

LEGISLATIVE ASSEMBLY

Thursday 19 October 2006

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

Mr Speaker offered the Prayer.

Mr SPEAKER: I acknowledge the Gadigal clan of the Eora nation and its elders and thank them for their custodianship of country.

QUARANTINE STATION PRESERVATION TRUST BILL

Second Reading

Debate resumed from 28 September 2006.

Mr MICHAEL RICHARDSON (The Hills) [10.00 a.m.]: When I was last speaking about the Quarantine Station Preservation Trust Bill I gave some details of the membership of the Quarantine Station Preservation Trust that is proposed in the bill. I will now deal with the other provisions of the bill. Clause 10 of the bill provides for the trust to approve all leases and licences following 30 days for public comment. However, there are caveats on what it can approve. Clause 12 (2) states:

The Minister must not exercise any power to which this Part applies if the Minister forms the opinion that the grant of the relevance lease or licence will result in:

- (a) less open space at the Quarantine Station site than existed when the site was reserved as part of a national park under the *National Parks and Wildlife Act 1974*, or
- (b) an increase in the total floor area of all buildings that existed at the Quarantine Station on that date, or
- (c) an adverse impact on the significant heritage values of the Quarantine Station site.

Clause 13 of the bill says that the Minister cannot lease or license all or a substantial part of the Quarantine Station site to one person or an unincorporated group of persons. That is a major difference between the Opposition and the Government. The Government wants to lease the entire Quarantine Station site, with its 66 historic buildings and its flora and fauna, to a single entity—the Mawland hotel group—for 36 years. Clause 15 of the bill forbids the granting of leases or licences for the term of 10 years or more. So Mawland's proposal would simply not be acceptable under this bill.

We believe there is a better model for managing the Quarantine Station. I might add that the all non-Labor members in the upper House approved the Opposition's original bill, which is a clear indication of the way that the community feels about the matter. In the context of our proposals for the Quarantine Station I think it is instructive to consider what the Sydney Harbour Federation Trust is planning for the nearby School of Artillery site. Its comprehensive draft management plan aims to:

- conserve and interpret the Commonwealth Heritage values of the North Head former School of Artillery site as an historic place on Sydney Harbour and to facilitate its interpretation, appreciation and adaptive reuse;
- maximise public access;
- facilitate the adaptive reuse of the former Defence buildings for appropriate uses;
- protect and maintain the prominence of the relatively intact and rare ecosystems at North Head including its flora, fauna, biodiversity and geodiversity;
- integrate the former School of Artillery with adjoining lands as part of a unified headland; and
- establish a framework for the implementation of the sanctuary concept for all lands at North Head.

In doing this, it also aims to:

- encourage a mix of uses that facilitate and complement the implementation of a sanctuary;
- be consistent with Commonwealth Heritage Management Principles;
- conserve and interpret the whole site as an historic precinct;
- conserve and interpret the natural values of the precinct;

- assist in the conservation of the historic fabric of the former School of Artillery by ensuring that it is adaptively reused, guided by the recommendations of the Conservation Management Plan (CMP);
- provide opportunities and site interpretation for visitors to understand and appreciate the totality of the site's heritage;
- encourage uses and activities that promote the use of sustainable modes of transport to minimise the impact of traffic generated by the site's reuse on the surrounding area;
- provide visitor facilities and amenities including car parks and walking tracks;
- realise the potential for easy access including access for the disabled;
- regenerate and expand the bushland so that the sense of a 'green' gateway to Sydney Harbour is reinforced;
- eliminate feral animals and weed infestation and control public access to designated areas in a manner that protects the environmental sensitivity of the site;
- enhance views to and from the precinct;
- remediate site contamination and hazardous materials;
- protect adjacent bushland from the spread of *Phytophthora cinnamomi*;
- improve the quality of stormwater runoff; and
- apply the principles of Ecologically Sustainable Development (ESD).

Mr Speaker, I think you would agree that sounds like an ideal model. It is exactly the sort of plan that the Opposition would like to see implemented at the Quarantine Station. Honourable members will note that the aims include the integration of the former School of Artillery with adjoining lands as part of a unified headland, and the establishment of a framework for the implementation of a sanctuary concept for all lands at North Head.

The integration of the Quarantine Station into the North Head sanctuary is an important aspect of the bill. The Commonwealth is already progressing down this path, having appointed Andrew Woodmansey as Project Manager for the North Head Sanctuary. Andrew will work with all stakeholders to finalise the detailed concept for a sanctuary. Once the concept is agreed, Andrew's challenge will be to turn this into a reality by creating conservation, business and operational plans, and by establishing a timetable leading up to the opening. A scientific committee has been established to advise on the North Head sanctuary project. The panel has been drawn from academia and industry to provide valuable input and advice on the information and education centre, walking track and visitor lookout. An awful lot is happening at North Head right now that does not involve the Iemma Government—indeed, progress in this area seems to be passing the Iemma Government by.

Part 5 of the bill relates to a plan of management for the site, which is to be written in the context of the whole of North Head. The plan of management is to be drawn up by the trust and must be prepared according to the National Parks and Wildlife Act 1974. The plan must also define the manner in which the management of the trust lands will be integrated with the control and management of the whole of North Head. It must include a transport, traffic and parking plan for the trust lands that is integrated with an ecologically sustainable transport, traffic and parking plan for the whole of North Head, and an interpretation plan for the trust lands that is integrated with an interpretation plan for the whole of North Head. The objects of the legislation in part 3, clause 6, now include:

- (d) to support the natural and built environment and cultural heritage of the North Head precinct, and
- (e) to work with the Sydney Harbour Federation Trust to develop a concept and final plans for a North Head Sanctuary.

These objects are pretty self-explanatory, given North Head's National Heritage listing and the clear wish of the Commonwealth to establish the North Head sanctuary and to provide money to achieve that goal. I note the comments of the Hon. Tony Abbott, the member for Warringah, in regard to the establishment of the North Head sanctuary and the support of the Commonwealth and the Minister for that concept. The functions of the trust now include:

- (i) promote the preservation of the Quarantine Station within the overall context of the North Head precinct and a future North Head Sanctuary.

Again, this is consistent with the creation of a North Head sanctuary. Under our model, the trust would both advise and act as a consent authority for leases on the site. It would use the undoubted expertise of the National Parks and Wildlife Service in nature conservation, while injecting fresh expertise in the conservation of historic buildings.

You would get the best of both worlds. On the one hand you would have the National Parks and Wildlife Service and its expertise in looking after the natural world, the rare flora and fauna that are found on North Head. On the other hand you would be able to draw on the expertise of people who understand about the conservation and adaptive reuse of historic buildings. How much better that would be than the Government's plan to lease the entire site to a single entity that wants to transform the character of the buildings, for example, to put en suite toilets throughout the rebuilt hospital because the hospital was burned down under this

Government's mismanagement of the site. The rebuilt hospital, of course, bears absolutely no resemblance to the quarantine station throughout its long history.

Schedule 1 to the bill defines the boundaries of the site in the overall context of the North Head precinct. A map has been provided with the bill to give honourable members an idea of exactly what we are talking about in that regard. Schedule 2 details how the chairperson of the trust is to be appointed by the Minister, who may replace the chairperson on a temporary basis; how a trust member may be removed; how casual vacancies will occur and be filled; the disclosure of pecuniary interest by trust members; and the liability of members. Clause 2 of schedule 3 defines the quorum of the trust as being a majority of the members, with the chairperson having both a deliberative and a casting vote. That is consistent with practice elsewhere on government bodies.

Honourable members will see not only that the bill in its updated form provides an appropriate way of managing the site as part of North Head and the North Head Sanctuary, but also that it provides detailed instructions for the establishment of the trust and for the operation of that trust once it has been established. I notice that the honourable member for Tweed is at the table. I will repeat what he said in 2003 when we last debated the Manly Quarantine Station in this House.

Mr Barry O'Farrell: Do you have to?

Mr MICHAEL RICHARDSON: The Deputy Leader of the Opposition has asked whether I have to do that. I think I probably do. He said,

The existing level of conservation and public use for the quarantine station is unsustainable. The Government is committed to redressing this situation.

It has not done so in the last 11 years, and the buildings are continuing to deteriorate. Passing this legislation will provide the opportunity to access Commonwealth money to restore and maintain the buildings. That is a clear alternative to bringing in the private sector to effectively take over the entire site, to privatising the Manly Quarantine Station site. The trust will control the use of the buildings. I strongly believe, and have done since visiting Port Arthur more than 10 years ago and talking about the conserving of that historic site in Tasmania—before the tragedy that occurred there, I might add—that the buildings should be used rather than retained as museums.

The trust will also provide expertise in the conservation of the site. Surely that is preferable to the destruction-by-neglect management ethos practised by the Government. If the Government will not support this bill, perhaps it will reveal what its plans are for the Quarantine Station and North Head. The people of Manly are waiting. The people of Sydney are waiting. This is a very special, unique site and it deserves a better deal than the lemma Government has dished out to it. I commend the bill to the House.

Debate adjourned on motion by Mr Neville Newell.

BANNING POLITICAL ADVERTISING (MAKE LABOR PAY) BILL

Bill introduced and read a first time.

Second Reading

Mr PETER DEBNAM (Vaucluse—Leader of the Opposition) [10.14 a.m.]: I move:

That this bill be now read a second time.

This bill is straightforward, as its title suggests—Banning Political Advertising (Make Labor Pay) Bill 2006. It is critical legislation and I believe it is very important that it be debated in these final two weeks of this ailing Labor Government's life. The objectives of the bill are straightforward and I will read them into *Hansard*. They are as follows:

- (a) to ensure that, as far as possible, public money is not expended on government publicity for a partisan political purpose, and
- (b) to enable the Auditor-General to scrutinise government publicity that appears to the Auditor-General to have the capacity or to be likely to have the capacity to be used for that purpose.

Part 2 of the bill states:

Government publicity for political purposes is government publicity that promotes governmental activities, programs or initiatives in such a partisan or biased manner that it has the capacity, or is likely to have the capacity, to influence public support for a political party or for candidates for election, or members of Parliament. The Auditor-General may carry out a review on the Auditor-General's own initiative or if a complaint is made to the Auditor-General under the proposed Act. The Auditor-General may also provide advice, at the request of a public authority, concerning publicity on which it proposes to incur expenditure that may be outside the guidelines. In exercising these functions, the Auditor-General is to have regard to the guidelines for government publicity. The guidelines are also to be followed by heads of public authorities in determining whether the public authorities should incur expenditure on government publicity (clause 8).

Further, clause 8 requires the head of a public authority to ensure that the public authority does not incur expenditure on government publicity that does not comply with the guidelines and that it complies with any orders made by the Auditor-General in connection with deviations from the guidelines. It also enables the Auditor-General to order a public authority to stop the dissemination of government publicity in certain circumstances. The Auditor-General may further order that a political party pay back the amount of any expenditure on government publicity for political purposes incurred by a public authority where that party is held to be responsible for the publicity.

Clause 9 enables the Auditor-General to require a public authority to submit a report to the Auditor-General detailing expenditure on government publicity that the Auditor-General believes may be government publicity for political purposes. Other clauses deal with complaints to the Auditor-General. As I indicated, this bill is straightforward. It is not the first time this Parliament has heard about bills of this nature, but there is no time more urgent than in these few weeks for this Parliament to deal with this bill. This Government has perfected the art of political advertising and we are now seeing it every single day, especially when the Government gets into grave difficulties with some Ministers—as we are seeing at the moment with the Minister for Police.

It will be apparent to honourable members who currently listen to radio each morning that the Government has bought so many spots on commercial radio that government advertisements often run back to back. When one turns on the television at night one sees government advertisements promoting a rail system that is actually failing. It is blatant misuse of taxpayers' funds to achieve political ends. I suppose the message is actually getting through to the people of New South Wales that, after 12 years of Labor in this State, they are paying more and more in tax but receiving less and less in services. What they are getting more of is spin and advertising. In the end, as they see more of these television advertisements, listen to more of the radio advertisements and read more of the full-page advertisements—not only in the metropolitan daily newspapers but also in local newspapers across the State—the people of New South Wales will realise that the taxpayers of this State are paying for Labor's political advertisements in the run-up to the election.

The *Daily Telegraph* mentioned this issue in its article on 17 October under the headline, "Iemma's \$6M ad splurge attacked," and detailed a few of the current advertising programs. We hear and see them every day. The article's headline stated \$6 million; in reality, it is a lot more than that. About \$100 million of taxpayers' funds will be used by the Labor Party in New South Wales between 1 July and the election on 24 of March. It is unbelievable. One hundred million dollars of taxpayers' funds to try to shore up a Government that is failing in every portfolio, to try to shore up Ministers like the Minister for Police, Carl Scully; the Minister for Energy, Joe Tripodi; the Treasurer, Michael Costa; the Minister for Planning, Frank Sartor; and the Minister for Commerce, John Della Bosca, Ministers who have consistently failed—

[Interruption]

They are currently Ministers of the Crown despite the fact that the people of New South Wales have spoken for some years about recall mechanisms to try to get rid of them. Those Ministers are spending taxpayers' money. The *Daily Telegraph* focused on a \$6 million advertising splurge, but \$100 million of taxpayers' funds are being used in New South Wales for political advertising. That is why it is critical to introduce this bill in this House and make sure it proceeds through all stages. In the lead-up to the 1995 election, Bob Carr, who was obviously in Opposition, vowed:

... that a Labor Government would not allow the blatant use of taxpayers' money to be used for political messages under the guise of Government advertising.

Bob Carr committed Labor to introducing his Government Publicity Control Bill from 1992 that would prevent the use of taxpayers' money for party-promotional purposes. However, Labor failed to live up to its election promise and did not introduce the Government Publicity Control Bill after Bob Carr won office in 1995. So in

June 1995, the honourable member for Epping introduced the Coalition's version of the Government Publicity Control Bill. His version sought to remedy the defects found in Bob Carr's legislation by incorporating recommendations to the report of the legislation committee upon the Government Publicity Control Bill. The bill of the honourable member for Epping, however, lapsed when the Parliament prorogued in the run-up to the 1999 election. In September 2002 the Deputy Leader of the Opposition moved a notice of motion to reintroduce the bill, and unfortunately that lapsed with the 2003 State election.

The bill further refines the private member's bill of the honourable member for Epping. The current version gives the New South Wales Auditor-General sole responsibility to scrutinise Government advertising in place of the Constitution of a Government publicity committee, as proposed in the version of the honourable member for Epping which was to consist of the Auditor-General, the Ombudsman and a part-time member to be appointed by the Premier. The appointed member was to be a person having knowledge and experience in advertising. The honourable member for Epping made a significant amendment to Bob Carr's legislation, as identified by the honourable member for Epping in his second reading speech. He stated:

Under the Premier's bill [Bob Carr's bill] the committee was to be charged with identifying government publicity considered likely to have the capacity to influence public support for a political party—described in the report as a vacuum-cleaner approach. In such a model the committee would need to be proactive and literally vet every piece of government advertising which appeared. The legislation committee decided this was totally unworkable ... The proposal now is that the publicity committee should have the power to review any government publicity, but that it should not have a proactive obligation to review the publicity in advance. Also, it will have the capacity to act on complaints from the public regarding advertising.

That change is incorporated in the bill before the House: the Auditor-General will automatically be required to review any advertising by a government that expends more than \$200,000 of public money. As the honourable member for Epping argued in his second reading speech on his version of the bill:

It is important that any member of the public should have the right to complain to the committee.

Or, in this version before the House, complain to the Auditor-General. I continue:

As some advertisements, particularly those run by the Australian Labor Party, are directed at the public with outrageous political purposes, it is only proper that the audience to whom they are directed are able to complain.

Concern over Labor's blatant waste of public money on political advertising has not changed over the past decade and it should be open for independent scrutiny. The New South Wales Labor Government has spent almost \$1 billion—\$1,000 million—on advertising in its 12 years in office. Examples of Labor's advertising over the past 12 years include the NSW: We Mean Business campaign, which cost the people of New South Wales approximately \$3 million to date, and the State Plan advertising campaign—the plan for a plan about which we have all heard—has cost almost \$1.1 million. Those advertising campaigns were launched this year and represent millions of dollars of taxpayer-funded advertising.

Recent information that came from the Premier's estimates committee shows that the Government has allocated \$3 million for NSW: We Mean Business but nothing could be further from the truth in New South Wales. New South Wales is not open for business: business is leaving this State. The economy has been heading down for the past two years and the Government is in denial about it but it is still spending \$3 million in advertising that the door is open for business. The Premier's estimates hearing disclosed that the joke, the Premier's plan for a plan, has been allocated \$1,061,000. The Government has allocated \$351,366 to the advertising campaign for the Industrial Relations High Court challenge.

To pretend that it is actually doing something about water planning in New South Wales, the Government has allocated \$2,055,387 for the Water for Life campaign. It has allocated \$227,679 to the State Infrastructure Plan for advertising. A tax on Commonwealth/State financial relations was allocated \$382,986. Another failed campaign, Let's Get New South Wales Moving, was allocated \$817,000 and a New Direction for New South Wales was allocated \$892,869. And very close to the heart of the Deputy Leader of the Opposition, CityRail service improvement and a new timetable was allocated \$720,644 for advertising. Police recruitment and extra officers, which is blatant political advertising—it is sophisticated political advertising but in the end it is blatant—cost \$912,401.

They are relatively small figures, given that the Government will spend \$100 million, but they add up to \$6 million on which the *Daily Telegraph* focused. What has this Government done? It has spent about \$90 million every single year it has been office, except in the run-up to elections. In 1995-96 the Government spent \$72 million on advertising. In 1996-97 it spent \$79 million. In 1997-98 it spent \$85 million. In 1998-1999 it spent \$97 million—almost \$100 million on that first election campaign. The figure dropped down again

between elections, to \$92 million in 1999-2000. In 2000-01 it spent \$93 million. In the run-up to the 2003 election the Government spent \$104 million, and in 2002-03, \$91 million for that election. In the years between elections, the figure slightly reduced to about \$85 million and \$87 million and it has been ramped up in the current year to \$100 million.

That is a blatant use of taxpayer's funds—funds desperately needed at the frontline. As I said yesterday in response to the Government's announcement about its surplus, if the Government sacks 650 police, does not fill vacancies for 1,400 nurses and sacks 80 frontline rail staff, which is exactly what the Iemma Government has done over the past couple of years, hundreds of millions of dollars are saved. The Government has used those hundreds of millions of dollars obviously to boost the surplus but also to provide \$100 million for government advertising. The Opposition wants to see that money go to frontline police, to fill vacancies for nurses and to replace those 80 rail staff.

Mr Matthew Morris: What about the 29,000 you are going to cut?

Mr PETER DEBNAM: The honourable member for Charlestown, who will go unnoticed when he leaves this Parliament, is suggesting that the Opposition will sack front-line staff. He and I know he is lying, and the community knows he is lying.

Ms Virginia Judge: Point of order: My point of order is on relevancy and also Standing Order 85. The honourable member is breaching rule 81 by using offensive language towards one of the Government's very hardworking members of Parliament. In terms of relevance, it is absolutely outrageous for the Leader of the Opposition to talk rubbish.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I have heard sufficient to rule on the point of order.

Ms Virginia Judge: What about work, what about non-choices and the money the Commonwealth Government spent? And what about the hotline that did not even work? There was no-one there.

Mr Peter Debnam: Sit down. You are a joke.

Ms Virginia Judge: I am not a joke. I am talking facts, not fiction. You might believe in the tooth fairy; I don't.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I have heard sufficient on the point of order.

Mr Peter Debnam: Sit down! Madam Acting-Speaker, why don't you throw her out? She has made no contribution to the Parliament in her time here.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I have not yet ruled on the point of order.

Mr Peter Debnam: I think you have.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I remind the Leader of the Opposition to confine his remarks to the question before the Chair. I also remind him to take care with his language.

Mr PETER DEBNAM: With due respect, your party has been spending \$100 million of taxpayers funds—

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I remind the Leader of the Opposition that he should speak to the motion and not engage in a debate with the occupant of the chair.

Mr PETER DEBNAM: When you sit in that chair you work for the institution of Parliament and the people of New South Wales, not for the Labor Party.

Debate adjourned on motion by Mr Peter Debnam.

Pursuant to sessional orders business interrupted.

FIREARMS AMENDMENT (GOOD BEHAVIOUR BONDS) BILL**Second Reading****Debate resumed from 8 June 2006.**

Mr RICHARD AMERY (Mount Druitt) [10.30 a.m.]: The Government welcomes and supports the Firearms Amendment (Good Behaviour Bonds) Bill. We should all congratulate the former head of the Shooters Party, the Hon. John Tingle, a former member of the Legislative Council, on introducing the bill in the upper House. The honourable member for Northern Tablelands has championed the bill in the lower House. Their diligence in all firearms-related matters brought the issue to the attention of the Government. Firearms legislation requires continuing review. A few years ago all Australian governments rushed through changes to firearm laws and the bill seeks to rectify unfair drafting anomalies that resulted from that process.

The proposed amendments to the Firearms Act restrict the licence or permit disqualification provisions for good behaviour bonds to offences related to drugs and firearms or weapons, and offences involving violence. The bill does not change the fact that persons with drug, firearm, weapon or violence convictions will be automatically disqualified from holding a licence. There should be no problem with automatic action against people charged with serious crimes where the use of firearms would only exacerbate matters. The Minister advises that the bill does not change the fact that a person who is subject to an apprehended violence order will be automatically disqualified from holding a firearms licence. This was made clear in the Parliament and also in Caucus. However, I have concerns about how that automatic provision can operate. I will later highlight some of the implications of the automatic application of such provisions.

The changes in the law have nothing to do with illegal firearm ownership, nor do they have anything to do with criminals' access to guns, or drive-by shootings. There is no weakening of the Government's resolve in that area. These are mechanical changes that fix an anomaly in the law. To ensure that there is no dilution in any way of firearms controls the Government has proposed amendments that I will move in Committee. I have discussed the amendments with the honourable member for Northern Tablelands, and I understand that John Tingle has been consulted. They both agree with the proposed amendments. The amendment would omit schedule 1 [1] regarding the definition for drug trafficking offences. Items [2], [3], and [4] of schedule 1 will be amended with the addition of the words "is subject to a good behaviour bond in relation to an offence prescribed by the Regulations, whether entered into in New South Wales or elsewhere".

The amendments will ensure that all drug-related offences are included as offences for which a person may be subject to a good behaviour bond as opposed to being limited to drug trafficking offences. Furthermore, these amendments ensure consistency of language in the Act. The Government also proposes amendments to the Firearms (General) Regulation 1997 so that clause 5 applies to sections 11 (5) (b), 11 (5) (d), 29 (3) (b), 29 (3) (d), 44A (3) (b) and 44A (3) (e) of the Firearms Act in addition to the sections to which it currently applies. This will ensure that the new good behaviour bond provisions apply to licence and permit applicants as well as to firearms dealers. Furthermore, some cross-reference amendments are to be made to the regulation. These changes smooth out an unintentional inconsistency in the Firearms Act. Again I stress that the bill does not dilute the current prescribed offences relating to drugs, serious violence and offences relating to firearms and weapons. The bill will not increase lawful access to firearms by criminals. The bill does not represent a relaxation of firearms controls.

I express my continued concern about automatic implications that apply as a result of firearms legislation, and any other non-appealable provisions. I refer in particular to apprehended violence orders [AVOs]. This bill does not change the provisions of apprehended violence orders or domestic violence orders, nor should it. But members would be aware that hundreds of apprehended violence orders are issued by parties to win arguments on minor matters such as dividing fences disputes, family feuds, noisy parties and neighbourhood disputes. People often accept the issuing of an AVO based on the orders set out in the court. People are prepared to cop the AVO and go away and leave each other alone for a couple of years. They do not know that for the next 10 years the existence of that AVO can have automatic implications on what they want to do, whether it is owning a firearm, applying for a firearm or getting a security job.

A constituent of mine has a security licence but is unable to proceed to the next classification—H, I think—even though he will only ever carry a firearm at work because eight years ago an automatic AVO was taken out against a child as a result of a family dispute. He was not aware of the implications at the time that he allowed this thing to go through. Now both he and his wife are trying to resolve the matter. Whilst this bill is a

step in the right direction, I flag that those in charge of reviewing legislation, particularly to do with firearms, should look at the automatic implications when people in court accept an AVO or a more serious order. Perhaps the people at court facing such an order to settle a dispute could be provided with a brochure or some other form of information so that they know that as well as the more obvious restrictions contained in the AVO such as not going within 500 metres of a particular person for so many years there could be other implications for up to 10 years.

Here, I am not referring to the more serious matters that AVOs and DVOs are intended and designed to address; I am speaking about the many other matters where these orders are issued, such as custody disputes, neighbourhood disputes, dividing fence arguments, noisy party disputes and so on. Continual review of this legislation is warranted. I would like to think that, just as a person has a right of appeal to a court if convicted of murder or other serious crimes, persons should have the right to appeal to a court where an adverse provision of a firearm regulation applies automatically to them. Appeal to a court or other jurisdiction is a fundamental right of democracy. I would hope the bill is a step in the right direction in reviewing all such matters. I conclude by flagging that I will move the amendments to which I have referred. I congratulate the honourable member for Northern Tablelands and John Tingle, a former member of the upper House, on their initiative in bringing this matter to the attention of the House and the Government. I commend the bill.

Mr ADRIAN PICCOLI (Murrumbidgee) [10.40 a.m.]: I lead for the Coalition on the Firearms Amendment (Good Behaviour Bonds) Bill. I note that the bill was not opposed by the Opposition in the Legislative Council. However, the shadow Minister for Police, Michael Gallacher, made a number of comments about it. The honourable member for Mount Druitt foreshadowed a number of amendments to the bill that the Government will propose. Though the honourable member said those amendments are relatively minor, I would put on record that the Coalition has not yet seen them. I do not think even the honourable member for Northern Tablelands has seen them. That is unfortunate, given that the bill was passed by the Legislative Council on 9 March this year, giving the Government a good six months to come up with amendments and provide them to other members of Parliament so that we could consider them during the debate today.

The Opposition would like the bill to be passed by the Legislative Assembly today because it is a small, but important, step in proper reform of New South Wales firearms legislation. In 1999 a review was conducted pursuant to the 1996 legislation provision that a review was to be conducted after three years. That review was undertaken in good faith by NSW Police, which received many submissions. A lot of time was devoted to that review by firearms representatives, in good faith, in anticipation that the recommendations resulting from the review would be acted upon. The review was undertaken, and a large volume of material was produced, together with a number of recommendations, but virtually none of those recommendations have been implemented.

This bill, which was introduced by the Hon. John Tingle when he was a member of the upper House, is a small step in the right direction in reforming this State's firearms legislation. But, as the honourable member for Mount Druitt said, many other things need to be done to clean up our firearms legislation. So much of that legislation, whether intentionally or unintentionally, encumbers law-abiding firearms owners, people who go to the trouble of registering their firearms and obtaining firearms licences. By definition, these are the last people we have to worry about regarding any law and order issues with respect to firearms. All they ask is that they be treated fairly, the same as anybody who owns a motor vehicle or has a drivers licence.

There are many other reforms to be made to New South Wales firearms legislation. The Government has had six or seven years since the 1999 review to introduce those reforms. It is good that at least it has accepted this small step. However, law-abiding firearms owners have a lot of serious questions to ask the Labor Government of New South Wales about its failure to properly reform the firearms registration and licensing system operating in this State. Many people opposed the introduction of that registration and licensing regime. However, most of them have come to accept the regime as a reality. All they want is to be treated fairly.

For a person given a good behaviour bond for an offence that has nothing to do with drug trafficking, violence offences or firearms offences to lose the right to own a firearm is clearly an error in the legislation, and the bill seeks to remedy the anomaly. That is why the Opposition does not oppose the bill. But, as has been said, there are many other anomalies that need to be dealt with. Part of the policy of the Coalition, when it wins government next March, is to have a permanent standing committee on firearms regulation and legislation, with representatives of NSW Police, sporting shooter organisations and law-abiding firearms owners, to constantly review the implementation and operation of the legislation and regulations to prevent anomalies occurring or, where they do occur, to fix them up as quickly as possible.

There are many problems associated with the firearms registry that need to be resolved. It is costing a lot of money to run that registry, yet there are serious questions about how effective it is in trying to do what the legislation was initially intended to do—that is, improve public safety. Though a lot of money is being spent, there have been some questionable outcomes in terms of public safety. There are many firearms and firearms ownership issues to be resolved. At least this bill is one step in the right direction. With respect to the amendments, the Opposition is left with very little choice but to wait until we see them. If they are as flagged by the honourable member for Mount Druitt, I do not see us having much difficulty with them. However, we reserve our rights, if the bill is passed with those amendments, to deal with any issues in the upper House. The Opposition shadow Minister for Police may have other comments to make once the Opposition has had a chance to consider those amendments.

Mr ANDREW CONSTANCE (Bega) [10.46 a.m.]: As the Coalition shadow Parliamentary Secretary for Police, I place on record that the New South Wales Liberal-Nationals Coalition will not oppose the Firearms Amendment (Good Behaviour Bonds) Bill, as was flagged in the Legislative Council by the shadow Minister for Police, Michael Gallacher. Mr Gallacher noted that the Coalition regards this bill as a step in the right direction. Obviously it is an attempt by a former member of that House, John Tingle, to limit the disqualification of persons from holding firearms permits and licences and dealing in firearms where they receive good behaviour bonds for prescribed offences. We want to place on record that it is important that law-abiding citizens of New South Wales who are licensed to hold firearms be able to work with government on these issues and discuss anomalies in the legislation.

We express concern that the Government, though it has had six months since this bill was first presented in the Legislative Council, has flagged that it will move a number of amendments to the bill. It could have consulted more broadly on those amendments with the Coalition parties, but particularly with the honourable member for Northern Tablelands. Regarding the policy framework relating to firearms in New South Wales, it is important that law-abiding firearms owners are consulted on policy issues. The bill we are discussing today deals with an anomaly in the legislation. But we should not lose sight of the main aim of the New South Wales legislation, and that is to reduce not only the number of illegal firearms on the streets of Sydney and in New South Wales but, particularly, illegal gang-related firearms possession. Those are the types of issues that must be addressed, and that is where our focus must remain.

The bill will amend the Firearms Act to provide that a firearms licence is revoked only where a good behaviour bond is imposed on an offender found guilty of an offence relating to the possession or use of a firearm or any other weapon, an offence involving the infliction or attempted infliction of actual bodily harm on another person, or a drug trafficking offence. The bill provides, in prescriptive form, the types of offences that will adversely affect licensed firearms owners. The net result is that the ability to disqualify a licence holder on the basis of a good behaviour bond will be a discretionary power, instead of a compulsory legislative provision.

That might present some issues. It should be kept in perspective in this debate and it will need to be reviewed on an ongoing basis. Country members will confirm that their law-abiding firearms licence holder constituents do not want people who commit acts of violence or other significant offences to be involved in their sporting passion. It does not present the sector in a good light to the rest of the community. They will say that up-front, and they do so often to country members. The Government's amendments will require closer scrutiny when we receive them. I highlight that we must keep reviewing these measures. The Opposition will not oppose the bill.

Mr PETER DRAPER (Tamworth) [10.51 a.m.]: I support the Firearms Amendment (Good Behaviour Bonds) Bill, which amends the Firearms Act 1996 to provide that a licensed firearm owner who is given a good behaviour bond is automatically deprived of their licence and legally owned firearms even though the offence which led to the issuing of the bond may have absolutely nothing to do with firearms. Firearms are an emotive issue, especially for those living in cities. In the country they are a reality of life and an essential part of it. Sports involving firearms are the most highly regulated in our country and 99.9 per cent of the people involved in them are acutely aware of community concerns and the negative publicity that can flow from incidents involving firearms. They participate willingly to ensure that their sport retains its good reputation and image in the community.

This bill is a significant step in the right direction and it demonstrates that law-abiding owners of firearms are prepared to co-operate with the Government to improve legislation that directly affects their ability to use firearms sensibly. As the honourable member for Mount Druitt rightly pointed out, this bill most certainly does not water down penalties for people who fail to obey the law, who take part in criminal acts and who are

then placed on good behaviour bonds by a court. This bill considers the effects of the legislation on people who have been determined as responsible enough to own and possess firearms, but who, because of certain circumstances, are charged with an unrelated offence, appear before a court, are convicted and then put on a good behaviour bond.

A court determines a good behaviour bond once it has carefully considered an offender's record. Such a bond is recognition that in some cases fundamentally good, law-abiding people make mistakes. The court determines that the community would not consider a custodial sentence appropriate in the individual circumstances, and that justice would be better served through the imposition of a good behaviour bond. The legislation contains guidelines that detail the circumstances under which a licence should be cancelled, including poor character, being not a fit and proper person, if it was not in the public interest, for offences involving violence, assault with a weapon, aggravated assault, contravention of a firearm law, or the issuing of an apprehended violence order, domestic violence order or restraining order. This bill will ensure that any offender who is given a good behaviour bond will automatically lose his or her right to possess firearms when the offence committed involves serious misdemeanours. However, in the case of minor infringements, instead of the licence being automatically cancelled, it will be up to the judge to determine whether the offence warrants this additional punishment.

We have all heard of cases in which people who have been of excellent character throughout their lives have been charged and convicted for a minor indiscretion. However, firearms licence holders have the additional punishment of losing their firearms licence and having to dispose of their firearms. These cases primarily affect people living in country areas, where firearms are used to kill sick or injured stock, to control vermin or for other good reasons. I do not believe the original legislation was intended to further disadvantage such people, but that has undoubtedly been the case. The analogy of a motorist given a bond for having a medium range prescribed concentration of alcohol level being told his golf clubs were being confiscated as punishment, or his fishing licence was being revoked, serves to highlight the stupidity of the current arrangement. Where someone has used a firearm to threaten or wound someone, other than in self-defence, or to rob or assault someone, his licence must be revoked and his firearms removed. This bill will not affect that provision.

As other honourable members have said, the Hon. John Tingle drafted this bill after a great deal of community discussion and consultation. I have held detailed discussions on its implications with my colleagues the honourable member for Dubbo and the honourable member for Northern Tablelands, and I have come to the conclusion that it is a good bill. It holds nothing sinister for the community to fear. All it does is address a clear problem within the existing legislation. Once a court convicts a person, it will consider all applicable information about that person's history and record. The judge will then determine whether the offence warrants cancellation of the firearms licence instead of the current automatic provision. I have faith in the ability of the judiciary to make that determination. I would like to see the bill passed today, and I commend it to the House.

Mrs DAWN FARDELL (Dubbo) [10.56 a.m.]: The Firearms Amendment (Good Behaviour Bonds) Bill has been a long time coming. I have many files concerning people who have had their licence unfairly revoked for various reasons. Many people in my community—both in the farming community and the urban community—belong to shooting clubs and compete at high-level competitions. We have a couple of Commonwealth Games and Olympic gold medallists living in the area, and many farmers and other primary producers enjoy being involved in the sport. This bill will provide for a good behaviour bond to be issued rather than revocation of a firearms licence by an overenthusiastic police officer. I will provide a couple of examples to clarify the situation for honourable members who are questioning the need for this bill.

About 12 months ago a Parkes resident separated from his wife and their negotiations broke down. He was falsely accused of domestic violence and was the subject of an apprehended violence order. The police immediately removed his guns and he has been fighting since then to have them returned. I have written to the Minister for Police, who is dealing with this matter for me. The man concerned had to find a place to store his guns. He was responsible and asked a friend in Dubbo who ran one of the many gun shops there to keep them safe. The appropriate certificates were signed and the guns were packed and sent to Dubbo. However, when his licence was returned, one gun was missing and the local police held him responsible. He could not account for the missing gun, which was worth a lot of money, but he had a strong feeling about where it had gone. His licence has again been revoked until he can find the missing rifle. His licence should not have been revoked. He could have been placed on a good behaviour bond if there was any doubt about the circumstances.

The former Mayor of Wellington, Tom Knowles, has referred another case to me. He has had a long-term association with a man he met at the many shooting competitions they have both attended. The person

concerned had his licence and business stalled for 12 months because of an overzealous policeman. Country areas have many local shows—they are just winding up in our area—and this chap is a showy and has many sideshow attractions. He travels around New South Wales and misses only one show every year. One of his sideshow attractions is a shooting gallery. The man was setting up the gallery at 7.30 a.m. one Friday for the show in Wellington. He was chaining the last of the rifles into position when his wife asked him whether he wanted a cup of coffee. He said he did, reached for the coffee and then turned back only to find a policeman standing at the gallery. The policeman said that the gallery operator was irresponsible and that the gun was not protected.

There was no-one else around, but he instantly lost his licence. In addition, he then had to prove that he was still responsible. He lives at Bateman's Bay and he had to attend several court hearings. It was expensive to attend the hearings in Dubbo, which were deferred on three occasions. He had to cover the cost of accommodation and fuel and he was not compensated. Finally after 18 months he was cleared of any wrongdoing. Because of a power trip by one police officer, who is no longer in our local area command, he lost his income, savings and competition points. He has won Australian championships and at the time was again qualifying to represent the State and, in the future, the country. He lost that opportunity and is two years behind that competition level. Thank goodness he is again competing in the sport. All of those things would not have occurred had the good behaviour bond not been imposed.

In another case, a farmer, a licensed gun holder, was outside my electorate and travelling home. He felt extremely tired and did the right thing by pulling up on the side of the road in his ute—revive, survive. On waking, nature called and he walked a short distance from his ute. On his return a police officer was standing beside his vehicle and saw a rifle on the seat. As the rifle was in his ute unattended his licence was withdrawn. Once again, the police officer was doing what he had to do according to the law. Under the provisions of this bill, he would not have lost his licence. In another instance a farmer left his rifle resting on the veranda of his home on his property, which is miles off any road. A police officer called by to say hello and the farmer lost his licence.

Since the horrific Martin Bryant incident in Tasmania action needed to be taken. There is no doubt about that. However, the wrong people, particularly farmers, have been forced to hand over their weapons. During the November 2005 by-election for the seat of Dubbo I was approached by disgruntled constituents, Bill and Gloria, who have been diehard stalwarts and members of The Nationals for many years. They were concerned about the firearms issues and were disgusted with the stand taken by The Nationals in this place. They said that many farmers had been forced to hand over their weapons, and it was not necessary. Despite reassurances at the time from their Nationals colleagues that they would vote on the legislation with their concerns at heart, when it came time to vote they turned. These people have given good reasons why farmers should be able to hold the guns that have been confiscated. Further down the track we need to revisit how far we have overreacted on this issue. This bill is a step forward in commonsense. Each case should be decided by a court, rather than on the spot, particularly when no-one is in danger. I support the Firearms Amendment (Good Behaviour Bonds) Bill.

Mr STEVE CANSDELL (Clarence) [11.01 a.m.]: I commend the Hon. John Tingle, former member of the Legislative Council, and the honourable member for Northern Tablelands for bringing this bill to Parliament. All honourable members agree there was a need for stricter firearms laws following the massacre in Tasmania. But the laws were not well thought out and have gone overboard, particularly in New South Wales. Other honourable members have highlighted examples in their electorates, and I will refer to a couple in my area. A friend of mine who is a very responsible firearms user had his shed broken into and an old unusable shotgun hanging on the wall—it was more of a relic, a talking piece—was stolen by a young thug who attempted to use the rifle in a hold-up. When the offender told police where he got the firearm, the police attended my friend's property. Because the shotgun was on the wall—an oversight on his part—and even though it could not be used, all his rifles were confiscated. The young offender got off on a bond with no fines and my friend Danny lost his very expensive firearms and copped a fairly hefty fine.

In another recent case a constituent was attending a competition pistol shoot. That night he stayed at Byron Bay. He had a verbal argument with his partner, and afterwards they kissed and made up. The police arrived, following a complaint being made. The police took out an apprehended violence order against him, even though his wife objected. He had his pistols in a safe in the boot of his car. Because of the apprehended violence order against him, he has had to hand in all of his pistols. He is a most responsible sporting shooter and a ranger at his local club. He is a stickler for the rules. Over a stupid incident that should have been dismissed as such, he has lost all of his firearms. As has been said, the Firearms Amendment (Good Behaviour Bonds) Bill

still provides for heavy restrictions and strict laws on people who do stupid things, who treat firearms in a reckless manner and are a danger to the public. The bill removes the imposition of heavy penalties on people who have been charged with an offence that really has nothing to do with the use of firearms and who pose no danger to the public. As there is limited time, I indicate my support for the bill and commend the movers of it.

Mr RICHARD TORBAY (Northern Tablelands) [11.05 a.m.], in reply: I thank all members who have contributed to the debate, particularly the honourable member for Mount Druitt, who led for the Government and is a very strong supporter of the bill and who has negotiated this process with me, the honourable member for Murrumbidgee, who led for the Opposition and indicated that the Opposition would not oppose the bill, the honourable member for Bega, the honourable member for Tamworth, the honourable member for Dubbo and the honourable member for Clarence. I am aware that other members wanted to make contributions but time did not allow them to do so. I thank the Hon. John Tingle, a former member of the Legislative Council, who originally discussed with me what this legislation was all about and had the carriage of it in the upper House, where it had significant support. I also acknowledge his successor, the Hon. Robert Brown, who has also maintained discussions with me in respect of this legislation, as the Hon. John Tingle has left in the intervening period. We hope he is enjoying his retirement.

There is nothing sinister or hidden in this bill, as has been echoed throughout the course of the debate today. The bill simply seeks to correct an obvious anomaly within the Firearms Act, that is, that a licensed firearms owner who has obeyed the law in every respect automatically loses his or her firearms licence—and, by definition, all firearms—when made subject to a good behaviour bond. It does not matter how minor the offence, it is automatic. The law is specific: the penalty is mandatory. If you get a good behaviour bond you will automatically lose your firearms. That is the problem. From discussions I have had with many members of the community, very few people are aware of this provision in the Act. Firearms owners who have appeared before a court and have been convicted of a minor offence have gladly accepted a good behaviour bond. They have stood up and thanked the court for recognising that they did not commit a serious offence and indicated they were happy to accept the good behaviour bond, thinking it was a desirable alternative to a tougher penalty. A day or so later, as the honourable member for Mount Druitt, the honourable member for Dubbo, and the honourable member for Tamworth highlighted, they discovered that, having had a bond imposed upon them, they had forfeited the right to own a firearm. They had no idea of that provision.

It is selective, discriminatory and a form of double jeopardy. It is a second punishment for what may have been a minor transgression. No other group of citizens in the community is treated in such a way. The only objective of the bill is to remove the anomaly to ensure that law-abiding firearms owners do not automatically lose the right to hold a licence and own or use a firearm in a legal manner because of a minor offence that obviously is not related to or involves firearms. I repeat, the bill does not in any way limit, change or remove the discretion of the court to order the revocation of a firearms licence; in fact, it empowers it. It allows it to happen. It could be argued there is no discretion in the current legislation because it is automatic. It seems to me to allow a court to have discretion when a minor offence occurs is fairness and natural justice.

I was pleased that the honourable member for Mount Druitt, on behalf of the Government, picked up on the fact that the bill does not seek to change the offences for which a firearms licence should be automatically revoked. Offences of violence or drug trafficking will result in automatic revocation of a firearms licence, which is a community standard that everyone would accept. The Hon. John Tingle is of the view that the legislation does not seek to water down offences that result in automatic revocation. The bill seeks to give a magistrate or a judge discretion only when a minor offence is dealt with by way of a good behaviour bond. The bill will not, as portrayed by some, water down or throw out significant reforms achieved in the system. I am pleased to inform the House that the Hon. John Tingle has discussed with me the amendments foreshadowed by the honourable member for Mount Druitt, and he is pleased to support them because they underline the spirit of the legislation and strengthen it. Further explanation in the bill or the regulations underlines the unfairness that can occur when a firearms licence is automatically revoked. When good behaviour bonds are issued for minor offences the court should have absolute discretion. I commend the bill to the House.

Motion agreed to.

Bill read a second time.

In Committee

Clauses 1 to 3 agreed to.

Mr RICHARD AMERY (Mount Druitt) [11.12 a.m.], by leave: I move Government amendments Nos 1 to 4 in globo:

- No. 1 Page 3, schedule 1 [1], lines 3–27. Omit all words on those lines.
- No. 2 Page 3, schedule 1 [2], lines 29–32. Omit all words on those lines. Insert instead:
- "in relation to an offence prescribed by the regulations," after "elsewhere," in section 11 (5) (d).
- No. 3 Page 3, schedule 1 [3], lines 34–37. Omit all words on those lines. Insert instead:
- "in relation to an offence prescribed by the regulations," after "elsewhere," in section 29 (3) (d).
- No. 4 Page 4, schedule 1 [4], lines 3–6. Omit all words on those lines. Insert instead:
- "in relation to an offence prescribed by the regulations," after "elsewhere," in section 44A (3) (e).

The amendments were foreshadowed and debated during the second reading stage. The honourable member for Northern Tablelands has indicated both his and the Hon. John Tingle's acceptance of the amendments. In his contribution to the second reading debate the honourable member for Murrumbidgee said that the Opposition had not been formally consulted about the amendments. On behalf of the Government I apologise for that oversight. However, our legal people have now briefed the honourable member for Murrumbidgee on procedural changes to the bill. Legal firearms owners, club members and members of the Sporting Shooting Association are generally decent people of good character who enjoy ownership of firearms as part of their sport or as tools of trade. But they have to continue to justify their ownership of firearms more than any other group in the community. The bill, and the amendments that have been accepted by its proponents, introduce commonsense changes to the laws, which will be accepted by the firearms-owning community. I commend the amendments to the Committee.

Mr ANDREW CONSTANCE (Bega) [11.14 a.m.]: The Coalition will not oppose the amendments. From the briefing we received we understand that a licence will be suspended automatically if a good behaviour bond is issued for a drug trafficking offence or an offence of violence. However, the amendments extend automatic revocation of a licence to cover any drug offence, which we do not oppose. We endorse the principle that the Government should work with law-abiding firearms owners in New South Wales to develop sensible policies. Strong legislation has frustrated some law-abiding firearms owners. I reiterate that we must go after illegal firearms in New South Wales, and certainly those on the streets of Sydney.

Amendments agreed to.

Schedule 1 as amended agreed to.

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

PAY-ROLL TAX AMENDMENT (SUPPORTING JOBS AND SMALL BUSINESS) BILL

Second Reading

Debate resumed from 7 September 2006.

Ms GLADYS BEREJIKLIAN (Willoughby) [11.16 a.m.]: I am pleased to speak to the Pay-roll Tax Amendment (Supporting Jobs and Small Business) Bill. I commend the honourable member for Southern Highlands for introducing it. The object of the bill is to amend the Pay-roll Tax Act 1971 to increase the tax-free threshold for payroll tax from \$600,000 to \$850,000, with the increase to take effect on 1 July 2007. The bill offers us the chance to support legislation that will exempt 4,500 businesses from having to pay payroll tax at all and will provide a reduction of up to \$15,000 for each of the 22,000 businesses that are liable for payroll tax. The bill will create jobs, improve our State's competitiveness and support small businesses, which are the backbone of our economy. The New South Wales economy should be the strongest, the fastest-growing and the most competitive in Australia. Regrettably, we know that at the hands of the State Labor Government it is quite the contrary.

Quarterly results released on 6 September 2006 showed that New South Wales economic growth, the State final demand trend, has dropped from 0.7 per cent to 0.6 per cent to 0.4 per cent to 0.3 per cent to 0.2 per cent since Morris Iemma and Michael Costa became Premier and Treasurer respectively. On 6

September quarterly results dropped to 0.2 per cent, which is a pathetic result for a State that should be the powerhouse and the engine room of the Australian economy. But we are lagging behind other States. The Coalition has listened carefully to the key advocacy groups in New South Wales, and we have responded to the call to cut payroll tax. We are pleased to be able to bring this bill to the attention of the House and to the people of New South Wales. We strongly suggest that each member opposite who supports small businesses support the bill.

Raising the tax-free threshold on payroll tax from Labor's \$600,000 to the Coalition's \$850,000 will encourage business to invest, and give greater financial incentive to employ more staff. This is a win for business in New South Wales because under the Liberal-Coalition policy, which the bill would make law, 4,500 businesses would be exempt from paying payroll tax and more than 22,000 businesses would receive tax cuts of up to \$15,000. This is an incentive to employ staff. It is an opportunity to create growth in the State as opposed to going backwards, which is what we are doing under the current State Government. Many constituents in the Willoughby electorate have raised with me this issue, which affects many in the community.

I remind the House and the people of New South Wales that since Morris Iemma became the Premier he has continued to slug New South Wales taxpayers. He has increased stamp duty on insurance products, he has imposed waste and environmental levies, he has extended payroll tax, he has introduced new mining charges to pay for government regulation, he has extended land tax, he has introduced mortgage duty and he has introduced a number of other taxes and charges. Payroll tax is one tax that he should reduce. He should support the Coalition's position. I commend the bill to the House.

Mrs JILLIAN SKINNER (North Shore) [11.19 a.m.]: As my colleague the honourable member for Willoughby has stated, the object of this bill is to amend the Pay-roll Tax Act 1971 to increase the tax-free threshold for payroll tax from \$600,000 to \$850,000, with the increase to take effect on 1 July 2007. This legislation offers the Government the chance to support measures that will exempt 4,500 businesses from having to pay any payroll tax and will provide a reduction of up to \$15,000 for each of the 22,000 businesses that are liable for payroll tax. I commend my colleague the honourable member for Southern Highlands for this innovative bill that demonstrates that the Coalition has the interests of business at heart. The Coalition is introducing this legislation on behalf of those who are caught up in this Government's insidious tax grab.

Since winning office in March 1995 the New South Wales Labor Government has received a massive \$394 billion in revenue, including \$48.6 billion in payroll taxes and \$13.5 billion in land taxes. Despite having received so much revenue, everyone asks where all the money has gone. In the light of such incredibly high revenue collection, why do the people of New South Wales have to put up with crumbling infrastructure, such as schools that desperately need renovations and school toilet blocks that students will not use because they are so revolting, and poor essential services? In my portfolio of Health, nurses are not being employed because their salaries are deemed to be too high and the Royal North Shore Hospital in my electorate has had its upgrading delayed time after time. Health services across the board have been cut to smithereens.

New South Wales is the only Australian State to record negative employment growth this year to June 2006. Australian Business Limited's 2005 national survey of 1,800 businesses ranked New South Wales last as a result of the impact of this State's regulatory system upon business. New South Wales businesses spend an estimated five weeks per year of filling in forms and complying with regulations. This State's businesses are beset with high State taxes and charges. Since Morris Iemma became the Premier, 14 new taxes have been imposed on the people of New South Wales, totalling approximately \$700 million. This Coalition legislation, introduced by the honourable member for Southern Highlands, provides clear proof to businesses that their future lies with the Coalition and that the Coalition really cares about removing taxes so that businesses can get on with doing business.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [11.22 a.m.]: The Pay-roll Tax Amendment (Supporting Jobs and Small Business) Bill, introduced by the honourable member for Southern Highlands, is a commendable bill and one I support fully. As the honourable member for Ballina in northern New South Wales, I see firsthand the negative effects that the State Labor Government's current payroll tax regime is having on livelihoods in the business community. Business owners are opting to move their operations north of the border and into Queensland, where the payroll tax-free threshold currently stands at \$850,000, or \$250,000 higher than this State's threshold. This in turn entices New South Wales residents to travel north of the border to access these businesses, and northern New South Wales continues to lose investment and consumer dollars to Queensland.

Queensland's business-friendly payroll tax schedule is luring businesses out of New South Wales and out of the New South Wales economy. New South Wales simply is not able to compete and will not be able to compete, unless the payroll tax-free threshold is raised to equal that of Queensland—precisely what this bill will do. The State Coalition's policy is to raise the tax-free threshold on payrolls from Labor's \$600,000 to \$850,000. This will encourage business in New South Wales to invest and give greater financial incentive to employ more staff. Under this policy 4,500 businesses will be exempt from paying payroll tax, and more than 22,000 businesses will receive tax cuts of up to \$15,000. Raising the payroll tax threshold to match Queensland's will deliver a \$282 million boost to businesses in 2007-08, providing a significant incentive for businesses to remain in New South Wales instead of moving, or being forced to move, north.

Under this bill, payrolls of less than \$850,000 will pay no payroll tax at all. A business with total taxable wages of \$1 million will pay only \$9,000 whereas under Labor they will pay \$24,000. A business with total taxable wages of \$1.5 million will pay only \$39,000 whereas under Labor they will pay \$54,000. This Labor Government is continually claiming that New South Wales is open for business. Yet the current payroll tax is driving business out of New South Wales. If the Labor Government is serious about kick-starting the New South Wales economy and returning the New South Wales economy to the powerhouse it once was, it will vote to support this important legislation.

Ms PETA SEATON (Southern Highlands) [11.25 a.m.], in reply: Today, Labor's Minister for Small Business, the man who among all Labor members ought to be the champion of small business in this House, will rob thousands of New South Wales businesses of essential payroll tax relief. He will rob 4,500 businesses of the chance to qualify for exemption from ever having to pay payroll tax through the higher threshold provided in this bill, and he will rob more than 20,000 businesses that are liable for payroll tax of the benefit of up to \$15,000 in tax relief each and every year.

I was shocked at the Minister for Small Business's speech, in which he described payroll tax relief as "appallingly useless". They were his words. He believes that cutting the payroll tax paid by thousands of businesses across New South Wales is "appallingly useless". The bill before the House today represents an opportunity for all Labor members to support businesses. I challenge all Labor members to consider that if they vote against this bill, they will endorse the Minister's view that payroll tax cuts are "appallingly useless" and will demonstrate that they have no idea of the pressures faced by small businesses throughout New South Wales. This bill provides an opportunity for Labor members to break ranks with the so-called Minister for Small Business and vote to provide taxation relief for thousands of small businesses in each and every electorate in New South Wales.

Australian Business Limited, the Illawarra Business Chamber and all business representative groups in New South Wales believe that relief from business taxes is essential to get New South Wales back on its feet. There is no doubt that New South Wales is in crisis. Our economy is the laggard among all the States and it is time that we gave small businesses the taxation relief they need. I thank the many honourable members of the Opposition who have spoken in favour of the bill. I particularly commend the honourable member for Wagga Wagga, who I know stands up for and supports businesses in Wagga Wagga and surrounding areas and who therefore supports this measure. I thank also the honourable member for Lane Cove, the honourable member for Hornsby, the Leader of The Nationals, the honourable member for Albury, the honourable member for Willoughby, the honourable member for North Shore, the honourable member for Ballina and the honourable member for Northern Tablelands, who spoke in favour of the measures provided in the bill. But we have had stony silence from the Australian Labor Party

The only Labor member who participated in this debate was the Minister for Small Business, and he referred to payroll tax relief measures as "appallingly useless". The Coalition wants to restart the New South Wales economy. That is why the Liberal-Nationals Coalition has introduced a comprehensive package of small business measures, including payroll tax cuts for 20,000 businesses, exempting 4,500 businesses from the liability of having to pay payroll tax, cutting red tape, creating incentives for housing, homebuyers and home builders to kick-start the housing and construction sector, reducing the cost of WorkCover and addressing occupational health and safety costs and burdens for businesses. This bill is an opportunity for members of Parliament to help New South Wales businesses and families to compete and prosper in their own businesses and to operate on a level playing field. I commend the bill to the House.

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

The House divided.

Ayes, 36

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	Mr Oakeshott	Mr Torbay
Mr Draper	Mr O'Farrell	Mr J. H. Turner
Mrs Fardell	Mr Page	Mr R. W. Turner
Mr Fraser	Mr Piccoli	
Mrs Hancock	Mr Pringle	
Mr Hartcher	Mr Richardson	<i>Tellers,</i>
Mr Hazzard	Mr Roberts	Mr George
Ms Hodgkinson	Ms Seaton	Mr Maguire

Noes, 46

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

Pair

Mr Armstrong

Ms D'Amore

Question resolved in the negative.**Motion negatived.****Pursuant to sessional orders business interrupted.****COMMUNITY-BASED PRESCHOOLS****Ms GLADYS BEREJIKLIAN** (Willoughby) [11.38 a.m.]: I move:

That this House condemns the Government for failing to address the worsening crisis facing community-based preschools across New South Wales.

This is a very important motion. New South Wales has approximately 840 community-based preschools, many of which are struggling to keep their doors open and many of which are very stressed. They cannot address issues such as affordability or participation because, for a long period, the State Government has failed to adequately fund the State's preschools. I will canvass several issues this morning regarding community-based preschools and the State Government's failure in this area. I will address the matter of inadequate funding, the Government's failure to communicate—I call it a communication debacle—its shirking of responsibility and its serious failure to address issues such as affordability, participation rates and choice in early education.

When I was appointed shadow Minister for Community Services many officers from peak bodies representing community-based preschools across New South Wales came to see me. Their initial problem was that they could not even get their foot in the door to see the Minister for Community Services to explain their grave concerns about the future of their preschools. We are talking not about one or two preschools but about 840 preschools across the State that are struggling to keep their doors open, struggling to keep fees at a reasonable level and struggling to encourage participation by three-year-olds and four-year-olds in early education.

Peak body representatives told me that they had experienced enormous difficulty getting across to the current Minister and her predecessor and to the Government the message that preschools play a very important role in early education. They play a vital role in ensuring that children are equipped with basic skills that enable them to cope when they start school. The Government has turned its back on the needs of community-based preschools and ignored the alarm bells. Mums and dads and community-based preschool directors, operators and teachers across the State have come together to condemn the New South Wales Government for failing to understand the unique service that these preschools provide to the community and the important role they play.

Turning to funding, earlier this year the State Government begrudgingly announced an \$85 million package for preschools. The Coalition believes this package is woefully inadequate. It is less than a quarter of the \$362 million over four years that the Coalition has put on the table. The peak bodies have assessed the figures and community needs and have concluded that the funding offered by the State Government is totally inadequate. In June the Government announced that it would provide emergency funding of up to \$8 million in the 2005-06 budget period for preschools across New South Wales. During the estimates committee hearing on 4 September 2006 the Minister for Community Services advised members that she or her department had written directly to all preschools advising them of the emergency funding, thereby allowing them to apply to receive that money.

Regrettably, that is not the case. The Minister must explain why she misled the committee and the House when she stated repeatedly that she had written to all community-based preschools. As I said yesterday, a number of community-based preschools—several of which represent hundreds of preschools across New South Wales—have contacted the Opposition to say that they were not advised of the emergency funding. Some preschools said that they were not advised of either round one or round two funding. Others said that despite badgering the Department of Community Services [DOCS] they had still not been assigned a preschool manager. I will place on record some of the comments that I have received from preschools across the State. One preschool said:

We received no funding in the last emergency funding distribution. I cannot locate any info that may have been sent to the preschool on how or when to apply so no application was submitted.

The same preschool also said:

We have 25% of families on fee relief. Our fees are going to have to increase as early as next month to keep the preschool financially afloat.

In response to the Minister's claim that all preschools were advised about the emergency funding, another preschool said:

[The Minister] said all preschools knew of the funding and were able to apply. This was not the case. We only knew to apply in the second round because Country Children's Services Association sent an email around to all its members.

Another country preschool stated:

We have definitely not received any information about either round of funding and we have relied on your updates to keep us informed.

Yet another preschool said:

When the funding became available we were not even contacted by DoCS. In fact, we did not even have a DoCS adviser and have not had one since approximately September last year! This in itself is outrageous! We were not given the opportunity to apply for funding. Many pre-schools in our area were in the same situation!

I could continue, but I wish to canvass several issues in this debate. First, the funding allocated by the State Government is woefully inadequate. Second, the Minister has misled the community in relation to communication about the funding. How can she claim in this Chamber and in the estimates committee hearing

that all community preschools were advised of the funding when many have contacted us to say that they received no such advice? Peak bodies that represent hundreds of preschools across New South Wales have reported that their members have come to them expressing concern that they were not aware of the funding. The Government has shirked its responsibilities in this area. The Minister, instead of lobbying the Treasurer and her colleagues to provide additional funding for preschools, had the nerve to move in this Chamber on 26 September an urgent motion calling on the Federal Government to increase the child care benefit.

The Minister has not met her responsibilities in relation to preschools. The urgent motion proves that the Minister will do anything to shirk her responsibility to preschools. She refuses to address the serious issues faced by community-based preschools. The Government has also failed to address the important issue of early education affordability. I have visited many preschools across New South Wales. In some areas parents are asked to pay up to \$35 a day or more to send their children to preschool. That is having a direct impact on participation rates. The participation rate in New South Wales for three-year-olds and four-year-olds is at 60 per cent when it is 90 per cent or higher in other States. That is a tragedy, given the important role that preschools play in the community. In fact, Professor Vinson, a well-qualified and highly respected education expert, released a report earlier in the year that revealed that many children in New South Wales do not have basic skills—for example, they cannot hold a pencil—when they start school.

The State Government is closing the door on choice for many parents, and I commend the Children's Choice organisation for its efforts to reverse this trend. Some parents choose to send their children to child care and others choose to send their children to preschool. Parents should be able to decide what is in the best interests of their family and their children. However, in some rural, remote and country areas parents do not have that choice because the only early education establishment in town is a community-based preschool. What happens to parents who have no choice but to send their children to a community-based preschool when the fees get too high?

The State Government stated its position clearly when the Minister moved the urgent motion in this Chamber. She told the community that the Government would not provide any more funding. The Government does not believe community-based preschools should be viable. It thinks parents should send their children to child care. That is the message the Minister sent to the community: she has shirked her responsibility in relation to choice in education. The Minister expressed her alleged concern about the Federal Government's policy regarding child care benefits. Why can she not say, "I hear what community-based preschools are saying and I know that many of you are struggling to keep your doors open. I know that the emergency funding I have provided to some of you will only last until Christmas and after that your fees will have to increase or you might have to pay in order to meet compliance issues. I know that the medium-term to long-term viability of your preschool is under threat"? Why can the Minister not accept those facts and make a commitment to provide additional funding in the future? The Minister's current position is inexcusable.

I have visited many preschools in my electorate and throughout the wider community. People feel very strongly about this issue. Parents, children and families deserve choice. Parents should have early education options for their children—and there are a number of options out there. The Coalition respects the unique role that preschools play in early education. We want to ensure that parents have choice, that they can afford to send their children to preschool and that preschools in this State remain viable in the medium to long term. Regrettably, the State Government's position will deliver none of those things. Some 840 preschools face an uncertain future because the Government has neglected, indeed abdicated, its responsibilities in the area of early education. Instead of addressing the issue the Government blames everyone else. The Minister should be ashamed of her actions.

Ms REBA MEAGHER (Cabramatta—Minister for Community Services, and Minister for Youth)
[11.48 a.m.]: I move:

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

"this House:

- (1) congratulates the Government on its \$35 million Preschool Investment and Reform Plan;
- (2) notes this is the biggest increase in preschool funding for more than 20 years and will deliver a universal year of preschool; and
- (3) notes it was this Government that lifted the funding freeze on community-based preschool funding put in place by the Opposition when it was last in government."

I have been waiting for some time to address the House on the important issue of community-based preschools. The Iemma Government is acutely aware that this is an issue of concern to the hardworking families of New South Wales. It is an issue the Government has been working hard to address. But first I take this opportunity to clarify matters for the honourable member for Willoughby. If the honourable member had been listening carefully at the estimates hearing she would not be quite as confused as she appears to be today. For the benefit of the honourable member I will repeat the facts.

Preschools which received funding in the initial round of more than \$8 million were identified through two surveys by Department of Community Services [DOCS] regional staff, as well as by information provided by services in their annual reporting documents. As I explained during the estimates committee hearing, preschools which missed out in the initial allocation of funding were able to contact the department, their local member of Parliament or even my office. Every service that expressed an interest in funding had its position considered for the second-round funding. More than 400 preschools were allocated funding in June. But the \$8.3 million in emergency funding was just the first step in the Government's commitment to assuring the long-term future of community-based preschools.

The Iemma Government's Preschool Investment and Reform Plan announced in this year's budget is the most significant investment in our community-based preschools in more than 20 years. Community-based preschools across New South Wales will receive more than \$85 million during the next four years, delivering a universal year of preschool for every family that wants one. The Government's investment includes \$8.8 million a year—from this financial year—to improve the viability of community-based preschools and increased access and affordability for hardworking families. From 2008-09 an extra \$21 million a year will be provided to subsidised places for another 10,500 children. This investment will bring levels of attendance at preschool programs in New South Wales to 95 per cent, which is in line with other Australian States and Territories. It will take the New South Wales Government's expenditure on children's services to \$134 million a year, which is an increase of 32 per cent on the 2005-06 budget.

In addition, half of all community-based preschools in New South Wales have already received a share of more than \$8.3 million in emergency funding relief. That includes more than \$16,000 for the Jacaranda Preschool in South Grafton to help make improvements to the preschool premises; \$50,000 for the Coffs Harbour preschool to renovate its bathroom and improve disability access; in the Hunter Cardiff Community preschool received \$25,000 to buy shade roofing and other improvements to ensure the safety of children at the centre; in Sydney's north St Stephen's Preschool Kindergarten in Hornsby received more than \$52,000 to help them install a soft fall area around play equipment.

Mrs Judy Hopwood: At the last minute!

Ms REBA MEAGHER: If the honourable member for Hornsby does not want it, I am sure we can take it back. In all, the Government assisted 400 community-based preschools to address their immediate viability issues. I inform the House that preschools appreciate the investment. Bombala Preschool told their local paper that it was "wonderful to see positive steps being made by the New South Wales Government." Glen Innes preschool was ecstatic with its \$30,000 grant because it stated, "There will be no fee increase for next year thanks to the new funding." Even the Mullins Community Centre preschool that was looking to close before a \$200,000 grant, said the committee, families and the local community were "both surprised and thrilled to hear the news". But there is more to come, with a further \$8.8 million to be distributed this financial year.

The Preschool Implementation Working Group represents a diverse cross-section of the preschool community. It has developed detailed funding processes and criteria for the first rounds of sustainability funding to be allocated in 2006-07 and 2007-08, and I take this opportunity to thank them for their excellent work. Information on how to apply for the first round of \$8.8 million in funding was sent out to every DOCS-funded community-based preschool on Friday 15 September. Preschools will have until the end of October to make an application. Every preschool in New South Wales has an unprecedented opportunity to apply for additional funding to improve its long-term sustainability.

The Government is doing everything it can to help them through that process. An 1800 number has been established to answer inquiries about applications for funding and information sessions have been held throughout the State with staff from DOCS. But that is just the first step. The Preschool Investment and Reform Plan also outlines a new direction for the delivery of preschool services in this State. The Government is working with the sector to build capacity and long-term viability. Preschools across the State will be offered the

opportunity to transition to a long day care service model, when that model is considered appropriate by its parent committee.

Ms Gladys Berejiklian: It is on the record now.

Ms REBA MEAGHER: It was actually in the paperwork if the honourable member had read it. Transition to long day care has a number of advantages. It will help to maintain the existing high-quality community preschool service, working parents will have access to a service that provides longer operating hours that better suit their child care needs, and parents will be eligible to receive the Commonwealth child care benefit, making preschool even more affordable for families. While the Government recognises the long day care model will not be suitable for all services or communities, particularly rural and regional communities, it will support preschools that wish to transition with business support.

In the meantime the Government continues to support hardworking families in New South Wales. It continues to call on the Commonwealth to extend the child care benefit to cover parents who choose to send their children to preschool, a move that the Leader of the Opposition will not support because he will not stand up to his mates in Canberra. The Government is committed to supporting families and giving them choice and will continue to fight for their benefit. Unlike those opposite, the Government cares about investing in the future. It has money on the table; it is real and it is flowing into preschools as we speak.

Contrast that to the cruel hoax that is being perpetrated by the New South Wales Opposition, with its fanciful package which it has no intention of funding. Yesterday this House was given an insight into the fact that the Opposition has no intention of funding that package because when the honourable member for Willoughby talked about her program, she said, "Really we should just leave the details of funding to one side." Why should we do that? Because there are no details. She cannot answer the question. She cannot fund it. It is a cruel hoax on the parents of New South Wales.

Ms Gladys Berejiklian: Point of order: My point of order is in relation to the Minister misleading the House. I call on the Minister to read yesterday's *Hansard*. She is misleading the House and I call upon her to withdraw her comments.

Mr ACTING-SPEAKER (Mr John Mills): Order! An allegation of misleading the House cannot be the basis of a point of order. There is no point of order.

Ms REBA MEAGHER: That is right. There is *Hansard* and a video, and it is the video that makes for great entertainment. But the honourable member for Willoughby made it clear that the details of the funding should be left to one side. What she also did not make clear is that the Opposition's policy is about transitioning preschools to the Department of Education and Training. It will mean the abolition of community-based preschools in New South Wales. It is about taking a choice away from parents, which contrasts with the Government's package of investing in community-based preschools, giving parents choice and underscoring the fantastic results achieved for New South Wales children by community-based preschools.

Mr STEVE CANSDELL (Clarence) [11.58 a.m.]: I will speak to the amendment, but I must say I preferred the motion moved by the honourable member for Willoughby.

Mr Steve Whan: That's a surprise!

Mr STEVE CANSDELL: I realise that might come as a surprise. The amendment congratulates the Iemma Government on its \$85 million preschool investment and reform. I congratulate the Iemma Government for recognising, after 12 years, that preschools do exist. My concern is that underfunding of preschools in some areas indicates a move by the Government to push preschool children into day care centres, therefore transferring funding responsibility from the State to the Federal Government. I suppose that could be regarded as one way of saving costs, but it would be at the expense of the welfare of the children. As much as day care centres could serve the purpose, so do community-based preschools.

Community-based preschools educate children and prepare them to enter the public education system. Day care centres do not. The Clarence electorate has 16 preschools, close to half of which could not possibly be replaced by a day care centre that could make money. Bear in mind that day care centres are business enterprises whose aim is to make money. Why do they make money? Because they receive a good level of funding from the Federal Government. On the other hand, community-based preschools struggle to keep their doors open. I am

not here to bag every one; on previous occasions I have commended the Minister for Community Services for providing emergency funding. Many preschools in my area that have received emergency funding were at the point of closing their doors. However, emergency funding is an admission of a complete failure to run the system properly and fund it adequately. That is why there is a need for emergency funding.

Of course, those preschools are very grateful for the emergency funding. I mean, when you are starving, scraps are beautiful, and a glass of water is wonderful when you are really thirsty, but that does not sustain you forever. As the preschools have said, the emergency funding is very welcome, but all it does is keep them open for another 12 months; next year will be just as bleak as the year before and the year before that. We need adequate funding of preschools. One of the 16 preschools in my area is the Copmanhurst community-based preschool, which is in an isolated area some 45 kilometres from Grafton. Copmanhurst has no chance of ever having a day care centre; it struggles to get the numbers. One year they may be good, the next year they may be bad, depending on transitions. If the community-based preschool closed, people from Copmanhurst working in Grafton, rather than put their children in community-based preschools, with the aim of in future transferring to the public school, would form friendships in Grafton and their children would end up catching the school bus to go to Grafton, with a consequent loss of school teachers at Copmanhurst and a downgrading of the education system there.

Coutts Crossing is in the same vein as Copmanhurst. Tucabia, which has a cold stream preschool, is another small community that struggles. There is no way in the world a day care centre would ever open there. I believe the Minister is doing her best, but she struggles to get funding from a Government that is inept at handling its funds and cannot allocate sufficient funds to the Minister. However, I put a proposal to the Minister that I hope she will take on board. Isolated areas and small communities that cannot possibly sustain a day care centre should be considered for extra funding, far in excess of what they are getting now, to ensure they stay open. When they have lean times—and they have many, depending on the number of young children who will move into the public sector and younger ones coming through—they should have extra funding based not on the number of children participating but on the needs of the area.

I know they have some funding, but it is nowhere near adequate. If it were, there would be no need for emergency funding. I would say that nearly all of this emergency funding would have gone to isolated areas with small preschools. Tabulam is another preschool in question. Next year it will be in the electorate of Lismore following the redistribution of electoral boundaries. This very small preschool is heavily dependent upon children from the Aboriginal community. However, many of these communities cannot afford to pay the fees. So the community-based preschool— *[Time expired.]*

Mrs KARYN PALUZZANO (Penrith) [12.03 p.m.]: I am pleased to have the opportunity to inform the House of the practical steps that the Government is taking to ensure the long-term viability of preschools in New South Wales. As the Minister for Community Services advised the House, the New South Wales Government already has delivered a massive injection of funds to 400 community-based preschools—\$8.3 million. Those preschools were known to be under immediate financial pressure at the end of last financial year.

In the electorate of Penrith, an allocation of \$12,500 has ensured that the KU Penrith preschool can continue to provide quality early education for local children. I have very strong links with this preschool. Two of my children attended it, and I am a former past president of the parents support group. Lyla Irving and the staff at KU Penrith preschool spoke to Minister Meagher on a recent visit and outlined their needs. We spoke to the staff and the children, while they were playing in the sandpits and shared some books I donated to the preschool library. It was a great visit, and it showed the quality of early childhood education in the electorate of Penrith.

The Government is delighted that these funds have helped to relieve fees, to undertake capital works and to avoid reductions in service hours for so many services such as KU Penrith preschool. Over the next four years an extra \$85.2 million investment will be made to ensure universal access to preschool places in New South Wales children's services. These are committed dollars; they are in the budget papers—not an aspiration, not loose promises. The Iemma Government's plan is underpinned by advice provided by the Preschool Implementation Working Group, made up of sector representatives.

Based on the working group's expertise, four key areas of eligibility have been identified: fee relief, to reduce fees for low-income families; operational funding, to increase accessibility, sustainability and affordability of services; capital improvement funding, to support the continued and safe delivery of preschool

services; and service analysis and business development support, which aims to build the capacity of preschool providers to manage their services to meet the long-term needs of their community. All Department of Community Services funded and licensed preschools, including community-based preschools and local council preschools, are eligible for all four types of funding. DOCS funded and licensed long day care centres may also apply for service analysis and business development support.

Applications for the first round of sustainability funding opened on 15 September this year. I am actively encouraging all services in the Penrith electorate to make an application. I have noted the circumstances of KU Penrith preschool, but there are also the Glenbrook, Lapstone and Wirraway preschools. I have visited all of those preschools, but in particular Wirraway, which has celebrated a twentieth anniversary. I enjoyed my visit there. At Lapstone, Glenbrook and Penrith I spoke to the parents early in the morning, as they entered the preschools, to learn of their issues and to tell them that the Iemma Government is doing everything it can to provide intensive support to preschools throughout the process. More than 1,200 application packages have been sent to DOCS funded preschools and long day care centres throughout the State. All this information is posted on the DOCS web site.

The package is also being distributed directly to services by regional staff of DOCS and by a number of peak bodies. Preschools throughout the State know they can call our 1800 number support line to ask questions about the process or to seek guidance with preparation of applications. The line has received close to 700 calls so far. The Preschool Investment and Reform Plan section of the DOCS web site has received more than 2,200 hits since this information was posted, showing just how important a step this is for preschools in New South Wales. To ensure services have face-to-face support we have held information sessions across the State. Sessions have been widely held at Wagga Wagga, Goulburn and Dubbo, including one at an Aboriginal Early Childhood Conference in Sydney, Liverpool and Lismore. There were more than 400 participants.

It is also very important that parents understand the opportunities afforded by this plan. To ensure that parents are fully informed, we have developed a fact sheet for them, and this has been sent to all eligible services along with a fact sheet for services. Our intention is that funding allocations be announced in December this year, so that services and parents will be able to plan with confidence in 2007. Our commitment to provide an improved preschool service in New South Wales is backed by action. Reform is under way. We are working with the services and the sector and making a difference in this vital area. As funding enhancement increases, more will be done. [*Time expired.*]

Mrs JUDY HOPWOOD (Hornsby) [12.08 p.m.]: I support the motion moved by the honourable member for Willoughby, which states:

That this House condemns the Government for failing to address the worsening crisis facing community-based preschools across New South Wales.

I do not congratulate the Government on its recent policy intrusions into community-based preschools. The Government's latest funding offer has come a little too late and is not enough to provide sustainability for all the community-based preschools who seek to continue to provide the excellent care and education they currently offer to young people. The \$8.3 million offered by the Government in June this year did not occur in the ordered fashion that the Minister for Community Services described. The Minister stated in the House that all preschools were advised of the funding by letter. They were not. Funding was made available in an ad hoc and unsatisfactory way. In a letter to me Simonie Fox, President, Peter Rabbit Community Preschool, states:

I am writing to you in relation to the recent State Government's ad hoc distribution of funds for DoCS funded pre-schools. As president of Peter Rabbit Community Pre-school, Wahroonga, I would like to express our bitter disappointment in relation to the way in which the funds were allocated. Whilst we are pleased that funds were provided to pre-schools who were in dire need of funding we remain unhappy that pre-schools such as our own did not get any additional funding despite constant lobbying for the last year. We will not be able to provide any fee relief to parents.

When the funding became available we were not even contacted by DoCs. In fact we do not even have a DoCS advisor and have not had one now since approximately September last year! This in itself is outrageous! We were not given the opportunity to apply for funding. Many pre-schools in our area were in the same situation!

It would not appear that the State Government even attempted to assess how the money should be distributed. The NSW government task force, which allegedly was put together to resolve this crisis, does not appear to have performed any analysis of this situation. Once again it is a blatant example of poor economic management by this government at the expense of our pre-schoolers and their families.

We do not feel that the NSW government has listened to our concerns. We are so grateful that the Liberal opposition has listened.

The preschool thanked the Opposition for our ongoing support. Similar concerns are mirrored around my electorate. No-one is happy about the management of community-based preschools by this Government. The Minister for Community Services, and Minister for Youth referred to funding that was provided for the construction of a soft-fall play area for St Stevens preschool. However, that funding came after bowing, scraping, begging and cap in hand. At the eleventh hour the preschool finally got the funding and that was because if it had not it would have closed, thus removing the choice that is supposedly being provided by the Government. Clearly, the Government is trying to move all preschool education and care into long day care. The transition policy has all the tell-tale signs of such a move, thereby further reducing choice.

Parents in the Hornsby electorate, indeed throughout New South Wales, are not silly. The Government cannot pull the wool over their eyes. They are appalled at the Government's measures, which have not met their needs. I attended the Red Day protest at Peter Rabbit Preschool. I commend the work of the school's director and parent body. Peter Rabbit Preschool has led the way in my electorate and has made available a mechanism by which many other preschools have been able to express their concerns. I congratulate the preschool on its efforts. But the school community lives in fear of being penalised because they are speaking out. Many community-based preschools that depend on Department of Community Services funding had to increase their fees this year, forcing some parents to choose long day care centres. I believe the Government is moving in that direction. The situation is totally unsatisfactory. The Government has not put enough funding into community-based preschools and it needs to lift its game. [*Time expired.*]

Mr STEVE WHAN (Monaro) [12.13 p.m.]: It is a pleasure for me to support the amendment moved by the Minister for Community Services, which endorses the Government's approach to helping our very valuable community preschools. I have a great deal of respect for the honourable member for Willoughby. She came into this place as a good, solid economist, although on many occasions I do not agree with her economic rationalist views. However, I was interested to note that this morning she spoke on two pieces of legislation. Earlier she spoke about the Government reducing revenue by millions of dollars a year by cutting payroll tax, and now she wants us to spend millions of dollars a year more at the same time. That is the fundamental problem of the Opposition's policies. It has a \$362 million a year preschool policy unfunded. As the Premier has eloquently pointed out in this place, the \$25 billion worth of promises which the Opposition has made would end up costing every New South Wales taxpayer an additional \$1,200 a year.

The honourable member for Hornsby said it is for our children. That is the reason this Government raises taxes and resists silly calls by the Opposition to cut all taxes. We know we need to provide services that are properly funded and resourced for our children, who are so important. The Opposition runs around in a spending spree and promises everything to everyone. No wonder the honourable member for Willoughby said yesterday in this place—and I have not read yesterday's *Hansard*—"Let's leave the details of the funding to one side." Her comment reveals the attitude of the Opposition. The House would recognise the importance the Opposition places on preschools by the fact that the Leader of the Opposition chose to announce his preschool policy at a private \$2,000-a-head function held at the Westin Hotel for big business. I could imagine the business people looking at their watches and thinking, "I do not know what we are here for if we have to listen to that. We want to hear about the Coalition cutting taxes and services."

Ms Gladys Berejiklian: Point of order: It is offensive to suggest that people in business do not care about children and early education. I ask the honourable member for Monaro to withdraw his remarks. Withdraw the comment, Steve, you are better than that.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! There is no point of order. The honourable member for Willoughby will resume her seat.

Mr STEVE WHAN: I am sure that people in big business care about children, but I have a feeling that parents at preschools may have cared a bit more than them, if the Leader of the Opposition had bothered to go to a preschool to announce his policy. The Opposition policy is not credible. To say that the Minister's call for the Federal Government to extend child care rebates to preschools should not be supported is discriminatory. Why should a child who receives preschool education in the preschool room of a long day care centre be funded and subsidised by the Federal Government but not a child who attends a preschool? That is a fundamental point of fairness which the Opposition needs to address. The House should remember that the Opposition froze funding for preschools. This Government has lifted that funding freeze.

I am pleased to say that in the first round of funding 13 preschools in the Monaro electorate have received more than \$286,000 to address issues of concerns to them. Bungendore Preschool was pleased with the

large grant it received, as was Harris Park Preschool with the \$10,000 the Minister announced on her visit to that school. I was particularly pleased with that grant because my daughter attended that preschool, although it was some time ago because she is now in high school. Community preschools are important facilities. The honourable member for Clarence talked about sustainability of services in small areas. I recently visited Delegate Preschool. Delegate is a small town. The preschool has made some interesting moves to combine preschool and day care services. It considered that was a viable option. It is now doing a fair bit of work and is providing great preschool education to children in the area. The honourable member for Clarence pointed out that many places have small populations. The Nationals have forgotten that because they spend all their time in Sydney. They have lost contact with some of their smaller areas.

The Delegate preschool, which I visited, is providing a great education for its kids, as are many other small preschools. We must ensure that kids have access to preschool education. However, it is misleading to suggest that the percentage of kids attending community preschools is equal to the number getting a preschool education. There are kids in day care getting preschool rooms. The Government supports community preschools because they are very important. That is why the amendment should be agreed to. [*Time expired.*]

Ms GLADYS BEREJIKLIAN (Willoughby) [12.18 p.m.], in reply: First, the Minister for Community Services, and Minister for Youth demonstrated her complete lack of care for what the community thinks when she came into this place with a prepared speech. How could she possibly respond to the concerns of community-based preschools raised by the Opposition in this place by reading a prepared speech? Second, she has changed her story today. I call on her to apologise to the House for misleading it, and to apologise to community-based preschools for changing her story. Initially she said in the estimates committee, and I quote from page 18 of the transcript of an estimates committee held on Monday 4 September, in response to a question asked by the Hon. Robyn Parker in the other place in relation to which schools were notified about funding, "All community-based preschools were advised by letter of the preschool investment and reform plan, including the allocation of emergency funding." She said on the record that all schools were advised in writing. But now she tells us they were surveys conducted by the Department of Community Services.

The Minister should get her story straight and advise the community why she has misled them and why she said she wrote to all schools about emergency funding when she has now revealed that she may have had a lapse in memory or conveniently changed the facts. Either way, the Minister must explain why she has changed her story. Many schools wanted to know why they did not know about the emergency round of funding, why they were not advised and who determined which preschools should get funding. Many preschools that are struggling have contacted us saying, "We don't understand why we weren't even able to apply." Forget the fact that they did not get any funding, why were they not able to apply? Is it too much to ask for the Minister to explain to the community why they were not able to apply and why she has changed her story?

Third, the Minister has revealed the secret agenda of the State Government. She does not want to give parents a choice. She wants everyone to go into long day care, which is what she said today on the record. It is cheaper for the Government, which wants to shirk its responsibility. We on this side of the Chamber have put together a comprehensive, early education preschool funding package because we support choice. It is up to parents whether they want to send their children to a long day care centre or whether they want to send their children to a preschool. It is an issue of choice, availability and accessibility. What happens to rural and regional communities when there is only one preschool in the entire community? I thank those who contributed to the debate, particularly the honourable member for Clarence and the honourable member for Hornsby. I have sympathy for those opposite who would like to state what they think about this issue but, obviously, they have been gagged. I am sure many of them are embarrassed by the performance of this Minister and the former Minister in regard to preschools. Why should New South Wales lag behind the other States?

Mr Steve Whan: Point of order: I take offence at the remark of the honourable member for Willoughby, who suggested that I have been gagged. I always say what I think in this place, and I say it forcefully and passionately on behalf of the constituents I represent. I would ask her to withdraw that reference.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I uphold the point of order. I ask the honourable member for Willoughby to confine her remarks to the motion.

Ms GLADYS BEREJIKLIAN: I also thank Children's Choice, which has been fantastic in bringing together all the preschools that want their views represented. On 8 September they held a day of action to raise their concerns. Again, many of them indicated that they are worried about their viability, particularly after Christmas. Some preschools that have received emergency funding have said that it is simply not enough, and

they are concerned about what will happen to them next year when they need to pass on costs and increased fees to parents, what will happen with availability of places and participation rates. I reiterate the Coalition's commitment to choice. I reiterate the Coalition's commitment to preschools in New South Wales. I regret that the Minister does not see the value in preschools and the contribution they make to the broader community. I regret very much that the Minister has changed her story on the process adopted—

Ms Reba Meagher: Point of order: I certainly have not changed my story. In fact, I refer the honourable opposite to the transcript of the estimates committee. At paragraph two, in answer to the Hon. Robyn Parker, I said, "These services were identified through—

Ms GLADYS BEREJIKLIAN: Time!

Ms Reba Meagher: Your time for speaking has expired; this is a point of order. During the estimates committee hearing I said, "These services were identified through two surveys of DOCS regional staff drawing on their expert knowledge of the needs of community-based preschools in the area, as well as information provided by the services in the annual reporting documents." The honourable member deliberately misled this House.

Ms GLADYS BEREJIKLIAN: To the point of order—

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! The time for debate has expired.

Mr Daryl Maguire: Point of order: The honourable member seeks to speak to the point of order. You are deliberately ignoring her.

Madam ACTING-SPEAKER (Ms Marie Andrews): What does the honourable member for Willoughby want to say on the point of order?

Ms GLADYS BEREJIKLIAN: The Minister has chosen to selectively quote from the transcript. If she is going to take a point of order that selectively—

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I know the honourable member for Willoughby has not been a member of this place for very long, but she is now debating the substance of the matter.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 47

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

Noes, 33

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

Question resolved in the affirmative.

Amendment agreed to.

Motion as amended agreed to.

CASINO TO MURWILLUMBAH RAIL LINE

Debate resumed from 28 September 2006.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [12.36 p.m.]: Notice of this motion was given by my parliamentary colleague the honourable member for Ballina in May. Since that time, circumstances have changed somewhat. I will deal with those changes in greater detail later in my speech. Simply put, the Opposition needs to keep up with changing events. While the Opposition has done some homework, the inaccuracies of its position should be pointed out. The Opposition has been preoccupied with finding a way to afford its unachievable promise of establishing a commuter service on the rail line three weeks after the next election. I suppose the community should be grateful that the Opposition set a time frame of three weeks and has not adopted the promise of the Leader of the Opposition of accomplishing every political promise on the first day after winning government! Even so, the Opposition's attempts to find a way to make good its logistically impossible promise have been unsuccessful.

Meanwhile the Iemma Government has been busy drawing up a fair dinkum proposal to restore services to the line. I understand that a similar motion was debated recently in the upper House. In what I regard as a very illuminating moment, both the Opposition and the Greens voted against the restoration of the rail line. Members of the Northern Rivers community to whom I have spoken are most disappointed by their bizarre action. As I said earlier, the Opposition should keep up to date. The motion is out of date and behind the times. I will set the record straight by informing the House that the Iemma Government has put \$75 million on the table to be matched dollar for dollar by the Federal Government in a \$150 million project to restore the line.

The Federal Government previously promised \$30 million for the project, so the New South Wales Government has requested a review of that offer in the light of the latest cost estimates to restore the line. I advise that costings have been based on recent expert engineering assessments of the line's condition combined with engineering knowledge of the costs associated with such work. The experts advise that the restoration will be undertaken over five years—I emphasise that the restoration will take five years. Some of the work that needs to be undertaken to restore the line over that five-year period includes the immediate replacement of 10 major bridges—and I emphasise the term "immediate replacement"—the replacement of all timber bridges over five years, and the replacement of 30,000 timber sleepers with steel sleepers in the first five years.

Mr Thomas George: Steel or concrete sleepers?

Mr NEVILLE NEWELL: I said "steel", S-T-E-E-L. That work will be done over the first five years, but it does not mean that all the sleepers on the line need to be replaced. I will deal with that in more detail at a later stage when I refer to an inspection in which I participated. The signalling system needs to be upgraded. The corridors need to be upgraded, and that includes vegetation control and maintenance of fencing. Some months

ago the Deputy Premier wrote to the Federal Minister for Transport and Regional services outlining the New South Wales Government's proposal.

The Deputy Premier put a November 2006 deadline on a response to give the Federal Government plenty of time to fully consider our proposal. So far the only response is that the Federal Government is considering our proposal, and that is good news for commuters to the North Coast: the Federal Government has not ruled out our proposal. However, the priority is restoration of the line, because without restoration, no trains can run on it. The Minister for Transport has written again to the Federal Minister seeking further details. If the honourable member for Ballina, the honourable member for Lismore and others are genuinely interested—

Mr Steve Cansdell: And the member for Clarence.

Mr NEVILLE NEWELL: —and the honourable member for Clarence, if he wants to be included, I am sure they would support any proposal to restore that line. Members interested in this proposal should put their energy into lobbying their Federal colleagues to come good with some funding for the project. The Northern Rivers community has pushed for the restoration of rail services, with a focus on introducing a new commuter service, a service they have not had for some years. It is certainly time for the Northern Rivers Trains for the Future organisation to make its Trains On Our Tracks [TOOT] campaign a little more realistic. The organisation needs to look more closely at what commuter service the local area could maintain, because some of its proposals are a little far-fetched. Most people recognise that. I ask the group to lobby the Federal Government hard to get money to help restore the line.

No rail service is able to run on the line in its current condition. It will take a minimum of 19 months to restore the line to a state where a daily return XPT service could be reintroduced. I emphasise that 19 months is required to complete the necessary work. I would be very surprised if the honourable member for Ballina, or any other local member, could compress that timetable: so much work needs to be done. I would be interested in honourable members' comments on that. The \$150 million five-year restoration project would be needed before the proposed 16-services a day, a dramatic increase in frequency, could be considered.

Excluding line restoration costs, the proposed commuter service would cost in the vicinity of \$143.2 million over five years, including: \$56 million for new diesel trains, as there are no spare diesel trains within the RailCorp fleet; \$10 million to build a crossing loop to achieve the proposed service frequency, presumably from Bangalow or Byron Bay; \$19.2 million to build a local maintenance facility, because without it the rail cars would have to travel to Newcastle for maintenance; \$10 million for station works; and \$48 million in operating costs. Combined with the restoration works, that brings the total cost to almost \$300 million.

The Opposition claims that it would fund the project from the existing rail budget. To do so, it would need to dismantle the new rail safety regime, and withdraw all of the Waterfall inquiry recommendations that have been implemented already; or cancel country rail network maintenance, forcing grain and passenger lines to fall into disrepair, with the subsequent shutdown of CountryLink services across New South Wales; and end diesel rail services elsewhere in New South Wales, including in the Hunter Valley, Southern Highlands and the South Coast, to source diesel trains. If there ever was the remotest doubt about the level of work needed to restore the line it was dispelled by an inspection carried out on the morning of 18 August. The Minister for Transport, my parliamentary colleague the honourable member for Ballina, others and I examined the line in the Billinudgel location. I understand that the Minister for Transport and the honourable member for Ballina also examined the St Helena line; other commitments prevented me from joining them on that part of the track inspection.

There seems to be some misguided perception that the Government is interested in inflating the cost estimates for the project. I certainly wish it could be done for less; but having examined the track and spoken to the rail inspectors and others, I realise it simply cannot be done more cheaply. Trains cannot run over pieces of track that hang over thin air because washaways have removed all the soil. Trains cannot run through a landslip that literally covers the line. The honourable member for Ballina joined me on the inspection and he would have heard the appraisal for building lighter rail bridges and so on for a lighter train, rather than retaining the existing standard bridges. However, the cost savings by using thinner steel and so forth would be minimal. That would be a retrograde step, and would preclude the provision of a heavy rail service at a later stage. That long-term proposal should not be written off.

The honourable member for Ballina has conceded that the Opposition's claim that it will need to spend only \$4 million a year over a few years was unrealistic. In an article in Lismore's *Northern Star* on 19 August

2006 he agreed that the Opposition might have to scale-up its estimates on the initial repair bill. On 21 August another article in that newspaper stated:

Don Page and Karin Kolbe say they are willing to consider the possibility that State Transport Minister John Watkins' \$150 million repair bill for the train line is accurate.

The honourable member for Ballina and his Opposition colleagues need to 'fess up as to their assessment of the costs. Do they endorse the document of so-called parliamentary debating points prepared for them by TOOT members for today's debate? That document suggests stealing funds from the Pacific Highway upgrade to restore the rail line. I have made ongoing representations to the Minister for Transport to restore the Casino to Murwillumbah rail line. I welcome the New South Wales Government's fair dinkum proposal to restore the line. I urge everyone with an interest in seeing trains back on the line to lobby the Federal Government to join New South Wales in funding the project on a dollar-for-dollar basis.

Mr THOMAS GEORGE (Lismore) [12.46 p.m.]: I congratulate the honourable member for Ballina, the shadow Minister for the North Coast, on again raising this important issue concerning the Casino to Murwillumbah rail line. I will correct a statement by the honourable member for Tweed. The motion moved by the Hon. Catherine Cusack in the other place was supported by every member of that House, except the members of the Labor Party. This House just witnessed the honourable member for Tweed—who stands up in Murwillumbah and every other place in his electorate to support the retention or reinstatement of the Casino to Murwillumbah rail service—ridicule everyone who supports that proposal. He implied that the Coalition does not support that proposal.

The Government has treated the people of the Northern Rivers with contempt and treats the tourism industry in the Northern Rivers area with contempt. If the Government were serious about providing rail services to the Northern Rivers, why does its web site advocate that passengers vacate the service at Grafton, and catch a bus to Lennox Head, Ballina or Byron Bay? Passengers can stay on the train to Casino and then catch a bus to Byron Bay, Lennox Head or Ballina, and would arrive there an hour sooner than by leaving the train at Grafton. That is a ridiculous suggestion. The Minister continually praises the services and timetables offered by CountryLink and the State Rail Authority. The web site suggestion is a disgrace; it is of no help to the people of the Northern Rivers area.

Every time the Government gets into trouble it puts out a plea to the Federal Government. This is not a Federal Government issue; it is a State Government issue. The Hon. Michael Costa made the decision to cancel that rail service. He is now the Treasurer, and he can reverse that decision. The honourable member for Tweed estimated that the cost to restore the service would be \$150 million. The honourable member for Ballina, the shadow Minister, has addressed that estimate and I am sure will comment further in his reply. Even if it cost \$150 million to reinstate the service there is no way the State Government could spend that amount of money in just four years. The Federal Government put \$30 million on the table before the last election. I challenge the State Government to put up \$75 million and to take the \$30 million that is on offer. That would give the Government \$105 million, and I do not accept that it could spend that sum in the next parliamentary term.

Any sum committed by the Federal Government should be spent on extending the rail line from Murwillumbah to the Queensland border. That is where the Federal funding should go. When that rail link is built the service will become viable. Freight and other services will use the line. The community has made it clear that it has been hurt by the closure of the Casino to Murwillumbah rail service. The Opposition has listened to the people. Unlike the honourable member for Tweed, we represent the people. The honourable member for Tweed talks a lot about what he intends to do but then does nothing. He says that he writes to the Minister about this issue. He should do more than that: he should talk to the Minister every day. The honourable member for Tweed has circulated a petition on this subject. That is not enough. If the Labor Party is serious about retaining the seat of Tweed at the next election the Government will have to get off its backside and reinstate the Casino to Murwillumbah service. The Northern Rivers community deserves and wants that rail service because the bus service is not adequate. I congratulate the honourable member for Ballina on moving this motion, which I support fully.

Mr STEVE CANSDELL (Clarence) [12.51 p.m.]: I commend the honourable member for Ballina for moving this motion. Two years and five months ago the Labor Government scrapped the Casino to Murwillumbah rail service after promising for months that it would review its operation 12 months down the track. The last XPT left the region on 17 May 2004. Labor's neglect of the North Coast is manifest. While Labor spends millions of dollars on train services in Sydney—and it is still doing a pretty poor job—it is hacking into CountryLink by cutting services, closing booking offices, axing jobs, increasing fares and introducing booking

fees for pensioners. The axing of the Casino to Murwillumbah XPT service is a huge betrayal of the North Coast communities and is indicative of Labor's attitude to country and coastal New South Wales.

The honourable member for Tweed talks the talk but I refer him to the comments of one of his former colleagues in the other place, the Hon. Peter Breen. He was an Independent who joined the Labor party and then reverted to being an Independent again. The Hon. Peter Breen said, "Labor will never reopen the line." He had introduced legislation calling on the Government to reinstate the Casino to Murwillumbah rail service but when he jumped ship to Labor he withdrew the bill, claiming that caucus would never support it. As an insider, he knew the score. We are nearing an election so the honourable member for Tweed suddenly supports reinstating that service. I am afraid that his are empty words.

I have looked through some press clippings and articles about this issue. They have headlines such as "Labor Turns Its Back on North Coast Residents Again", "Pensioners Hit As CountryLink Booking Fees Take Hold", "Billions for Sydney Public Transport but Not One Red Cent for Casino to Murwillumbah Rail Link", "Labor Can't Be Trusted On Casino To Murwillumbah Rail Line" and "Neville Newell Betrays Country Communities Yet Again".

Mr Paul McLeay: Don't quote your own press releases because they didn't get a run.

Mr STEVE CANSDELL: The story of the Government's betrayal certainly got a run and it will get another run during the election campaign. The State Government is grandstanding and running off the good fiscal management of the Federal Government. It claims that it will match Federal funding of \$75 million. I challenge the State Government to put up its \$75 million, and then the Coalition will open the line. I commend the motion to the House.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [12.53 p.m.], in reply: I thank the honourable member for Lismore, the honourable member for Clarence and the honourable member for Tweed for participating in the debate. The honourable member for Tweed claimed that this motion is no longer current. I assure the honourable member that he is very wrong. The closure of the Casino to Murwillumbah rail link is a hot issue on the North Coast. It has been a hot issue since the Labor Government axed our only train service. The honourable member for Tweed should talk to his constituents and they will tell him that.

The people of the North Coast want this service to be reinstated. They particularly want a commuter service that connects to the existing XPT services that run from Casino to Sydney. This rail line is a New South Wales Government responsibility. Let us make no bones about that. The State Government claims to support the reinstatement of the service. It says it will put \$75 million on the table and if the Federal Government matches that funding we will get our trains back. But the reality is that we can restore the service for \$75 million if the State Government is fair dinkum about that offer. I am not the only one of that opinion. On 18 August the Minister for Transport, the honourable member for Tweed and I inspected the line. Shortly afterwards the Minister released a document that contained costings for upgrading the line. It said that it would cost \$21.8 million to make the line safe for trains to run on. That is the Government's figure. The Government claims that it will cost an additional \$30 million over five years to maintain the line. It will cost more to maintain the line than to upgrade it. So \$75 million is clearly enough to get the trains up and running.

It is ridiculous to suggest that line maintenance will cost \$30 million. The Government used to spend between \$2.5 million and \$3 million on line maintenance when the XPT was still running. The Government's \$30 million costing is ridiculous. The report by PricewaterhouseCoopers—I think its costings should be updated as the report was written two years ago and the capacity of the line has reduced since then—said that there were 155 bridges on the line, 92 of which were in good or fair condition. In other words, two-thirds of the bridges on the line do not need to be replaced. Yet the Government assumes that every bridge will have to be replaced. That is how it arrived at the \$150 million figure. But that is not the case. According to good engineering evidence, only one-third of the bridges, at most, need to be replaced.

The central plank of my argument is that the line can be restored to a safe condition by spending the \$75 million that the State Government says it will put on the table. If the State Government is fair dinkum it will make that funding available and return services to the line. But the Government says disingenuously that it will put its money on the table if the Federal Government comes up with a matching \$75 million. We do not need another \$75 million from the Commonwealth. A couple of years ago the Federal Government offered \$30 million to get trains back on the line. How did the State Government respond? It rejected that offer. Let us make no bones about it: This is a State responsibility. The State Government took away the trains and the State Government must put them back.

Since the closure of the line the community has said that it does not necessarily want a replacement XPT service. People want commuter services that run from Casino to Murwillumbah, possibly three times a day, and connect with the XPT. They can have that if the State Government spends the \$75 million that it claims to have available. If the State Government is fair dinkum it will use that \$75 million to restore the line—according to its own figures, it will cost only \$21.8 million—and reinstate services on the Casino to Murwillumbah line. If the honourable member for Tweed is serious about this issue he will join us in supporting the motion. If he does not, the people of Tweed will never forgive him. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 32

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

Noes, 46

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

Pair

Mrs Hopwood

Ms D'Amore

Question resolved in the negative.

Motion negatived.

[*Mr Speaker left the chair at 1.07 p.m. The House resumed at 2.15 p.m.*]

HANSARD RECORD OF QUESTIONS WITHOUT NOTICE

Privilege

Mr SPEAKER: Order! I have considered the matter raised yesterday by the honourable member for Murrumbidgee in relation to the *Hansard* record for the sitting on Tuesday 17 October 2006. As members are no

doubt aware, the record produced by the Parliamentary Reporting Staff is not strictly verbatim. In the editing process obvious mistakes are corrected and redundancies are removed. The matter raised by the honourable member for Murrumbidgee relates to an obvious error that was corrected by Hansard, without the intervention of any member. No matter of privilege is involved. I am sure all members appreciate the good work of Hansard in correcting obvious errors.

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**.

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**.

Inner Sydney Light Rail

Petition requesting the development of an integrated light rail network through inner Sydney, 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**.

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**.

Rural and Regional Police Resources

Petition calling upon the Iemma Government to allocate more police resources to rural and regional communities throughout New South Wales, received from **Mr Steve Cansdell**.

Nambucca Policing

Petition requesting a permanent 24-hour police station at Nambucca, received from **Mr Andrew Stoner**.

Forster-Tuncurry Policing

Petition requesting a permanent 24-hour police station at Forster-Tuncurry, received from **Mr John Turner**.

Coraki Health Services

Petition requesting that the proposed North Coast Area Health Service Multi Purpose Service at Coraki be situated independently from the Mid Richmond Residents Village, received from **Mr Steve Cansdell**.

Campbell Hospital, Coraki

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

Breast Screening Funding

Petitions requesting funding to ensure access to breast screening services for women aged 40 to 79 years and to reverse falling participation rates, received from **Mr Steve Cansdell** and **Mrs Judy Hopwood**.

Shoalhaven Mental Health Services

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

Parkinson's Disease Funding

Petition requesting funding for Parkinson's-specific support services for people living with Parkinson's disease, received from **Mrs Judy Hopwood**.

Sunflower House, Wagga Wagga

Petition requesting funding to facilitate the operation of Sunflower House, Wagga Wagga, received from **Mr Daryl Maguire**.

Mental Health Services

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

Jervis Bay Land Rezonings

Petition requesting a moratorium on further land rezonings within the catchment of Jervis Bay, received from **Mrs Shelley Hancock**.

Community-based Preschools

Petitions requesting increased funding to community-based preschools so that young children are able to access two years of preschool before they start school, received from **Mr Greg Aplin** and **Mrs Shelley Hancock**.

Sow Stall Ban

Petition requesting the total ban of sow stalls, received from **Ms Clover Moore**.

Private Native Forestry

Petition requesting a review of the draft code of practice for private native forestry, received from **Mr Andrew Stoner**.

Recreational Fishing

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

HMAS Canberra Artificial Reef

Petition requesting that HMAS *Canberra* be sunk in Jervis Bay for scuba diving purposes, received from **Mrs Shelley Hancock**.

Shoalhaven City Council Rate Structure

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

CSR Quarry, Hornsby

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

Kempsey Shire Council

Petition requesting an inquiry into Kempsey Shire Council, received from **Mr Andrew Stoner**.

Grafton Bridge

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

Road Tunnel Air Filtration

Petition asking the Government to ensure that all Sydney road tunnels are fitted with air filters, received from **Ms Clover Moore**.

Cross City Tunnel

Petition requesting government decisions concerning the Cross City Tunnel to be based on the public interest, received from **Mr Andrew Stoner**.

Forster-Tuncurry Cycleways

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

QUESTIONS WITHOUT NOTICE

CRONULLA RIOTS REPORT

Mr PETER DEBNAM: My question without notice is directed to the Minister for Police. Given the Minister said on Tuesday, "Mr Moroney has not received the report" but admitted yesterday that the report had "been given to Commissioner Ken Moroney's office about a month ago" and today confirmed that "Yes, I knew he had it", why did he deliberately deceive the people of New South Wales about the report?

Mr CARL SCULLY: I welcome the opportunity—

[*Interruption*]

Mr SPEAKER: Order! The honourable member for Southern Highlands will come to order. The honourable member for Wakehurst will come to order.

Mr CARL SCULLY: In the 12 long years I have been in Cabinet, there is usually one request every quarter of a year for a Minister's resignation and a censure or no confidence motion once or twice a year. It is water off a duck's back.

Mr SPEAKER: Order! The Minister for Police has the call. The Deputy Leader of the Opposition will come to order.

Mr Andrew Fraser: Point of order: I draw the House's attention to page 63 of Erskine May's *Parliamentary Practice*.

Mr SPEAKER: Order! I doubt the honourable member for Coffs Harbour has memorised the passage by heart. The House will come to order so that the honourable member can inform the House of the details of page 63 of Erskine May's *Parliamentary Practice*.

Mr Andrew Fraser: It states:

It is of paramount importance that Ministers give accurate and truthful information to the Parliament.

I ask that the Minister for Police be reminded of that responsibility.

Mr SPEAKER: Order! The Leader of the Opposition has asked a question of the Minister for Police. The Minister is endeavouring to answer the question. There is no point of order.

Mr CARL SCULLY: I welcome the opportunity to point out to the Opposition that I stand by everything I have said.

[Interruption]

If members are interested in my answer they should listen. As all honourable members know, a huge conflagration occurred in December last year. In response, Commissioner Moroney asked former Assistant Commissioner Norm Hazzard to conduct an inquiry into this incident and the revenge attacks that followed. Former Assistant Commissioner Hazzard was asked to look at the operational police response, command and control issues, education and training and equipment. Last September Commissioner Moroney was presented with what he advised me was a draft report. I will explain the situation to the House for the benefit of the Opposition. Some members would be familiar with the Independent Commission Against Corruption [ICAC].

Mr SPEAKER: Order! Opposition members will cease calling out. The Minister for Police has the call.

Mr CARL SCULLY: When a person is adversely affected by an inquiry, he or she is entitled to have the benefit of the views of that inquiry put to him or her for response before the report is finalised. An enormous amount of material has been made available to Norm Hazzard and his team. Boxes and boxes of risk assessments, threat assessments, protocols and plans on how to deal with escalating threats have been made available to Norm Hazard and his team. When all of that material is absorbed, working papers are produced, a preliminary report is made and an opportunity is given to the affected stakeholders to respond. That process occurs when the Office of the Ombudsman reports on government departments, and individuals in ICAC inquiries are given the same opportunity. I can assure the House that individual police officers investigated by the Police Integrity Commission are given an opportunity to respond to findings.

From time to time, when there is an assertion from a stakeholder that the facts as claimed are wrong, that inferences drawn are unfair or that conclusions are made without proper evidence, the author examines the stakeholder response and, more often than not, finetunes the report. These are working documents because the police officers have not been given the opportunity of responding to the findings. The Opposition started trumpeting a Watergate-Nixonian cover-up and ludicrous nonsense that I was motivated to cover up, to keep the documents in a drawer, to secrete them away from the public because I must have been overwhelmed, frightened and fearful by their content. The one and only thing I was motivated by was that police officers affected by the findings are entitled to natural justice.

Mr SPEAKER: Order! The Minister has the call.

Mr CARL SCULLY: With all the rubbish that those opposite have been pouring on me it would have been a lot simpler to just roll it out, but no, I held the line as long as I could. I have spoken to senior officers and said, "I am doing this because I believe you are entitled to respond." A number of senior commanders have expressed their disappointment to me that they have not yet been given that opportunity. It can never be a final report until those officers have been given the opportunity to respond. When I spoke to the commissioner this morning and said to him, "There is nonsense being peddled by the Leader of the Opposition that there is a Watergate cover-up", he immediately said, "We cannot have that mischief being peddled against the police." It was the Commissioner of Police who decided to release all of the report.

The commissioner advised me that in a conversation he had with Norm Hazzard before he went overseas, both of them were of the view that it was a draft document, that he would peruse it while he was overseas and, on his return, he would discuss it at length with Norm Hazzard. Commissioner Moroney advised me that he has made a number of annotations and comments on the draft, he always intended that affected officers would have the opportunity to put their views to Norm Hazzard, the commissioner would consider those

views and Norm Hazzard would have an opportunity to discuss them at length with the commissioner. The report would then be concluded.

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

Mr CARL SCULLY: The second reason it is obviously a working document and not a concluded report is that when I conveyed the commissioner's views to the acting commissioner and said that the report should be released, he brought to my attention that that was not possible because the report had a number of references to informants and a number of references to information that could identify informants. Those opposite would say, "Whip it out! It is a Watergate-style cover-up." The reason it cannot be released until later this afternoon is that it is not in a form that can be released. I have no intention of telling the police to release a report that will identify informants. The other thing is that elements in the report identify police tactics. These things were never intended to see the light of day.

Ms Katrina Hodgkinson: That's right.

Mr CARL SCULLY: That is right! Why would we not want to tell criminals? That is extraordinary! Opposition policy is to release police tactics to criminals so they know what the police will do next time they have these confrontations. That is an extraordinary comment. I have absolutely no intention of letting criminals know police tactics. These are the problems: police were not allowed the opportunity to respond, informants are referred to, information identifies them and police tactics are referred to. Am I concerned about what I put on the record based on that? No, absolutely not! I have nothing to apologise for, and I will never apologise for protecting the right of police officers to natural justice.

ICE (CRYSTAL METHAMPHETAMINE)

Mr STEVEN CHAYTOR: My question without notice is to the Premier. What is the Government's response to community concerns about the illegal use of the drug ice?

Mr MORRIS IEMMA: I thank the honourable member for Macquarie Fields for his interest in this matter. All of us have read with horror of the effects of the drug known as ice. This highly addictive form of refined methamphetamine, which used to be referred to as crystal meth, is manufactured in filthy backyard chemical laboratories, and also imported from Asia. The use of ice causes a range of serious health problems—psychosis, violence, depression and sleep deprivation—and it can be fatal. It is horrifying to hear of narcotics and amphetamines being referred to as party or designer drugs. It has been said that the true picture of ice is that it devours the independence and strength of our young people's minds, poisons families and threatens the future of many of our kids. A recent survey of 3,000 emergency department records showed that more than half of those who had used ice were addicted, users were 11 times more likely to suffer a psychotic episode and, equally troubling, 45 per cent had committed crime in the past month. This drug, and its growing prevalence in Australia, puts the user on a direct pathway to crime and violence, social dysfunction and serious health problems.

Mr Andrew Stoner: Are they allowed to take it in the injecting room?

Mr SPEAKER: Order!

Mr Andrew Stoner: Are they? Are they allowed to take it in Kings Cross?

Mr SPEAKER: Order! The Leader of The Nationals will come to order. The Premier has the call.

Mr Andrew Stoner: Answer the question!

Mr MORRIS IEMMA: That is pathetic.

Mr Andrew Stoner: Answer the question!

Mr MORRIS IEMMA: After that pathetic comment, I invite the Leader of The Nationals to withdraw it and then go back to his office to ask his staff to give him the transcript of that—some would say famous, but most clear-thinking people in New South Wales would say infamous—Steve Price interview with him on the Kings Cross medically supervised injecting centre.

Mr SPEAKER: Order! I call the Leader of The Nationals to order.

Mr MORRIS IEMMA: The Leader of The Nationals should refresh his mind—if we can use that term when describing him—about what Mr Price had to say about him when he interviewed him about the Kings Cross injecting room. He wants to wear that as a badge of honour.

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

Mr MORRIS IEMMA: He is ignorant and an idiot, as Steve Price so accurately described him. We know why he wears it as a badge of honour. It is the only policy he has come up with in the past 12 months. It is a badge of honour that David Clarke so proudly wears.

Mr SPEAKER: Order! I call the Leader of The Nationals to order for the second time.

Mr MORRIS IEMMA: On this side of the House we can see the strings being pulled, and we know who is pulling them. The Leader of The Nationals signed up to all those extremist policy prescriptions that the man who really runs the Coalition signed up to. Consider this statement by the distressed friend of an ice addict.

Mr Andrew Stoner: I guess that means they're taking it in the injecting room.

Mr MORRIS IEMMA: Only a moron like the Leader of The Nationals could possibly find matters to interject on when we are discussing such a serious matter.

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

Mr MORRIS IEMMA: That says it all when it comes to the Leader of The Nationals. Consider the statement of the distressed friend of an ice addict, who told the Government last week:

My friend "J" received a six-figure inheritance at the start of this year.

At that point he held down a responsible white-collar job and had sensible long-term plans for how to spend the money.

[Interruption]

Mr Vauclose No. 2, the honourable member for Bega, might want to buy a house and live in his electorate. The statement continues:

Against my objections, J started to use ice.

Inside three months he had developed a serious addiction, using the drug almost hourly, and having five-day binges on the drug without sleep.

It was all consuming. I watched a kind and sensible person who had always put family and friends first turn into an irrational, sick and insensitive shadow.

His sensible plans for establishing a business were in tatters. Nothing is left of the inheritance.

He now has a \$3,500 a week habit.

He has lost his job, his friends and his family.

He's now got very serious health problems and is unable to work ... He's in a state of chronic intense depression.

That is a snapshot of the damage that ice can do. The effects on the broader community are also serious, as a new expert report to the Government tells us. I quote from that report:

There is little doubt that chronic methamphetamine users report high levels of aggression, and they also have a higher rate of violent offending compared to the general population ... It is well established that [the] use [of ice] increases the risk of psychosis and that people suffering from psychosis are at heightened risk of violence relative to the general population.

Ice users often end up in emergency departments. In too many cases, they assault police, ambulance officers, nurses and doctors. That is why it is time for greater action to be taken to ramp up our attacks on the ice plague. The Ministerial Council on Drug Strategy is meeting in Sydney in December. I have written to the Prime Minister and the other Premiers inviting them to be part of a leadership forum targeting ice. The forum will be

held prior to the ministerial council on drugs meeting. I am urging real progress on a plan of action that covers the following areas: how ice gets into Australia, how it is being transported, and how the ingredients and the equipment are used and obtained, what are the best international law enforcement options, how to prevent illegal manufacturing, consideration of heavier penalties, and consideration of the broader health and social implications of the use of ice.

While there are no easy answers, we are determined that law enforcement and health officials will work together, as will State, Territory and Federal jurisdictions. We are also determined to deliver a national action plan for ice that reduces crime, prevents family breakdown and rehabilitates addicts. It is appropriate that we take strong action to minimise the damage caused by the use of this drug and its supply. It is a dirty, filthy, pervasive chemical cocktail. Australia needs more prevention, more enforcement and more treatment options. We want to know that our kids are protected from this drug, that young people who fall prey to its evil effects can be rescued in time, and that the vermin who peddle this menace on our streets are crushed with the full and overwhelming force of law.

CRONULLA RIOTS REPORT

Mr PETER DEBNAM: My question is directed to the Minister for Police. Given that the Minister met with Norm Hazzard prior to the completion of his report into the Cronulla riot and revenge attacks and again after his report was completed, and as a result the Minister knew what the report contained, why did the Minister mislead this House and the people of New South Wales by pretending he knew nothing about the report or its contents?

Mr CARL SCULLY: A small part of the question is correct. The rest of it is incorrect. A little while ago, at my request, the commissioner brought Norm Hazzard up and I sought his advice on the progress of his enquiries. He advised that he was nearing completion of a draft and that it would be made available to the commissioner for him to peruse when he went overseas. I did not receive a copy.

HIGHER SCHOOL CERTIFICATE

Ms LINDA BURNEY: I address my question to the Minister for Education and Training. Will she inform the House about the Iemma Government's commitment to the State's world-class Higher School Certificate [HSC]?

Ms CARMEL TEBBUTT: I thank the honourable member for Canterbury for her question and her interest in the Higher School Certificate [HSC]. Today year 12 students across New South Wales begin the Higher School Certificate—the culmination of their 13 years of schooling. More than 66,000 students across the State are undertaking the HSC. For some, it will lead to further study and for others it will mark the transition into the world of work.

While the significance of the Higher School Certificate can recede with age, experience and later accomplishment, for the current year 12s, today is of course a momentous occasion. I know that everyone in the House joins me in wishing year 12 students all the very best. I also wish the parents and carers of year 12 students all the very best. It is a stressful time for the students but it is a stressful time for their parents as well. Lots of support is available: the advice line is staffed by experienced teachers who are ready to take students' calls. Students have already earned 50 per cent of their marks through their school-based assessments. The Higher School Certificate is a huge undertaking. More than 66,000 students will complete an average of six examination papers at 750 examination centres located across the State and staffed by 5,000 supervisors.

Students will read from 13 million printed pages of questions and submit answers in 1.75 million writing booklets. The Higher School Certificate is internationally recognised as a credential with the most rigorous and transparent subject standards in the country. For example, the English and maths syllabuses are considered the most demanding. There are no soft options. The classics are studied alongside contemporary texts, and English is mandatory. Since its inception, the HSC has prepared almost two million students.

Mr Ian Armstrong: Haitch? It is pronounced "aitch".

Ms CARMEL TEBBUTT: That is not right. That is how some people pronounce it, but I urge the honourable member for Lachlan to check the *Macquarie Dictionary*. I say "haitch", and I am not ashamed of being educated by Catholic nuns.

Mr SPEAKER: Order! The House will come to order and listen to the wise words of the Minister.

Ms CARMEL TEBBUTT: I will provide the honourable member with the appropriate excerpt from the *Macquarie Dictionary*. There are many Labor members who say "haitch".

Mr SPEAKER: Hear! Hear!

Ms CARMEL TEBBUTT: But perhaps not so many who do so on the Opposition side of the Chamber.

Mr SPEAKER: Order! The Minister has the call. The Opposition will cease calling out.

Ms CARMEL TEBBUTT: We will get around to political correctness. Since its inception, the HSC has prepared almost two million students for life beyond school. In 1967 only 18,000 students sat examinations in 29 subjects. By comparison, today's 66,185 students will sit examinations over the coming months in 110 different subjects ranging from English to Latin, from physics to drama, and from software design and development to primary industries.

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

Ms CARMEL TEBBUTT: Statewide standards in New South Wales allow parents and employers to see what the results really mean. They provide statements of knowledge and skills learned, and they allow consistent measurement across place and across time. The HSC is also making a valuable contribution toward industry training and addressing national skills shortages. New South Wales students now earn nationally recognised industry qualifications in nine key industries. The New South Wales Government is proud of the fact that the New South Wales Higher School Certificate is one of the largest public examination systems in the world and the only fully standards-referenced public examination system in Australia. The HSC is recognised as a world-class credential.

Even the Federal Government's report into the proposed Australian certificate of education recognises the strengths of the New South Wales system. A report by the Australian Council for Educational Research highlighted strengths of the New South Wales Higher School Certificate and recommended them as a basis for any future national approach. It is no wonder that the HSC is offered at international schools in Hong Kong, Indonesia, Malaysia and Singapore, and that each year many HSC students gain entry into prestigious universities in the United States of America, Great Britain and Europe.

All of this is further evidence of just how far off the mark the Federal Minister for Education, Science and Training was last week with her claims that ideologues have hijacked the curriculum with, I think, quotes such as "themes straight from Chairman Mao". Those claims have no basis in fact. It would be almost laughable if the Federal Minister was not talking about something as serious as what we teach our children. All this from a Federal Government that has made it an art form of imposing its own ideological agenda on whatever it touches; whether it be funding linked to industrial relations, or research grants linked to its own political agenda, or whether it be closing down non-government organisations that dare to disagree with it.

Today many noted educators attested to the rigour and quality of the Higher School Certificate. Professor Geoff Masters, Professor George Cooney, Brian Croke from the Catholic Education Commission and Professor Andrew Gonzski all recognised the quality and integrity of the Higher School Certificate. But do we hear the Leader of the Opposition supporting the Higher School Certificate? Perhaps the honourable member for Wakehurst, the shadow spokesperson on education, could support the curriculum.

Mr Brad Hazzard: Point of order: My point of order is relevance, on the basis that of course we have supported the Higher School Certificate. But we would like to know why almost half of the students this year are now coming from the non-government sector—

Mr SPEAKER: Order! That is not a point of order. The honourable member for Wakehurst has ample opportunity under the standing orders to make his views clear to the House and to the public of New South Wales. This is not the appropriate time to do so. The honourable member for Wakehurst will resume his seat.

Mr Brad Hazzard: I cannot even uff about that, I cannot huff or uff to the Minister on that issue.

Mr SPEAKER: Order! The honourable member for Wakehurst may not be able to huff, but he can certainly be called to order. I call him to order.

Ms CARMEL TEBBUTT: At a time when our students in year 12 are knuckling down to the culmination of their 13 years of study, it might not be too much to expect that the Opposition might support the Higher School Certificate, or even support the New South Wales curriculum. But did we hear that from the Leader of the Opposition? No. What did the Leader of the Opposition say? He talked about a left-wing agenda having crept in and a layer of political—

[Interruption]

It is an extraordinary claim, coming from a man who has presided over the destruction of his own party by political extremists. Perhaps he could tell me who is the Maoist? Perhaps he could tell me from those on the Board of Studies whether it is Brian Croke, the Executive Director at the Catholic Education Commission? Perhaps it is Brother Kelvin Canavan, or is it Professor Gordon Stanley who is the red under the board? Perhaps the Leader of the Opposition can tell me where are the Maoists on the Board of Studies.

Mr Peter Debnam: I am happy to answer the question.

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

Mr Peter Debnam: I am happy to answer the question.

Mr SPEAKER: Order! The Minister for Education and Training has the call. I call the Minister for Aboriginal Affairs to order.

Ms CARMEL TEBBUTT: Parents quite rightly expect that their children will be taught a balanced curriculum, grounded in facts. Parents quite rightly do not want the syllabuses that their children are taught from buffeted by every educational fad that passes through the country.

Mr Brad Hazzard: Syllabi.

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

Ms CARMEL TEBBUTT: Parents also have a right to expect that members, such as those opposite, would stand up for the quality and integrity of our curriculum and confidence in the education system. We have not seen that.

Mr Brad Hazzard: Point of order: At a time when the Minister is talking about the HSC, she should be aware that there is no such word as "syllabuses", it is "syllabi".

Mr SPEAKER: Order! That is not a point of order. The honourable member for Wakehurst will resume his seat.

Mr Brad Hazzard: If the Minister is going to talk about students in New South Wales, she should get it right.

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

Mr Brad Hazzard: She is the Minister for Education. Buses run along the main roads, syllabi are what students study.

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

Ms CARMEL TEBBUTT: I take my advice on whether it is "syllabuses" or "syllabi" from that hot bed of Maoism, the Board of Studies—and it says "syllabuses", and I think it has it right. Parents can be confident that students in New South Wales have a curriculum that is rigorous, that has high standards and that is teaching them what they need to know to make that successful transition to further study, further training or the world of work. We would like to see the Opposition recognise that.

CRONULLA RIOTS REPORT

Mr ANDREW STONER: My question without notice is directed to the Minister for Police. In view of Norm Hazzard's statement, "There is nothing in the report that verifies or justifies" the Minister's slanderous comments, and given that the Minister has attacked him as "deficient", despite acknowledging that Norm Hazzard had given the people of New South Wales "41 years of distinguished police service", will the Minister finally take responsibility for his own mouth and sincerely apologise to this House and to former Assistant Commissioner Norm Hazzard?

Mr CARL SCULLY: I had a good discussion with Norm Hazzard last night, as would be expected. I made it clear to Norm Hazzard that I have always had the highest regard for him. He is a highly ranked and highly regarded police officer. From what I have gleaned from the report—and it has many pages and I have only started to wade through it—it seems to be thorough and comprehensive. It covers the things that the Commissioner of Police asked him to look at. It is quite different to reflect on a process that is not finished than to reflect on a man that is doing it.

Mr Andrew Stoner: You dumped on him, just apologise.

Mr CARL SCULLY: No, I did not reflect on the man. I reflected on the process.

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

Mr CARL SCULLY: The process is not yet finished; the process that has not involved the officers concerned being given the opportunity of responding is a deficient process. The man who has produced the working documents is highly regarded by me, by the police and by the Government. I stand by what I said.

RURAL AND REGIONAL PUBLIC TRANSPORT INFRASTRUCTURE

Mr STEVE WHAN: My question without notice is addressed to the Minister for Transport. What is the latest information on improvements in public transport infrastructure in rural and regional New South Wales and related matters?

Mr JOHN WATKINS: I commend the honourable member for Monaro for his ongoing support for improved transport for his community. The Iemma Government is committed to delivering improvements in public transport across New South Wales, including in regional and rural areas. This year the Government has committed \$31.6 million in local and community transport funding across New South Wales.

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

[Interruption]

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

Mr JOHN WATKINS: The funding assists in the delivery of health-related transport and other programs that ensure the needs of disadvantaged people are met, and also that home and community care transport programs for the frail, elderly and young people with disabilities and their carers. Home and Community Care funding, known as HACC funding—I understand that the pronunciation "haitch" is on the way back. It is also pronounced that way, "haitch", in Opus Dei schools, so the Liberal Party better get used to hearing that in this Chamber.

Mr Anthony Roberts: Point of order—

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

Mr Anthony Roberts: It is certainly not used in public schools or Jesuit schools.

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

Mr JOHN WATKINS: Today I am pleased to announce that \$1.93 million has been allocated to support 66 transport-related capital projects in 29 rural and regional communities across this great State. The

Country Passenger Transport Infrastructure Scheme provides funding to support the improvement of amenity for passengers by either upgrading or building passenger transport infrastructure. The scheme reaffirms our commitment to making public transport a more attractive option for as many communities as possible, including those in regional and isolated parts of the State. These are simple things such as people knowing that they will not have to stand in the rain while waiting for a bus, that the lighting at the shelter is adequate to make them feel safe or that adequate passenger information is available to assist them to get where they want to go.

They may seem small but anything that improves the comfort and security of our passengers in rural communities is worthy of our support and encouragement. That is exactly what the Government is doing with these grants. They are also proof of successful partnerships with local councils and other stakeholders who apply for these grants and generally contribute towards the total cost of the projects. This year successful projects that will increase the amenity of thousands of passengers include: bus shelters and terminals, improvements to bus stops and signage, and taxi shelters and upgrades to ranks, lighting and seating. These improvements represent a significant win for rural and regional communities.

Communities from Bathurst to Broken Hill and from Queanbeyan and the Snowy Mountains region to Tamworth and beyond will benefit from a share of the \$1.93 million. I am sure that these upgraded facilities will be appreciated by passengers, who deserve the best comfort, shelter and transport information that the State Government, local government and other partners can provide. These are great results for country communities that local councils have applied and fought for on behalf of their constituents. That is something that The Nationals, under the leadership of the honourable member for Oxley, have failed to do. The Nationals are not fighting for country communities across the State.

Mr Donald Page: Point of order: We want to know when the Minister for Transport is going to put our Casino to Murwillumbah train back on. You are a hypocrite.

Mr SPEAKER: Order! The honourable member for Ballina will stop barking at the microphone and resume his seat.

[Interruption]

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

[Interruption]

Mr SPEAKER: Order! The honourable member for Ballina will resume his seat. The Minister for Transport has the call.

Mr JOHN WATKINS: The National Party of New South Wales was once a great party. But now its numbers are dwindling. Look at the most recent performance of the Leader of The Nationals. As leader, he could be responsible for reducing party numbers such that The Nationals no longer have party status in this place. The Nationals currently have 12 members in the Legislative Assembly. If their number drops to 10, they are gone—The Nationals will no longer be a party in this place. The Independents are the real Opposition.

Mr Andrew Stoner: Point of order: I refer to Standing Order 137 (2)—

Mr Frank Sartor: Tell us about it.

Mr Andrew Stoner: Don't you want to hear this, Frank? You might learn a thing or two about parliamentary procedure, mate.

Mr SPEAKER: Order! The Leader of The Nationals will either take his point of order or resume his seat. What is the point of order?

Mr Andrew Stoner: Standing Order 137 says that questions should not contain argument, inference, imputation, epithets, ironical expression, expression of opinion or hypothetical matter. The "related matters" section of the question and the Minister's response, which has nothing to do with the substantive question, are clearly in breach of Standing Order 137.

Mr Carl Scully: To the point of order—

[Interruption]

Mr SPEAKER: Order! I will hear the Leader of the House on the point of order.

Mr Carl Scully: The only problem for the Leader of The Nationals is that that standing order refers to questions, not answers, you idiot!

Mr SPEAKER: Order!

Mr Andrew Stoner: Further to the point of order: I referred to the question and to the part of it that mentioned "related matters". Mr Speaker, I ask you to rule that section of the question out of order.

Mr SPEAKER: Order! That section of the question is perfectly in order and the Minister is perfectly in order in answering it.

Mr JOHN WATKINS: The Independents are the real Opposition in this place. They already have eight members, and a queue of country mayors are lining up to talk to the diminutive, raven-haired, motorbike-riding rebel from Armidale. He is not in the Chamber at present. He is probably out talking to one of those mayors at this very moment. It is no surprise that The Nationals are slipping away. While the Leader of the Opposition will not stand up in a fight against Canberra or the right-wing extremists, the Leader of The Nationals will not even turn up for the fight! We saw in Goulburn that he was so terrified of David Clarke that he did not even consider fielding a candidate. In a most venal betrayal of one of their own, The Nationals gave up on the honourable member for Lachlan without argument. That was a shocking betrayal of one of the most outstanding members ever to have graced this Chamber.

Mr Chris Hartcher: Point of order—

[Interruption]

Mr SPEAKER: Order! The Chair will hear the honourable member for Gosford.

Mr Chris Hartcher: We heard the question, which was about regional transport in New South Wales. It has nothing to do with the electorates of Goulburn or Lachlan, yet the Minister is referring to them in his answer. In response to the statement by the Minister for Police that Standing Order 137 relates to questions, let it be said that the answer must relate to the question. The Minister must answer the question he was asked.

Mr SPEAKER: Order! I am sure that the Minister for Transport is mindful of the standing orders, and will provide his answer accordingly.

Mr JOHN WATKINS: Yes, he will, Mr Speaker. We can see that The Nationals are at war. Look at the honourable member for Lismore—the poor man.

Mr Chris Hartcher: Point of order—

Mr JOHN WATKINS: He has been viciously attacked by the honourable member for Ballina!

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

Mr Chris Hartcher: My point of order relates to Standing Order 137 and your ruling, Mr Speaker, that the Minister for Transport would answer the question he was asked. The Minister is flouting your ruling. I invite you to direct him to answer the question he was asked.

Mr SPEAKER: Order! The honourable member for Illawarra will come to order. The Minister for Transport has the call. I am sure that he will continue his answer in response to the question asked of him.

Mr JOHN WATKINS: Yes, Mr Speaker. Most, if not all, members of The Nationals in this place will receive grants under the program that I have outlined.

Mr Thomas George: Point of order—

Mr SPEAKER: Order! I take it that the honourable member for Lismore is not going to complain that he is not going to get a grant.

Mr Thomas George: No. I am going to complain that because the Government closed the rehabilitation unit at St Vincent's hospital in Lismore, I cannot get rehab now.

Mr SPEAKER: Order! Unfortunately, the honourable member for Lismore has to use another form of the House to make his complaint. On this occasion he is out of order. The Minister has the call.

Mr JOHN WATKINS: I refer honourable members to a headline in the *Northern Star*, which states, "Nats MPs at war over rehab unit". It says:

LISMORE MP Thomas George has blasted his Ballina colleague Don Page for backing plans to move the region's rehabilitation unit—

Mr Donald Page: Point of order: I draw the Minister's attention to the headline: "MPs join forces to tackle health service". The Minister does not know what he is talking about. You are behind the times, John.

Mr SPEAKER: Order! The honourable member for Ballina will resume his seat. The Minister has the call.

Mr JOHN WATKINS: I have a quote by the honourable member for Ballina. He said:

I didn't start this argument, and I've held my tongue for a long time.

The honourable member is talking about his colleague the honourable member for Lismore. He got him in the end—look at poor Thomas! Earlier today I looked for a definition of "Nat" in the dictionary. The word I found is spelt slightly differently but the definition is accurate. It reads:

Small, irritating bugs ... mostly free living, although some are parasites—

Mr John Turner: Point of order: Mr Speaker, I refer you to rulings from the chair by Speakers Ellis, Kelly and Rozzoli. It is a longstanding tradition of this House that members should not read speeches as otherwise it is possible that a person other than an elected representative could have a voice in Parliament. We saw Bob Ellis walking out of this place last night carrying his pillow. He has prepared every speech that the Minister for Transport has delivered this week and every speech that the Minister gave in the previous sitting week. The Minister is a fraud. He cannot even write his own speeches.

Mr SPEAKER: Order! The honourable member for Myall Lakes will resume his seat. There is no point of order at this stage. The Minister for Transport has the call.

Mr JOHN WATKINS: It is not the material; it is the delivery. Only the people who compiled the dictionary wrote this part of my speech. They describe "gnats" as:

Small, irritating bugs ... mostly free living, although some are parasites ... and can prove to be common pests in homes and on properties.

Mr Barry O'Farrell: Point of order: My point of order relates to Standing Orders 138 and 139. The answer has nothing to do with the question asked. The Minister is debating the answer but, more importantly, the last time I looked up the word "fool" I found John Watkins.

Mr SPEAKER: Order! I have been listening intently to the Deputy Leader of the Opposition. I am sure the Minister will now draw his answer to a close.

Mr JOHN WATKINS: The Nats are a threatened species and by the look of those opposite someone has been hitting them with a big can of Mortein. That's it, folks!

Mr Malcolm Kerr: Point of order: The Minister is not answering the question, and on the question of delivery, he has not delivered an answer.

Mr SPEAKER: Order! The Minister has been delivering a detailed answer for some time.

MINISTER FOR POLICE MINISTERIAL PERFORMANCE

Mr PETER DEBNAM: My question is directed to the Premier. Given Carl Scully's trail of wreckage in every portfolio he has held over the past 12 years, and given that he has misled this Parliament and deliberately deceived the people of New South Wales, while slandering a senior police officer, why will the Premier not finally sack him?

Mr MORRIS IEMMA: The trail of wreckage is on the other side of the House: they are disappearing one by one. Those that are not disappearing at the hands of their own executioners have been well and truly looked after by the electorate, as we see the ever-increasing numbers on the crossbenches and in Country Labor. The Leader of the Opposition holds the unique record of the biggest by-election swing. Remember the old jewel in the Crown, the seat held by Robin Askin? I have looked at the figures. Since he became the Leader of the Opposition he has lost 10 per cent of his team. We have seen Pittwater and Hawkesbury go. Maybe the campaign for Pittwater was run from David Clarke's office? We know that a lot more campaigns are being run from David Clarke's office and they are not against the Independents or the Australian Labor Party.

Mr Peter Debnam: Point of order: My point of order is relevance. The question is about Carl Scully. The people of New South Wales want to know why the Premier will not sack him.

Mr SPEAKER: Order! There is no point of order. The Leader of the Opposition cannot ask the question again under the guise of a point of order.

Mr MORRIS IEMMA: This question about management is from a man who cannot run his own party. He has never taken one opportunity to stand up for the people of New South Wales on petrol prices, interest rates, the GST and on other related matters.

Mr Peter Debnam: Point of order: With due respect to you, I have to ask: Is the Premier afraid of Carl Scully?

Mr SPEAKER: Order! The Leader of the Opposition cannot ask the question again under the guise of a point of order.

Mr MORRIS IEMMA: All this from a man who does not have the power, authority or integrity to say "no" to extremists who have taken over his party. All this from a man who refuses to exercise leadership in his own party and support those who sit on his front bench or back bench, and are worthy of his support. All this from a man who allows the extremists to roll over all of those members on his side of this Parliament; they continue to lose their positions to extremists in his party.

Mr Peter Debnam: Point of order: My point of order is relevance. Is the Premier going to sack Carl Scully? It is as simple as that.

Mr SPEAKER: Order! The Leader of the Opposition well knows that the Chair cannot direct the Minister how to respond to a question.

Mr MORRIS IEMMA: That is correct, Mr Speaker. The Leader of the Opposition has no authority, no strength, no desire to exercise any power to rein in the extremists. We have seen what has happened to Patricia Forsythe and the honourable member for Hawkesbury. The honourable member for Davidson is next in the gun. It is one after the other. When the electorate had a chance to judge him, it delivered an outstanding result in the form of the jewel in the crown of Pittwater, a seat once held by the mighty Robin Askin. It is now held by an Independent.

Mr Andrew Stoner: Point of order: My point of order relates to Standing Order 139, which states, "In answering a Member shall not debate the matter to which the question relates." If the Premier wants to debate these matters he should bring on a debate. The question was: is he going to sack Carl Scully?

Mr SPEAKER: Order! There is no point of order. The Premier has the call.

Mr MORRIS IEMMA: Members of the Liberal Party would like the Leader of the Opposition to answer a question: When will he sack David Clarke? When will he stand up to David Clarke? When he decides to do that, perhaps he will tell the people of New South Wales when he will stand up for them.

ABORIGINAL COMMUNITIES DEVELOPMENT PROGRAM

Ms MARIE ANDREWS: My question is addressed to the Minister for Aboriginal Affairs. What is the latest information on the Government's successful Aboriginal Communities Development Program and related matters?

Mr MILTON ORKOPOULOS: I thank the honourable member for her long-standing interest in Aboriginal issues. The Aboriginal Communities Development Program is investing \$240 million to raise the health and living standards in 22 priority Aboriginal communities, including Armidale, Wilcannia, Walgett, Bourke, Kempsey and Tabulam. Those communities are participating in a comprehensive program of capital works that include building new housing, refurbishing existing housing and upgrading infrastructure such as roads, footpaths and street lighting. An essential part of the program is the provision of employment and training opportunities in those 22 communities.

Mr Chris Hartcher: Point of order: If the Minister supports Aboriginal self-determination and jobs, why is he destroying the Darkinjung people?

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

Mr Chris Hartcher: Why is he waging war on Aboriginal people on the Central Coast who were in the Darkinjung Land Council by taking away their money and their rights?

Mr SPEAKER: Order! The Minister will continue his reply. The honourable member for Gosford will resume his seat. I call him to order.

[Interruption]

Mr MILTON ORKOPOULOS: I will not be provoked. I advise the House that this program has recently achieved the following key milestones. The Government has now housed more than 1,000 people in houses designed and constructed with Aboriginal people in communities across the State. The Government has refurbished its 600th house under this program in Muli Muli. It has replaced its fiftieth house in Tabulam. They are significant improvements on their own, but add to that the employment and involvement of Aboriginal people in the projects and we have a policy that substantially addresses the issues facing Aboriginal people today.

Mr Andrew Stoner: Point of order: My point of order is relevance. The Minister needs to answer why his Government is forcibly moving people from Dubbo—

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

[Interruption]

Mr SPEAKER: Order! The Leader of The Nationals is now blatantly contravening the standing orders. I call him to order for the third time. The Minister for Aboriginal Affairs has the call.

Mr MILTON ORKOPOULOS: If The Nationals lose just two more members it will not even be considered a party. This Government is extremely proud that under this program more than 200 Aboriginal people across the State are apprentices in places with skills shortages. It is a successful program from a hardworking Labor Government. That brings me to the performance of those opposite. It appears that the Leader of the Opposition is adopting the Greiner-Sturgess approach. I want to remind the House what Mr Greiner said recently:

We ruthlessly separated the issues of getting elected from the issues of governing. I literally had a drawer for elections and a drawer for government. In the drawer for getting into government we had "truth in sentencing" and populist things that were liable to win you votes. In the drawer for governing we had micro-economic type steps, ones that were difficult to sell politically even though they proved to be both right and successful. We had directions rather than policies that avoided the pitfall of detail. Whilst you can argue that that's wicked and dishonest it's remarkably sensible politically.

Two drawers—not my words, but those of Nick Greiner, a former Premier of New South Wales. What would this mean to the hard-working families in this State under a government led by the Leader of the Opposition and the hapless Leader of The Nationals? It would mean—and this has not been denied—29,000 jobs of Australians

in New South Wales cut, that is, jobs lost from rural and regional New South Wales; and a vicious privatisation agenda, including the hospitals of this State. We all know that the last Coalition government closed a large number of hospitals in this State.

Mr Malcolm Kerr: Point of order: The Minister has ruthlessly separated anything of relevance from his answer. I ask that he be brought back to the question.

Mr SPEAKER: Order! The Minister will return to the leave of the question.

Mr MILTON ORKOPOULOS: A vicious privatisation agenda—an agenda that is in the drawer if they get elected. It is one that will privatise the hospitals. They have not denied that, and they certainly will continue with that. It will mean the abolition of key Aboriginal programs in health and education. And in not one of the \$25 billion worth of unfunded promises—

Mr Peter Debnam: Point of order: Can I clarify: What is your question?

Mr SPEAKER: Order!

Mr Peter Debnam: I am happy to answer it. What was your question?

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. He well knows that the question related to Aboriginal community development programs. The Minister has the call.

[Interruption]

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

[Interruption]

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. The Minister has the call.

Mr MILTON ORKOPOULOS: In not one of the \$25 billion worth of unfunded promises is there one promise for Aboriginal communities in New South Wales—not one!

Mr Chris Hartcher: Yes, there is. The Darkinjung will get their money back.

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

Mr Chris Hartcher: The money that you've taken off them, the money that you've stolen, and the rights that you've turned over.

Mr SPEAKER: Order! I call the honourable member for Gosford to order for the third time. The Minister has the call.

Mr Brad Hazzard: Point of order: Actually, we have already promised them, Minister, that we will deliver the review of land rights that you fellows, back in May—

Mr SPEAKER: Order! I call the honourable member for Wakehurst to order for the third time. He will resume his seat. Three members are now on three calls to order. If there is any more wasting of question time similar to that just experienced, I will have no hesitation in directing the Deputy Sergeant-at-Arms to remove the members concerned. The Minister for Aboriginal Affairs has the call.

Mr MILTON ORKOPOULOS: It is becoming increasingly obvious that members of the Darkinjung Local Aboriginal Land Council, on the Central Coast, have been unaware that they had given up control of their money to a handful of directors at Darkinjung Pty Limited—an action that the Supreme Court has found to be unlawful. It is of great interest that the goblin from Gosford has offered the Opposition's support to the failed directors of the Darkinjung Local Aboriginal Land Council.

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

Mr MILTON ORKOPOULOS: Those failed directors were found to have unlawfully transferred money from the members themselves. The honourable member for Gosford has made great play in the local area about signing up Darkinjung Pty Limited chairman David Pross and company director Alan Vendenberg as members of the Liberal Party on the Central Coast.

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

Mr MILTON ORKOPOULOS: They transferred to Cronulla. Obviously, they are on the David Clarke bandwagon. Does the honourable member for Gosford think that the money of the local Darkinjung Aboriginal people can be used to fund a Liberal Party campaign? Is that why he signed them up?

Mr SPEAKER: Order! That question did not call for a response from the honourable member for Gosford. The patience of the Chair is exhausted. I ask the Deputy Serjeant-at-Arms to remove the honourable member for Gosford.

[The honourable member for Gosford left the Chamber accompanied by the Deputy Serjeant-at-Arms.]

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

Mr MILTON ORKOPOULOS: I just want to finish up on this. Darkinjung money belongs to the local Darkinjung Aboriginal people. It does not belong to the Liberal Party and the honourable member for Gosford, who wants to take their money for the Liberal Party campaign.

FARM WATER CHARGES

Mr ANDREW STONER: My question is directed to the Premier. Is he aware that Condobolin farmer Pat Kennedy received a \$100,000 interest rate subsidy cheque from the Federal Government, only to have the New South Wales Government charge him \$75,000 for water that he never received?

Mr Gerard Martin: Rubbish!

Mr ANDREW STONER: Here's the bill, Bundy! Have a look at the bill—\$75,000 for water he never got! Premier, if so, when will you start helping our farmers by waiving fixed water charges, rather than profiteering from their hardship?

Mr MORRIS IEMMA: The \$233 million over the last four years shows the Government is standing by our farmers and our communities in the face of the worst drought in a century. In addition to the information provided to the Leader of The Nationals yesterday, I point out to him that the Government recently extended the drought assistance to our farmers, and we will continue to stand by our farmers and continue to review those arrangements in relation to drought support for our farmers.

Mr ANDREW STONER: I ask a supplementary question. In view of the Premier's answer, will he review the practice of State Water charging farmers for water that they do not receive?

Mr MORRIS IEMMA: The Government has provided a range of assistance to those affected by the most severe drought in nearly a century. As I said yesterday, that assistance is extended to the area of transport and it is extended to—

Mr Ian Armstrong: Point of order: I am sorry this has come up in Parliament today at this point because it is an issue that should not be the victim of the rabble that we have got today. Farmers are being charged for a government service—

Mr SPEAKER: What is the point of order?

Mr Ian Armstrong: —which the Government refuses to deliver.

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

Mr Ian Armstrong: Those farmers supply the metropolitan area with fruit and vegetables and with fodder—

Mr SPEAKER: Order! The honourable member knows well the standing orders. If he has a relevant point to make, he knows the appropriate forms of the Parliament to use. The Premier is answering the supplementary question.

Mr MORRIS IEMMA: I will run through some of the areas where the \$233 million of assistance has gone to individuals and communities.

Mr Andrew Stoner: Point of order: My point of order is in relation to relevance and tedious repetition. The Premier has already told us all that stuff, which incidentally includes items other than drought assistance. He has cobbled it all together. My question is: Is the Government going to review fixed water charges when farmers are not getting any water?

Mr SPEAKER: Order! The Leader of The Nationals has asked a supplementary question, which I have allowed. The Premier is answering that question. As the Leader of The Nationals knows only too well, the Chair cannot direct a Minister how to answer a question.

Mr MORRIS IEMMA: The areas of assistance include financial counselling, emergency relief in the area of the Department of Community Services, drought co-ordination, drought support workers, farm family gatherings, transport subsidies costs, Rural Lands Protection Board fees, transport subsidies processing costs, payroll tax concessions, adjustments for previous years, small business assistance, TAFE training for farm hands, and the New South Wales component of the exceptional circumstances interest subsidies. As I have said, we have provided \$233 million of assistance.

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

Mr MORRIS IEMMA: We have recently extended our drought assistance measures. As the Government has demonstrated over the past four years and again a few weeks ago by extending the assistance, we will continue to stand by our rural communities.

Questions without notice concluded.

CONDUCT OF MEMBERS

Privilege

Mr IAN ARMSTRONG (Lachlan) [3.30 p.m.]: I draw attention to the conduct of the House not only today but during the past sitting week. If this conduct occurred in a suburban or country council, the local government code of conduct would be invoked against the members. Mr Speaker, with due deference, the House has been out of control.

Mr SPEAKER: Order! The honourable member for Lachlan has been a member of this House for a long time. I am sure he has seen all sorts of activity in the Chamber. There is no point of privilege because the standing orders have been applied and complied with. Ten questions without notice have been asked, and I remind the honourable member for Lachlan that six of those 10 questions were asked by members of the Opposition.

Mr IAN ARMSTRONG: Standing Order 55 states that the Speaker shall maintain order in the House. That simply has not happened. We have a rabble in this place.

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

SPECIAL ADJOURNMENT

Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Friday 20 October 2006 at 10.00 a.m. and then meet again on Tuesday 24 October 2006 at 2.15 p.m.

CONSIDERATION OF URGENT MOTIONS

Totally and Permanently Incapacitated Veterans Pension

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [3.32 p.m.]: My motion is of the utmost urgency. Every day the Federal Government fails to rectify an injustice against a group of proud war veterans. It is another day that veterans and their families must face unnecessary hardship in seeing their children properly educated or enjoying the quality of life that is available to other Australians, due to the sacrifices the veterans made by going to war on our behalf to protect Australian values and the way of life that we hold so dear. It is crucial that members of this House place their position on the record so that the hard-working families of New South Wales they represent know where they stand.

The Iemma Government is proud to stand up for the people of New South Wales and make it clear that we support fair and just pension entitlements for all, not pension entitlements that erode over time because they are not properly indexed. It is imperative that Opposition members nail their colours to the mast. Will they join with us and defend the veterans and their family budgets? Will they continue to sit on their hands while the Howard Government perpetrates this gross injustice on our totally and permanently incapacitated [TPI] war veterans? The Federal Government is sitting on a massive surplus of about \$13 billion. It can afford to provide our TPI war veterans and their families with an increase of \$40 a week. It should do so as a matter of urgency.

Minister for Police Ministerial Performance

Mr PETER DEBNAM (Vaucluse—Leader of the Opposition) [3.33 p.m.]: I say today as I have said a number of times over the past 12 years: You have no shame! On a number of occasions not only the honourable member for Campbelltown but just about every single Labor member has come in here and used our veterans to delay issues. That is exactly what they are doing today. The difference between our side and their side is that we have members of the RSL, they do not. They come into the House and try to use our war veterans to get Carl Scully out of a debate. That is the issue here. They do it continually. It is about time they stood up for veterans in Australia.

Ms Kristina Keneally: Point of order: The Leader of the Opposition is debating the motion. The time is allocated for the Leader of the Opposition to prove why his motion is urgent.

Mr SPEAKER: Order! I uphold the point of order. The Leader of the Opposition knows full well that this is an opportunity for him to show why his motion should be afforded priority. He should not debate the motion foreshadowed by the honourable member for Campbelltown.

Mr PETER DEBNAM: This is an opportunity to show what a bunch of hypocrites the Government members are. In the Federal Parliament this week this Federal issue was not raised by Kim Beazley once. Government members come in here and try to use people who have served in the armed forces so that Carl Scully can escape justice. That is the issue. They continually try to use members on this side of the House. The Premier abuses anybody who has had military service. They have tried to use war veterans so that Carl Scully can escape again this afternoon. They are a disgrace! The issue here today is Carl Scully. He has been in Parliament all week and he has stood outside Parliament and lied to the people of New South Wales. The urgent issue we should be debating is Carl Scully.

Mr Steve Whan: Point of order: In a debate that is about justifying urgency, the Leader of the Opposition has made accusations. He should do so by way of substantive motion. If he had any guts he would move censure. He is too gutless to make his attack in the appropriate way. He has lost it.

Mr SPEAKER: Order! I have heard enough on the point of order. The honourable member for Monaro will resume his seat.

Mr PETER DEBNAM: The members who sit on the Treasury benches look over at a plaque. Do they know what the plaque is about? It is about war veterans. I bet they have never read it. Yet they come here every single week and try to use our war veterans so that their Ministers can escape scrutiny. The Premier does not have the guts to sack Carl Scully. Government members talk about war veterans. The Premier does not have the guts to do anything about totally and permanently incapacitated [TPI] war veterans in his own electorate who need housing. He did a photo opportunity with them. But what did he do for them? Nothing. He has taken every opportunity in this Parliament and in the media to talk about war veterans and the RSL. But what has he done

for them? Nothing. The honourable member for Monaro is a disgrace. The same as that fellow who burned the flag, he should go back and apologise to his local RSL members. The honourable member for Campbelltown should apologise to his RSL members too.

Ms Kristina Keneally: Point of order: As the daughter and granddaughter of veterans I am ashamed of this bloke, the Leader of the Opposition. He does not even show up to the Eastern Suburbs National Servicemen's Association or he shows up late, stands at the back and does not stick around for afternoon tea. He is never there.

Mr SPEAKER: Order! The honourable member for Heffron is now debating the issue. She will resume her seat. There is no point of order.

Mr PETER DEBNAM: If the Government wants to talk about an urgent issue, let us talk about the trail of wreckage that Carl Scully has left in this Parliament and in New South Wales.

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

Mr PETER DEBNAM: Carl Scully was the Minister for Roads, the Minister for Transport and the Minister for Housing and is now the Minister for Police. Year after year Carl Scully has been a total disaster, but the Premier is afraid of him. Why? Because Carl Scully has got the dirt on Morris Iemma. That is what it is all about. The Premier does not have the guts to sack Carl Scully.

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

Mr PETER DEBNAM: It is all about Government factions scratching each other's backs and keeping the skeletons in the closet. The people of New South Wales know Carl Scully, Michael Costa, Frank Sartor and John Della Bosca. The Government members are a disgrace.

Mr Matthew Morris: Point of order: The Leader of the Opposition is failing to substantiate his argument for debate. Rather, he is slandering members on this side of the House.

Mr SPEAKER: Order! I have heard enough of the point of order. The Leader of the Opposition's speaking time has expired.

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

The House divided.

Ayes, 49

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

Noes, 35

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

Pair

Ms D'amore

Mrs Hopwood

Question resolved in the affirmative.**ANSWERS TO QUESTIONS WITHOUT NOTICE**

Mr Andrew Fraser: Point of order: I would like to read the standing orders, and I would ask that you hear the point of order fully. I refer you to three standing orders, first, Standing Order 104, second, Standing Order 138 and, third, Standing Order 137 (2) (h).

Mr SPEAKER: What is your point of order?

Mr ANDREW FRASER: My point of order is that Standing Order No. 104 says:

A Member may at any time raise a point of order relating to a breach of standing orders or practice of the House which shall, until disposed of, suspend the consideration and decision of every other question.

Today, on more than two occasions, Standing Order 137 was raised in relation to relevance. "Relevance" in the *Macquarie Dictionary* means—

Mr SPEAKER: Order! I considered that, and I dismissed the points of order when raised in question time.

Mr Andrew Fraser: I have a point of order based on three standing orders. I ask you to hear me. As you will not hear matters of privilege, I ask you to apply the standing orders. Under Standing Order 137, an answer must be relevant and, according to the *Macquarie Dictionary*, "relevant" means pertinent to the question.

Mr SPEAKER: Order! I have already given a ruling in relation to that matter. I will not hear any further submissions. If the honourable member for Coffs Harbour wants to canvass my ruling, there are other procedures of the House by which he may do so.

Mr Andrew Fraser: I have not finished addressing Standing Order 137 (2) (h), which states that no questions shall ask for "hypothetical matter". Today a number of Ministers answered hypothetical questions from Labor members on portfolio-related matters.

Mr SPEAKER: Order! The honourable member for Coffs Harbour is delaying the business of the House. I have given a ruling. The questions were perfectly in order. I will hear no further submissions on the point of order. The manner in which a Minister answers a question is up to the Minister, provided that the answer is relevant to the question. There is no point of order. The honourable member for Campbelltown has the call.

Mr Andrew Fraser: You are a dill. I am sorry, but you are a dill.

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

TOTALLY AND PERMANENTLY INCAPACITATED VETERANS PENSION**Urgent Motion**

Mr GRAHAM WEST (Campbelltown—Parliamentary Secretary) [3.51 p.m.]: Before I deal with the substantive motion, I correct an aspersion that was cast on the great Australian Labor Party and on Labor members of this House. The plaque that was referred to by the Leader of the Opposition, whose inscription I have read many times, commemorates a Labor member, the late Sergeant Edward Rennix Larkin, as well as a Liberal member. Edward Larkin was a member of the Australian Labor Party when he was elected and when he died in the Dardanelles. He joined the Willoughby branch of the Australian Labor Party in 1909. Australian Labor Party members are proud of our tradition and our veterans. The Opposition launched a grubby attack on the great Australian Labor Party and upon the bipartisanship that resulted in that plaque being placed in this Chamber. I move:

That this House:

- (1) condemns the Federal Government for its failure to index the totally and permanently incapacitated [TPI] pension in line with other pensions; and
- (2) condemns the Federal Government for failing to provide other reasonable benefits, such as carers' bonuses, to our veterans and their families.

I am proud to lead for the Government in debate on the discrimination suffered by war veterans who rely on the totally and permanently incapacitated [TPI] pension. Gradually, since the Federal Government failed in 1997 to index the TPI pension with other pensions in line with inflation and the cost of living, war veterans who rely on the TPI pension have become approximately \$80 a fortnight worse off. In a submission to the Federal Government on the 2006-07 veterans affairs budget, the Returned and Services League [RSL] highlighted the erosion of the TPI pension and called on the Federal Government to acknowledge the erosion by providing an immediate increase of not less than \$73.80 per fortnight. In its submission, the RSL stated:

The League's belief is that there has been a gradual erosion of the TPI rate of pension owing to the previous practice of indexation of special rate to the CPI only. Recent changes to the method of indexation for the "above 100 per cent of general" rate are welcomed. However, the issue of "catch up" adjustments now needs to be addressed.

On 20 August 2006 the President of the New South Wales Branch of the Vietnam Veterans Association, Tim McCombe, wrote to the Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, the Hon. Bruce Billson, MP, setting forth strong arguments for action by the Federal Government on the important issue of discrimination against veterans who receive the TPI pension. In the letter, Mr McCombe set out three simple facts. Simple fact No. 1: in 1997, the age pension, the wife pension, the disability support pension, the widow's pension, the parenting payment, the carer's payment, the service pension, the partner service pension, the income support pension and the war widows pension were re-indexed so that they were linked to increases in the average wage or the cost of living, whichever is the greater. The TPI pension should have been re-indexed, along with the other pensions, but it was not. If it had been re-indexed along with the other pensions, it would be now worth approximately \$80 a fortnight more.

Simple fact No. 2: the Government defines the whole of the TPI pension as income support when Centrelink assesses how much to deduct from welfare payments. If the Child Support Agency decides to include a veteran's TPI pension in its calculations, the Government defines the whole of the pension as income. When the Family Court is calculating the division of property and income, the court defines the whole of the TPI pension as income. Simple fact No. 3: in giving the reason for re-indexing part of the TPI pension only in 2004, the Federal Government, contradicting its own practice, declared that it was because only part of the TPI pension was income support, the remainder being compensation. They are compelling arguments, yet the Howard Government, particularly Treasurer Peter Costello, is too niggardly to grant an additional \$40 a week to Australia's incapacitated veterans—men and women who served Australia and who have helped to protect the values that we hold dear. In August this year in Federal Parliament, while commemorating the fortieth anniversary of Long Tan, the Prime Minister expressed the nation's regret that the veterans' sacrifice had for too long been undervalued or ignored. He said:

They did what their country lawfully asked them to do at the time. They did it with distinction, with honour and with bravery, and they should have been more properly honoured for that some 40 years ago. I hope with the passage of time they will understand the goodwill of the current generation of Australians in relation to that matter.

Where is the goodwill of the current Australian Government for veterans who rely on the TPI pension to keep their families and educate their children? The Prime Minister's Government continues to undervalue the contribution of these brave men and women in the service of our country. It is 30 years since the last Australians returned from duty in Vietnam, but it is never too late to take stock and it is never too late to make amends. In Vietnam our troops fought with the same bravery and distinction, the same selflessness and honour, that our forces have shown in every war in which Australia has been engaged. As loyal professional soldiers, sailors, airmen, men and women, they did the bidding of their nation and elected government. They did their duty, and people can ask for no more.

In 1997 the Federal Government re-indexed a range of pensions received by members of the Australian community. The pensions included the age pension, the wife pension, the disability support pension, the widow's pension, the parenting payment, the carer's payment, the service pension, the partner service pension, the income support pension and the war widows pension. All these pensions are linked to increases in the average wage or the cost of living, whichever is the greater. The TPI pension is not indexed in that way. Consequently our TPI veterans are now \$80 a fortnight worse off. That is a national disgrace. The Howard Federal Coalition Government and its State counterparts, the Coalition members opposite, should be ashamed of the way they have neglected men and women who have given so much in the service of their country.

Veterans affairs is a Federal issue, and the Federal Government is letting down badly some of our veterans. Honourable members will recall the plight of war veterans at Belmore in Sydney's south-west. A group of men and women were forced to endure weeks of uncertainty about their futures owing to the failure of the Federal Government to act on their behalf. The Federal Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, the Hon. Bruce Billson, MP, waited until the very last minute to step in and help those people. The mateship and comradeship that saw them through the hell of war helped them to win their battle against a callous and uncaring Federal Government—a battle to stay in their homes.

It is important to acknowledge the role played in protecting the group by the local RSL club and the Construction, Forestry, Mining and Energy Union, which recently has been involved in the campaign to support the veterans. The veterans know better than anybody that there is no glory in the horror and loss of war, but there is dignity and meaning in a nation's response to war. When it comes to the history of our nation at arms, Australians do not celebrate battles and victories. Rather, we reflect on an ethos that represents the character of our reluctant warriors and the people from whom it came. They understand courage, the mateship, the larrikin humour, the talent for improvisation, the stubborn fearlessness under fire: and that is why those men and women, not the statesmen, are the real Australian heroes. In return, they ask very little of our community. Their achievements will live forever.

But we are all mortal. As time takes its toll and more of our veterans become incapacitated, the Federal Government sees fit to continue its gross injustice in relation to veterans and their families who are dependent upon the TPI pension by not indexing the TPI pension in line with all the other pensions to which I have referred. I am sure I speak for all Australians when I say that we will not forget—not now, not ever.

Mr ANTHONY ROBERTS (Lane Cove) [4.00 p.m.]: I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead "this House condemns the Federal Opposition for failing to raise any concerns relating to the totally and permanently incapacitated pension in Federal Parliament this week."

It pains me today that the Federal Opposition Leader, Mr Kim Beazley, and his second elevens, third elevens, fourth elevens, or even social six teams, have not raised this issue. As the Leader of the Opposition stated, that is a disgrace. This motion is aimed at stopping true and accurate representations of government coming before this House. On 1 December 2004 a famous person stated:

Labor should be the anti-war party of Australian politics. Other than World War II every war in which this country has fought was disconnected from our national interests. All those young Australian lives lost in faraway lands, the folly of imperialism and conservative generalism. I detest war and the meatheads who volunteer to kill other human beings.

That is a quote from Mark Latham. How would those gentlemen who served in this Parliament and fought overseas feel about that? That is the Labor Party's apparent feeling towards veterans, particularly those who served in Korea and Vietnam—they are seen as meatheads and self-serving. The index arrangements for the totally and permanently incapacitated [TPI] pension have been considered on a number of occasions, particularly in the Clarke review in 2003. The AGR component—can anyone opposite assist? What does AGR mean?

Mr DEPUTY-SPEAKER: Order! We do not often use acronyms. The honourable member for Lane Cove might like to explain.

Mr ANTHONY ROBERTS: Anyone moving a motion such as this would know that the AGR component is the above general rate, which is paid as compensation for loss of income and is indexed with reference to both the consumer price index [CPI] and the MTAW. Does anyone know what the MTAW is? No? It is the maximum basic rate of service pension, the male total average weekly earnings. The Federal Government announced it would index the AGR to the MTAW in its response to the Clarke review in 2004. It pains me that this motion has been moved. I do not doubt the sincerity of the honourable member for Campbelltown; he serves his veterans well. But I certainly doubt the sincerity of the Government when it throws people forward to do a Federal Government job, when it should be dealing with State issues.

It pains me that with all the money the Government spends on spin doctors and researchers, it cannot get the AGR component. The general rate component of the TPI pension is paid as compensation for non-economic loss, pain and suffering—not loss of income. It is indexed with reference to the CPI to ensure that its value is not eroded by inflation. The TPI pension is not the same as a means-tested income support payment; it is paid in addition to income support entitlements such as the service pension. It is compensatory, and, in general, paid for life. To index the general rate component of the TPI pension to both the CPI and the MTAW creates substantial inequities in the compensation provided to other veterans under the Veterans' Entitlements Act 1986 and the Military Rehabilitation Compensation Act 2004.

I congratulate the Federal Government on committing a record \$10.8 billion to the Veterans Affairs portfolio in 2006-07; that is \$10.8 billion to look after our service men and women, something we should all be very proud of. A comparison of the TPI pension and benefits with the male total average weekly earnings—for the benefit of members opposite that is known as the MTAW—shows that TPI veterans have increased purchasing power. That outcome is consistent with the conclusion reached in the Clarke review. The benefits include income support pensions, family benefits and education assistance. Unlike wages, the TPI pension is tax free.

The TPI pension is paid to veterans for life, and is not subject to any means testing. In the past some TPI veterans have received reduced income support pensions. However, from 1 September 2004 TPI veterans in identical circumstances have received the same amount of Government support, irrespective of whether they receive their income support under Veterans Affairs or Social Security legislation. Many people I have spoken to faced the horrors of fighting the Japanese in World War II, with very little ammunition or food, because the unions, the commos, the wharfies, refused to load that at the docks. Many Vietnam veterans were met with hostility at the hands of the Australian Labor Party when they came back. I will leave that story for another day.

I return to the matter of indexation. The above general rate component of the TPI pension, which is considered to be compensation for loss of income, is now indexed in the same manner as the service pension; that is, with reference to both the consumer price index and the MTAW. The general rate component of the TPI pension that is indexed to the CPI is that component related to the compensation for pain and suffering and has no element of compensation for loss of income. That indexation method is consistent with the general indexation arrangements for most Australian workers compensation schemes.

Two of my very closest friends served in Rwanda on peacekeeping duties, and another served in Bougainville. They have returned to Australia and are in receipt of TPI pensions because of some of the hostilities they faced, particularly in Rwanda, and the sheer destruction and death they faced. I place on the record that the Coalition is sincere about looking after veterans. I hope every member of this House is sincere about looking after veterans. However, I fear, once again—and I do not blame the honourable member for Campbelltown for this—as the Leader of the Opposition has said, the Government seems to be quite happy to reel out veterans and fly the flag whenever it requires some focused diversion. But when it comes down to the nitty-gritty and doing decent things for people who served our country, it is up to the Coalition; the Government is nowhere to be seen, apart from one or two good members opposite. That is disgraceful. To roll out this matter again as semi-Federal Government legislation will not make the slightest difference, because the Federal Government is looking after our veterans. This motion is an absolute disgrace.

Mr Thomas George: What has Kim Beazley done?

Mr ANTHONY ROBERTS: Good question. Beazley has done nothing. The Federal Labor Party will continue to do nothing. Serving members of the Australian, Army, Air Force or Navy are worried about Labor getting back in.

Ms Marie Andrews: Point of order: The honourable member for Lane Cove is turning this debate into an attack on the Federal Opposition. That is not the substance of the motion. The motion is about the allowances and payments made to veterans and their carers. I ask you to draw the honourable member for Lane Cove back to the motion before the House.

Mr DEPUTY-SPEAKER: Order! I uphold the point of order. The honourable member for Lane Cove will return to the substance of the motion.

Mr ANTHONY ROBERTS: I know that you, Mr Deputy-Speaker, are a wonderful supporter of our returned service people. If the honourable member for Peats is to speak in this motion, I ask her how much correspondence has she received from her returned service people about this? How much has she forwarded on to her Federal member? Does she have it here? If she is really sincere about this, where is it? I bet she does not have it here. I bet she does not have anything at all.

Ms Marie Andrews: Point of order: The honourable member for Lane Cove is directing his remarks to me. He should direct his remark to you, Mr Deputy-Speaker.

Mr DEPUTY-SPEAKER: Order! I am sure he was momentarily confused.

Mr ANTHONY ROBERTS: Through you, Mr Deputy-Speaker, I ask: What have Labor members done for their constituents? If it is such a concern, where is the correspondence on the issue? They do not have it. This is a cynical attempt to use veterans, those who fought for our country, to take the focus off the failures of the Government. [*Time expired.*]

Mr TONY STEWART (Bankstown) [4.10 p.m.]: It is with great resolve that I support the important motion moved by the honourable member for Campbelltown. The current veterans benefits system is unfair, unreasonable and unjust. I am surprised that the honourable member for Lane Cove, who has a very good reputation with veterans in the community—I have worked with him in the past—has got it so wrong. He tried to hide behind acronyms and their meaning, but the issue is clear. The RSL states in its budget submission for 2006-07 that approximately 51 per cent of totally and permanently incapacitated [TPI] pensioners receive the maximum rate available. A large proportion of these veterans support their families on a single pension, whereas most other families receive two incomes. That is unreasonable and unjust.

The honourable member for Lane Cove claims that the Federal Opposition has done nothing about veterans' pensions. He should check the records because it did not take us long to find evidence to the contrary. On 19 October Robert McClelland, the Federal member for Barton, moved a motion in Federal Parliament in support of veterans and their carers. On 16 October Steve Georganas, the Federal member for Hindmarsh, did the same thing in a petition that referred to the needs of veterans and their carers. It is hypocritical for the honourable member for Lane Cove to claim that the Federal Opposition is not acting on this issue. He should get his facts straight before he speaks out in this place.

The RSL further stated that the current arrangements put TPI recipients and their families at a distinct disadvantage compared with the rest of the community. But TPI pension indexation is not the only area where the Federal Government is treating our veterans unjustly. Sadly, although the Federal Government subsidises the cost of travel and accommodation when TPI recipients travel to receive medical treatment, the subsidies provided are much smaller than those given to Federal public servants. While Federal public servants are paid between 58¢ and 67¢ per kilometre when they travel by private vehicle for work, TPI veterans receive only 26.7¢ per kilometre. That is unjust, unreasonable and unfair. But that is the way the Federal system works. The Federal Government pays public servants up to \$231 a day for meals. What does it pay disabled veterans? It pays them only \$130 a day. Is that fair and just? No, it is not—and the honourable member for Lane Cove knows it.

The Veterans Affairs funeral benefit is also grossly inadequate. Families who have been surviving on a TPI pension for many years have great difficulty accumulating any savings. That is almost impossible. But even a modest funeral costs about \$8,000. The families of victims of the Bali bombings received up to \$5,000 for funerals. Yet under the Federal Government scheme our veterans receive a funeral benefit of a measly \$1,000. The honourable member for Lane Cove claims that that is fair. It is not; it is unjust and unreasonable.

Mr Anthony Roberts: Point of order: On a point of clarification, I never said the funeral benefit was fair.

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

Mr TONY STEWART: Veterans Affairs is the responsibility of the Federal Government, and it should handle that responsibility equitably and meet the needs of veterans. Those people who were prepared to make the ultimate sacrifice for their country are being treated badly by an unjust system administered by the Federal Government. The Commonwealth is failing to meet its responsibilities adequately, as the honourable member for Campbelltown also pointed out. The House must condemn the Federal Government for its lack of compassion for the men and women who fought so bravely on behalf of us all and who are being treated so unreasonably and unjustly. The Liberal and National parties should join us in condemning the Federal Government or hang their heads in shame. That will their only alternative if they persist in the arguments they put forward today.

Pursuant to sessional orders business interrupted and motion lapsed.

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Mr FRANK SARTOR (Rockdale—Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)) [4.15 p.m.]: I move:

That standing and sessional orders be suspended to provide that:

- (1) at this sitting,
 - (a) the call for notices of motions (general notices) and private members' statements be postponed until after the introduction of the Western Sydney Parklands Bill, notice of which was given this day for tomorrow, and progress up to and including the Minister's second reading speech;
 - (b) at the conclusion of the taking of notices of motions (general notices) and private members' statements, the House adjourn without motion moved; and
 - (c) until the rising of the House no divisions or quorums be called;
- (2) at the sitting on Friday 20 October 2006 the following business only be conducted:
 - (a) the introduction up to and including the Minister's second reading speech of the following bills:

Police Amendment (Miscellaneous) Bill
Racing Legislation Amendment Bill
 - (b) followed by the taking of up to 10 private members' statements, at the conclusion of which the House adjourn without motion moved.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [4.15 p.m.]: This motion is a joke. Having sat so far this year for a grand total of 40 days, having given itself 21 early marks—saving the equivalent of three sitting days—and having cancelled four other sitting days earlier this year, the Government has now decided that Parliament will sit tomorrow—or so it appears. What does tomorrow's sitting day comprise? It comprises the introduction of two bills, the delivery of two second reading speeches, which could have been made at any time, and 10 private members' statements. Far be it from me to want members to forgo the opportunity to raise local issues in this place, but my point is that tomorrow's sitting is about having a forty-first sitting day. If it was a fair dinkum sitting day there would be fair dinkum work. The Premier wants to discuss whether people are being paid too much. Frankly, all members of Parliament should give back our salaries tomorrow because none of us will earn our money in this place. This is simply an attempt by the Government to avoid embarrassment so that at the end of the year the figures that I have cited from earlier in the year do not look quite so bad.

The Opposition opposes this motion for two reasons. First, it is about pretending that tomorrow is a sitting day when it is not. If the House does not adjourn by midday tomorrow, I will be amazed. Second, if tomorrow were a genuine sitting day there would be question time, consideration of urgent motions and discussion of a matter of public importance. Opposition members would love to have another opportunity to ask questions of the Minister for Police. We would love to debate another urgent motion with the Minister for Police. We would certainly love to get through the Speaker's office a matter of public importance that relates to the administration by the Minister for Police of his current or previous portfolios.

As I have said several times this week, when more suspension motions have been moved than I can remember in my 11 years in this place, the Legislative Assembly has not been engaged in the proper consideration of legislation. Legislation has been rammed through this place in less than half an hour and has passed through both Chambers in less than 12 hours. It is like making sausages and, like bad sausages, most people do not know what the legislation contains. It is a joke. The Government is making a mockery of this august Chamber in its 150th year. The Opposition opposes the motion and will divide the House.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

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

Noes, 33

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

Pair

Ms D'amore Mrs Hopwood

Question resolved in the affirmative.

Motion agreed to.

WESTERN SYDNEY PARKLANDS BILL

Bill introduced and read a first time.

Second Reading

Mr FRANK SARTOR (Rockdale—Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)) [4.28 p.m.]: I move:

That this bill be now read a second time.

This bill formally establishes the Western Sydney Parklands, a 27-kilometre corridor of open space stretching from Doonside to Leppington. It also creates a trust to develop and manage these parklands for the people of Western Sydney. This is a major investment for the community in one of the fastest growing regions in metropolitan Sydney. The bill brings to fruition more than 30 years of careful planning and prudent land acquisition by successive New South Wales governments using the Sydney Region Development Fund.

Mr Barry O'Farrell: Started by the Askin Government.

Mr FRANK SARTOR: The parklands have been a long-term project for the New South Wales Government, which of course has been acknowledged by the Deputy Leader of the Opposition. The future corridor was first identified in 1968 under the Sydney Region Outline Plan. Piece by piece the land acquisition program has continued and Western Sydney now boasts one of the largest continuous urban greenspaces in the world. This investment has already provided land for Sydney's major electricity and gas supply lines, four of the Olympic 2000 venues, the protection of significant remnants of Sydney's original bushland, heavily used parks such as the Western Sydney Regional Park and the M7, which has delivered major benefits for Western Sydney. Under the Western Sydney Parklands Bill the Government is moving to further unlock the benefits of this long-term investment by establishing the Western Sydney Parklands Trust. The trust will consolidate and better co-ordinate the management of government land and facilities within the parklands and ensure the protection and development of the parklands for public enjoyment and relaxation.

The Government's long-term vision for the site will guide the Western Sydney Parklands Trust in its management and development of the parklands. It calls for the restoration of Western Sydney's indigenous and endangered Cumberland Plain Woodlands. It proposes major sporting hubs to meet existing regional needs, and the new demand generated by growth in the north and south-west land release areas. New picnic and play areas will be developed for families in Western Sydney and opportunities for the trust to form partnerships with the private sector or other government agencies to create venues for entertainment and commercial recreation. The parklands will also continue to provide land for sustainable agriculture. I now table seven maps prepared by the Department of Planning showing the proposed Western Sydney Parklands.

Documents tabled.

These identify the land that will comprise the Western Sydney Parklands and are included in schedule 2 to the bill. The schedule may be amended in the future but only by regulation or by a further Act of Parliament. Clause 22 (5) of the bill makes it clear that privately owned land does not form part of the parklands until it is acquired and vested in the trust. A large amount of the land within the parklands will be owned by the new Western Sydney Parklands Trust. Some land will continue to be owned by existing agencies. For example, Prospect Reservoir will remain with the Sydney Catchment Authority, Blacktown Olympic Park will remain with Blacktown Council, and Kemps Creek Nature Reserve and the Western Sydney Regional Park will remain reserved under the National Parks and Wildlife Act 1974. However, the parklands trust will have the care, control and management of the existing Western Sydney Regional Park.

The total parkland comprises 5,218 hectares, which is marginally less than the 5,500 hectares originally announced by the former Premier for the following reasons. Firstly, 180 hectares of major roads were originally included in the area of the parkland, namely the M7, M4, Elizabeth Drive and The Horsley Drive. The area occupied by these main roads cannot be viewed as parklands. Secondly, following detailed investigation of each and every precinct since the original announcement, including consultation with community stakeholders, we determined that it is neither practical nor functional for 22 hectares of land in Prospect East—land which is severed from the parklands by the Prospect Highway—to be included in the parklands.

Thirdly, investigation of the alignment for the south-west rail corridor has identified that there are practical issues with inclusion of the Camden Valley site at the very southern end of the parklands, an area of approximately 80 hectares bisected by the proposed alignment of the new south-west rail route. In addition, Bringelly Road is proposed to be widened at this point. These two major infrastructure projects will have the effect of severing the site from the parklands corridor and the remaining site will have little value for recreational parkland uses. Allowance for recreational links and, where possible, wildlife links will be included in the design of both the rail and road upgrade.

I turn now to the provisions of the bill. The Western Sydney Parklands Trust will be subject to ministerial direction and control. The trust will have a board comprising up to eight members. There will be three ex officio members, that is, the director of the trust and the directors general of the Department of Planning

and the Department of Environment and Conservation or their nominees. The other members will be appointed by the Minister, including the chairperson. The director of the trust will be responsible for the day-to-day management of the trust subject to the policies and directions of the governing board.

The functions of the trust are set out in part 3 of the bill. The trust will be responsible for developing the parklands into a multi-use urban parkland. Its functions reflect the range of proposed uses for the parklands, including many types of sport, recreation and entertainment, conservation of natural and cultural heritage, major community events and revenue-raising activities to support its ongoing maintenance and improvement. The trust is to prepare and maintain a plan of management in consultation with the other government agencies that own or manage land within the parklands. The plan of management will identify key issues and priorities such as the establishment of an ecological network and the creation of an access and circulation network. The plan will address management matters and set out proposals to generate income for the parklands. The plan has no effect unless and until adopted by the Minister.

The bill also provides for precinct plans to be prepared for the parklands. Precincts or sub-precincts will be created to reflect different characteristics, land uses and ownership. The trust is to consult any other agencies, including local councils, responsible for land within the precinct and have regard to the statutory functions of those agencies when preparing the plan. The plan of management and any precinct plans will be reviewed at least once every seven years.

Clause 13 makes specific provision for the trust to enter into a management agreement with another government agency for the agency to manage, maintain or develop land of the trust or vice versa. For example, it is proposed that New South Wales Sport and Recreation will continue to manage the Sydney International Shooting Centre, the Eastern Creek Raceway, the Western Sydney International Dragway, and the Sydney International Equestrian Centre. There is also provision for the trust to draw upon skills and expertise elsewhere in the New South Wales public sector or the private sector. The bill includes safeguards against the disposal of lands vested in the trust so it can remain in public ownership for future generations. Clause 16 of the bill precludes the trust from selling off or otherwise disposing of its land within the parklands. The trust may grant a long-term lease or licence over land in the parklands only with the Minister's consent.

The land vested in the trust under the bill is described in schedule 3. Most of this land is currently owned by the corporation constituted by the Environmental Planning and Assessment Act 1979, namely, the Minister administering that Act. The bill also preserves existing interests in the land vested in the trust such as easements and leases for infrastructure or heritage properties such as Fairfield City Farm. The bill also provides a mechanism for the transfer of additional land to the trust in the future. The bill establishes a Western Sydney Parklands Fund in the special deposits account. Finally, the bill contains broad regulation-making powers to deal with matters such as the regulation of conduct on land within the parklands. The trust will be able to appoint rangers to enforce any offences. This park is almost 25 times the size of Centennial Park. It will be seen by future generations as one of the most significant Government contributions to the people of Western Sydney. I commend the bill to the House.

Debate adjourned on motion by Mr Barry O'Farrell.

BUSINESS OF THE HOUSE

Notices of Motions

Madam ACTING-SPEAKER (Ms Marianne Saliba): Order! Pursuant to the earlier 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

SOUTHERN SYDNEY FREIGHT LINE DEVELOPMENT

Mr PAUL LYNCH (Liverpool) [4.41 p.m.]: I draw the attention of the House to a matter of considerable significance to my constituents: a proposal to develop the Southern Sydney Freight Line [SSFL] by

the Australian Rail Track Corporation [ARTC]. The proposal, within the electorate of Liverpool, includes a dedicated freight track constructed on the eastern side of the currently existing railway track from Cabramatta Creek in the north to approximately Shepherd Street in the south. The latest development in this process is the release of what is called the Submissions Report by Parsons Brinckerhoff. This is a profoundly disturbing and distressing document. It provides no adequate response to the concerns of my constituents, in particular, the concerns that I have expressed on behalf of my constituents both in written submission and in speeches I have delivered in this place.

An environmental assessment was placed on display from 3 May 2006 until 3 July 2006 and public submissions were made in response to this assessment. The Submissions Report is the ARTC's response to these public submissions. The process now is for the document to go to the Director-General of the Department of Planning, who will prepare an assessment report for the Minister for Planning to make a determination. The document will also go to the Commonwealth Minister for Environment and Heritage. The first point I note about the Submissions Report is its relative inaccessibility. I was told about it by mail by the Department of Planning and directed to the departmental web site. I was told by my staff that the office equipment of members of Parliament was not adequate to print a copy. Eventually, several weeks later, I was successful in extracting a hard copy from the department. The fact that the copy was not in page order did not help. This is, of course, precisely the problem with the earlier environmental assessment. Bizarrely enough, that is acknowledged in the Submissions Report, which is the subject of exactly the same criticism.

The Submissions Report advised that the ARTC is proposing to incorporate a number of minor modifications to the original proposal. Those modifications seem to relate only to Leightonfield and the crossover, north of Glenfield. The ARTC did not propose any changes at all to the portion of the freight line within the electorate of Liverpool. In truth, the changes proposed elsewhere certainly are very minor. The entire public consultation period for the environmental assessment has been effectively ignored by the ARTC. The many representations by me and my constituents have been completely ignored by this Commonwealth-owned corporation. That is very cold comfort for the residents of Liverpool who are affected by the proposal. Even the ARTC concedes that some residents in Riverpark Drive and in Warwick Farm will be badly and unacceptably affected by the proposed noise. Even on the ARTC's material, protective measures should be taken. Yet the ARTC simply says the protective measures it proposes will not protect the residents.

Even on its own environmental assessment, the ARTC, by inference, admits it is not doing enough. If the ARTC was not prepared to do something for this category of residents, it is perhaps not surprising it is not prepared to do anything for anyone else. There is no proposal to protect the residents of Speed Street. Three-storey residential buildings are already located there. Of course, a noise wall is going in to protect part of Riverpark Drive. It seems it will be on the eastern side of the line, which is directly opposite the buildings on the eastern side of Speed Street. Speed Street is on the western side of the line. An obvious fear is that the inadequate noise wall on the eastern side of the line will bounce noise back in the direction of residents in Speed Street. It will help some residents in Riverpark Drive, as it should, but without corresponding measures on the western side of the line will make it worse for people living in Speed Street.

The Submissions Report is still fairly imprecise about the level crossing at Liverpool hospital. I have spoken about this issue previously. The current report concedes that all parties agree that the level crossing should close as soon as practicable. However, the responsibility for the timing is divested by the ARTC to the hospital authorities. That display of lack of responsibility by the ARTC is consistent with the rest of its behaviour. Also, the ARTC has made no concessions at all about other concerns relating to the hospital. The best it is prepared to do is to say it will further investigate the extent of visual screening and landscaping during the detailed designs phase. That is inadequate, bearing in mind the approach the corporation has displayed thus far.

I note in local Liverpool media reports some vague references that it will all be fixed. That is fine, but no detail is provided, no precise undertaking as to how it will be funded by the ARTC and no time line involved. Likewise, the suggestions for increased disabled access via lifts at Warwick Farm station are no more advanced than the proposal in the environmental assessment, which provides for one lift. That is clearly inadequate. This is not the end of the process. I will continue to do whatever I can to reduce the unacceptable impact of this proposal upon residents of Liverpool. I call on the Minister for Planning to inspect the site of the freight line before he makes any final decisions. This option has already been discussed with him. An inspection would be an important element in the decision-making process.

JOHN WILLIAMS CENTRE SITE SALE PROCEEDS

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [4.46 p.m.]: I want to again raise the Rippon Grange issue in my electorate—not on this occasion my strong opposition to the

development being proposed on the former John Williams Centre site but the specific issue that relates to the services offered by the former John Williams Centre and the use of the funds raised through the site's sale. At the outset, I indicate that one of the hardest tasks any local member of Parliament deals with, including me in my activities in Ku-ring-gai, is to try to help families who have children with disabilities. Every local member knows the extra pressure and challenges these families face as they seek to provide love, care and opportunity for their children. Recently it was brought home to me that those pressures and challenges affect the siblings as much as the parents of children with disabilities. I take the opportunity to read a letter I received from one of my younger constituents, Harry Gulson. Harry writes:

My name is Harry Gulson and I am writing to you about kids with disabilities and the specialist schools they try to get into. Schools for kids with disabilities are made to take in any kid with a disability but the people that run the schools are saying no they are not well enough behaved. I am completely shocked. Schools are made to help any kids with downs even if it takes them ten years. My mum is in a lot of stress now because the school won't take my disabled brother Greg because he wasn't good. Now we don't have anywhere to take him. Sir, please try to bring up more schools and people that will accept any disabled kids. In the future, please help get our disabled kids in Australia to get in a school where they feel they are always at home. Thank you for your time sir.

As his mother said to me, out of the mouths of babes. Harry provides an insight and a solution to one of the issues these families have to confront. Another issue is the need for respite care for children with disabilities. Such care is in shortage across the city generally and on the North Shore in particular. The former John Williams Centre was established and given to the State as a hospital for children, initially those suffering from polio and latterly those with intellectual and physical disabilities. In August 2002 the State Government gained Supreme Court approval to vary the trust that covered the John Williams Centre to permit the sale of trust property and the purchase or construction of alternative respite care facilities for children with a disability. The Minister for Disability Services informed me last year the decision to sell was because the facilities did not meet "the department's current service delivery obligations" and limited "the department's ability to provide accommodation for children with a disability".

Regrettably, the Government had clearly rejected any option of seeking to invest in the site, to bring it up to standard and to allow it to continue to provide much-needed respite services in this part of Sydney. Equally regrettably, before disposal, other options were not assessed, including one that addressed the education needs of children with disabilities—the issue raised in Harry Gulson's letter. Minister Della Bosca reaffirmed that the proceeds would be used to provide replacement respite facilities. The site was sold through public tender for \$9.88 million to the proponents of the current development project on the site. Earlier this year, and after the State Budget was handed down, I wrote again to the Minister asking how much of the proceeds had been committed to date and the future plans for the expenditure of the remainder of the \$10 million. The Minister replied:

The funds generated by the sale of the former John Williams site have enabled the Department of Ageing, Disability and Home Care to purchase two houses. One is located at Thornleigh and the other at Girraween.

Both of these houses will be used to provide services to former residents of the John Williams Centre as well as other individuals as appropriate, in line with the terms of the John Williams Trust. Design work is currently being undertaken on necessary modifications to the properties to ensure that the physical environment in both houses is conducive to high quality service outcomes. To date, over \$1.5 million has been spent on the purchase of the houses and there will be additional costs incurred due to modification work, although the precise cost of modifications has yet to be quantified.

More than a year after the sale only \$1.5 million of the \$10 million proceeds has been spent purchasing just two homes which, on the basis of the Minister's latest letter, do not appear to provide the type of respite care and services that were previously offered on the John Williams site at Wahroonga. I should also note that one of the properties referred to, the Thornleigh home, was purchased for \$650,000. My point in raising this issue is to highlight the twin concerns flowing from the sale of this site.

First, the loss of a significant State asset that was providing services to children with disabilities, including respite care, and the failure to consider other options before the decision to sell; and, secondly, the lack of urgency or priority in ensuring the proceeds raised are used to provide replacement services that are desperately needed in this part of Sydney. These are in addition to the problems that will be caused if the proposed development is allowed to proceed. It is outrageous that a path that started with the State Government's 2002 Supreme Court action has failed to ensure the proceeds were not more swiftly applied to offer families the replacement services promised by the Minister.

Fours years should have been plenty of time to plan how the proceeds were to be allocated, ample time to identify the needs of local families and enough time to ensure the proceeds were invested in such services

much more quickly. That this has not occurred is further proof of the type of mismanagement the people in this State have had to put up with under the current State Government. The twin tragedies of this whole issue are the negative impact the proposed development of the former John Williams site will have on the surrounding area and surrounding families and homes, and the significant impact the failure to properly apply the proceeds of the sale is having upon families needing the services previously offered by the John Williams Centre and promised to be funded through the sale of this property.

WINDSOR ROAD UPGRADE

Mr ALLAN SHEARAN (Londonderry) [4.51 p.m.]: Today I report to the House about a massive, multimillion dollar road project that is nearing completion that will provide constituents of Londonderry with an effective efficient link to Parramatta. I refer to the Windsor Road project. Honourable members may be aware that this \$420 million project to upgrade Windsor Road and Old Windsor Road to four lanes began in 2001 and now, after steady progress, the project is nearing completion. Earlier this month the honourable member for Riverstone, John Aquilina, and I had the pleasure of raising the traffic barriers opening the Vineyard section of the project, which means that 21.8 kilometres of road have now been upgraded to four lanes. The remaining 5.2 kilometre upgrade between Mile End Road at Rouse Hill and Boundary Road at Box Hill, if the weather permits, is expected to be open to traffic in December.

If one travels along Windsor Road now one can see all the business and residential development that is taking place. Once this project is completed it will not only significantly reduce travel times and congestion in the area, but it will also effectively promote the long-term development of Sydney's north-west as a place to live and, equally important, a place to work. On Saturday the honourable member for Riverstone and I attended a special community day held at Vineyard Public School to celebrate the success to date of the road project and to thank the local residents and businesses for their patience while the work progressed. Free soft drinks, a sausage sizzle, jumping castles, pony rides, clowns, balloons and face painting were all part of the celebration. Included as part of these celebrations was also the recognition of the completion of the Windsor Road cycleway at Vineyard.

Earlier in the week both the honourable member for Riverstone and I had jointly opened this section of cycleway coinciding with the National Ride to Work Day. When completed this high-quality, off-road, shared bicycle and pedestrian path will form a route between Parramatta and Windsor that will enable a fun, safe and an environmentally friendly way to get around. The Windsor Road cycleway connects with other local bicycle and pedestrian networks being developed by Parramatta, Baulkham Hills, Blacktown and Hawkesbury councils. Doug Bathersby, a keen cyclist and member of the Windsor Cycling Club, was in attendance on Saturday at the community celebration and he was most impressed with the cycle way.

Interestingly, we both commented on the major role the former Minister for Roads, Carl Scully, had played in having the foresight to insist that a bicycle and pedestrian pathway be part of this important infrastructure. I also commented that I understood that it was Carl Scully who had fought to ensure that a bicycle and pedestrian pathway was included along the 40 kilometres of the M7 that was opened towards the end of last year. It is unfortunate that this fact does not seem to be well known and that the former Minister for Roads does not receive the accolades he deserves. He has clearly recognised the increasing demand from the community for safe pathways for fitness and recreational activity, together with practicable linkages. I am proud to be part of a Government that makes a commitment, sticks to it and delivers for the benefit of the community. Such is the case with the Windsor Road project.

While the New South Wales Labor Government is making real progress in improving infrastructure in Sydney's north-west, I find it rather amusing that certain members of the Liberal Party are now taking credit for the Windsor Road upgrade, despite the fact that the last time that party was in power nothing was done to even consider getting such a project off the ground. For instance, my opponent in the upcoming State elections, the Deputy Mayor of Hawkesbury, has often claimed that he was instrumental in having the Windsor Road upgraded. This claim was even included on the Liberal Party web site when his candidacy was announced. The latest absurd claim for credit comes from the Godfather's Liberal candidate for the seat of Hawkesbury—yes, it is Baulkham Hills Councillor Ray Williams—who was endorsed on Saturday following the vicious factional infighting that resulted in the current sitting member and now Independent member for Hawkesbury, Steven Pringle, becoming a victim of the ambition of the extreme Right.

I noted in media reports that Councillor Williams now claims that he too had a significant role in getting the project under way. Amazingly, a Labor Government project, fought for for many years by the Labor

member for Riverstone, the Hon. John Aquilina, and vigorously supported by the former Labor member for Londonderry, Jim Anderson, now forms part of the resume of Liberal want-to-bes. Now that the Labor Government's Windsor Road upgrade project is successfully drawing to a completion, the Liberals are coming out of the woodwork, claiming credit for Labor policy, but are finding it hard to offer congratulations on all the hard work involved in the planning and construction of this \$420 million project. I understand it is the largest urban arterial project undertaken by any State Government. It is a proud State Labor Government initiative for north-western Sydney.

LISMORE BASE HOSPITAL

Mr THOMAS GEORGE (Lismore) [4.56 p.m.]: I refer to the provision of health services in the Lismore area. Lismore has always been recognised as the geographical and medical centre of the North Coast area, including western parts of the area as far west as Tenterfield. A couple of weeks ago I convened a public meeting in Lismore, which was attended by the five mayors representing Tenterfield Shire Council, Richmond Valley Council, Kyogle Council, Lismore City Council and Ballina Shire Council. Also in attendance were the honourable member for Ballina and the honourable member for Clarence. I convened the public meeting because the redevelopment of Lismore Base Hospital seems to be taking an inordinately long time, which is of concern. Stage one is the new mental health unit, which should have been nearly completed. However, the contracts have not been signed, but the Minister assured me that will happen in the next few weeks. Hopefully we will then see a start. Although a lot of preliminary work has been done, I look forward to stage one commencing.

The stage two development is a radiotherapy unit. In 2004 Minister Tony Abbott from the Federal Government and Minister Frank Sartor from the Carr Government announced that a jointly funded radiotherapy unit would be built in Lismore. Each of them allocated \$8 million to the project, which was a great win for the community. However, the broader community is concerned that we do not have a start-up date. The community is well aware that we had to build stage one before we could build stage two because they could not be built together. In 2004 the cost of the radiotherapy unit was estimated to be \$16 million, but that has now risen to \$23 million without a commitment to a start-up date. I am concerned that if it is deferred much longer the escalating cost will cause financial problems. However, when I made representations to the Minister the other day he told me that it was a priority, as it should be because Lismore has the fourth-highest number of oncology operations in New South Wales.

Stage three is the completion of the redevelopment of Lismore Base Hospital. I spoke to the Minister about it, he is well aware of it and he assured me that it is being well progressed. He also assured me that it is a priority for the North Coast Area Health Service. I asked the Minister to ensure that the completion of stage three continues to progress. Rehabilitation services have been provided under contract by St Vincent's Private Hospital in Lismore for some 40 years. In 2002 a study revealed that rehabilitation beds would be needed at Ballina in addition to the ones at St Vincent's hospital, but not to replace them.

Antagonism was certainly evident at the meeting. I could not believe the feeling between the executive of St Vincent's Hospital and the Lismore Base Hospital. The community was shocked when it saw the feeling expressed at the meeting. A decision has been made by the North Coast Area Health Service to remove the rehabilitation unit from Lismore. My plea is for both hospitals to get together and sort out their differences because, at the end of the day, the five mayors and three members of Parliament representing the residents simply ask for services to be provided to the region. Those elected representatives believe that health service organisations at loggerheads will not be able to provide the services to the community that are rightly deserved and greatly needed. The hospitals provide services to people living in areas from Tenterfield in the west, to Ballina in the east, from Kyogle and Mullumbimby in the north, to Grafton in the south. I ask those hospitals to work together.

ST JOHN'S UNION CHURCH, RUNNING STREAM, CENTENARY COMMEMORATION

Mr GERARD MARTIN (Bathurst) [5.01 p.m.]: I draw to the attention of the House the commemorative centenary celebrations I attended at St John's Union Church at Running Stream on 10 September this year. St John's Union Church is one of a small number of churches in New South Wales that does not belong to any denomination but, rather, belongs to the Running Stream community. For 100 years it has been the focus of Christian worship primarily by the Anglican and Presbyterian churches but, since the 1977 formation of the Uniting Church, also by the Presbyterian, Methodist and Congregational churches.

Running Stream is a small village situated on the Mudgee road, which is now the Castlereagh Highway, halfway between Lithgow and Mudgee. When the road was opened to Mudgee, this locality became a stopover place at which travellers changed and rested their horses. In the early settlement days, Running Stream was a farming community that was involved in growing fruit, grazing sheep and cattle, and timber-getting. It was a community with strong Christian values. Many of its residents were of Scottish origin, hence the early establishment of the Presbyterian Church in Running Stream.

A highlight of the centenary celebration's program was the first service being held in the church since its restoration. The inter-denominational thanksgiving service was conducted by the clergy of the Anglican and Uniting churches. The service was planned by Reverend Gary Neville of the Anglican Church in Rylstone and Reverend Gwen Graham of the Uniting Church in Mudgee. The Right Reverend Richard Hurford, OAM, the Anglican Bishop of Bathurst, gave the address in the service, and Reverend Graeme MacRaild, Presbyterian Minister of the Uniting Church in Bathurst also participated. Many community leaders attended. I was pleased to represent this Parliament. The Mayor of the Mid Western Regional Council, Percy Thompson, also attended. A nice touch in the service was that the senior clergyman, the Right Reverend Richard Hurford, invited Father Carl Mackander, who is the Catholic priest at Orange, to speak during part of the sermon.

The formation of the church was unique in that it involved no Catholic participation, but Father Carl Mackander was born in Running Stream and spent his childhood there. As the Catholic priest of Orange, Father Carl Mackander was invited by the Right Reverend Richard Hurford to participate, and joined in the celebrations. He gave a wonderful oration that was light hearted, as did the Bishop. Anyone who has heard the Right Reverend Richard Hurford speak would know that he is one of our great orators. It might be a little ironic, but for a bishop, he tends to have a little bit of the devil in him. It was a wonderful ecumenical service that bespoke the unique atmosphere that has existed in Running Stream for 100 years.

In May 2005 the trustees of St John's Union Church appointed a subcommittee to plan the centenary celebrations of the church and to carry out major restoration of the church building and grounds. The centenary celebration also marked the official opening celebration of the restoration of the church. A church restoration fund was established in 2005 and fundraising commenced immediately. Functions were planned, such as community auctions and music evenings, and funds were raised. Generous donations were received from the local community and business houses. Income from the 2006 harvest festival was donated to the fund. The Mid Western Regional Council, which is based in Mudgee, provided a heritage grant of \$3,000 for the restoration. Before the restoration of the church commenced in May 2006, the sum of \$17,000 had been raised.

St John's Union Church is a small church. On the day of the centenary celebrations a marquee was erected to cater for the overflow of people who attended. Considering that Running Stream is a village populated by just a handful of people, it was amazing that approximately 300 people attended the celebrations. After the church service, everyone retired to the Running Stream community hall, which is just up the road from the church. It is one of those traditional old country halls that is made of timber and iron; it is quite a substantial building. The community came together there to celebrate the centenary over lunch. During the afternoon that there was a series of reminiscences. People travelled from places all over Australia to Running Stream to celebrate this historic occasion. A booklet was produced to commemorate the celebration. I acknowledge the good work of Peter Docker and his wife who went to considerable trouble to put together *Reminiscences*, a history of St John's Union Church at Running Stream. It proved to be a popular memento of the big day. I congratulate everyone involved in the St John's Union Church centenary celebrations.

CHATSWOOD RESIDENTIAL AMENITY

Ms GLADYS BEREJIKLIAN (Willoughby) [5.06 p.m.]: I draw to the attention of the House issues of concern to residents of high-rise apartments in Chatswood. In recent months many high-rise apartments residents have contacted me relating to various issues that impact upon their residential amenity. I will briefly outline to the House their concerns in the context of the Chatswood central business district and discuss some concerns I have about the planning and future of the Chatswood CBD. I make the point at the outset that Chatswood is a bustling retail hub. It boasts the fourth busiest railway station in Sydney. The Chatswood community comprises people from all over the world who have chosen Chatswood as their home. For example, 68 per cent of students at the Chatswood Public School have a non English-speaking background, which is a substantial proportion and striking example of the diversity of the community. Chatswood also has a vigorously growing commercial and residential sector.

The issues I wish to canvass today include traffic, transport, planning and noise pollution. Dealing first with traffic, I point out that currently there are high-rise developments under construction and more are planned. Concerns have been expressed by current residents in the Chatswood CBD relating to the implications of future construction in the form of exacerbated traffic congestion as a result of an increased number of cars on the streets. Currently it is very difficult to negotiate a path through the streets of the Chatswood CBD, given the number of people who visit the area from all parts of Sydney to conduct their business in Chatswood or spend some recreational time there, especially people from the North Shore. The traffic congestion is exacerbated by the transitional arrangements associated with upgrading the railway station, but the congestion will be further exacerbated when the proposed Civic Place development is undertaken. On behalf of residents who currently live in the Chatswood CBD, I place on record their concerns regarding traffic. I acknowledge their concerns and assure them that I will certainly work with the relevant authorities to address these serious planning issues.

In relation to transport, it is a matter of enormous concern to the entire Willoughby electorate, not only to the residents of Chatswood, that bus services on the 272, 273, 536 and 534 routes have been cancelled. If Chatswood is to continue to be a well co-ordinated transport hub, the Government should ensure that adequate transport services are provided at the interchange. Many buses that are used to transport people in and around Chatswood have been cancelled, and that is a matter of grave concern to many local residents. In respect of planning, the State Government has asked the community to pay a very high price for their new railway upgrade. That very high price is the construction of three additional towers in the Chatswood CBD, one of which will be in excess of 40 storeys, in addition to the high-rise buildings that are currently under construction. This is an enormous imposition on an already highly congested CBD. I am not so much concerned with the development as I am with the lack of associated planning accompanying the proposal.

We have heard nothing from the State Government about what traffic measures will be put in place, what transitional measures will be put in place and what the Government will do to address the current strains on electricity and water supplies in the area. In the past couple of summers the Chatswood area has experienced a number of blackouts, with consequential impacts on businesses. What will be the impact on the central business district of an additional 500 units? I am glad that the Minister for Education and Training is present in the House to hear this. Although I have made numerous requests, Chatswood Public School and Chatswood High School have been denied capital works upgrades. Chatswood Public School is bursting at the seams, and, presumably, another 500 units will mean more children, and they will need to go to school. Therefore, if the Government allows three additional towers, with 500 extra units, what impact would that have on the community? What measures has the Government taken to address those concerns?

Noise pollution has been another major issue raised by people who reside in the Chatswood central business district. Obviously they accept that the provision of a new railway station or other construction will have associated noise pollution. I draw to the attention of the relevant authorities that residents should have adequate notice about any noise pollution. That should happen within legal guidelines and not as has been suggested, and it should not cause increased stress on the many local residents. I emphasise again that the Chatswood central business district has a number of planning issues and I will work with the community on addressing them.

FILM INDUSTRY

Ms VIRGINIA JUDGE (Strathfield) [5.10 p.m.]: I wish to bring an important matter to the attention of the House and members of State Parliament. Recently, I had the pleasure of visiting several of Sydney's post-production digital effects studios. I met with Jason Bath, his colleagues and Trish Graham at Fuel in King Street, Newtown, and with Greg Smith, the Chief Executive Officer of Animal Logic at Fox Studios. That experience gave me a first-hand insight into the dynamic industry of post-production special visual effects and animation carried out in New South Wales. I am proud to say some of the world's best talent and highly skilled creative people are working in this emerging industry right here in this State.

Animal Logic will soon complete work on *Happy Feet*, a movie composed entirely digitally, and Fuel is doing cutting edge work on *Charlotte's Web*, using extensive digital effects, which will be released on Boxing Day 2007. Post-production has become so significant to the completion of movies that up to 25 per cent of a movie's budget, or even more in some cases, can be allocated to that stage of the movie-making process. Historically, the demand for production and post-production in New South Wales has been such that studios have recruited artists and technicians internationally, as we did not have enough technicians trained and ready to work on films such as *Superman Returns*, *King Kong* and the *Lord of the Rings*. However, care must be taken to ensure companies can continue to flourish in New South Wales.

It is a tough global market out there and it is hard to hold onto those highly skilled people in the face of fierce competition from other States and other countries that are aggressively touting for business in this growth area. The studios rely on film producers bringing their unfinished footage, or the entire movie production, to New South Wales. The studios must vie for each new movie contract, and they are competing against other design studios and industries. I congratulate the Lemna Government on its achievement in attracting major film productions to New South Wales through Fox Studios at Moore Park. I am pleased to say that Enmore TAFE has recently developed courses in 3D animation and visual special effects, and games artistry, and the University of Technology, Sydney, has introduced a Master of Animation program.

The New South Wales Film and Television Office offers subsidised traineeships, and the Film and Television Industry Attraction Fund is jointly administered by the New South Wales Government. Talented artists with those skills will be utilised in post-production work but high-value employment opportunities can also be transferred to other fields, such as imaging or artistry in medicine, engineering, information technology, and hospitality. Figures demonstrate that prior to 2004, New South Wales enjoyed an 80 per cent market share in the Australian film production industry. Yet in the 2004-05 financial year, that share fell to 47 per cent at the very most.

While the New South Wales Government recognises the export and investment opportunities that this industry has to offer, we must continue nurturing this industry in the face of strong international and interstate competition. I am told that an eight-stage studio at Docklands in Victoria is now a major competitor against Fox Studios. New Zealand's Large Budget Screen Production Grant Scheme offers incentives such as a 12.5 per cent grant for spending at least 70 per cent of the production budget in New Zealand. Victoria's \$2 million Production Investment Attraction Fund actively encourages spending at least 70 per cent of the production budget in Victoria. Queensland offers a State tax rebate, 12.5 per cent State labour incentive, head of department incentive, post-production incentive and an internship scheme.

This is a dynamic industry that changes rapidly, and we must continue to review our policies and incentives to ensure that New South Wales remains competitive. I will actively lobby our Government to look at some of the following proposals to support this value-added industry, such as: consideration of payroll tax exemptions and other staff rebates. The industry, by its very nature, is labour and capital intensive. We must do what it takes to make a long-term investment. We should consider reducing the cost of locations throughout Sydney, so that our beautiful State capital, as well as the rest of our State, may be showcased through television and cinematic media. It is currently expensive and difficult to obtain such permission.

I call on the Howard Federal Government to nurture these creative industries, which it has badly neglected. If we are to embrace an influx of projects, we must ensure that we have the creative talent to meet demand. The Howard Government must recognise employment opportunities and support apprenticeships so that students studying to work in these areas can afford to study and live in New South Wales, while gaining valuable experience. We must produce local talent of a global standard. Finally, we should consolidate the regulatory approval processes in a one-stop shop. At present, film-makers must liaise with several independent local and State government agencies and departments to work in New South Wales. The New South Wales Film and Television Office must be empowered as a central contact point for all film and television operations, as happens in Victoria and Queensland.

In conclusion, I have discussed part of a new emerging creative economy. Mentally perhaps it is a difficult thing to nail down, as it is constantly evolving. It is novel and it moves rapidly. Perhaps one could think of it as involving people who use creativity as a primary and not a secondary source of their work and value, which is essential to post-industrial, knowledge-based societies and economies in developed countries such as ours. Indeed, they have the potential of being a powerful enabler of economic growth in this State and nation. Our discourse could illustrate how they are in the mainstream flow of economic activity, and perhaps less special or unique, as they could be pushed to the periphery of our focus. They induce and facilitate the ongoing process of economic transformation, and drive innovation and change. These creative industries can integrate and transform new technologies into new services. I will do everything I possibly can to urge the Government to consider some of these issues as part of the consultation process of the State Plan. I commend this incredibly important issue to the House.

AUSTRALIAN NATIONAL FIELD DAYS

Mr RUSSELL TURNER (Orange) [5.15 p.m.]: The Fifty-fifth Australian National Field Days were held in Orange on 17, 18 and 19 October. Understandably the numbers were down a little because of the drought

experienced in the State. I congratulate the Chairman, Alan Watts, and his committee on the wonderful job they did over the past 12 months to ensure that the field days were highly successful. I congratulate the General Manager, David Lamrock, and his staff. They will spend the next 12 months organising a successful event for next year. The guest nation this year was India. On Tuesday I had the pleasure of meeting the Consul-General of India, some of his staff and representatives of companies that have introduced machinery produced in India such as retractors and light trucks. They put their four-wheel drive vehicles through their paces on the track.

I wish the Australian distributor of that equipment every success—when farmers have the confidence to purchase it after we get some rain. Despite the difficult conditions, there were approximately 500 exhibitors. Many expressed the opinion that while this year might be pretty tough, they have to go with the flow. They acknowledge that they experience good years and tough years; this year is a tough year. However, reasonable sales were held despite the disastrous drought experienced throughout most of New South Wales. Rainwater tanks were popular—not so much for when the drought breaks but for storing purchased water that is delivered by tankers and is used for drinking and domestic purposes. Every day more people are forced to buy water, a cost they do not need.

Currently a huge amount of stock is going through the major sale yards at Wagga Wagga and Dubbo. Unfortunately, the market cannot handle that large amount of stock and we have heard about the drastic drop in stock prices. Until recently this drought had been a little different from previous droughts in which stock prices held up quite well. It has reached the stage where the market cannot sustain huge numbers of stock. The feedlots cannot handle them. In the Orange electorate, and indeed throughout New South Wales, canola crops have failed. The grain crops have also failed and farmers are bringing in the haymaking equipment if they can or simply putting stock on the drought-ravaged paddocks.

The Australian National Field Days are very significant. They give farmers the opportunity to see new farming innovations, technology and equipment to use on their farms. Of course, farmers are extremely reluctant to spend money this year. They are making the one-tonne farm truck and other farm machinery last that little bit longer. They are selling off stock and battening down the hatches. I know that the vast majority of farmers will survive this drought, as they have survived the droughts of the past. I offer my congratulations and thanks to the 500 exhibitors who showed up at the fifty-fifth Australian National Field Days to show their confidence in the agricultural industry. I congratulate the Australian National Field Days organisers on another excellent event. I hope that by this time next year the crippling drought will be well and truly over and the biggest sellers will be gumboots.

THREDBO INTERSCHOOL ALTERCATION ALLEGATION

Mr PAUL CRITTENDEN (Wyong) [5.21 p.m.]: Yesterday I finally received an answer, of sorts, to a series of questions that I have put to the Minister for Police over the past year and a half. The Minister was able to tell me: "None", "Yes", "No" and "Still before the courts". This is not good enough for the following reasons: trust and truth. I have reviewed the paper trail starting with the original media reports, various letters from one of the schools mentioned to police Ministers Watkins and Scully respectively and the *Sydney Morning Herald*, as well as my questions on notice, and the chain of events is as follows.

There was an interschool snow sports competition at Thredbo in July 2004. An altercation occurred and two youths were hurt. An article on page 3 of the *Sydney Morning Herald* of 16 July 2004 by Les Kennedy and Kate McClymont quoted someone in the police as saying that a boy from St Aloysius' College was involved. In the next paragraph of the aforesaid article, the then Monaro Police Crime Manager, Detective Inspector Peter Bailey, was quoted as saying that students and former students of "five private and independent schools were involved". Furthermore, he said that "it was clearly a dispute between different schools" and that "we have been concerned about the conduct of some students". But he would not identify the other schools involved.

The Rector of St Aloysius' College, Father Ross Jones, SJ, wrote a letter to the editor of the *Sydney Morning Herald* to correct anomalies in its report of 16 July 2004, but his letter was not published. On 13 August 2004 an opinion piece by Michael Visontay, an assistant editor of the *Sydney Morning Herald*, stated baldly that the "fight" had been between students of St Aloysius' College and Barker College. An adult—not one of those reported as having been injured—was subsequently charged with assault. In a very short space of time—and in a manner reminiscent of Chinese whispers—an altercation between youths has gone from being an incident between 15 students and former students of five different schools to a fight between two schools: Barker College and St Aloysius' College.

There are three major issues. How and why can the media make adverse and untested statements harming an institution or individual by quoting the police? What happens when this information is wrong and not corrected? How can the judicial system be so clogged that after more than two years people can hide behind the statement that the matter is "Still before the courts"? Only a bureaucrat can say that the matter is still before the courts when it is manifestly hiding, or being hidden, so far from the courts that we will all be old and grey before it ventures out—if ever. How can people believe what they are told when a culture of denial appears to permeate our entire system—"I didn't do it", "It wasn't me"?

The *Sydney Morning Herald* articles are worded carefully and loaded with inferences. Journalists can make implications and bureaucrats can obfuscate through words and carefully crafted responses to questions on notice. But if a mistake has been made it should be corrected. No matter how much we dance around the issue, the fact remains that the *Sydney Morning Herald* said in black and white that police had named St Aloysius' College—it was the only school identified of the five attended by the youths involved—and that Detective Inspector Bailey said, "It was clearly a dispute between different schools."

The article of 16 July 2004 makes assertions based on information supposedly provided by police. Either it was provided or it was not. I have asked a series of questions, trying to ascertain what the police told the media. Based on the Minister's answers to date, I can say only that either the *Sydney Morning Herald* or the police are lying. If it is the latter—even in a misguided attempt to protect one of their own or to play down what they perceive to be a storm in teacup—we all have a real problem because more than just the name changed when the Police Service recently became the Police Force. In 2006 we are investing in our police greater responsibility, greater power and greater resources. For this, we expect accountability and ministerial oversight.

Irrespective of who is lying, the good name of St Aloysius' College has been traduced. Why is it so hard to get at the truth when it is supposed to be one of our core values? Father Jones is a man of great integrity and self-discipline. He can handle the truth and deal with its ramifications. He spends countless hours a week teaching and nurturing students in the Jesuit tradition to be seekers of truth and doers of justice. He spends his holidays working with his students, building homes for the poor people of Manila in the Philippines who presently subsist on rubbish tips. He has a right, along with the rest of us, to expect a truthful answer from our institutions; otherwise the message we are sending to the wider community is "Just deny everything, prevaricate and hide behind feeble and inaccurate claims of sub judice until the issue goes away".

As a student at Broken Hill High I learnt that the truth never suffers from being questioned; it is strengthened. Voltaire was being sarcastic when he declared, "All is for the best, in the best of all possible worlds". The Minister has an Honours Degree in Law. He knows that to pretend everything is fine and to deny the existence of problems is more suited to Pollyanna than a New South Wales Minister. The Minister knows that the *Sydney Morning Herald* articles were printed after, not during, the criminal incident, for which someone has been charged. He knows that in matters such as this, as he demonstrated in his recent comments in respect of the Deputy Director of Public Prosecutions Smith in the Patrick Powers case, that there is no need to hide always and conveniently behind sub judice—not in a robust democracy.

FIREWEED

Mr ANDREW CONSTANCE (Bega) [5.26 p.m.]: We have heard a lot about the drought in the past couple of years but this week the issue has been elevated to even greater prominence. One outcome of drought is the proliferation of noxious weeds. Anyone who has visited the Far South Coast recently will have seen at first hand the devastating effect of the noxious weed fireweed. I regularly receive letters from landholders who explain the devastation that fireweed is causing to their property, their lifestyle and their ability to run their business. A young full-time farmer from the Eurobodalla shire contacted me this week to talk about the effect that fireweed is having on his property. He said:

It is the prolific nature of this weed that will have far more devastating consequences than just the microclimate of my farm and family. If it is left to run, agriculture in this area will become even more marginal than it already is. I have friends and family in Bega and Nowra, and their farms' productivity has been slashed by between 33 and 63 per cent due to fireweed.

He goes on to say:

I feel that my family and I are doing our bit to stem the tide of fireweed but it is heartbreaking, lonely and enormously worrying that we have no support.

He is getting no support from the State Labor Government and no support from the State Minister for Primary Industries, who has failed to understand the importance of this issue to farming communities in coastal valleys.

This noxious weed is beginning to spread throughout New South Wales. Today I call on the Minister to provide the necessary funding—in the order of \$300,000—to assist the Bega Valley Fireweed Committee and the Co-operative Research Centre for Australian Weed Management to develop biological controls for fireweed.

This weed, which was introduced from South Africa, is having a devastating impact on pasture and native grasses. The Minister must understand the seriousness of this issue. He must investigate the attitudes of Department of Primary Industries [DPI] staff regarding the weed. He should witness at first hand the devastation the weed is causing, not rely simply on the reports of bureaucrats. There are many rumours and much conjecture in the farming community at present about DPI staff, particularly from Goulburn, and their attitude to fireweed.

I pay tribute to the Bega Valley Fireweed Committee, which was established about 12 months ago following a major meeting at the Bega RSL. Committee members Martin Sims, Rob Owen, William Wentworth, Ross Moffitt, Noel Watson, Ken Northcott, Janette Nielsen and Tanya Rutter have held meetings and organised petitions, which have been tabled in the House. A petition signed by 3,417 residents was tabled in Parliament and handed to the Minister. Yet the Minister has failed to respond. The New South Wales Government must lobby the Commonwealth about fireweed and ensure that it is put on the list of weeds of national significance.

It is not good enough for this Government to be happy for National Parks to argue that blackberries should be a weed of national significance simply to deal with a weeds issue on its lands. It is imperative that fireweed be put on that list. I call on the Minister for Primary Industries to sharpen up his act in relation to fireweed. My Labor opponent in the next election has had a policy endorsed by the Minister for people to put goats on their property. The Labor Party candidate is trying to divert attention away from the issues raised by the fireweed committee by suggesting that people put goats on their property.

Ms Katrina Hodgkinson: It is naïve.

Mr ANDREW CONSTANCE: It is naïve, it is not necessary and it is time that the Minister got in touch with the issue, instead of endorsing silly policies for beef and dairy production. People should not play games and divert attention from the fact that this Government puts no money into eradicating noxious weeds. It is not good enough that this year's budget shows the allocation of \$7.89 million for a noxious weeds problem that is worth \$4.5 billion to this country's agriculture. It is not acceptable for this Government to continually put its head in the sand in relation to fireweed and many other noxious weeds. [*Time expired.*]

GREATER BUILDING SOCIETY STROKE RESEARCH FELLOWSHIP

Mr JOHN MILLS (Wallsend) [5.31 p.m.]: Last month I was pleased to attend the launch of the Greater Building Society Stroke Research Fellowship. The fellowship is taken out at the Hunter Medical Research Institute [HMRI]. The launch was at the Royal Newcastle Centre at John Hunter Hospital. The Hunter Medical Research Institute and the Greater Building Society have established a significant research partnership that will enhance stroke care for Hunter people. The Greater Building Society has committed \$180,000 over three years to HMRI to attract leading neurologist and stroke researcher Dr Neil Spratt to the Hunter.

As the Greater Building Society Senior Research Fellow in Stroke, Dr Spratt will join HMRI's stroke research group, which is recognised as the State leader in clinical research into stroke. He will study damage that occurs to the brain as a result of stroke, and investigate therapies to limit damage. Stroke accounts for about 630 deaths and more than 2,200 admissions to hospital in the Hunter-New England area each year. I join with Richard Owens, Chairman of the board of HMRI, in saying our heartfelt thanks go to the Greater Building Society for its generous donation to medical research for the benefit of stroke patients in the Hunter and across the nation. At the launch in September the head of the HMRI Stroke Research Group, Dr Chris Levi said:

The Greater Building Society's donation has played a critical part in attracting Dr Spratt to Newcastle. He is one of a rare breed of young clinician-scientists who combine clinical care of patients with basic laboratory research to improve the community's health ...

Bridging the gap between the basic neuroscience and clinical stroke research domains will greatly enhance our ability to develop new treatments and preventive strategies in stroke and to move them as rapidly as possible from the laboratory to the bedside.

Dr Spratt will work in the acute stroke unit at John Hunter Hospital and provide neurology services to the community, in addition to his laboratory work. At the launch, the Greater Building Society Assistant General Manager, Don Magin, said the Greater Building Society was very pleased to support Dr Spratt because it provided a double benefit to the community. He said further:

Not only do we have another leading researcher here in the Hunter, patients in the acute stroke unit will benefit from an additional experienced neurologist.

Also present at the launch was Professor John Rostas who recently resigned as head of the Hunter Medical Research Institute. I congratulate Professor Rostas on his recent appointment as deputy head of the Faculty of Health (Research) at the University of Newcastle. I express my disappointment that the foundation executive director of HMRI has resigned to move on, but Richard Owens, the chairman of the institute said:

John should be proud that he will leave HMRI in a very strong position, as one of the top medical research institutes in NSW ..."

Professor Rostas has been integral to the growth of health and medical research in the Hunter region. During his time of leadership, the achievements of HMRI have included: establishing six multidisciplinary research programs in the key areas of health and medical research; increasing the real dollar investment of State and Federal governments in our region's health and medical research; influencing a number of leading researchers, clinicians and their research groups to return, relocate to or remain in the Hunter; guiding the formation of a consortium of the University of Newcastle, Hunter New England Health and local businesses to secure investment in the region's fibre optic cabling network through the New South Wales Government's Biofirst Strategy; engaging the community in support of health and medical research and increasing the level of corporate giving across the region; and increasing long-term job prospects for the region as a result of improved training and employment opportunities in research. For his part, John Rostas recognised the growth and achievements of HMRI under his leadership. He said his time with HMRI, now one of the top medical research institutes in the State, has been a career highlight. He added:

HMRI is truly unique and I am grateful for the opportunity to have worked alongside so many passionate and talented people who are committed to improving the health of humanity.

Just last week, the institute announced the appointment of its new director, Professor Maree Gleeson, who is currently the inaugural Director, Medical Research in the New South Wales Government's Office for Science and Medical Research. She brings a wealth of strategic and practical skills and experience to the Hunter Region. Professor Gleeson has played an integral role in the development of the State Government's medical research strategies. Additionally, she has an excellent knowledge of HMRI's strengths, having been a senior immunology researcher in the Hunter for many years, most recently as Hunter Area Pathology Service Director of Immunology for two years. The research interests of Professor Gleeson focus on the impact of respiratory diseases on immunity and include development of asthma and allergy in children, immunology in elite sports and sudden infant death syndrome. I congratulate Professor Gleeson on her appointment and welcome her to the Hunter. *[Time expired.]*

DROUGHT AND FIRE RISK

Ms KATRINA HODGKINSON (Burrinjuck) [5.36 p.m.]: The drought is having an extreme effect on the finances and emotions of those living in regional New South Wales, but another aspect of the drought that has already raised its ugly head this year is the fire hazard resulting from the extremely dry conditions in the south-west slopes, the Southern Tablelands, the Central Tablelands and the Central West of New South Wales. The fire danger period started on 1 October and today almost all of New South Wales is classified as either at a high or very high risk of fire. Only the Far Western Rural Fire Service [RFS] area is classified as low risk. This summer is sure to see many fires across the State. As I speak there are 12 active fire incidents in New South Wales, affecting an area of about 8,000 square hectares—and this is still early in the season.

Whenever a fire occurs in New South Wales, local volunteers will come forward in their yellow coveralls to protect the community. They receive no payment. Through the year they volunteer their time to train and when a fire occurs they go into harms way to protect our lives and property. The volunteers of the Rural Fire Service deserve our thanks and support. But many of those volunteers have significant concerns about the intrusive and bureaucratic top-down approach to management of the RFS, instituted by the State Labor Government. We should never forget that these people are volunteers—they are not paid. There is no compulsion for them to serve; they do this magnificent job out of the goodness of their hearts for the benefit of the community.

Peter Cathles is the Senior Group Captain in the Yass District. John Laker is a veteran bushfire fighter. Between them they have almost 100 years of experience in fighting fires. These are men of the absolute highest integrity and character. They have both spoken to me regarding their concerns about the management direction that the Rural Fire Service is taking. They are concerned at what they perceive as increased bureaucracy, the forcing of liability on volunteers and a lack of consultation to the extent that they have considered quitting. Peter Cathles recently wrote to me and said:

I consider it extremely imprudent of the RFS to force this level of experience and commitment to consider leaving the ranks of the volunteer RFS.

Among his concerns are: a lack of consultation with volunteers by paid administrative staff; a lack of support for volunteers by paid staff refusing to provide copies of standard operating procedures and service standards; a lack of consultation with senior volunteers in the appointment of zone managers, specifically excluding them from interview boards; and the mandatory requirement for group captains to sign documents, which independent legal advice has described as "a minefield". Recently Mr John Laker wrote to me and stated:

The Rural Fire Service was originally set up by the New South Wales Government to assist the volunteer rural fire brigades to form a cohesive fire fighting force. The word "assist" being the operative word which now seems to be lost in the current organisation.

In fact a lot of the literature distributed by the current organisation contains the words "Must" and "Will", which is a far cry from the word assist.

John further wrote of the deep-rooted problems that exist between volunteer and salaried staff, saying:

How many of the existing salaried staff have been given a course in communication, management practices or indeed in the manner that should be adopted when dealing with volunteers? Volunteers are not public servants and there is a fine line to be observed when dealing with both parties.

Unfortunately, the views of John Laker and Peter Cathles are shared by almost every RFS volunteer to whom I have spoken. The RFS has a total volunteer membership of about 69,300 and about 600 paid staff. The report for 2004-05, the latest annual report available, shows that employee-related operating expenses total \$52.519 million out of total expenses of \$152.269 million. In the same year the payments for "Council costs associated with Rural Fire Fighting activities and equipment" was only \$61,618,000. Each volunteer firefighter—remember, they are the ones in the yellow overalls putting their lives on the line to protect the community—receives support from the RFS of \$889 a year. Each paid employee of the RFS receives average employee related expenses of \$87,531 a year. Is that how the State Labor Government supports these magnificent volunteers? Clearly there is a need for reform of the senior administration of the Rural Fire Service.

But John Laker and Peter Cathles are the sort of people who have solutions, not problems. They have proposed the restructuring of the RFS out of the public service and converting it to a New South Wales government instrumentality. They propose a governing board, directly responsible to the Minister, of seven people to comprise a chairman, selected by the Minister; a general manager of the Rural Fire Service; four volunteer representatives elected by RFS volunteers from sectors across the State; and one New South Wales Rural Fire Service Association volunteer member elected by Rural Fire Service Association members. They believe that structure would provide a much happier and cohesive firefighting force than the present one. They also believe it would address many of the concerns of volunteers about having no voice in the organisation to which they commit so much. I commend them for their initiative and support their call for reform.

TILLIGERRY PENINSULA LIBERAL CRIME FORUM

Mr JOHN BARTLETT (Port Stephens) [5.41 p.m.]: What was shown in recent television news footage of a Liberal Crime Forum meeting called by the Liberal candidate for the seat of Port Stephens was absolutely disgusting. It portrayed a totally false picture of the Tilligerry Peninsula. I have lost count of the number of telephone calls and conversations I have had with Tilligerry residents about how ashamed they are of the actions of the Liberal Crime Forum and how it has brought the area into disrepute. Images of young people being screamed at and shouted down by an angry, drunken mob did little to advance the image of the Tilligerry or the causes of the Liberal Crime Forum. Many people want to dissociate themselves from the actions of that group. In many ways, the screaming by those at the meeting is indicative of what has gone on over the past few years with young people in the Tilligerry area.

I called a meeting to raise funds to help bring about a change in the behaviour of young people. Members of the Liberal Crime Forum disrupted the meeting. It was to the credit of the people who stayed on at the meeting that we went ahead and got some Hunter Area Assistance Scheme funding for the young people. In addition, once we had funding coming along, they threatened members of the committee that had been set up to raise those funds with the loss of business in the area in which they worked. That was a completely disgusting attitude to the young people on the Tilligerry Peninsula, but it was consistent with behaviour at the meeting portrayed in the television images. The Liberal Crime Forum comprises mainly failed Liberal State aspirants Steve Tucker and Sean Brennan, disgruntled former police officers and other hacks. They have always stated that they are apolitical. What a joke! Recently, two of them stood for Liberal preselection, and failed. Other members of the Liberal Crime Forum would be Bob Baldwin, the local Federal member, and Councillor Hodges.

It is a sad fact of life that over the past few years repeated juvenile antisocial behaviour has caused problems for society across New South Wales and Australia. Port Stephens is no different. The vandalism and malicious damage demonstrate a lack of respect for the values of the community as a whole. It has also proved very difficult to combat, as each new generation of young people moves through to adulthood. The Tilligerry Peninsula, for the more than 20 years I have been involved with its people at local and State government level, has been a pleasant, sleepy backwater of Port Stephens, a great community to work with, with a great volunteer ethic, whose people come together to work on many community projects such as the construction of the Tilligerry pool and the ambulance station. Perhaps 99 per cent of the young people of the Tilligerry are great young people. Unfortunately, a small group is involved in ongoing antisocial behaviour, and on the night of Saturday 30 September at Tanilba Bay there were 15 separate acts of malicious damage. Despite that inexcusable behaviour, even though police responded to the calls for assistance, no-one was caught on the night. Three juveniles were later arrested and charged.

The manipulation of these and similar events by members of the Liberal Crime Forum—their letter-writing campaigns in the local media and their calling of public meetings—and the way in which they have conducted this political campaign have done a huge disservice to the reputation of the Tilligerry Peninsula. Thanks to them, it is now known as the crime capital of Port Stephens. Unfortunately, that label is going to be hard to shake. House prices, rental prices and commercial activity will suffer as a result of their deliberately orchestrated "law and order" campaign. People have told me that they have changed their minds about buying in the area due to that label. A mother told me that her son and partner hesitantly rented there but had found it a delightful place to live—and it is.

It has a very low crime rate. But the public perception of the Tilligerry Peninsula as the crime capital of Port Stephens is having a multiplicity of unfortunate effects on the area. The recent television images do absolutely nothing at all for the law and order campaign on the Tilligerry Peninsula. The attack on the young people who came to address the forum was disgusting and appalling. In my next private member's statement I hope to address the changes that we have made in police numbers of the Lower Hunter Area Command, police numbers in New South Wales and the wonderful work that the New South Wales Government is doing with the Department of Community Services [DOCS] campaign to change DOCS numbers in New South Wales.

Ms LINDA BURNEY (Canterbury—Parliamentary Secretary) [5.46 p.m.]: In his private member's statement the honourable member for Port Stephens raised a number of important issues. However, what came across loud and clear in the statement is that, although young people may be frustrated and the conduct of a small number of young people may be unacceptable, the bulk of young people are community-minded, law-abiding citizens. It is outrageous that a group of adults, parading under the banner of law and order, seem to be more of a problem than the young people they are railing against. I thank the honourable member for raising this important matter in the House.

YARRAWONGA-MULWALA BRIDGE CROSSING

Mr GREG APLIN (Albury) [5.47 p.m.]: Last week I attended a packed public meeting at the Mulwala Civic Centre to hear about the urgent need to plan for a new bridge crossing over Lake Mulwala. The meeting was convened by Corowa and Moira shire councils. A representative of VicRoads attended but, sadly, there was no spokesperson from the Roads and Traffic Authority. The purpose of the meeting was to provide information on the current state of the crossings and to call on the two State governments to recognise the need for a new bridge and to commission a study. That will be no easy task as the New South Wales Government does not even consider there is a problem. For the benefit of the Minister and honourable members, I will explain why there is a huge problem and why unanimous endorsement was given by the public to proposals by Corowa and Moira shire councils to present their case to the Minister.

Currently there are two Murray River road bridge crossings linking Mulwala and Yarrawonga. Mulwala Bridge is the declared arterial road crossing. It was constructed in 1924, is a narrow 5.5 metres two-lane bridge with no shoulders, causes delays to many large vehicles, has components in poor condition and carries 6,500 vehicles per day. The other crossing is on the Yarrawonga Weir and dam embankment and it carries 1,200 vehicles per day on narrow lanes that force the imposition of one-way traffic controlled by traffic lights. In 2020 this crossing will be closed. Goulburn Murray Water, together with the Murray Darling Basin Commission, has made this decision to reduce public risks and to improve the long-term sustainability of the weir structure, which is so vital to the economy of the local and downstream communities.

Local concern resulted in the commissioning of a needs/options study under the direction of a steering group consisting of representatives of VicRoads, the Roads and Traffic Authority of New South Wales, Goulburn-Murray Water, River Murray Water, and Corowa shire and Moira shire councils. The report was presented to the steering committee identifying possible solutions for the future crossing needs. Clearly, when the weir crossing closes in 2020 all traffic between the two towns and all heavy interstate transport in the region will be streamed onto the narrow Mulwala Bridge.

The traffic lanes are considerably narrower than current standards demand and there are no shoulders. There is a lack of advance warning signs in relation to the narrow lanes, and the traffic barrier system does not meet current standards. The Minister would be aware that the Federal Government last week approved a \$300 million redevelopment of the vast industrial complex at ADI Mulwala, guaranteeing that explosives and military propellants will continue to be manufactured at the site and transported over the narrow crossings. The RTA web site advises:

The bridge requires regular maintenance and monitoring of the condition of its concrete. The current management strategy is to maintain the existing level of service.

That is far from encouraging and exhibits a lack of planning in the face of the known closure of the weir crossing in just 14 years' time. Given that the bridge is 82 years old and was not constructed for the volume and weight of modern traffic, it is likely that future maintenance costs will increase and could result in temporary closures. Estimates of traffic are linked to population growth and by 2020 the average daily traffic is estimated to reach 16,000 vehicles per day. That will create increased levels of traffic congestion in the main streets of Mulwala and Yarrawonga. Both towns are experiencing significant population growth of up to 7 per cent, and this growth is expected to continue as people flock to the lifestyle on the Murray. During the peak holiday season it is estimated daily traffic will reach 21,000 vehicles per day.

The report of the crossings/options study identified the need for a second bridge prior to the proposed closure of the weir crossing in 2020. It found that the existing bridge does not meet current traffic loading design requirements but can continue to deliver a level of service and it proposed six options for a second crossing. The need now is for a preferred solution to be identified to allow for planning and construction of a new or upgraded crossing. To that end, a more detailed planning study is necessary and the residents and councils of the region are calling on the State governments to jointly fund the study. That approach is sensible and timely and will ensure the maintenance and development of vital regional infrastructure. Indeed, in relation to Murray River bridge construction projects, the Government proclaims on its RTA web site that roads and road transport are important to local economies and meet the growth needs of rural communities. The site goes on to state:

Well-planned, well-designed and well-built roads and transport infrastructure are vital for economic development—for both community and business.

Yet this particular bridge project is not included in the State Infrastructure Strategy for the next 10 years. When I asked the Minister what plans are being considered for a replacement crossing, he advised me that the Yarrawonga-Mulwala bridge crossing connects New South Wales and Victoria. The Minister needs to be enlightened on the urgent need for a detailed study to provide a cost-effective solution for the future crossing needs of the Mulwala and Yarrawonga communities.

MS ROSEANNE CATT QUASHED CONVICTIONS

Ms MARIANNE SALIBA (Illawarra) [5.52 p.m.]: I raise in Parliament today an horrific injustice that has been suffered by one of my constituents, Roseanne Catt. In 1989 Roseanne was living in Taree with her two children, her three stepchildren and her husband, Barry Catt. Her stepchildren disclosed that they had been sexually abused and, following an investigation by Family and Community Services, charges were laid against Barry Catt. Three weeks later charges of attempted murder were laid against Roseanne Catt by Barry Catt. Roseanne went to goal in 1991 for 10 years. I have met some women who were inmates at Mulawa Women's Detention Centre during the time that Roseanne was imprisoned. They told me of some of the horrific circumstances that Roseanne endured. She had a price on her head; people were paid to attempt to kill her. I have since met one of those people. Roseanne was beaten and had boiling water poured on her.

Roseanne has written a book called *Ten Years*. The stories in the book are timid compared to the circumstances she suffered during that time. I am surprised that Roseanne is not a bitter woman. In fact, she is a terrific woman. It is hard to believe that she could go through such hardship. As I said, she was imprisoned from

1991 to 2001. On 24 July 2001 the Attorney General referred her case to the Court of Criminal Appeal pursuant to section 474C (1) (b) of Division 2 of Part 13A of the Crimes Act. On 17 August 2005 the court quashed six of the eight convictions. In September 2005 the Director of Public Prosecutions advised that he would proceed no further on the remaining charges. Paragraph 234 of the judgment handed down by the Court of Criminal Appeal on 17 August 2005 clearly states, "It is not for this court to order a retrial." The court decided it was not its place to make a decision on whether Roseanne would again have to stand trial. She was released on 6 August 2001 pending the appeal.

Recently Roseanne and I were sitting in a coffee shop in Shellharbour. I had invited her to the coffee shop and I picked the venue. A woman came out of the shop and rushed up to Roseanne. The two of them hugged and cried. Some years before this young woman had been used by one of the people responsible for setting Roseanne up to give false evidence against her. She apologised to Roseanne and said she had believed she would never see her again. Since then she has told many people and given an interview to the *Sydney Morning Herald* about how she was threatened, coerced and intimidated into giving false evidence. At the stage she gave the false evidence she was only 23 years old.

As I said, it is difficult to believe that these events could happen. Roseanne deserves to have the injustice she has suffered acknowledged. Four judges agreed that Peter Thomas, a police officer at the time, Adrian Newell, Barry Catt and others had engaged in conduct that warranted investigation for the purpose of criminal prosecution. I understand that the matter has been referred to two agencies, the Commissioner of Police and the Director of Public Prosecutions. This matter ought to be fully investigated so that the injustice Roseanne Catt has suffered is acknowledged and she is compensated. It is time for the Government to act on this matter.

Ms LINDA BURNEY (Canterbury—Parliamentary Secretary) [5.57 p.m.]: The story of Roseanne Catt is well known. As the honourable member for Illawarra indicated, Roseanne Catt wrote a book about her experiences. I acknowledge the honourable member's courage and decency in bringing this matter to the attention of the House. I am sure all members would wish Roseanne Catt a full life after what she has endured. I again commend the honourable member for Illawarra.

COCA-COLA AMATIL NORTHMEAD WAREHOUSE DEVELOPMENT

Mr WAYNE MERTON (Baulkham Hills) [5.58 p.m.]: Many Northmead residents have contacted me requesting that the Minister for Planning listen to the voice of the community on the proposal to upgrade the Coca-Cola Amatil facility, which is located on Briens Road. I am informed that the development has been classified as a major project under the State Environmental Planning Policy (Major Applications) 2005. The outcome of the development is to be determined by the Minister for Planning under part 3A of the Environmental Planning and Assessment Act 1979. Residents believe that the proposed height, bulk and scale of the development far exceeds that of the surrounding area, which is currently characterised by low-scale, light industrial and business park buildings with medium-density, low-density and freestanding detached residential development.

Residents have declared that the development will be one of the world's tallest warehouses. In fact, some residents say the development will look like a big esky. The Coca-Cola Amatil proposal is a warehouse building 32 metres high—that is, nine storeys—by 120 metres long. It will increase the company's current capacity almost fourfold. I am told that Coca-Cola Amatil made its application directly to the State Government, bypassing the authority of Parramatta City Council. The residents believe the company has broken many Parramatta City Council development guidelines. Bypassing the council could set a dangerous precedent for building standards statewide.

The Parramatta area residents action group, Vocal Locals, is united and active in the battle against developments that threaten the area's standard of living and residential property values. The group is also concerned about the effects on the ecology of Toongabbie Creek, where there are black cockatoos in the casuarina trees, possums and endangered species in the area. At the invitation of local residents Rita and Reg Sheedy I attended a public protest rally held on 7 October. Reg and Rita have lived close to the Coca-Cola site for 23 years. They are concerned that approval of this application will increase traffic and noise and have other detrimental environmental impacts.

Reg is concerned that the new building will block out the light and increase shadowing on nearby properties. Of particular concern to the couple is that Coca-Cola Amatil did not contact them to advise them of its plans prior to the lodgment of this application. That is particularly upsetting for Rita Sheedy because she had

previously been employed at the Coca-Cola Northmead site for some 10 years. Perhaps if the Sheedys and their neighbours had been contacted and some consultation undertaken prior to the lodgment of the application, an agreement could have been reached to obtain a mutually acceptable outcome. I understand the Minister believes that the changes made under State Environmental Planning Policy (Major Applications) 2005 provide for the necessary approval of applications by slashing red tape. The Northmead residents question whether it is reasonable to give more power to the State Government regarding their local environment whilst at the same time taking away decision making from the locally elected councillors.

By making the decision on this development the Minister is taking the matter away from the local community. It may be determined on grounds that may or may not stand scrutiny on pre-established and objective criteria. It should never be forgotten that it is the local community that has to live with the outcome of planning decisions. It is also important to ensure that decisions can withstand the most rigorous of challenges. I urge the Minister to ensure that the objections put forward by Northmead residents are taken into account when this matter is considered. Residents regard this as a very important matter, and I ask the Minister to ensure that all the objections and all the difficulties the residents foresee, should the matter be approved, are considered before a decision is made. Many residents believe that a development of nine stories is completely out of character with adjacent buildings and the amenity of the area. As such, the residents are gravely concerned about the effect it will have on their amenity of life and the value of their properties.

BARRABA WATER SUPPLY

Mr PETER DRAPER (Tamworth) [6.03 p.m.]: Tonight I speak about the hardships experienced in the north-west town of Barraba resulting from a completely unreliable local water supply. Barraba is an award-winning tourist town located about 90 kilometres north-west of Tamworth. Over 400 farming properties contribute to the region's wealth, predominantly through cattle farming, wool and fat lamb production. Complex rock formations in the area make it attractive for fossickers and other tourists. There is a well-known series of trails for birdwatchers, and the town's quiet rural lifestyle also makes it an appealing settlement for retirees. Barraba's 1,200 residents are rightfully very proud of their town. Unfortunately, significant water shortages continue, and that is creating impediments to investment and employment. Growth has been hampered, and opportunities for residents and local business are limited by the lack of reliable water. Residents live with regular restrictions, which prevent the maintenance of gardens, force local sporting groups to compete on dead fields, and make local schoolchildren play on cathead-infested playgrounds.

Barraba's water is currently sourced from three supplies: Barraba Creek and the Manilla River, with the Connors Creek Dam providing a back-up supply. The town is currently down to the last source and is again on level one restrictions. All of these sources have proven to be unreliable and generally of poor quality. As the drought has worsened in recent years, it has reinforced the urgent need to secure an alternative supply. There is a widespread community view that the only sustainable alternative is a pipeline from the nearby Split Rock Dam. Unfortunately, large amounts of money have been spent on exploratory drilling for ground water to prop up the supply.

The primary purpose of Split Rock Dam is to store irrigation water for the Namoi Valley. However, when constructed it was fitted with two designated town water off takes, which suggests it was also intended as a water supply for nearby townships. Split Rock offers good-quality water and a secure supply for Barraba compared to current sources. At just 360 megalitres, Connors Creek Dam does not have a suitable storage capacity or catchment, and decades of sedimentation have halved its capacity. Barraba Creek and the Manilla River are also unreliable, and the water quality is very poor from all three sources. Connors Creek Dam is often plagued by blue-green algae. The complete failure of these sources has occurred a number of times during the current drought, and with no end in sight a reliable supply must be a priority.

Split Rock is a 372,000-megalitre dam located 25 kilometres south-east of Barraba. It is estimated that Barraba's average annual demand would be about 350 megalitres. A 200-millimetre pipeline would be able to supply up to 1,000 megalitres at an estimated cost of \$6.5 million, according to Tamworth Regional Council. That would open up enormous economic possibilities for the district. With its small population, it is unlikely that Barraba would be able to fund this venture without residents facing unrealistic water bills, so State Government assistance is vital. Given its location, natural resources and vibrant community, Barraba has the potential to boom with access to a reliable quality water supply. Like many country towns, providing local employment opportunities is the greatest challenge facing Barraba. Over recent years a number of industries have shown interest in investing in Barraba, but the continuing water issue has turned many away.

There are opportunities for the poultry industry, light manufacturing, expanded diatomite extraction and reworking of asbestos tailings for magnesium extraction. Investment in those industries would flow through to local and regional service industries and the building industry, should employment levels increase. In May this year, an exploration licence was awarded to IMC Pty Limited to explore the feasibility of reprocessing asbestos tailings into magnesium metals at the former Woodsreef asbestos mine. A possible \$400 million rejuvenation of the mine would mean 100 new jobs and a multimillion dollar boost for the local economy, but this investment also needs reliable water.

Despite the Split Rock Dam offering an obvious solution to the problem, the Government has persisted in exploring the sparse ground water resources. Bores have been drilled on many occasions over the past 30 years, yielding few results. According to a 2004 study conducted by SKM, it would cost an estimated \$5.62 million to set up 10 bores as a stand-alone supply to the town. Although this option is almost as costly as the pipeline, it would not guarantee supply due to the unreliability of ground water in the area. Recent ground water exploration in the area has cost the Government almost \$200,000 with very disappointing results. Any further drilling is expected to cost the taxpayer many more tens of thousands of dollars.

Millions of dollars have been spent to prop up water supplies for metropolitan centres in New South Wales, while Barraba still languishes without a viable solution. Urgent consideration must be given to funding a pipeline from Split Rock so that Barraba can capitalise on the many opportunities available to it for future growth, and so its residents can enjoy a better quality of life. During a recent visit to Barraba I consulted with the community, and I am pleased to have secured funding for a new water tank at the showground and a new water tank at the rugby club. I am still working on an upgraded electricity supply for the showground, but good progress has been made on funding for toilets and disabled access to the new rugby clubhouse. I have secured funds to install steps in the local swimming pool. However, while all of these are important projects to the community, the need to provide a secure water supply is by far the most important issue. I look forward to working with the community to convince Tamworth Regional Council and the New South Wales Government that Barraba deserves to have this investment prioritised.

NORTHERN BEACHES BUS SERVICES

Mr ALEX McTAGGART (Pittwater) [6.08 p.m.]: Earlier this year the Government proudly announced that more than 1,000 buses would be rolled out onto Sydney roads over the next seven years at a cost of \$450 million as part of a \$3 billion investment aimed at improving public transport across the city and outer regions. Some 500 buses were to be purchased for private routes, while 505 would be part of a much-needed STA fleet upgrade. The northern beaches area has been one of the beneficiaries. On 13 August the new northern beaches timetable was introduced. We were told surveys had been done and the new schedule better reflected current demand, and would "better reflect travelling times".

I am not quite sure what that means, but I do know the new timetable has thrown commuters' working lives into chaos. There is no doubt that the new housing developments in Warriewood Valley and the increased number of units at Narrabeen, Collaroy and Dee Why has increased the population using city-bound routes at Narrabeen, Collaroy and Dee Why during peak hours. But instead of increasing services to cope with this increase in population, the new schedule has done the opposite: it has cut services or delayed early morning departure times.

More than 50 constituents have written to me outlining their concerns, and there is a common thread to the complaints. There are fewer buses on the L90, E88 and L84 routes. Buses are frequently so crowded that passengers are forced to stand the whole way from Narrabeen to the city, while those waiting at stops at Collaroy, Dee Why and Warringah Mall are bypassed completely because the buses are packed to capacity. Some of the changes seem very minor, with buses leaving only minutes later than under the previous timetable. But for unexplained reasons, they are arriving at their destination up to 10 minutes later. Passengers who used to arrive at work on time on the E88 or L84 no longer do so. Instead, they are all being funnelled onto the L90, which cannot cope. Connections that formerly were easily made are now impossible.

One Warriewood Beach commuter says the 155 no longer easily connects to the express bus at Narrabeen and, if it does, there are no seats available. He now avoids the 155 altogether and walks to Pittwater Road to catch the already overcrowded L90. There also are concerns about the later departure of the E88 from Avalon. The difference from 5.58 a.m. under the old timetable to 6.03 a.m. under the current timetable is only a few minutes, but somehow the bus arrives at Wynyard later than the L90 which leaves Palm Beach at 5.38 a.m. Passengers who formerly caught the E88 are forced onto the L90 to get to Wynyard before 7 o'clock. No-one

can understand why. They cannot understand how setting departure times later when traffic is heavier can possibly get people into the city more quickly.

No account has been taken of the fact that many workers on the Northern Beaches have opted to take advantage of flexible working hours now offered by employers. They want to start work at 7.00 a.m. or 7.30 a.m. and finish at 3.00 p.m. or 3.30 p.m., but the new timetable makes the early starting time impossible. Some are now getting up as early as 4.00 a.m. to arrive on time, only to find that so many other commuters are doing likewise that they still cannot get onto a bus. They ask why city buses during peak hour cannot be scheduled to run every 15 minutes. They also ask why under this new timetable there is no express bus scheduled before 6.20 a.m. whereas under the old schedule, the first express bus left Mona Vale at 6.15 a.m., arriving in the city at 6.55 a.m.

The return journey is equally badly serviced. People speak of arriving at Wynyard to find queues wound three or four times around the stands or, alternatively, two buses arrive together, one of which is half full. I hasten to add that commuters are not complaining about the drivers. They are almost unfailingly courteous and polite, often going out of their way to help passengers. Rightly or wrongly, commuters believe that the number of buses has been cut simply to save money, and not only at the northern end of the peninsula.

A young couple from Harbord wrote to tell me that the husband starts work at 6.30 a.m. and his partner starts at 7.00 a.m., but he cannot get a bus leaving from Harbord at 6.00 a.m. because there is none. He has to walk to Warringah Mall to catch the L90 at 6.02 a.m. which is consistently packed to capacity. Yet again, commuters are being funnelled onto an already overcrowded L90 because there are no alternative services. Another constituent told me how she used to catch the E88 to the city from Avalon to get to work by 7.00 a.m. Now she is forced to catch the L90 at 5.23 a.m. because of poor timetabling. In addition to all that, there is the impact of cuts to services upon the elderly and those who are less mobile.

Elderly people in Clareville, Bilgola and Avalon have been equally inconvenienced by cuts to the 191 and 192 services, which they say make it virtually impossible for them to socialise on weekends. Commuters cannot understand why buses seem to travel so much more slowly than before, even though they have been scheduled to depart only minutes later than under the old timetable. They are arriving in the city up to 10 minutes later than before. Today I caught the 6.50 a.m. L90 bus from Newport Beach to the city with David Callahan, the manager of the northern region of the State Transit Authority, and some constituents to see the problems firsthand. The bus was full by Collaroy, was 10 minutes late at Wynyard and bypassed passengers at Dee Why and Warringah Mall—exactly what my constituents have been telling me. I call on the Government to review the new timetable in consultation with commuters.

HOUSING INDUSTRY ASSOCIATION COST-PLUS CONTRACTS

Mr DAVID BARR (Manly) [6.13 p.m.]: Tonight I draw the attention of the House to problems that consumers are experiencing as a result of entering into Housing Industry Association [HIA] cost-plus contracts. The contracts are entered into by consumers who wish to undertake domestic construction work, but the problem is that the contract is heavily weighted in favour of builders. Cost-plus contracts are generally used when it is not possible to give final costings—for example, when excavations are needed before the scope of the job may be determined. Two of my constituents, a husband and wife, have drawn to my attention the appalling outcome of their signing an HIA cost-plus contract. Their experience should serve as a potent warning for consumers who are considering entering into contracts of that type.

The home renovations sought to be undertaken by the couple involved the addition of two bedrooms and a reconfiguration of the layout of their home. The rear end of the house had to be demolished and a 100 square metre concrete slab had to be constructed in their backyard. They were unable to find a builder who was willing to enter into an Office of Fair Trading or Master Builders Association contract and none of the builders they consulted was interested in a fixed-price contract. They were restricted to using a HIA cost-plus contract, which is what the builders want. After they entered into the contract and work commenced, my constituents had a dispute with the builder. The current situation is that half the house has been demolished, there is a 100-square metre concrete slab in their backyard, and they are close to \$300,000 out of pocket.

In other words, a concrete slab, which was laid as the foundation for the construction of two additional bedrooms at the rear of their property, has cost them close to \$300,000. The cost comprises building costs and having to buy out the contract as a result of the dispute with the builder as well as legal and consultants' costs. Before they signed the contract, the couple undertook a check on the builder with the Office of Fair Trading.

Their inquiries came up clear, but during the course of the building work, they discovered that their builder had previously sued other clients. The couple believes that there should be a record of the number of times a builder has been before the Consumer, Trader and Tenancy Tribunal [CTTT] to alert consumers to builders who habitually take advantage of the bias inherent in cost-plus contracts in favour of builders. In their case, the builder played legal hardball.

Approximately two months after the commencement of construction, the couple realised that the final cost would be significantly greater than the original \$350,000, which was the contract price. They noted that under the contract the builder had no obligation to obtain competitive quotations to minimise costs. The builder therefore made no effort to keep the building project within budget and consequently the cost of the project blew out. The matter came before the CTTT because cost-plus contracts have no provision for dispute resolution. They merely state that in the event of a dispute, the builder has to meet with the consumer. In the case of this couple, the builder met them, but refused to participate in a mediation process and told them he would see them in court. Basically, the builder went down the legal path, and that was when the costs really began to escalate.

For legal reasons, I have not mentioned the names of the building company or the couple. It seems that currently the only recourse available to consumers is to complain to the CTTT or the courts. The legal processes involved in obtaining a CTTT ruling against a builder is so expensive and complicated that most consumers simply give up. They are faced with having no choice but to allow the builder to complete the project at the blown-out price or, as is the case with my constituents, to buy themselves out of the contract. Basically, consumers can obtain justice under this system only if they have limitless funds available for taking legal action.

The current situation with my constituents is that they have to seal the rear of their house. They have experienced considerable difficulty in obtaining insurance for the house, and they still have to find a builder who will finish the construction. This couple is close to \$300,000 out of pocket, yet they still do not have anything like a completed project. I have met with them and a representative of the office of the Minister for Fair Trading. The Office of Fair Trading will examine the history of the builder concerned. The Office of Fair Trading will examine whether amendments to the Home Building Act are required to clarify when cost-plus contracts are appropriate. The Office of Fair Trading should examine the Queensland or Victorian models.

Private members' statements noted.

The House adjourned at 6.18 p.m. until Friday 20 October 2006 at 10.00 a.m.
