is that it be at least 16 metres in length, otherwise it can pose a greater hazard in an accident than the risk of not having a rail.

However, there is a need for protection. I have spoken to the mayor, Councillor Kevin Schreiber, and the Chairman of the Traffic Committee, Councillor Magdi Mikhail, who are very happy to work with the Roads and Traffic Authority [RTA] to find a practical solution. On 4 May I wrote to the Hon. Eric Roozendaal. No doubt the Minister could have another one of his famous exchanges with the Minister for Roads; no doubt he has very warm memories of the Minister when he was State Secretary of the Australian Labor Party; no doubt those warm relations will continue and he can be of help. I supplied the Minister with photographs and said that a rail barrier is required for both property and pedestrian safety. As I said, Sutherland Shire Council is very happy to work co-operatively to ensure that an adequate barrier is provided to protect both property and people. This is an urgent matter. It is purely a technicality that, ironically, is an obstacle to any positive action. I call upon the Government to initiate dialogue with the council to ensure that a barrier is erected.

PARRAMATTA BUS-RAIL INTERCHANGE

Ms TANYA GADIEL (Parramatta) [6.10 p.m.]: I refer to an extremely pressing matter that is affecting the people of Parramatta, in particular people residing in the suburbs of Rydalmere, Telopea, Dundas, Dundas Valley and Ermington. As honourable members are aware, recently the Premier opened a \$105 million bus-rail interchange. It is a pretty impressive piece of infrastructure, but I will not gloat about it because to bask in the glory of it would be to deny that problems are associated with it. The big problem with its opening has been the re-routing of buses that service the suburbs of Telopea, Dundas, Rydalmere, Dundas Valley and Ermington.

State Transit Authority [STA] buses travelling on routes 523, 524, 520, L20 and 545 were formerly able to travel into Church Street and George Street. Now they do not, and I am very concerned about the effect that this is having on residents. Effectively, half of the Parramatta central business district [CBD] has been cut off, which is of particular concern to the elderly and parents with young children who now get dropped off in Smith Street. My office has been inundated with complaints, and my weekend mobile offices have been attended by residents who are furious that they cannot easily access places such as St Patrick's Cathedral, Harris Farm, medical facilities, the courts, the police station, the blood bank and the RSL club. I know of at least three petitions that have been lodged about this issue—one that I initiated, one initiated by Therese Williams at the Telopea shops, and one initiated by Barbara Jones and Leone Clark.

In total, 3,000 people have signed petitions and I owe a great debt of gratitude to everybody who did so, and to the wonderful women who organised them. I know that Barbara Jones and Leone Clark rode the buses, armed with their petitions and collecting signatures. To date the petitions have been a success, because the CBD bus working group set up by Parramatta Council that determined the changes has been reconvened to try to sort out the mess. I am pleased that, this time, Parramatta Council saw fit to invite me to participate. The group has already met on three occasions and will meet again tomorrow. Initially 10 options were being considered but that has now been narrowed down to three.

The option I prefer is to have the 545, 523 and 524 bus routes reinstated to Church Street. The buses will travel up George Street to the interchange and then back to George and Church streets. This will involve Church Street having a contra flow so that buses can travel two ways along George Street. Essentially, I have adopted a compromise position that I hope council will agree to. It slightly alters the State Transit Authority and Roads and Traffic Authority plan that was rejected by council in the first place. It is now common knowledge that the buses were removed from Church Street because, as stated by Lord Mayor David Borger in correspondence to the Deputy Premier and Minister for Transport, of the "detrimental effect on Parramatta's prime dining and entertainment area".

Whilst I understand that council has spent a great deal of ratepayers' funds beautifying Church Street, and making "Eat Street" something that we in Parramatta are very proud of—I invite honourable members to come and see for themselves just how fabulous our "Eat Street" really is—I do not think they realised the full impact of that decision, and particularly the level of inconvenience that would be suffered by people who are dependant on public transport. I believe that council made a decision based on a mistaken belief that the number of buses would increase dramatically. I do not believe that buses travelling along Church Street would hinder the dining experience of the great restaurants and cafes along that strip. To the contrary, what affects the enjoyment of eating there are the car hoons with their "doof-doof" music cranked up to alarmingly high decibels.

May I digress for a moment and pay tribute to the hardworking police at Parramatta, who, under the leadership of Superintendent Geoff Beresford, are cracking down on that type of anti-social behaviour—assisted, no doubt, by some of the new laws the Government has introduced.

It is a terrible fact that since these changes were introduced, passenger numbers have been in free fall. I am advised that there is a decline of 2,200 passenger trips per week. That equates to 100,000 per year. At a time when, as a result of record petrol prices, public transport usage is at an all-time high everywhere, this is a shocking indictment. I urge council to change its mind and to allow buses back on to Church Street. Our commuters are voting with their feet and refusing to come into their city. I know for a fact that local residents are boycotting Parramatta and going elsewhere. This aspect was brought to my attention by Bonnie Smith only the other day when I visited Department of Housing apartments in Sturt Street to talk about this issue. I feel confident that council will listen to the concerns of locals and will reverse its decision. The bus working group is working hard to resolve this issue. I undertake to update the House and my community on its progress.

NORTH HEAD HERITAGE LISTING

Mr DAVID BARR (Manly) [6.15 p.m.]: The Commonwealth Government has just placed North Head on the National Heritage Register. This very welcome development occurred on 12 May. It is one of the number of things that have been happening at North Head lately, and I have referred in this Chamber to the fact that the quarantine station financier issue is still bubbling away, with the financier withdrawing from the proposal and Mawlands Pty Limited having to find another financial backer. If it does not do so, all bets are off. I have been calling on the State Government to take advantage of this opportunity and to do something special with North Head by taking control of the whole site and establishing a meaningful sanctuary there.

Tonight I want to speak about something that has, to some extent, crept up on us all. The Australian Institute of Police Management [AIPM] is part of North Head and is covered by the National Heritage listing. In fact, no development can take place on any heritage-listed land without the approval of the Minister for the Environment, and that includes the AIPM. The AIPM occupies buildings that were, and really still are, historically part of North Head Quarantine Station. Also there is the Seamen's Isolation Hospital, which was erected in 1918 at the end of the First World War and, in style and size, is similar to the buildings at the quarantine station. The AIPM has occupied these buildings since 1960 and has used them as a police college.

The AIPM recently submitted plans to the Federal Department of Environment and Heritage, pursuant to the Federal Environment Protection and Biodiversity Conservation Act and the Federal Parliamentary Works Committee seeking to expand the site. It has not submitted any plans to Manly Council. The AIPM's submission states that the objective of the proposal is to substantially improve the operational efficiency and long-term sustainability of the police college. The proposal is to substantially increase the floor space on the site by about 60 per cent in the form of two-storey and three-storey buildings, and also to increase the carpark area and roadways by an estimated 50 per cent to 1,400 square metres.

When complete the new development will contain 55 queen-size bedrooms, together with five flexible modular spaces, including a kitchenette and separate bedroom. The submission by AIPM states that a heritage assessment, ecological assessment, and heritage land assessment have been carried out, but these have not been made available. This critical information should be available to the public. The proponents of works at the quarantine station have had to jump through many hoops, including a commission of inquiry, and to comply with more than 200 conditions that have been imposed. This has somehow crept through the system, and yet it is a significant heritage site and part of the quarantine station.

The proposal will change the nature of what happens at North Head to something more than just a police college. It is proposed that there also be a public function and conference centre, and that is outside the scope of a police college. Given what has happened with a heritage listing and what has happened to the quarantine station, it has been proposed that there should be a sanctuary at North Head. The position that I, the Friends of Quarantine Station, the North Head Sanctuary Foundation and Manly Council have adopted is that there should be an integrated approach to the development of North Head, not piecemeal approval of various applications that are submitted.

This is a really important issue and I am deeply concerned that there may be yet another fracturing of what goes on at North Head. We need to have a holistic approach. In the words of the sanctuary foundation, we need an ecological sanctuary with a strong educational focus—a flagship for Australia's environmental resolve and a celebration of our national and cultural heritage. That is what we need at North Head, and any proposal by the AIPM should be examined very carefully. In addition, AIPM should at least have the courtesy to approach Manly Council.

MRS ALICE DOREEN WASHINGTON 108TH BIRTHDAY CELEBRATION

Mr ALEX McTAGGART (Pittwater) [6.20 p.m.]: I pay tribute to Mrs Alice Doreen Washington, a former Pittwater resident who yesterday, Wednesday 24 May 2006, celebrated her 108th birthday at the RSL War Veterans Village in Collaroy surrounded by friends and staff of that wonderful establishment. On Tuesday I had the honour, along with the Warringah Administrator, Mr Dick Persson, of presenting to Mrs Doreen Washington the Warringah Medal, which commemorates the Centenary of Warringah Council. Warringah Council pressed the medal for its centenary this year and arranged for all Warringah residents who turn 100 to be recipients. At the function Doreen walked unaided to the dining room, ate two lamingtons and a large slice of mud cake, had a cup of tea and joined in the conversation—although we all had to shout.

Doreen lived by herself until the age of 103 in a home unit in Woolcott Street, Newport. She walked into Newport Village every day to buy her groceries, and regularly entertained friends and neighbours. She moved only because she was singed and badly shaken in an accident when lighting her gas stove. Five years ago she moved into the war veterans home at Collaroy and is now well established in the new Peter Cosgrove House. Doreen was born Alice Doreen Rathbone in Rockhampton on 24 May 1898, making her older than the Federation of Australia. The second Boer War had not started. Queen Victoria was the monarch, followed by Edward VII from 1901 to 1910, George V from 1910 to 1936, Edward VIII in 1936, and George VI from 1936 until 1952, when Queen Elizabeth II came to the throne.

Doreen has seen 22 Prime Ministers, from Edmund Barton to John Howard. She was born before the aeroplane and the car were invented and she shares her year of birth with people such as George Gershwin,

Gracie Fields and Paul Robeson. In 1898 Caleb Bradham named his new softdrink Pepsi-Cola, Marie and Pierre Curie discovered radium, Sydney's Queen Victoria building was completed, the United States of America declared war on Spain, and the paddle steamer *Maitland* sank near Broken Bay, drowning 24 people. Doreen married Private Lavington Ainsley Washington. She hated the name Lavington or "Lavi", so she referred to him as Bill. Bill Washington served with the 16th Battalion 1st Australian Imperial Force at both Gallipoli and the Western Front, and Doreen is one of Australia's last surviving First World War widows. The 16th Battalion sailed from Port Melbourne on 22 December 1914 on the transport *Ceramic*, and, after training in Egypt, sailed for action. At 6.00 p.m. on 25 April, with a strength of 22 officers and 979 other ranks, they landed at Anzac Cove. At roll call on 3 May, the battalion had been reduced to 9 officers and 290 ranks.

Following the Anzac withdrawal from Gallipoli, the 16th Battalion was reinforced and sent to the Western Front, where Bill was seriously injured when a shell landed in his trench, wounding both Bill and a British officer. When the stretcher-bearers arrived they immediately went to treat the officer, but he insisted they attend to Bill instead. The officer died but, thanks to his selfless act, Bill survived and was repatriated to England for medical treatment, though he suffered for the rest of his life from shrapnel embedded in his head. Doreen and Bill did not have any children. They both worked in a munitions factory during the Second World War. After the war Bill built a house with his own hands for Doreen and him in Clontarf, where they lived until his death in 1965. Doreen never remarried. Instead, she travelled widely, working mainly as a dance instructor, and she earned her place in history when she imported the first Mini Minor into Australia, which gave her the independence that has always meant so much to her!

As I said, Doreen moved into the RSL War Veterans Village in Collaroy five years ago and still enjoys good health and takes no regular medication. She still walks around the halls and corridors like someone 20 years her junior. According to her friends, her good health has nothing to do with a sensible diet. Doreen loves butter, salt, meat pies and a glass of Scotch or beer on a daily basis, and eats virtually no fruit or vegetables. It is not the recommended diet for longevity, but Doreen has proved the experts wrong and has outlived all her doctors! Doreen Washington is a truly remarkable woman who, together with her husband Bill, played a vital role in fighting for Australia's freedom. Doreen Washington has lived through countless events that are now part of our history. She is a real character and a real lady, and we wish her all the very best in her 109th year.

Private members' statements noted.

STATE PROPERTY AUTHORITY BILL

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

The House adjourned at 6.25 p.m. until Tuesday 6 June 2006 at noon.
