

# LEGISLATIVE ASSEMBLY

Wednesday 17 October 2007

---

**The Speaker (The Hon. George Richard Torbay)** took the chair at 10.00 a.m.

**The Speaker** read the Prayer and acknowledgement of country.

## SUMMARY OFFENCES AMENDMENT (SPRAY PAINT CANS) BILL 2007

**Bill introduced on motion by Mrs Barbara Perry, on behalf of Mr David Campbell.**

### Agreement in Principle

**Mrs BARBARA PERRY** (Auburn—Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Premier on Citizenship) [10.00 a.m.], on behalf of Mr David Campbell: I move:

That this bill be now agreed to in principle.

The Government is pleased to introduce the Summary Offences Amendment (Spray Paint Cans) Bill 2007. Graffiti-tagged public transport and public facilities are not just costly nuisances; they can also lead to further crime problems, discomfort for users and serious safety concerns. That is why this Government takes a comprehensive and tough approach to fighting graffiti vandalism. During the election campaign, the Premier promised to continue the fight against graffiti by committing his re-elected Government to strengthen anti-graffiti laws to require young persons found in possession of spray paint in public to establish the person has it for a legitimate purpose, and give police the power to confiscate spray cans from people under 18 if the person does not have a lawful excuse for having it. The bill gives effect to these commitments.

The Iemma Government has a long record of implementing strong and effective anti-graffiti measures. In 2006 the Premier announced a comprehensive strategy to drive down the incidence of graffiti, which included the establishment of the Anti-Graffiti Action Team to drive new measures to reduce graffiti throughout the State; increasing the use of community service orders to make offenders repair the damage caused by graffiti vandalism; identifying graffiti hot spots and stepping up enforcement and surveillance, especially through closed-circuit television; assisting councils and government utilities with the development of graffiti management plans targeting high graffiti environments, and allowing local councils to accredit community groups and volunteers to remove graffiti.

Furthermore, in June 2006 the Government passed the Summary Offences (Display of Spray Paint Cans) Act 2006, which requires retailers of spray paint cans to keep their stocks in locked display cabinets. This scheme came into force on 1 November 2006. These initiatives came on top of the tough penalties that already existed for graffiti-related offences. These offences continue to apply both to adults and young people and include damaging and defacing property with paint under section 10A of the Summary Offences Act, which carries a maximum penalty of 20 penalty units or six months imprisonment; possession of spray paint with intent to use it to damage or deface premises or other property under section 10B of the Summary Offences Act, which carries a maximum penalty of 10 penalty units or three months imprisonment; sale of spray paint cans to juveniles under section 10C of the Summary Offences Act, which carries a maximum penalty of 10 penalty units; and malicious damage to property under section 195 of the Crimes Act, which carries a maximum penalty of five years imprisonment.

A number of sentencing options can be used by the courts to deter graffiti vandalism, including: community service orders, which since 1999 have seen young offenders complete 60,000 hours of graffiti removal work; reparation orders requiring the offender to pay compensation toward repair of the damage, and place restrictions and non-association orders. The bill will complement these existing provisions by giving police the power to confiscate spray paint cans from juveniles when the person does not have a lawful excuse for having it. This will ensure that police have the ability to confiscate a juvenile graffiti vandal's tool of trade, and thereby prevent graffiti offences from occurring in the first place.

I turn to the details of the bill. Schedule 1 to the bill creates a new police power to confiscate spray paint cans from people under the age of 18 years. An officer may seize the spray paint can when the officer has

a reasonable suspicion that, firstly, the person is in a public place; secondly, the person is under the age of 18; and, thirdly, the person is unable to satisfy the officer that he or she is in possession of the spray paint can for a lawful purpose. As I stated earlier the aim of the provision is to prevent a crime by confiscating the relevant object.

Schedule 2 to the bill amends the Summary Offences Regulation 2005 to create a scheme to regulate the management of seized spray paint cans. The amended regulation provides that spray paint cans that have been used or that are of negligible value can be disposed of immediately. If the spray paint can is not disposed of immediately, it must be retained for a period of seven days to allow the person to make an application for its return. This will allow applications to be made for the return of the confiscated spray paint can if, for example, the person is able to produce evidence that he or she was over the age of 18 years. Another example would be if the person was able to produce evidence that he or she originally had the spray paint can for a lawful purpose, such as if he or she was an apprentice painter or panel beater. The amended regulation also provides for an application to a court if the person desires an independent adjudicator on the matter. I commend the bill to the House.

**Debate adjourned on motion by Mr Daryl Maguire and set down as an order of the day for a future day.**

### **FOOD AMENDMENT BILL 2007**

**Bill introduced on motion by Mr Steve Whan, on behalf of Mr Nathan Rees.**

#### **Agreement in Principle**

**Mr STEVE WHAN** (Monaro—Parliamentary Secretary) [10.08 a.m.], on behalf of Mr Nathan Rees: I move:

That this bill be now agreed to in principle.

The Food Amendment Bill will amend the Food Act 2003. The proposed amendments clarify and strengthen the respective roles of the New South Wales Food Authority and New South Wales local councils in their shared work of ensuring the safety and suitability of food for sale in New South Wales. The origins of the bill date back to 2002 when a review of the New South Wales food regulatory system, the Kerin Review, concluded with a series of recommendations for reform. The key recommendation from that review was that the New South Wales Government should establish a through-chain food regulatory agency for New South Wales. The Government adopted that recommendation and in 2004 established the New South Wales Food Authority as the sole State government agency responsible for food safety from primary production to retail sale.

A further recommendation of that review related to the role of local government in food regulation. The review found that the participation of local councils in the enforcement of the Food Act was crucial to success at the local level and that council's relationship with local businesses placed it in a unique position to provide an effective service, which was appropriate to local needs. However, the review also found that there was currently no specific role for local councils in food safety work and, as a result, it had been predicted that with limited resources local council involvement would continue to decline. The recommendation from these findings was that the New South Wales Government should explore with local government the implementation of a model that clearly defined the responsibility of local government for food regulation and appropriately resourced the work that the local government sector would perform.

In order to be successful, the model would need to meet the following criteria. It would need to be commensurate with the skills, expertise and range of responsibilities of local government environmental health officers, involve activities for which cost recovery would be appropriate, be funded by a mechanism for cost recovery such as an annual administration charge, be assisted by a New South Wales food authority through the provision of tools and training, and be coordinated by that New South Wales food agency. To advance this recommendation, a food regulation partnership was formed between relevant State government departments, local government and environmental health professionals to develop, through consultation with stakeholders, a model for local government food regulatory activity. The bill that I introduce today is the culmination of the efforts of this partnership.

Three key areas of reform would be achieved by the passing of this bill. The first area of reform is the creation of a mechanism that would enable the Food Authority to separately appoint, after appropriate

consultation, each local council in New South Wales to exercise certain clearly defined functions as an enforcement agency under the Food Act. These functions would vary from council to council and be dependent upon the relevant resources and skills available to the particular council under consideration at the time. The exercise of these functions would be coordinated and supported by the Food Authority.

The second area is the creation of a secure funding base for this program, which would enable the proper performance of these functions. This would include the creation of an obligation on a food business proprietor to pay a prescribed fee for the issuing of an improvement notice on the business and a new regulation-making power for the imposition of an administration charge on food businesses that are not required to be licensed with the Food Authority but are nevertheless inspected by councils or the Food Authority. The third area is the creation of a statutory body to be known as the Food Regulation Forum. This body would consist of representatives from the State and local government sectors and would be tasked with evaluating and assisting the Food Authority in its ongoing support and coordinator roles.

I will deal with each of these areas in turn. Firstly, the bill creates a new mechanism that would enable the appointment of each local council to undertake specific enforcement activity under the Food Act. Currently, all local councils, the Director General of the Department of Environment and Climate Change in relation to the Kosciuszko National Park and the Lord Howe Island Board in relation to Lord Howe Island are prescribed as enforcement agencies under the Food Act. This prescription enables officers authorised by those bodies to carry out any or all of the functions attributed to them under that Act.

This includes inspection, compliance and enforcement activity relating to any food business, whether that business is involved in primary production, manufacturing or retail activity. Similarly, the Food Authority is also prescribed as an enforcement agency under the Food Act and is empowered to carry out the same functions. This current blurring of the roles between State and local governments, although longstanding, is not desirable. In some areas it creates a duplication of effort. In other areas there are gaps. In day-to-day operations it can cause uncertainty as to which agency, the Food Authority or council, will take the necessary action. This can be confusing for the agencies concerned and the food businesses involved. It is not an efficient use of our resources.

The bill will overcome those problems by, within 18 months, removing local councils and also the Director General of the Department of Environment and Climate Change, who has agreed to be involved, as generally prescribed enforcement agencies and allowing the Food Authority to individually appoint each one of them as enforcement agencies in relation to a clearly specified set of functions. These functions may be minimal, such as, the carrying out of emergency response and urgent food recall activity in a designated area or they may be routine work involving the inspection of premises, the investigation of complaints and the taking of necessary enforcement action in relation to food service businesses and retail food businesses in their area. There is also scope in this process for councils with the requisite skills and resources to be appointed to undertake functions beyond these roles. The routine premise inspection of food manufacturers in a designated area, for example, could be a possible function of a council.

The value of this model is that, in making these appointments, both councils and the Food Authority will have a clear understanding of the work to be performed by the respective agencies. There will be no duplication and it will be clear which areas will require the direct attention of the Food Authority or possibly the appointment of an alternative council to perform the work. The bill clearly outlines the mechanism for appointment. No appointment is to be made without the Food Authority undertaking appropriate consultation with the council under consideration. Councils will be invited to make representations as to the nature of the functions they wish to perform, if at all, and guidelines are to be established to assist councils in formulating their submissions. Not only will the Food Authority be obliged to consider the resources and skills of a particular council before making an appointment but also it will be necessary for the Authority to consider the willingness of other councils to perform specified enforcement agency functions in that council's area. This is particularly important for those regions where councils may indicate that they lack the resources to carry out food safety enforcement work at all.

I turn to the second key area of this bill: the creation of a secure funding base for food regulatory work. There are significant indirect administrative costs in undertaking food regulatory work. An up-to-date directory of food businesses must be maintained, complaints must be recorded and investigated, other enforcement agencies must be consulted and reports must be prepared. Currently, there is no provision for recovering the costs of this necessary day-to-day work. Some councils, in recognition of the benefit to the community of food safety work and to lessen the impact on local businesses, are content to cover the costs through general rate

revenue. Other councils, however, would not be able to perform the work without some scope for cost recovery. A flexible cost recovery mechanism is therefore required.

The bill creates a power to enable the making of a regulation which will allow an enforcement agency, including the Food Authority, which is undertaking at least routine inspection work to impose an annual administration charge on those food businesses within their area of responsibility that are not required to be licensed by the Food Authority but are subject to routine inspection. This would include most retail food businesses, restaurants and takeaway food shops. It also includes food manufacturers who are not operating in the licensed food industries of meat, seafood, dairy and plant products. The charge would not be imposed on food businesses that raise money solely for community or charitable causes.

It will be a matter for the discretion of each council whether or not the charge would be imposed on food businesses and, if so, at what rate. However, it is intended that the maximum fee that could be charged by any enforcement agency will be prescribed under the regulation and will be the same charge as that which would be imposed by the Food Authority. Further, the power to issue improvement notices is a key regulatory tool for councils and the Food Authority alike. Under the Food Act, authorised officers can require within 24 hours a food business to put its deficient premises, equipment or transport vehicles into a clean and sanitary condition or risk being shut down. There is a very significant resource commitment to the issuing of improvement notices and ensuring their compliance. However, currently no provision requires the recipient of such a notice to pay a fee for the agency's work.

The bill would make it an offence for a person who receives an improvement notice not to pay any fee that has been prescribed by the regulators if the improvement notice contains a requirement to do so. Finally, whilst the Local Government Act 1993 enables a local council to charge a fee for the inspection of food premises if it chooses to do so, the bill expands on the functions of the Food Authority to enable it to make a recommendation to councils on the maximum sum that should be charged. This recommended maximum fee would be set at a rate that reflects full cost recovery for the inspection work. It is intended that this sum also be prescribed by regulation as a fee to be charged by the Food Authority for the inspection of the premises of a food business not required to hold a Food Authority licence.

The third key area of this bill is the establishment of the Food Regulation Forum. In commending this bill to the House it is important to acknowledge that the policy work behind its provisions was undertaken in collaboration with peak local government bodies in New South Wales, namely, the Local Government and Shires Associations of New South Wales, the Australian Institute of Environmental Health, New South Wales Division, the Development and Environmental Professionals Association, and Local Government Managers Australia, New South Wales Division. These key stakeholders provided valuable insights into the workings of local councils and their officers in this sphere and enabled the Government to prepare a proposal that is both practical and visionary in its application. For these reforms to be implemented and maintained successfully it is essential that the resources harnessed within this food regulation partnership not be lost.

This bill, therefore, proposes the creation of a statutory advisory body to be known as the Food Regulation Forum. This forum will be chaired by a person appointed by the Minister with the concurrence of the presidents of the Local Government and Shires Associations and who the Minister is satisfied have experience in local government matters. It would consist of representatives of the Food Authority and all the non-government stakeholders I have just mentioned. Its primary role would be to provide assistance to the Food Authority in the development of guidelines for the appointment of local councils, protocols for the continuing exercise of their functions, and programs for the provision of support and assistance. The forum will also provide an ongoing critical evaluation of the sharing arrangements between the Food Authority and councils as they emerge.

I address two matters covered in the bill which I believe require further explanation. The first is the amendment to section 136A relating to the exchange of information between enforcement agencies and NSW Health. In the exercise of their shared enforcement roles, the Food Authority and local councils need to be in a position where they can freely exchange information that relates to the activities of a food business or the details of a complaint relating to a food business. Furthermore, in cases involving a food-borne illness outbreak, these agencies need to be able to work quickly with each other and with the various sectors of NSW Health to exchange relevant information and act on it to combat the problem. Some of this information may include personal information, such as the details of a food business from which the identity of a person can be reasonably ascertained, or personal health information such as the symptoms and recent food consumption history of a person suffering from an alleged food-borne illness.

The amendment will ensure that councils, the Food Authority, the Director General of the Department of Health and any public health organisation as defined in the Health Services Act 1997 are lawfully authorised to exchange such information among themselves. Such an exchange, however, is limited to the circumstances where the agency providing the information considers that its provision is essential to enable the recipient to exercise its functions under the Food Act or the Public Health Act 1991. In this way I believe an appropriate balance is achieved between the need to protect the people of New South Wales from illness caused by the consumption of contaminated food and the need to ensure the privacy of individuals.

The second matter I raise relates to an amendment that has been inserted into the bill to omit section 102 subsections (8) to (10). These provisions are not common in legislation. Ordinarily, a regulation is made and then published in the *Government Gazette* with a specified date for commencement. The Regulation Review Committee examines the regulation and either House of Parliament may, within a specified time, disallow it. However, the effect of section 102 subsections (8) to (10) is that any regulation that establishes a food safety scheme in New South Wales cannot specify a precise date for commencement. The regulation can indicate only that it will commence on a day to be determined in accordance with these provisions.

The regulation is gazetted with no specified commencement date and we then wait to see whether either House of Parliament passes a motion to disallow it. The commencement date cannot be predicted in advance because a motion to disallow the regulation may or may not be given and, if a motion is given, it may or may not be passed. This is unsatisfactory as it creates a great deal of uncertainty for the Government and stakeholders alike as to the commencement date, if any, for offences created under the proposed scheme and for requirements for relevant food businesses to be licensed and comply with any other provisions relating to their activities. It is also impossible to align the commencement date of the regulation with the commencement date of any relevant national standard, which may require supporting regulation.

These current provisions are unnecessary and are not standard provisions in regulation. They were carried over into the Food Act from earlier food legislation and were not part of the uniform food provisions on which the current Act is based. If there are concerns about a regulation establishing a food safety scheme, Parliament has section 41 of the Interpretation Act 1987 available to it to disallow the regulation after it has taken effect, and that disallowance will restore matters as they were before the regulation was made. An opportunity has, therefore, been taken in this bill to seek to remove these unworkable provisions. In summary, this bill establishes in New South Wales a new streamlined and coordinated food regulatory system. The system is flexible enough to enable each local council to participate according to its own skills and resources; the system is sustainable in that it provides a secure funding base, if needed; and the system is responsive in that it provides strong communication links between agencies and a collaborative advisory and assistance program.

Over the past few years, food safety in New South Wales has come a long way. In some way the food safety changes and reforms that have been brought about by this Government is one of the significant and perhaps largely unreported things that this Government has done over the past decade. I compliment the minister on his continuing work on this issue—work that commenced, as I said at the outset, in about 2002 with the Kerin review, and which involved the Hon. Richard Amery when he was Minister for Agriculture. On a personal note, it also involved my father, Bob Whan, who at one stage was head of the Dairy Corporation. He was part of the move to bring about these food safety provisions.

He is very proud of that aspect of his work as chief of staff for the Hon. Richard Amery at that time. That work, which has been continued by the Hon. Ian Macdonald, Minister for Primary Industries, is a significant reform undertaken by this Government to ensure that food is safe in New South Wales and that we have the highest possible standards of food safety. This bill will ensure that the system works even better. We must ensure that each local council can participate in the process and we must avoid any duplication or confusion about who has responsibility for any area. I commend the bill to the House.

**Debate adjourned on motion by Mr Craig Baumann and set down as an order of the day for a future day.**

## **LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AMENDMENT BILL 2007**

**Bill introduced on motion by Mr David Campbell.**

### **Agreement in Principle**

**Mr DAVID CAMPBELL** (Keira—Minister for Police, and Minister for the Illawarra) [10.29 a.m.]: I move:

That this bill be now agreed to in principle.

The Government is pleased to introduce the Law Enforcement (Powers and Responsibilities) Amendment Bill 2007, which is part of the New South Wales Government's commitment to provide more powers to help police crack down on criminals, especially with regard to terrorism offences. The New South Wales Government is concerned to ensure that we are vigilant about the threat to the safety of our citizens. Laws are under constant review so that our legal framework will provide police with the powers they need to keep New South Wales safe. The bill makes a number of amendments to police powers legislation designed to improve the efficiency of policing and to eliminate red tape experienced by police officers. These goals are in keeping with the goals of the New South Wales State Plan, namely, Priority R1: reduced rates of crime, particularly violent crime; and Priority P3: cutting red tape. I will now outline the details of the bill.

Schedule 1 to the bill details the amendments to the Law Enforcement (Powers and Responsibilities) Act 2002. Item [2] replicates an existing search power for searches in public places in relation to searches conducted upon arrest. The power enables police to direct a person to open their mouth or shake their hair to search for concealed items such as prohibited drugs. Item [3] removes the requirement to include the name of an authorised officer on the notice to an occupier of premises entered pursuant to a warrant, in the interests of officer safety. The name of the authorised officer issuing the warrant is contained on the application, which is open for inspection by the occupier at the registry. The additional requirement for the name to be recorded on the occupier's notice is unnecessary to meet requirements of open justice and accountability.

Items [4] and [5] make important amendments to allow for crime scene warrants in connection with terrorism offences to be extended for a period of up to 30 days. Before the power can be exercised the authorised officer must be satisfied that there are reasonable grounds for extending the warrant beyond the current maximum period of six days. Overseas experience has shown that the effective investigation of terrorism offences necessarily requires the examination of particularly complex crime scenes, with investigations more often than not taking weeks rather than days. The amendment will reduce demands upon police time by alleviating the need to make fresh applications for warrants in such cases. Item [10] allows a scene of crime officer—who is a member of the New South Wales Police Force responsible for examining or maintaining crime scenes, and not necessarily a police officer—to establish a crime scene in relation to a vehicle in a public place where it has been reported as stolen.

The scene of crime officer will be able to exercise examination powers in relation to that crime scene if reasonably necessary to preserve, or search for and gather, evidence of the theft of the vehicle. The amendment will not change the fact that scene of crime officers will not be authorised to use coercive crime scene powers, which will be reserved for sworn police officers. Under these new powers it will no longer be necessary in these circumstances for a sworn police officer to establish the crime scene or to authorise the scene of crime officer to exercise the investigatory powers. This will free police officers to devote more time to policing rather than supervising forensic testing.

Item [1] inserts a definition of scene of crime officer into the Law Enforcement (Powers and Responsibilities) Act 2002 and Item [9] makes amendments that are consequential to the inclusion of that definition. Items [7] and [8] ensure that police officers are entitled to exercise crime scene powers at a crime scene established by a scene of crime officer under the new provisions. Item [6] inserts a provision into the Act to prevent a police officer establishing a crime scene more than once on the same premises in any 24-hour period, so as to facilitate its application to crime scenes established by scene of crime officers.

Item [12] extends the existing power enabling police to deploy road spikes in circumstances where it is necessary to prevent the use of a vehicle by a person for the purpose of escaping lawful custody or avoiding arrest. Currently road spikes may only be deployed when a police pursuit has already commenced. The exercise of the new power will be limited to high-risk operations involving the Tactical Operations Unit of the New South Wales Police Force, as opposed to being available for general law enforcement. As with the existing power, the decision to deploy road spikes in this way will need to be authorised by the Commissioner or appropriate delegate on a case-by-case basis, and standard operating procedures will be developed before the new power comes into effect. In summary, the bill is another example of the Government's vigilance in ensuring that adequate laws are in place to help keep the community safe. I commend the bill to the House.

**Debate adjourned on motion by Mr Craig Baumann and set down as an order of the day for a future day.**

**ROAD TRANSPORT (GENERAL) AMENDMENT (WRITTEN-OFF VEHICLES) BILL 2007**

**Bill introduced on motion by Mr Graham West, on behalf of Ms Reba Meagher.**

**Agreement in Principle**

**Mr GRAHAM WEST** (Campbelltown—Minister for Gaming and Racing, and Minister for Sport and Recreation) [10.35 a.m.], on behalf of Ms Reba Meagher: I move:

That this bill be now agreed to in principle.

The purpose of this bill is to strengthen the management of written-off vehicles in New South Wales to reduce professional vehicle theft. The bill offers additional protection for the community from the activities of car thieves, and will bring into effect a number of nationally agreed best practice principles for the management of written-off vehicles. The bill complements other initiatives by the New South Wales Government to combat vehicle theft, and supports the agreement of all Premiers to harmonise registration processes across Australia.

The bill includes more rigorous requirements and definitions for the notification of written-off vehicles to the New South Wales and the national written-off vehicle registers, and offers additional consumer protection to purchasers of written-off vehicles. This bill is a result of extensive consultation between all States, Territories and relevant industry groups. Consultation was coordinated by the National Motor Vehicle Theft Reduction Council, and Austroads, which is the Association of Australian and New Zealand Road Transport and Traffic Authorities. The principles and definitions in this bill have been agreed to by all jurisdictions for inclusion in their relevant legislation. Associations representing insurers, auto dismantlers and dealers also support the proposed amendments.

The amendments in the bill will ensure that New South Wales achieves national consistency in notifying, registering and managing written-off vehicles to further reduce vehicle theft in New South Wales and across Australia. I am pleased to note that New South Wales is actively involved in national vehicle theft reduction forums and will continue to play a leading role. Stolen vehicle activity is a major problem in New South Wales and across Australia. Motor vehicle theft costs the Australian community approximately \$500 million every year in higher insurance premium costs and demands on the justice system. Although the number of vehicle thefts has steadily reduced in recent years, Australia still records more than 70,000 vehicle thefts per year—the equivalent of a vehicle being stolen every seven minutes. More than 20,000 of these vehicles are not recovered, and it is estimated that as many as 3,000 of them are illegally rebirthed.

Before I detail the contents of the proposed bill I will briefly explain to the House how written-off vehicles have been used illegally by car thieves. I will also explain how written-off vehicle registers help to reduce vehicle theft. Car thieves have typically used the identities of written-off vehicles in the process of disguising and on-selling stolen vehicles. A thief purchases an unregistered written-off vehicle from an insurance company auction, an auction house or from a dismantler at a cheap price. The thief then steals a similar make and model vehicle and substitutes the vehicle identifiers from the written-off vehicle onto the stolen vehicle. This process is known as rebirthing. The rebirthed vehicle is then presented to the Roads and Traffic Authority or its counterpart in another jurisdiction for re-registration. If the vehicle is re-registered, the stolen vehicle is on-sold privately to an unsuspecting, innocent buyer, at a high profit.

I note that a more recent criminal trend involves purchasing a repairable written-off vehicle from an auction or auto dismantler and then stealing an identical vehicle to use for parts in re-building and on-selling the repairable written-off vehicle. In a complementary theft reduction initiative, from 1 November 2007 the Roads and Traffic Authority will be empowered to suspend or cancel the registration of a vehicle if there are reasonable grounds to believe that components of the vehicle have been stolen. Historically, professional thieves have relied on the inability of registration authorities and prospective purchasers to trace the identity history of the vehicle used to rebirth the stolen vehicle. Car theft and vehicle rebirthing have also been linked to larger-scale organised crime, including drug distribution.

In response to the criminal activity of vehicle rebirthing, a New South Wales written-off vehicle register—which I will refer to as "the register"—was initiated in 1996 with the support of the insurance industry to help track and detect written-off and rebirthed vehicles before they could be registered. I am pleased to note that the New South Wales written-off vehicle register was subsequently used as the model register for other States and territories to adopt. Approximately 36,000 vehicles now are recorded on the New South Wales register each year. The register has proven also to be a strong intelligence tool for police when investigating vehicle crime.

Since 1998 it has been mandatory for insurers, motor dealers and auto dismantlers to provide notification of high-risk written-off vehicles to the register. High-risk motor vehicles are those that are less than 15 years old, which have relatively high resale value and, therefore, are likely targets for motor vehicle theft and rebirthing. The information sent to the register flags the Roads and Traffic Authority registration database to refer high-risk vehicles for a detailed written-off vehicle inspection before they are considered for registration. The use of the register, together with other theft reduction measures, has been effective in reducing vehicle rebirthing. Vehicle theft in New South Wales was reduced by 11 per cent in 2005, with a further 3 per cent reduction in 2006.

Each State and Territory now operates a written-off vehicle register. Each jurisdiction also is connected to the national written-off vehicle database, called the National Exchange of Vehicle and Driver Information System. By sharing written-off vehicle information via the database all jurisdictions are able to track and detect high-risk and rebirthed vehicles that are moved interstate. The use of local and national written-off vehicle registers has been one of the main reasons for the 8 per cent reduction in vehicle thefts nationally in 2005, and a further 6 per cent reduction in 2006. Although current strategies to date have been successful, the adoption in New South Wales of nationally agreed and consistent practices and definitions is crucial to continue the reduction in vehicle theft. Historically, the absence of consistent arrangements for the management of written-off vehicles has enabled car thieves to exploit legislative differences between the States and territories.

A properly integrated State, Territory and national grid of written-off vehicle registers can be created only by ensuring that New South Wales applies nationally agreed written-off vehicle definitions and practices. This bill amends the Road Transport (General) Act 1999 to incorporate the nationally uniform definitions and best practice principles. The existing definition of written-off vehicle will be amended to incorporate the nationally agreed definition. Two categories of written-off vehicles will be created: repairable write-offs and statutory write-offs. All written-off vehicles must be categorised as either a repairable write-off or a statutory write-off before they are notified to the register. Both categories have been agreed to nationally. The current Act uses the term "wrecked vehicles". This term is replaced by the term "statutory write-offs".

Statutory write-offs generally are vehicles that are so severely damaged they are unsuitable for repair on the grounds of road safety. They also may have a high pre-damage value and therefore are prime targets for car thieves for rebirthing. A repairable write-off is, as the term suggests, a vehicle that can be repaired and reregistered subject to a satisfactory standard of repair and a detailed inspection. Before a vehicle is written off it is first assessed as being a total loss, generally by an insurer. "Total loss" is also a nationally agreed definition included in the bill. It describes a vehicle that has been damaged to the extent that it is generally uneconomical to repair. The bill requires that after a vehicle has been assessed as a total loss by an insurer, self-insurer, dealer or auto dismantler the vehicle must be determined as either a statutory write-off or repairable write-off and notified to the register within seven days of that determination.

The current definition of "late model motor vehicle" is to be amended to include the nationally agreed principle that notifiable vehicles have complied with the Australian Design Rules. This definition includes unregistered vehicles. These vehicles also must be notified to the register if they have been written-off. These nationally agreed definitions will enable insurers, self-insurers, auto dismantlers and dealers to accurately classify vehicles into specific, clear categories and determine what information must be forwarded to the register. This will, in turn, ensure the accuracy of information on the register regarding vehicles of lesser and higher risk, and offer protection to prospective purchasers.

The bill also includes stronger provisions to prevent statutory write-offs being reregistered in New South Wales. The bill provides the Roads and Traffic Authority with the authority to refuse to register, renew or transfer the registration of statutory written-off vehicles listed on an interstate register that correspond with the statutory written-off category. The Roads and Traffic Authority is required also to cancel the existing registration of such a vehicle in these circumstances. The bill provides flexibility for the Roads and Traffic Authority to correct the register if necessary. This includes changing statutory write-off notifications to repairable write-offs and vice versa, and correcting errors or omissions from notifiers. The Roads and Traffic Authority also can correct the register on its own initiative if it is satisfied that the correction needs to be made to maintain the register's integrity, or for any other reason it considers necessary.

As an additional protection for vehicle owners the register can be corrected also in special circumstances if an insurer refuses to pay an insurance claim after notifying the vehicle as written off. The owner of a repairable written-off vehicle in these circumstances will need to make a written declaration that the vehicle has not been on-sold as a repairable write-off in New South Wales or anywhere else in Australia. If the

owner of a statutory write-off requests that the vehicle's status on the register be changed to reparable write-off the Roads and Traffic Authority must be satisfied that the vehicle has not been altered or repaired and that the owner has retained the vehicle. A maximum penalty of \$2,200 will apply for a false or misleading statement in requesting a correction on the register or a statutory notification.

The nationally agreed principles require self-insurers to notify the register of each late model vehicle that is written off in the course of their business. The bill will require self-insurers to notify a vehicle disposed of to an auto dismantler. A "self-insurer" is defined as a person who is responsible for five or more late model motor vehicles for which there is no insurance policy covering loss or damage of each vehicle other than comprehensive third party insurance. The aim of these provisions is to ensure notifications to the register are made by organisations with uninsured fleets of vehicles. Self-insurers will be able to send paper-based written-off vehicle notifications to the Roads and Traffic Authority or via the internet.

Notifiers will be allowed to use agents on their behalf to assess and give notification of a damaged vehicle. However, the prescribed notifiers will remain responsible for the accuracy and timeliness of written-off vehicle information provided to the register. The bill introduces also the requirement for written-off vehicle warning labels to be attached to statutory write-offs to warn prospective buyers that the vehicle cannot be registered and is suitable only for spare parts and dismantling. The New South Wales Government is committed to reducing the number of stolen vehicles in New South Wales. The measures within this bill will facilitate the further reduction of stolen and rebirthed vehicles being reregistered and on-sold to unsuspecting members of the public.

This Government has always aimed to safeguard private property and to reduce the cost to the community of stolen vehicle crime. The New South Wales Government's State Plan has set a target of reducing property crimes against households by 15 per cent by 2016. This bill will help the Government reach that target. I commend the bill to the House.

**Debate adjourned on motion by Mr Craig Baumann and set down as an order of the day for a future day.**

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Financial Year 2007-08**

**Debate resumed from 28 June 2007.**

**Ms CARMEL TEBBUTT** (Marrickville) [10.47 a.m.]: I am proud to be a member of a Labor Government that so comprehensively delivers on the commitments we made to the electorate prior to the March election. The 2007-08 budget is a clear demonstration of the Iemma Government's commitment to investing in infrastructure along with the expansion and improvement of vital public services, including increased funding for health, community services, disabilities, housing and emergency services. It achieves all of this in an environment of high interest rates, the ongoing effects of the drought and the refusal of the Federal Government to return to New South Wales its fair share of funds from the goods and services tax. I congratulate the Treasurer on his budget.

I am particularly pleased to see increases in funding for front-line agencies that are providing the services on which so many in our community rely. It is the reality of our Federal-State funding arrangements that, while the States have responsibility for so many of the services essential for a healthy cohesive society, much of the revenue-raising capacity rests with the Federal Government. This makes the achievements of this State budget all the more impressive. The 29 per cent increase in capital expenditure to \$12.5 billion in the 2007-08 financial year will directly and indirectly support 156,000 jobs. As the Treasurer has said, this is more than \$34 million invested in infrastructure every single day. Almost \$50 billion is committed to infrastructure over the next four years. A modest increase in debt from 4.8 per cent of gross State product to 9.3 per cent by 2011 will see State debt remain consistent with our triple-A credit rating, while recognising a role for debt in investing in projects that will benefit future generations.

My electorate of Marrickville benefits greatly from this budget. The \$1.3 million allocated for the easy-access upgrade of Newtown station is one of the local highlights of the budget. People in my electorate have campaigned long and had for greater accessibility at Newtown station, an older station with many steps. It is a struggle for people with a disability, parents with prams and old people alike to access. Funding for planning

was allocated in the previous State budget to make Newtown accessible. The \$1.3 million allocation in the 2007-08 budget is part of \$43 million that is being spent on easy-access upgrades and it will enable work to commence this year. I congratulate the Newtown Neighbourhood Centre and its coordinator, Lisa Burns, on their hard work in drawing attention to the need for Newtown station to be made accessible.

Roads in my electorate will be improved, with \$2.2 million allocated to Marrickville in the 2007-08 budget for road safety, road network maintenance, and traffic and transport initiatives. This includes the installation of traffic signals at the intersection of Sydenham Road and Centennial Avenue, Marrickville, pedestrian fencing along parts of Enmore Road, and the investigation of pinch-point corridors on Parramatta Road.

The 2007-08 Transport budget will see State Transit receive \$281.3 million. This includes \$63.4 million for new lower-emission compressed natural gas and Euro 5 diesel buses for Sydney and Newcastle. In addition, \$34.1 million is allocated for the Leichhardt depot to make it Australia's first all-green bus depot. The residents of the inner west, who have a strong commitment to environmental sustainability, will welcome this.

The Climate Change Fund—promised during the election and the first instalment delivered in this budget—is a clear demonstration of the Iemma Government's commitment to addressing climate change. The impact of climate change is one of the most pressing issues confronting not only New South Wales but also the rest of the world. Many residents of Marrickville have expressed to me their concern and desire for action. The Climate Change Fund will provide incentives to businesses and families for practical measures to preserve water and energy and to reduce New South Wales greenhouse gas emissions. I also welcome the \$5 million allocation for satellite imagery. Such high-tech monitoring will make it harder for people to get away with illegal land clearing.

The 2007-08 budget recognises the importance of quality public services in supporting strong and cohesive communities. The New South Wales Health budget will increase by 7.1 per cent to \$12.5 billion. Health expenditure is now 28 per cent of the State budget. This year will see an increased focus on early intervention and prevention. There is also a most welcome 11 per cent increase in mental health spending, which in this budget will exceed \$1 billion for the first time. I draw particular attention to a \$16 million boost to mental health services and research for young people through a partnership with the Brain and Mind Research Institute. In addition, \$10 million will be spent on the construction of the youth mental health clinical research facility at Camperdown. A further \$6 million will support both the research facility and two associated services for young people in Camperdown and Redfern-Waterloo. Research shows that 75 per cent of mental health problems develop before the age of 25. It is critical to focus on the early phase of mental illness and to maximise the chance of helping young people back to school, back into education and training or back into the workforce.

I had the opportunity to see firsthand the benefit of our Health funding when I toured Royal Prince Alfred Hospital facilities with the Minister for Health. This highly respected tertiary hospital in my electorate of Marrickville will receive \$6.7 million to continue its upgrade. Families in the inner west will benefit from a \$1.8 billion investment in southwest Sydney health services that will include new neonatal intensive care services and support for eating disorder services at Royal Prince Alfred Hospital. The new neonatal intensive care cot at Royal Prince Alfred Hospital will offer the highest level of hospital care with one-to-one nursing care 24 hours a day. The Royal Prince Alfred Hospital will also benefit from a neonatal flexicot, which will be on standby with a team of specialist nurses to boost services, most often for multiple births. When we visited the Royal Prince Alfred Hospital I was amazed to see the fantastic work these dedicated professionals do and the tiny babies they support. The record investment in health services will help address the increasing pressures on the health system, including an aging population, increasing consumer expectations and technological change.

The 2007-08 budget allocated record funding of \$11.2 billion for education and training in New South Wales. Schools in Marrickville will welcome the Government's continued commitment to public education and providing quality learning environments for students and teachers. I am particularly pleased that \$157.8 million has been allocated for the Connecting Our Classrooms initiative. This will provide all public schools in Marrickville with an interactive whiteboard and videoconferencing facilities by 2011. These facilities offer enormous opportunities for schools to interact with each other and to share resources. At the same time \$81.6 million has been provided over four years for literacy and numeracy initiatives in the early years of schooling. This includes the introduction of consistent literacy and numeracy assessments to all kindergarten students in government schools. This is one of the most important initiatives in this year's budget.

Children start school with a variety of prior-to-school experiences, whether from preschool, long day care or staying at home with their parents. An assessment in kindergarten of where students are at with their literacy and numeracy skills will facilitate teachers being able to tailor a program to an individual student's needs. It will set our youngest students on the right path to learn these critical foundation skills. It builds on the Government's commitment in the previous term to lower class sizes in the early years. There will be 200 additional reading recovery teachers over four years to support those students who need extra assistance with literacy. I saw the Reading Recovery Program in action on a recent visit to Australia Street Infants School at Newtown with the Premier and the Minister for Education and Training.

The budget also provides a record \$531 million to build and enhance school facilities for information technology. Marrickville schools will benefit from \$1.5 million worth of projects. I visited Newtown High School of the Performing Arts to inspect the new performance workshop, classroom and storage space. The school will receive funding as part of this program of works. Other schools to benefit include Dulwich Hill Public School, which will receive funding to upgrade its grounds and playing fields; Darlington Public School, which will receive funding to upgrade lighting; and Fort Street High School, which will receive an electrical upgrade. Dulwich High School of Visual Arts and Design will receive funding for the provision of a pedestrian walkway and security fencing around the oval. Maintenance projects worth \$342,886 are taking place in nine local schools, including painting at Fort Street High School and Marrickville West Public School, carpeting at Lewisham Public School, Newtown Public School and Marrickville West Public School and ground works at Darlington Public School. I know that teachers, parents and students alike will warmly welcome these improvements to our local schools.

The Government has also recognised the needs of the most vulnerable and marginalised members of the community in this budget. It will invest \$1.9 million of the 2007-08 social housing budget to provide housing for those most in need in the Marrickville electorate. Almost \$900,000 will be spent to convert a block of old, outdated bed-sit units in Dulwich Hill into new one-bedroom community housing properties, and more than \$1 million is allocated for capital improvements to existing public and community housing stock, including upgrading kitchens, installing energy-efficient facilities and modifying homes for people with a disability.

The continued expansion of the budget of the Department of Community Services as part of a five-year reform plan delivers on the Government's commitment to improve family support, child protection and out-of-home care services. The Department of Community Services supports some of the most vulnerable families in the State. The issues its caseworkers and other staff deal with are complex, difficult and often extremely traumatic. Major initiatives in 2007-08 include \$24.4 million for child protection and early intervention caseworkers and associated professional support staff. This will further improve the quality and timeliness of responses to reports of children at risk of harm. There is also \$65.5 million for out-of-home care. This will support extra caseworkers and improve placement options and services for children and young people who cannot live at home.

The Government has also recognised the needs of people with a disability and their carers with another significant increase in funding. Families, carers and disability advocacy groups will welcome that this week, which is Carers Week. Like most members in this House I find some of the most emotional issues I deal with in my electorate involve families caring for a loved one with a disability. The Stronger Together strategy is a historic reshaping and expansion of disability services in New South Wales. New therapy places, more respite support, increased supported accommodation and post-school program places will mean that people with a disability and their families and carers will get the support they need. Funding for home and community care transport services in my electorate, including \$383,653 for the South Sydney Community Transport group and \$175,163 for the Central Sydney Community Transport Group, will provide community transport services to assist the frail aged and younger people with a disability and their carers.

I welcome this budget and the support it will provide to the people of Marrickville and the people of New South Wales. In the recent election campaign the Government made a very clear commitment to continue to strengthen services in New South Wales—and that is exactly what this budget does. We recognise that a strong, successful and cohesive society is dependent on the Government providing a sound economic framework that supports investment and jobs, its pursuit of sustainable policies that conserve and protect our environment, and its delivery of quality services to provide opportunities for all. This budget does all this—and more. I commend it to the House.

**Mr JONATHAN O'DEA** (Davidson) [11.00 a.m.]: In speaking to the budget estimates and related papers for 2007-08, I point out it is becoming increasingly apparent that the conservation of our environment is

vital to sustaining our economy and community life—something that the people who live in the Davidson electorate are vitally interested in, and, as such, initially in this budget-related speech I will focus on the environment, but, being mindful of my background, I will also make some business-related comments and highlight some specific wishes of my electorate in other portfolio areas.

If the Government were genuine about the environment and if it operated with integrity, it would have put the desalination plant on hold and honoured its previously promised trigger of a 30 per cent dam level before committing to proceed with an expanded plant at a time when dam levels are at approximately 55 per cent capacity. Without proper debate the Government has decided to double the capacity of the environmentally destructive desalination plant, asserting that it is cost effective. However, by doubling the capacity, it will use far more energy, which will involve far more direct financial and indirect environmental costs.

Where are the disclosures from the Government on how many extra tonnes of greenhouse gases will pollute the air, and on how energy guzzling the whole plant's operation will be? Where is the true cost disclosed? What is the opportunity cost? Imagine how much large-scale stormwater harvesting and water-recycling infrastructure could be built with the money to be spent on the desalination plant at a cost of more than \$1.8 billion. The higher use of electricity resulting from desalinating water and increased populations will mean a general need for additional power station capacity. The environment will continue to suffer from the burning of more fossil fuels as credits generated from increasing alternative energy production need to be used to cover the effects of the desalination plant.

We should better follow sustainable planning policies and sounder environmental practices. An environmental economics approach should have been attempted as part of the budget process to place a clear value on environmentally sensitive initiatives of this type. The same can be said for other recent measures including the biofuels legislation and legislation aimed at curbing pollution. We should be aware of the benefits and costs of such initiatives. It is pleasing to see that at least the Federal Government takes a more prudent approach to the setting of climate change targets with a commitment to properly model the consequences of promised action. Now there's an idea for the State Government to implement!

Although it is difficult to do so properly, the Government should at least attempt to quantify environmental proposals in terms that most people understand—dollars. The Coalition has always done the hard things best but the current New South Wales Government should at least try. It is pleasing to see the Government's adoption of policies that earlier had been put forward by the New South Wales Opposition in relation to increased rainwater tank rebates and incentives for solar power. However it is strange that the Government allocated new specific funds for a new climate change area while cutting specific funds for the Aboriginal portfolio. While we all know that climate change has been a popular media topic, especially in the past year, the obvious reality is that the budget was formulated prior to recent media coverage of controversies over Aboriginal communities.

Clearly this Labor Government thought climate change was worthy of special budget public relations spin as part of the budget process, but that Aboriginal affairs and the Aboriginal portfolio were not worthy. Unfortunately this Government appears to continually focus on developing spin and reacting to perceived public opinion rather than proactively providing real leadership with substance. Believe me, the educated people of Davidson generally see through the Government's cynical political stunts. It was therefore not surprising at the March State election that the Liberal Party enjoyed a solid swing to it in Davidson and northern Sydney generally. The Liberal Party is focused on doing what is right, not what might be simply politically expedient in the light of current media attention.

Another important environmental issue is the Government's takeover of planning powers on many specific sites and its bullying of councils, such as the Ku-ring-gai council in my electorate, as they consider rezoning for increased development and housing density. This extra development will put considerable and somewhat inappropriate pressure on the environment in the electorate of Davidson, which contains areas of high heritage and conservation value as well as trees that provide valuable environmental lungs for Sydney. Higher density housing also creates greater pressure on sewage and garbage disposal and more energy consumption through the greater use of electricity and gas: thus air equality will suffer. The push for higher density urban consolidation housing areas also results in increased road use, fuel consumption and pressure on existing recreational areas.

High- and medium-density housing development and business accommodation creates pressure on existing infrastructure. The need to upgrade power grids, sewerage treatment plants, the laying of extra water

and sewerage pipes, new roads and traffic management plans all take time and money to meet the increased population demands. I recognise the need for development in Ku-ring-gai and other areas. However, I ask: Where are the extra funds in this budget for a reinvestment in the necessary infrastructure in Davidson and in northern Sydney generally? There is precious little.

This Government has patted itself on the back for budget announcements on new physical infrastructure that has been distortedly allocated to the electorates it holds. However, what of the social infrastructure? The flow-on effects of overdevelopment include negative impacts on natural resources, such as air quality, deteriorating lifestyles for existing residents, increased social decay, shortages of open space, increased crime, and an unsustainable strain on the local environment. Increasingly the people of Davidson are learning this.

As part of a series of self-indulgent and arrogant congratulatory messages to itself, the Government has trumpeted its undoubted election success and alleged achievements. When it suits the Premier he is even prepared to admit that he has been part of the current Government for more than 12 years. One such time is when he is speaking about national parks. Yes, it is a good thing that the number of national parks has increased significantly under Labor. However, how many trees and how much parkland has actually been transferred from private to public ownership as opposed to simply being protected by gazettal?

One small but significant opportunity to transfer a valuable patch of environmental treasure to public ownership is at 102 Rosedale Road in St Ives. I have asked the Government to make a financial contribution to purchasing this land that adjoins the last substantial patch of blue gum high forest in Sydney. The whole area has been recognised as having heritage significance. A contribution from the New South Wales Government could be joined with contributions from local community donors, the local council and the Federal Government to build a fund for purchasing the land through ongoing negotiations with the owners, thus ensuring public ownership of the land. This is a chance for the Government to make a significant difference and demonstrate a real commitment to both the environment and the people of northern Sydney that Labor so often ignores.

Furthermore, I would properly acknowledge the contribution. Indeed, I now graciously acknowledge the budget funding for the easy access project at Lindfield train station, which has been welcomed particularly by elderly residents, parents with prams and disabled students from the nearby Cromehurst Special School. Many residents in my electorate run their own businesses or are business leaders in the New South Wales economy. They often look beyond their own backyards to policy that is good for the whole of New South Wales and its economic wellbeing. The New South Wales Government is fortunate that the national economy is so strong and that employment growth has been so healthy across Australia, in large part due to ongoing workplace reform.

The New South Wales budget projects that there will be \$2.3 billion extra revenue next year and \$4.5 billion in additional revenue over four years. But the Government has refused to provide taxation relief for New South Wales businesses, which pay the highest rates of taxation in Australia. The New South Wales payroll tax rate is the highest in Australia and the Government is increasing its reliance on this tax, with collections projected to increase by 29 per cent over the coming four years. Cutting New South Wales payroll tax by 0.25 per cent, from 6 per cent to 5.75 per cent, would cost only about \$249 million per year. Such a cut would be responsible and affordable and would assist in reducing the unemployment rate in New South Wales, which remains high relative to that in other major States.

In my inaugural speech in this place I commended the Government for the 2006 State Plan as being a step in the right direction, particularly as it attempted to introduce improved businesslike practices to government. I also indicated that I looked forward to monitoring progress against the plan. It is therefore with considerable disappointment that I must point out that until recently the State Plan public website home page contained no updates of progress made against plan targets for three of the five broad measurement areas identified in the plan. These were updated for the first time on the website only last week—some 10 months after the State Plan's introduction. These areas relate to rights, respect and responsibility; growing prosperity across New South Wales; and fairness and opportunity.

The people of Davidson are not overly demanding but we do not want to be ignored by Labor. In health, we look forward to the timely delivery of the new Frenchs Forest hospital, as promised. Unfortunately, this project is already running behind schedule and has an uncertain budget—like so many other government projects that are promised but either not delivered on time or not delivered at all. In education, we look forward to the whole school maintenance budget actually being spent on State public schools. We look forward to

improved space-to-student ratios in our overcrowded primary schools, such as those at Roseville and East Lindfield. We also look forward to improved recreational facilities for stretched secondary schools such as Killara High. As more and more residences are forced onto the North Shore, where is the planning for a commensurate increase in educational resources to cater for the additional population?

In law and order, while local police do a wonderful job, we need more police resources to be dedicated to Davidson and surrounding areas, especially to help address the growing graffiti problem. In transport, we look forward to a real, demonstrated commitment to public transport and to the Government's seriously considering the regional proposals put forward by all northern peninsula members. These proposals include intersection upgrades, improved bus services and increased park-and-ride facilities. In relation to trains, like so many others who catch the train regularly, I want to see reliable rolling stock and the new carriages that were promised delivered on time. We are getting neither. I am also dismayed to see that the 2007-08 budget has cut operating expenses for transport services. This can only contribute to continuing or worsening problems on the North Shore rail line and elsewhere, and will make it harder to introduce bus services after 8.00 p.m. to needy areas such as Belrose.

Finally, I would like to see the New South Wales Government dedicate more resources and make greater efforts through relevant forums to achieve better intergovernmental cooperation. The public quite reasonably expects greater progress, with each level of government clearly accepting accountability and responsibility for relevant portfolios. This is a challenge that should be addressed as a matter of higher priority and urgency. I agree with calls by the New South Wales Business Chamber for an intergovernmental convention to be held in 2008—a year with no State or Federal elections—in order to progress this matter significantly. In any budget it is important to spend wisely and effectively within relevant allocations without wasting valuable resources. Likewise, in a speech such as this it is important to speak effectively within the 20 minutes allocated. I hope that my words are not wasted on the Government and I note that I have delivered them with a surplus of more than five minutes under budget.

**Dr ANDREW McDONALD** (Macquarie Fields) [11.15 a.m.]: This is an exciting budget for our children. Premier Iemma must have been a paediatrician in a previous life because he is committed to building a future for them, as are all members on this side of the House. I will highlight three themes in my speech today. The first is that this budget is about meeting our commitments. Unlike John Howard, this Government does not have core and non-core promises. We are open for business through building infrastructure and by improving services for the families who depend on us. This budget meets the Government's election commitment to improve and expand public services through responsible financial management. We have achieved this aim despite the goods and services tax rip-off by the Federal Government, the drought, petrol price hikes and interest rate rises. I have forgotten the current rate. Is it 6.25 per cent or 6.5 per cent, Jonathan?

**Mr Jonathan O'Dea:** It is 6.5 per cent, Andrew.

**Dr ANDREW McDONALD:** I thank the member for Davidson. Like others, I sometimes have trouble remembering the number. The budget surplus was \$444 million in the 2006-07 financial year, which is our eleventh successive surplus, and a surplus of \$376 million is projected for the 2007-08 financial year. The Government is spending record amounts on infrastructure. Some \$12.5 billion will be spent in 2007-08, which equates to \$1,800 for every man, woman and child in New South Wales. That is the highest rate of infrastructure spending in New South Wales history, and a 28.8 per cent increase on the \$9.7 billion spent in 2006-07. It is also part of a \$50 billion plan over four years, which is a 56 per cent increase on the \$32 billion spent in the previous four years. We are committed to spending money on building infrastructure for our people.

We are expanding front-line services in areas such as health, which now constitutes 28 per cent of the State budget—an increase from 24 per cent 10 years ago. We have achieved this growth even though the Federal Government is running dead on hospital funding. At least Mother Ignatius taught Tony Abbott to be honest, because he has admitted that the Federal Government is running dead on expenditure for our hospitals.

**Mr Jonathan O'Dea:** Tell us about Frenchs Forest hospital.

**Dr ANDREW McDONALD:** As I said, the Government's infrastructure spending equates to \$1,800 for every man, woman and child in New South Wales. Most welcome is the focus on prevention and early intervention. The member for Davidson will not need a hospital if he looks after himself. He can maintain his good health through prevention and early intervention. The future of health may not lie within hospitals but outside them. The member for Davidson knows that because he takes care of himself.

Statewide eyesight screening for preschoolers is very important. As we all know, the time to screen for vision is in preschool because some vision loss may be retrievable if picked up before a child starts school. Very impressive is the investment in breast screening: a total of \$7,284,000 in this year's budget. As members know, breast cancer is the most common form of cancer in women. Very exciting is the Healthy at Home Program that helps the healthy stay out of hospital. As I have said, the future for the health care of our people will be much more out of hospital than ever before.

Liverpool Hospital stage two will continue. As part of a \$392 redevelopment plan, \$22.5 million will be allocated to a major redevelopment of the hospital. The plans are very exciting and I recommend them to all to examine. My own road to Damascus came when I was part of a planning committee for Liverpool Hospital and I saw the plans, which are very exciting, and I knew that only a Iemma Labor Government would ever deliver these facilities for our people. I was in Liverpool Hospital last week, as I am most weeks. It is incredibly busy, as members know. We have a wonderful bunch of staff in Liverpool and Campbelltown emergency departments. At this time more than ever they need our support as a Parliament rather than criticism. The emergency departments are under pressure for multiple reasons such as the greying of Australia and increasing demand. The staff who work in the emergency departments do a great job and deserve support, not criticism. This \$22.5 million will be of enormous benefit to the hardworking staff of our emergency departments.

When I was campaigning I would often say that it was teachers and nurses who elected the Iemma Labor Government. They knew their jobs were secure, but they could see the effect of the 20,000 job cuts on their already stretched workplace. My electorate would have entered a time of limbo in which there was no new infrastructure if the Iemma Labor Government had not been elected. An example of this is the allocation of \$14.4 million to new ambulance stations, including \$1,350,000 for Liverpool ambulance station in this year's budget. Something that this Government does very well is to provide mental health services. Since Morris Iemma became Premier the mental health budget has increased by 23 per cent. This year the mental health budget has increased by 11 per cent. We are incredibly lucky that Mr Lynch, who is a passionate advocate for improving mental health services, is the Minister for Health (Mental Health).

I move from health to the next big ticket item, education, which is now 23 per cent of the budget—\$10.6 billion—an increase of 4.9 per cent. An allocation of \$82 million will increase the number of reading recovery teachers because, as we all know, reading at an early age is absolutely vital. Time lost in the early years is often never regained. Labor supports those who need help at any age. Some \$50 million has been committed for school sport, including an \$8 million sport package to combat obesity. Like many of the Labor members of Parliament, I rode my bicycle to work today. I did not see any Liberal members of Parliament. Obesity is a major public health problem and we all have a responsibility to combat it by modelling what we do. Macquarie Fields Technical and Further Education college will receive new sport and recreational facilities.

Casula Public School will receive a new hall, which will consist of an open area, raised platform, chair store and disabled toilet facilities. The hall will support a number of core and out-of-hours activities including dance, drama, music, public speaking, performances, assemblies and exhibitions. It will also provide an opportunity for community use out of school hours. I visited Casula Public School last week and I pay tribute to the wonderful human beings who teach there. They are the most impressive, committed and fun group of people that I have met for some time. I was incredibly honoured to be able to have lunch with them. They are really pleased about the new hall, which is part of a \$280 million Building Better Schools initiative. The Connected Classrooms Program, which focuses on the use of videoconferencing and interactive whiteboards, will receive an allocation of \$119 million. I have visited some of our schools in the area that have interactive whiteboards. The member for Davidson would have seen them. They are great. A new generation: we are dinosaurs. Hoxton Park Public School is due to be finished in 2009, which is very exciting for our people.

Moving to transport, the Government is undertaking the biggest ever expansion of rail transport in our State's history with expenditure of \$5.8 billion in transport over the next 12 months, much of which will be for the development of the south-west rail corridor. I was at Glenfield station last week with Minister Watkins. We inspected the station and looked at the new areas that will be developed by the Labor Government. Page 5-73 of Budget Paper No. 4 reveals that \$19 million has been allocated from this budget for investigation and planning of this wonderful service, which is due to be opened in 2012. Part of this will be a new commuter car park.

The south-west rail corridor will open up the area for future housing development. It is incredibly exciting. Our people will also benefit from the 626 new carriages: six-car trains will become eight-car trains. The staff at Glenfield station are wonderful people and I pay tribute especially to Robert Najdovski, who is the stationmaster at Glenfield. He is a committed professional. His staff are friendly and helpful. They are the quiet

achievers for our people who commute every day from Glenfield. The Community Services budget has increased by 11.6 per cent—I am always saying "increase" rather than "decrease" because that is what we do on our side of politics. The implementation of the \$1.3 billion Stronger Together package will continue in 2007-08.

The electorate share of the road infrastructure is \$37.6 million, which includes \$5 million allocated to widening Cowpasture Road to four lanes from Camden Valley Way to Main Street, which is part of \$10 million being spent on Cowpasture Road; \$4 million for planning and preconstruction work to widen Camden Valley Way to four lanes between Cowpasture and Bernera roads; \$400,000 for planning Camden Valley Way future widening from Cowpasture to Narellan roads, which will further open the corridor for housing development; \$19 million to continue the widening to four lanes of the northbound carriageway of the F5 Hume Highway between Brooks Road and Camden Valley Way, which is part of a \$30 million project; and \$6 million for planning and preconstruction work to widen Hoxton Park Road to four lanes between Banks Road and Cowpasture Road, which is part of \$12 million being spent on Hoxton Park Road in 2007-08.

I have talked about budget improvements in Health, Education, Transport, Community Services and Roads, but before I finish I will talk about Housing. The budget has allocated \$7.7 million for new and upgraded public housing. An example of this is the innovative, environmentally sound plans recently announced by the Minister for Housing, Mr Matt Brown, for housing in the electorate, including building 150 brand new homes for seniors and an aged-care facility for 120 people in my electorate. This is part of expenditure of \$614 million in the housing policy area, an increase of \$75 million.

But wait, there's more! There have also been tax cuts to boost the property and business sectors. Land tax has been reduced by 6 per cent, from 1.7 per cent to 1.6 per cent, and the threshold has been indexed. There has been a reduction in mortgage duty, saving about \$2,000 on a \$500,000 mortgage. This is added to the recent reduction in State Government charges, which will help the housing affordability crisis that many young families must live with. Yesterday's *Daily Telegraph* had the photograph of a young family alongside an article about the Federal election. That family does not want enormous tax cuts; it wants services. This budget is all about providing services for our people.

The member for Davidson is a fine young man and will soon be a shadow Minister. When he is old he will realise, as will the member for Port Stephens, that the "catch and kill your own" philosophy does not work. That is why there are State Labor governments across Australia. The people of Australia will acknowledge that "catch and kill your own" and "I'm alright, Jack" philosophies do not work. We must provide services for our people. The \$17 billion that John Howard is swimming in should have been given to our people already. It is disgraceful that he is able to sit on it and then allocate it to marginal electorates in the six weeks prior to the election. It will be the way he is remembered by history. The State budget is excellent, and I commend it to the House.

**Mr DARYL MAGUIRE** (Wagga Wagga) [11.33 a.m.]: Let me say at the outset that I have sat through a number of budget presentations in this place. My goodness, how the language in the Treasurer's delivery does not change! And it does not change for many reasons, particularly the New South Wales divide, the old Sydney, Newcastle, Wollongong. Countless speakers have prattled on about what they have achieved for their electorates and how a Labor government is delivering for the people. They are trying to con their constituents. An analysis of the budget and what the Treasurer is trying to achieve shows that the Treasurer is pulling the wool over the eyes of Labor members because many problems and the difficulties being experienced by rural communities were not mentioned in the budget.

It is several months since the Treasurer delivered his budget and I shall refer to some developments that have occurred. I had planned to raise a number of issues in the lead-up to this debate, but as time has moved on some of the issues have been addressed, thankfully, by the Federal Government, which has heard the call and the crying of people in rural and regional New South Wales who feel that they have been neglected. I shall give an example of why the people in regional and rural New South Wales feel that they have been neglected by the Government in this budget. There was a thing called the State Plan, which was conjured up, developed, by the Government. Members know about it, and speakers have referred to it. However, not \$1 in the budget was attached to the State Plan.

The biggest insult in the delivery of the State Plan was the reference to "regional" in the document. Indeed, in his speech the Lieutenant-Governor suggested that regional New South Wales ended at Penrith. Several documents we have read regard Penrith as being "regional". The important cities, those great cities that everyone in regional New South Wales knows and loves—Albury, Wagga Wagga, Dubbo and Tamworth—arc

great centres with terrific communities. However, they did not feature in the Lieutenant-Governor's speech; importantly, they did not feature significantly in the State Plan. As I said, there are many issues I wanted to raise, but I shall focus particularly on health. Health has been on the tip of everyone's tongue for many, many years. In that regard, I highlight that in the budget no extra money was allocated for the delivery of important infrastructure, on which the electorate of Wagga Wagga depends.

The State Government allocated some money. Indeed, Government members will spruik that the Government is spending record amounts of money on health, et cetera. However, the fundamental problem is that our region desperately needs a new base hospital to deliver health services and to help the staff who work tirelessly on our behalf in our region—the doctors, nurses and clinicians employed in the health system. There is nothing more important in the delivery of health services at present than the provision of bricks and mortar for the Wagga Wagga region to enable the physicians, specialists and those who work in the system to operate in an ergonomic fashion and to deliver economies so that some of the difficulties I have pointed out in previous speeches in this place, and that other members have pointed out, can be addressed.

In the Treasurer's presentation there was no money to ensure that the capital works program identified for the Riverina and the Wagga Wagga region could continue. The community has participated in the consultation phase of the program; I understand that some \$400,000 has been expended. That funding was courtesy of the then Minister for Health, Craig Knowles, who identified that the region desperately needed a new base hospital. However, the Government has not allocated any funding to enable that process to continue. What was needed in the Treasurer's speech was a commitment to build the base hospital. It has been suggested that the cost would be \$270 million to \$280 million. The longer it is delayed, of course, the price will escalate: today's brick will cost more tomorrow, we all know that.

In its procrastination in failing to identify and earmark vital important capital works funding, the Government has ensured that Wagga Wagga Base Hospital, when it is completed, will cost more than estimated. There was no reference to that in the budget. The community was looking desperately for an announcement by the Treasurer that the work could progress to the procurement stage and bring forward the capital works contracts. Instead it received a promise from the Minister for Health that construction of the hospital would begin in 2010 or 2012. That date could have been brought forward to 2008-09.

I turn now to health facilities for Tumut, a large growing regional town. The community of Tumut has advocated strongly for a new hospital—not a base hospital—to service the growing community and the developing timber industry, which creates enormous growth in job opportunities and creates challenges to infrastructure. As industry grows, so, sadly, will the number of industrial and road accidents, which are inevitably followed by trauma. The Treasurer did not mention any development for Tumut in the budget. Why? Because the Tumut community has had the wool pulled over its eyes about its position on the priority list. Bureaucrats and others repeatedly told the Tumut community that it was high on the priority list for a new hospital. But when it came to the State Plan—the plan that Labor Party members referred to as being the whiz-bang panacea to all of our problems without a dollar attached to it—Tumut was not on it; it had mysteriously disappeared off the priority list.

Why is that so? How can an entire community be led to believe that it is high on a priority list, that its hospital was in need of replacement, and services then be reassessed as adequate and the proposal dropped off the priority list, the State Plan? Batlow is the neighbouring town to Tumut. It has battled hard for a new multipurpose service building. That is being constructed, and we are grateful for that, but it took seven long years for that to happen. Every bureaucratic obstacle was placed in its way, but it is now emerging and the community will enjoy the benefits that service will bring. However, Tumut has been left hanging. The provision of a new hospital has been ignored, and Tumut has been ignored in the budget. That is not good enough!

I turn now to the provision of roads and infrastructure. As I said earlier, the development of the timber industry will place enormous pressure on infrastructure, whether it be the provision of water, health services, accommodation, housing and related services, the subdivision of land or, importantly, the provision of roads. Those services will bear the heaviest brunt of the development of the timber industry. Last week I visited the Visy mill in the Tumut region in company with the Deputy Prime Minister, Mark Vaile, and the Special Minister of State, Gary Nairn. That mill is an amazing development and is a great credit to the developing industry there.

Visy is about to embark on stage two, which will cost nearly \$500 million. If Visy is to compete in the market and deliver its product safely, it needs decent roads. Last week the Deputy Prime Minister announced

\$11 million for the Gocup Road, the main arterial road from Tumut to Gundagai. Elected officials and industry representatives are working cooperatively to achieve that upgrade with an assurance that the local communities will be able to travel safely along the road and that industry will be able to get its products to and from the Visy mill and other destinations. That \$11 million is appreciated and there are no strings attached. When the Deputy Prime Minister made that announcement he said that industry was contributing \$2.5 million to that road. I have been advised that another \$11 million is needed and the Government, the Treasurer and the Minister for Roads know about that. But what was provided in the budget? There is not a dollar. There is not even an announcement that that important infrastructure is to be funded.

Yesterday questions were raised in another place seeking a commitment from the Minister for Roads to fund the Gocup Road. His response was that he wanted industry to make a contribution. I repeat: industry committed \$2.5 million when the original announcement was made, along with the Federal Government's much-appreciated \$11 million. The Treasurer should have made a commitment in the budget to fund that road, but he did not. I call on him to do so within the next few days, because it is important that the upgrade take place. As with the Tumut hospital there has been absolute disappointment by the local community. They cannot be blamed for being frustrated with the State Labor Government; they have been upset by the treatment that they have received. In the Treasurer's presentation of the budget, many figures seemed astronomical. Communities questioned the real distribution of funds, and rightly so. Communities questioned the outcomes delivered in regional areas and why we seem to have an endless battle to get what we regard as our fair share.

I turn now to branch rail lines, another example of neglect and a wanton disregard by the State Labor Government for the opinions and needs of communities. Branch lines are important to regional communities because in good times—and I acknowledge that we are suffering the worst drought in our written history—grain lines are important. Again, there is a lack of commitment in the budget to ensuring that important infrastructure is funded to enable goods to get to market at a lesser cost and that greenhouse gases are reduced. To move a tonne of grain by road from Wagga Wagga to the port of Melbourne costs \$7: to move it by rail costs \$1. Moving it by rail, of course, would reduce greenhouse gas emissions enormously. In his Speech the Treasurer gave no real commitment to funding branch lines.

I turn now to town water and sewerage programs. If ever there were a policy that a government needed to embrace for the delivery of services, it is the policy relating to the provision of town water and sewerage programs. To ensure that water returned to the environment, or recycled water, was of acceptable quality, towns would traditionally receive about 50 per cent of funding to implement new sewage treatment works from the State Government. That funding has now been reduced to about 11 per cent. That is outrageous at a time when Australia is experiencing the worst drought in its written history. Water providers and councils are unable to complete or extend the important capital works network to drought proof our nation because of lack of funds from the State Government.

We do not have to look far to establish that there is a lack of funding across a number of portfolios. Libraries are another area that has been neglected in the budget. Public libraries provide important facilities and services in this State but they are suffering because the State Government reduced their funding in real terms. Education is the greatest gift that can be given to anyone and providing facilities for people to educate themselves is important, but very little in the State budget has been allocated to libraries. They are all complaining that funds are being squeezed from their grasp and they have to find alternative ways of providing services or they have to cut back the services that are being provided.

Wagga Wagga council got together with other councils—it tends to deal with what is called the inland forum—from the great cities of Dubbo, Tamworth and Wagga Wagga. Every quarter it calls upon a loose alliance and it meets regularly to discuss issues. Some of the issues that I have referred to in this place are similar to the issues that are discussed in those towns. Law and order is another problem that is being faced by rural communities. They do not have enough police on their streets. The community of Batlow petitioned for more police but there are no increased budgets for rural communities and the Treasurer made no announcement about additional funding in his Budget Speech. I do not think the Treasurer knows that these rural communities exist and, if he does, I wonder whether he cares.

When the Deputy Prime Minister announced that \$11 million would be allocated to upgrade Gocup Road I said, "When was the last time a Minister for Roads visited Tumut to look first-hand at the challenges being faced by a local council?" The Government crowed loudly about the delivery of its mental health services. Wagga Wagga is fundraising and developing Sunflower House at the community's cost. It provides an important service for people who have suffered mental illness and need support in the community to get well, reintegrate,

regain their living skills and assimilate. For two years we have been trying desperately to get much-needed funding for mental health. There is no mention of funding in the budget, except for a global figure.

One would have thought that, as a result of the funding being allocated by the Federal Government for mental health services, the Treasurer would have been prompted to make an announcement to at least match the \$735,000 being provided by the Federal Government for additional mental health services, but not a dollar has been allocated by the State Government, which is appalling. The Treasurer should hang his head in shame. Sunflower House will be opened, courtesy of the Federal Government, with not a dollar being provided by the State Government. I wish I had more time as I could talk for hours on many other issues, but I conclude by stating that this budget is very disappointing.

**Ms LYLEA McMAHON** (Shellharbour) [11.53 p.m.]: I am proud and honoured to be part of the Iemma Labor Government. The recent New South Wales budget provided good news for the electorate of Shellharbour. Reference has been made in the debate to the Government's lack of funding. Last Thursday the *Australian Financial Review* quoted a study by a Macquarie Bank economist who said:

State funding from the Federal Government is at its lowest level as a percentage of GDP than it has been at any time in the last 30 years (including the GST).

Starving the States of resources is penalising local residents.

I refer to local residents in the Shellharbour electorate. In stark contrast to the funding provided by the Federal Government, this budget delivers and consolidates Labor's credibility on economic growth and fiscal responsibility, coupled with a commitment to provide the services on which the hardworking families of New South Wales rely. The content of this year's budget serves to highlight the continuing strength of the New South Wales economy and the sound economic principles that the Government has put in place and that have worked to ensure prosperity, not only for the present but also for years to come. Funding for significant investment in vital infrastructure is one of the hallmarks of this year's budget.

I am delighted that the Shellharbour electorate is to receive its share of these resources. The region is set to receive \$9.7 million for key health infrastructure projects with mental health being a big winner: \$7.1 million has been allocated to this vital area. Removing the stigma associated with mental health and improving mental health services has been, and continues to be, a key priority for the Iemma Government and for me. That is why the Government has committed to an 11 per cent increase in mental health funding, with \$4.9 million for non-acute mental health services for Shellharbour Hospital and \$580,000 to be spent this financial year as part of \$2.8 million in upgrades to Shellharbour Hospital's mental health child and adolescent in-patient unit.

Local residents in the Shellharbour electorate met the commitment made by the New South Wales Government prior to the March election to upgrade the Princes Highway to dual carriageway between Oak Flats and Dunmore with strong support and enthusiasm. Completion of this integral section of road infrastructure will result in the end of lengthy traffic congestion in this area, especially on weekends and during school holidays, as both local residents and holidaymakers from across the State travel to see the many wonderful destinations along the New South Wales South Coast. I am pleased to announce that work has already commenced since the election on completing this important section of road.

I welcome the allocation of \$45 million in this year's budget to continue work on this project. In addition, \$30,000 has been provided for safety improvements to the traffic signals at the intersection of Shellharbour Road and Veronica Street, Warilla. This is in addition to \$500,000 that has been allocated for a smart queuing system that was recently installed at the intersection of Princes Highway and Illawarra Highway in the Shellharbour electorate. The smart queuing system is designed to detect when queues build up at the roundabout and assist traffic to move through that intersection, again reducing traffic congestion during those peak periods of school holidays and long weekends as commuters travel south.

The unfortunate weather events of recent times remind us all of the wonderful work that is carried out by State Emergency Service workers. These incredible individuals ply their trade under the most extreme and demanding conditions and exercise their tremendous skill and bravery in the protection of life and the property of the citizens of New South Wales. In recognising the vital service provided by our emergency service workers, this budget included a record \$831 million in funding for emergency services. The operational capacity of local emergency services in Shellharbour is set to receive a boost, with \$35,000 being allocated to assist the Shellharbour State Emergency Service unit with the cost of purchasing an emergency response vehicle that will

significantly assist them in their efforts. This will help to ensure that the region's emergency workers and volunteers receive the resources they need so they can continue to deliver the same high level of help and protection during times of distress and natural disaster.

The Iemma Government has an excellent record of outstanding achievement in strengthening the resources of the New South Wales Police Force. Police numbers throughout the State have reached historically high levels, helping to reduce and keep static the incidence of many forms of crime. In the Shellharbour electorate recent statistics show that incidents of crime are remaining either stable or decreasing: decreases of 22.45 per cent in break and enter a dwelling, 23.9 per cent in motor vehicle theft, 10 per cent in stealing from a retail store, and 25.3 per cent in stealing from a dwelling. These are all great results from the Lake Illawarra area command, which benefited from a commitment during the election to increase police numbers by 22. The budget allocated \$600,000 to commence designing and planning the Lake Illawarra area command headquarters as well as providing \$100,000 for a mobile police station. I am proud to say that the mobile station already has been delivered and has been in use within the electorate. The Iemma Government continues to strengthen police resources throughout the Shellharbour electorate.

Providing shelter for the most vulnerable in our community is a commitment the Iemma Labor Government is delivering on, with \$5.1 million being allocated to increasing public housing stock in my electorate. This is in addition to \$650,000 provided to Southern Youth and Family Services to purchase two two-bedroom houses for youth who are homeless or at risk of becoming homeless, \$31,704 for the Illawarra community transport program for people disadvantaged by physical or geographical factors, and \$20,660 for the Illawarra Home and Community Care Service, which provides transport to assist frail, aged and younger people with disabilities, and their carers.

This Government's sound financial management and strong balance sheet meant that it could increase spending on vital community services. The Iemma Government's record investment is creating and sustaining local jobs and improving the economic strength of the local area. The Iemma Government has invested significantly in education and training. I congratulate the Government on its record budget for education and training in the Shellharbour electorate and on recognising the importance of the growing nature of the area. I also congratulate the teachers and staff in the Shellharbour electorate on their continued hard work to ensure local students are supported in reaching their full potential.

The Shellharbour region is growing rapidly and is expected by 2031 to increase by 47,000 residents—many living in West Dapto, where I live. The people of my electorate look to this Government to ensure that adequate education and training are available to allow them to prosper and to seize opportunities. In this year's State budget, as in previous years, the Government is delivering for the people of the Illawarra. During the past 12 years the Government has made public education and training, along with health, a top priority of funding. Each year has seen ever-increasing funding for public education: this year is no exception. Once again we have a record education and training budget—\$11.2 billion, which is significantly up on last year's \$10.7 billion.

Once again, public schools, TAFEs and communities of the Shellharbour electorate are the beneficiaries of increased funding for our strong education and training programs. The budget this year will result in a number of projects being undertaken in school upgrades and extra maintenance in the Shellharbour area. The Iemma Government will invest more than \$531,000 in local schools in the Shellharbour area with Balarang Public School and Oak Flats Public School having their toilets upgraded, the Barrack Heights Public School canteen being upgraded, Lake Illawarra High School receiving upgrades to its windows and the provision of ball screens, Mount Warrigal Public School having its early intervention unit facilities and the preschool kitchen upgraded, and Warilla High School having its covered walkways upgraded. These works are in addition to maintenance works on the floors at Dapto High School and security fencing for Mount Warrigal Public School.

Schools are in constant need of modernisation and repair. This funding is proof of the Iemma Government's commitment to providing our students with the facilities they need. The State budget includes a record \$873 million for the construction and enhancement of educational facilities across this State. With the average age of schools in New South Wales about 30 years, the Iemma Labor Government continues to work with schools to modernise facilities such as canteens and libraries so that they can keep pace with the changing demands of schooling in the twenty-first century. There is always work to be done at schools to upgrade facilities. The Iemma Labor Government is committed to constantly ensuring that the maintenance work is undertaken. The Iemma Government is investing more than \$700,000 per day on maintenance to ensure schools and TAFEs are safe and efficient places for teaching and learning.

Since coming to office the Government has increased the New South Wales education and training budget by 87 per cent to \$11.2 billion. The Iemma Government is committed to providing quality learning facilities in our schools, which is vital if our students are to continue to perform at the highest level. That is why we continue to provide record capital investment to upgrade and maintain schools across the State, as we have done over the past five years. Major upgrades at schools and TAFE colleges in the Shellharbour electorate that have already been undertaken in the past five years include those to Lake Illawarra South Public School, Oak Flats Public School and Shellharbour TAFE. These upgrades are in addition to the new Flinders and Dapto public schools. Dapto Public School, which abuts my back fence, provides excellent educational facilities to about 700 young children. It is a well respected school and in my experience in working with the local community it is certainly one to which many parents prefer to send their children.

In 2006-07 the Iemma Government provided more than \$214 million for school maintenance. The Government is committed to maintaining our schools as places of safety. They are already the safest places to be and we are determined that they will remain that way. Another program introduced by the Iemma Government is security fencing. A number of schools in the Shellharbour electorate now have security fencing. These include Kanahooka High School, Dapto High School, Warilla High School, Lake Illawarra High School and Oak Flats High School. Security fencing works well in our public schools. It deters unauthorised and undetected entry. It saves the taxpayers of New South Wales thousands of dollars in repairs and clean-up bills.

A case study of 12 schools over two years shows a 75 per cent reduction in vandalism in the first year after security fence installation and a further 66 per cent reduction in the second year. The investment made by the New South Wales Government in education in the Shellharbour electorate has been reflected in the increased number of parents enrolling their children in public school kindergartens. Shellharbour Public School has received an increase of 21 kindergarten enrolments. The increased enrolments at the Shellharbour Public School reflect increasingly that parents are choosing to send their children to public schools. That is attributable to the excellent class size reduction strategy, the building better schools strategy and the increased focus on literacy and numeracy—all supported by increased spending of 4.9 per cent on education in this budget.

I have outlined just a few examples of the benefits of this budget and past budgets to the Illawarra. In every aspect the budget builds for the future of the Illawarra and the rest of the State. I am proud to be part of the Iemma Labor Government. I am proud of the State budget and the benefits that the New South Wales State budget confers on the Shellharbour electorate. The budget delivers and consolidates Labor's credibility on economic growth and fiscal responsibility, and demonstrates the Government's commitment to providing services upon which hardworking New South Wales families rely. It also demonstrates the strength of the New South Wales economy and the sound economic principles, recognised by commentators outside this State, applied by the Government. The Iemma Labor Government will continue to work to ensure prosperity not only for now but for years to come. I commend the budget: it reflects the Government's investment in vital infrastructure for this State that will generate jobs and continue to ensure the vibrant health of the New South Wales economy.

In conclusion, I again draw to the attention of the House some of the key features of the budget. In relation to mental health services, \$9.7 million will be spent on four key projects. In the Shellharbour electorate the Government has invested in a child and adolescent mental health inpatient unit and the provision of acute mental health services at the Shellharbour Hospital. The Government has also invested in improved roads with projects such as the missing link from Oak Flats to Dunmore already under construction. The budget also reflects the Government's commitment to the provision of adequate emergency services and increased funding for education. I also remind the House of the Government's commitment to funding a strengthening of the New South Wales Police Force. I take this opportunity to commend the good work being done by this State's police force in the Lake Illawarra Local Area Command. I commend the budget to the House.

**Mr THOMAS GEORGE** (Lismore) [12.13 p.m.]: It is with pleasure that I join in debate on the budget estimates and related papers for 2007-08. In common with every other member's electorate, for the Lismore electorate the most important part of the budget is health. Because I always give credit when it is due, I inform the House that the mental health unit in Lismore is finally underway. If the weather remains dry, we expect it will be completed in March next year as stage one of the total redevelopment of the Lismore Base Hospital. The mental health unit will address a great need in Lismore and surrounding districts served by the North Coast Area Health Service. The unit is certainly long overdue and should have been completed before now. However, apparently due to circumstances beyond everyone's control, under the revised schedule it is due to be completed by next March—and at least that is something for which the Federal Government cannot be blamed!

Another major concern for people in the Lismore electorate has been the provision of a radiotherapy unit. The need was recognised officially in 2004 by Minister Frank Sartor and the Federal Government's Minister for Health and Ageing, the Hon. Tony Abbott, when both Ministers visited Lismore to jointly announce funding of \$8 million each and a commencement date of 2007. In fairness to both Ministers, I acknowledge that construction of the radiotherapy unit cannot commence until the mental health unit has been completed. However, community concern persists that the non-committal attitude of the New South Wales Government will result in continued delay in delivery of the radiotherapy service, despite efforts by the Federal Government to commit to a firm start-up date for the Northern Rivers area served by the North Coast Area Health Service.

The North Coast Area Health Service seems to have established a pattern of ignoring the needs of the Lismore electorate and surrounding districts. I am concerned not only about health decisions generally but about matters associated with the radiotherapy unit. As a result of continual delays in delivering the long-promised radiotherapy and cancer treatment unit in Lismore more than 800 cancer sufferers are being forced to travel to Queensland for treatment. Cancer sometimes involves severe treatment and it is unfair in the twenty-first century that patients and their families continually are being forced to travel across the border. What is even worse, I have received reports of patients who elect not to undertake treatment because they cannot face the excessive travel demands, costs and other stresses associated with treatment.

With great fanfare, the Government announced improvements to the Isolated Patients Travel and Accommodation Assistance Scheme by a reduction in the distance criterion for eligibility to 100 kilometres. What a tremendous effort! I draw to the attention of the House the plight of a lady who lives in the Lismore electorate, Margaret Goodwin of Kyogle. When she first discovered that she had to travel out of the area for treatment she obtained a form to apply for assistance. It clearly stated that \$40 would be deducted for a management fee. She estimated that she would need to undertake 21 treatments and calculated the cost on the basis of an allowance of 15¢ per kilometre over 200 kilometres, making a total of \$630. She decided to pay for the cost of the trips in one go and later apply for assistance after the 21 trips for treatment had been completed.

She expected that she would receive a total amount less \$40 for the management fee. But no: a \$40 management fee is deducted for each trip. Instead of receiving assistance she may receive a bill for \$200. That illustrates the service dished out to cancer sufferers in country areas by a scheme that is supposed to assist people in their time of need, during periods of distress, and during a phase of their lives when they certainly need comforting. But it does nothing of the kind. Instead of receiving assistance this lady has been told that she may well receive a bill. I do not understand how the system works because my constituent may receive no money. She calls the Lismore office continually to find out what is happening with the account but cannot get a satisfactory answer. They simply say, "It's in the system; just wait and you'll be told." It appears as though my constituent will be charged \$40 a trip, which makes a total charge of \$800. But she is entitled to only \$600 remuneration.

The local community is still waiting for a start-up date for construction of a new radiotherapy unit. This is a Federal-State initiative, but the State Government is holding up the work. I assure members that the community at large continues to vent its frustration at this delay at meetings organised by the Regional Community Watch. Its head, Marshall Fittler, has been holding meetings throughout the area and generating support for the new unit. The resource distribution formula also creates problems for my electorate. In 2007-08 the North Coast Area Health Service will receive just 7 per cent of projected resources, which is well below its expected target share of 7.6 per cent. Members might think a 0.06 per cent shortfall is not much but in fact it is \$58 million. The Government must address that ongoing problem in country and regional areas. The community has been working hard to achieve the commencement of stage three of the redevelopment at Lismore Base Hospital.

I am concerned about the future of Murwillumbah hospital and the threat to cut services in that area. I led a deputation from the Murwillumbah District Hospital Support Committee to see the Minister for Health. Committee members gave her a submission and are looking forward to receiving a response. I also record my concern about the future role of St Vincent's Private Hospital in Lismore, which is owned by the Catholic diocese. How will it fit in with future health service provision in the Northern Rivers? St Vincent's hospital always supported the old Northern Rivers Area Health Service. I assure the House that health specialists relocated to our area because they had the opportunity to work at St Vincent's. They would not have come to the electorate simply to work at Lismore Base Hospital. It was claimed in this place yesterday that the Federal Government has done nothing to support hospitals in New South Wales. But it is thanks to the Federal Government that there are multipurpose services at Kyogle and Nimbin. There would be no hospital today without that support.

There are about 75 government and many non-government schools in my electorate. During the recent State election campaign Labor promised Wyrallah Road Public School that it would get a new hall. Parents and students are still waiting—and they remind me of that promise every time they see me. I pay tribute to Wilson Park School at Wyrallah Road, which is a special school that shares resources with Wyrallah Road Public School. It is a great set-up but the school communities desperately need a new hall. On wet days the kids huddle under an open-sided structure that allows the wind and rain to come in. They certainly deserve a hall. I have been trying to visit schools in the new part of my electorate around Murwillumbah, and will achieve my goal in the next few weeks. Every school I visit requires some form of support from the State Government.

Preschools provide a major service to the community. But the funding for preschools in New South Wales leaves a lot to be desired. Small, local community preschools act as stepping stones to the local public school, and the Government must consider increasing their funding. The preschool association was very pleased with the Opposition's promise of additional resources for preschools. However, the association's pleas appear to have fallen on deaf ears as far as the Government is concerned. Preschools offer valuable support to our public schools and they need government support.

Turning to roads, my electorate is one of the few on the North Coast that the Pacific Highway does not run through. But east-west road connections are vital to the Northern Rivers from both industry and tourism perspectives. I have made many submissions about the section known as the Woodenbong to Legume road. It is a continuation of the Summerland Way that runs through to Brisbane and further north to Warwick and Toowoomba. Although it is a council road it needs Federal and State funding to upgrade it to handle the many semitrailers that use it. I am particularly concerned for the safety of children in the school buses that are forced to share the road with heavy vehicles.

I continue to believe the Summerland Way could take heavy transport off the Pacific Highway between Grafton and Brisbane. We should consider the option east of Mount Lindsay, which would give the New South Wales and Queensland governments the opportunity to get trucks off the Pacific Highway between Grafton and Brisbane and away from the coast. I call on the Roads and Traffic Authority to continue to pursue that option. Kyogle needs a bypass road. The Bruxner Highway is another vital east-west connection between the Pacific Highway at Ballina and Tenterfield and beyond. But there are only two passing lanes on 100 kilometres of road between Lismore and Tenterfield, and it is certainly no joy following trucks up the range.

I pay tribute to the police in my electorate. The other day I had the privilege of inspecting the new police station at Lismore, which I presume will open in the next six months. I consulted the records and discovered that the past four members to represent Lismore called for the construction of a new police station. I hope that it will happen in my time. I pay tribute to the persistence and work of the community and the police. The new station will be home to the Richmond area command. Like everywhere else, we need extra police. Murwillumbah has problems not having a 24-hour-seven-day-a-week police station.

**Ms Tanya Gadiel:** Did you say thank you for that police station?

**Mr THOMAS GEORGE:** Yes, I did the other day. The member for Parramatta was involved in that too.

**Ms Tanya Gadiel:** I know.

**Mr THOMAS GEORGE:** I am sorry, I did not recognise the Parliamentary Secretary in the chair, the member for Parramatta, who was involved in that decision. Murwillumbah does have problems. Members of the Murwillumbah community continually approach me with after-hours problems. It is something that we should continue to work on. We all talk about our major centres, but from Lismore to the Queensland border isolated areas have one-man police stations, and they do a tremendous job. I pay tribute to Constable Mick Chaffey, who is based at Woodenbong. What he does as a policeman in that community is what community policing is all about: he is an example to every other police officer. I know that he is held in high regard not only by the community but also by his fellow officers. He has received awards. I am very proud that he is in the Lismore electorate.

I pay tribute to the State Emergency Service, the Volunteer Rescue Association, the Rural Fire Service and all the emergency services in my area, and the volunteers. As indicated in this House yesterday, recently my area was devastated by storms. The State Emergency Service headquarters opened in Lismore just two months ago and I know that the controller, Lindsay Matterson, was very pleased to have the opportunity to try out his

new unit. The Federal Government and the State Government supported the new emergency service unit, which is across the road from the Northern Region Westpac Lifesaver Rescue Helicopter Service.

Yesterday in the other place, the Hon. Duncan Gay, shadow Minister for Roads, asked the Minister for Roads, the Hon. Eric Roozendaal, about the victims of the Lismore storms having their cars assessed by insurance assessors. Once an insurance assessor says that a vehicle is a write-off it is immediately deregistered, so "Here's a taxi voucher, go home". It is only for cosmetic reasons that the vehicles are written off, not mechanical reasons. The Minister was asked whether there was any way that we could have a stay of proceedings for up to one month to give people the opportunity to go home and find another vehicle—and get paid out for the other one. When the Hon. Duncan Gay raised this question, the Treasurer of New South Wales, the Hon. Michael Costa, said it was a dumb question. I was dumbfounded by his response! I say to the Treasurer of New South Wales that it was not a dumb question. [*Extension of time agreed to.*]

The Treasurer's response is an insult to the people of Lismore. I hope he apologises to the people of Lismore today because they need support. A gentleman rang me last Friday—or his boss did—who was provided with a company vehicle. He lives in Tweed Heads but works in Lismore. He was told, "Sorry, your vehicle has been written off. It is deregistered." How was he to get home? His wife had to come all the way from Tweed Heads to pick him up. That is not on. It is not a dumb question, Mr Costa. Fix it. All we want is some recognition for the people who are doing it a bit tough. If the vehicles were written off for mechanical reasons I would agree that they should be deregistered, but we should at least give people the opportunity to get themselves and their families in a position to handle what they have to do each day.

I turn now to support for our counselling and support services, such as St Vincent de Paul, Red Cross, Salvation Army, Lifeline, Anglicare—the list goes on. I do not know if other members have had this issue raised with them, but recently Frances Berg and Barbara McGrauther, representing the Catholic Church, came to see me. They visit people in hospital but, under the current privacy laws, they cannot be told whether the people they visit are Roman Catholic, Anglican, Thomas George or whatever. These volunteers try to provide comfort to others. A lot of people in hospital do not get visitors at all.

I wonder if there is any way that, when admitted as a hospital patient, you could be asked to provide your name and your religion. If you do not want to include it then you have the right to say no, but surely commonsense can prevail under these privacy laws and people could be asked that question. You are asked everything else when booked into hospital, so another question is not going to hurt. Such information may give community workers on behalf of their organisations, whether it be the Salvation Army, Red Cross or whatever, the opportunity to provide comfort and support to people in hospital. I just wonder whether there is any way around that. Another issue was brought to my attention recently by Anglicare North Coast, which covers Murwillumbah Financial Counselling Service and the Lismore and District Financial Counselling Service. The counselling services cover from Coffs Harbour to the Tweed. It sent me a letter regarding counselling services within that area, which reads:

Whilst all services are pleased to have received funding to continue this service, we are very disappointed with the level of funding approved for the next 3 years.

The letter was written to Ms Linda Burney, Minister for Fair Trading, Minister for Youth, and Minister for Volunteering.

The recent press release about the level of funding gave the impression that services had received an increase of 15% in funding which has raised a level of increased local expectation of what can be provided at a time when the services are contemplating a reduction of service delivery.

The implications for service delivery, staff morale and continuity of service are profound.

The areas covered by these services have major issues that deeply impact on the lives of our clients and staff. Many of the areas of high need identified in the Vinson report fall within this region. The region has major housing, transport, employment, service access and healthcare issues.

They were disappointed because they were geared up thinking they were going to get extra funding. They have explained it very well in the letter to the Minister and I know that they are looking forward to her reply to their concerns. Hopefully the Minister will view this with softness and be able to help Anglicare, and all the other organisations in the area that need financial support to provide counselling. They do a mighty job for a lot of people.

I cannot let this opportunity pass without raising cross-border issues again. I have written to the Treasurer about Allister Parker, who is a plasterer in Lismore. He tendered for a job at the Ballina District

Hospital, which is a New South Wales Government job; the Lismore police station, a New South Wales Government job; Lismore Base Hospital mental health unit, a New South Wales government job; and Tweed Heads hospital, a New South Wales Government job. He lost all of those tenders to a Queensland contractor. In each case the variance was the cheaper payroll tax and cheaper workers compensation in Queensland, which gave the Queensland contractor an advantage over the New South Wales contractor getting a New South Wales Government job. Employers in New South Wales pay higher payroll tax and workers compensation premiums than their Queensland counterparts. By our calculations, the difference over and above the Queensland charges was the difference by which he lost the contract. We should continue to pursue that issue in this House, and while I am here I will continue to do so.

Another issue is that of higher road weight limits in Queensland. The Northern Co-operative Meat Company Limited is within 70 kilometres of the Queensland border. In Queensland, only 70 kilometres from New South Wales, companies can load 25 tonnes on a 40-foot container; New South Wales companies can load only 22.5 tonnes on a 40-foot container. Containers loaded in New South Wales transported over those 70 kilometres and put on a ship are 2.5 tonnes lighter, which means that New South Wales companies pay higher freight costs around the world than their Queensland counterparts only 70 kilometres away. That is a disgrace. We need to address the problem. For years, the Northern Co-operative Meat Company has been making representations about this matter, but to no avail.

The final issue was raised only recently. We know that New South Wales companies bring in workers from overseas. That is great. The Lismore diesel mechanic service in Lismore continually takes on apprentices. However, as soon as the apprentices are qualified they go to the mines, where they get a tremendous wage. Who can blame them? Young people today want to travel, so they go to the mines. Merv Bryant decided to get a couple of mechanics from overseas. Overseas workers soon realise that it will cost them nearly \$5,000 per child, or close to \$15,000 for three children, to have them educated in New South Wales Government schools. I believe that one of the mechanics is considering taking a job in Queensland because it does not cost that much to educate children in Queensland. Queensland welcomes children into its schools.

**Mr Kerry Hickey:** It's the GST.

**Mr THOMAS GEORGE:** The member for Cessnock says that it is a GST problem. It is not a GST problem; it is a New South Wales Government problem. It is all right for the member to interject.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! The member for Lismore has the call.

**Mr THOMAS GEORGE:** It is a problem and we need to face it. We have written to the Minister asking him to waive the school fees, after he was quoted in the press as saying that people can apply to have them waived. So we wait. The Treasurer does not want people to go to Queensland because it means that less tax is paid in New South Wales. I know the Treasurer will support the fees being waived. Another issue is the inability to access 000 services along the Queensland border. That is simply another problem we face in the cross-border area, and I will continue to pursue that. As for daylight saving, recently a truck driver told me that trucks load out of Queensland an hour later but must be in Sydney an hour earlier. That means that truck drivers travelling between Brisbane and Sydney lose an hour, which creates a safety issue, especially with the number of trucks on our roads, and truck drivers travelling from Sydney to Brisbane have the same problem. I look forward to continuing to represent my electorate.

**Mr FRANK TERENZINI (Maitland) [12.43 p.m.]:** On 24 March last people went to the polls and elected a Iemma Labor Government, and in doing so elected a Labor government for a record fourth term, placing their faith in Labor. Labor, in its post-election budget, has repaid that trust and delivered. In the time the member for Lakemba has been the Premier numerous policy initiatives have been taken, with many long-overdue announcements made in areas such as disabilities, mental health, business regulatory reform, water recycling, drought proofing, health capital spending, national parks, law reform and record police numbers, to mention a few.

The budget handed down by the Treasurer delivers on our commitments and delivers to the people of New South Wales. There are three main characteristics about this budget in simple economic terms: a surplus, record spending on infrastructure and tax cuts. It would be the envy of any Treasurer to be able to say that he or she delivered a budget with these three characteristics existing simultaneously and maintained a triple-A credit rating. The true mark of a good budget is sustainability and balance. Without doubt, the budget has been a success as it has been praised by organisations statewide. Members opposite are unable to put together any

credible policy; they simply seek to oppose, and oppose always. As the Treasurer said, the budget brings affordable, responsible and deliverable commitments. A Coalition government would not improve front-line services; it would cut front-line services. This Government will not cut front-line services.

The surplus is \$376 million; spending is \$12.5 billion this financial year, extending to just under \$50 billion over the next four years; and we have tax cuts of \$343 million, or \$2.6 billion over four years. The groundwork has been set for a term of government that will deliver for New South Wales. All of this is in the context of an ongoing GST rip-off by the Federal Coalition Government. The situation is not helped by Opposition members who time and time again refuse to stand up to their Federal mates in Canberra. Not only do we see that with the GST; we see it with industrial relations and the health and dental care systems. All of this is in the context of the worst drought in living memory that has cut crop production by about 70 per cent, rising interest rates, stifling recovery of the housing market, and increasing petrol prices.

We must not look at the budget in isolation. The budget builds on past achievements. The Government has cut 15 taxes, reduced payroll tax, provided an incentive scheme, made land tax concessions, built on previous record spending on infrastructure of \$27 million a day, provided a record intake of police numbers, and provided trade schools and after-hours general practitioner clinics. To put that in context, this budget builds on our great initiatives of providing services to people and sets the groundwork for future record spending on capital works. I am proud and privileged to speak as the member for Maitland. Maitland is part of the great Hunter region. Indeed, it is the economic engine room of the Hunter Valley.

I am proud and privileged to recognise the attention and recognition given to my area in the budget. In my travels in my electorate during the campaign and since I have been the member, I have no doubt that the number one priority is health. People tell me that in a growing area where we have road congestion—a sign of a growing population—they are prepared to wait in traffic until the third river crossing is completed but they are not prepared to wait for good health care services. Maitland is growing at a rate of 2.3 per cent; the national average is about 1.3 per cent. We are introducing 1,500 people per year into Maitland, so it is very much a growing population. Growing pains are evident but people make it clear that health is their number one priority.

The budget ensures that Maitland will continue to get health care services of the highest quality. Maitland is a growing and ageing population. Services must keep up with growth, and services at Maitland Hospital will do just that. Already, we have a new dialysis unit and a new electrocardiogram machine, and we have a leading cardiologist who will use modern equipment to diagnose heart disease.

Maitland Hospital recently recorded an 8.8 per cent increase in emergency department attendances. Each month almost 3,000 people attend the Maitland Hospital emergency department. It has recorded a 9.3 per cent increase in admissions to hospital via the emergency department, with 565 admissions recorded in March alone. No patient has waited longer than 12 months for elective surgery and the overall waiting list has reduced by 107 patients, or 16 per cent. There has been a 5.7 per cent increase in separations from hospital in the year to date, with in excess of 11,300 separations recorded. Amongst all that, the staff, the nurses and the doctors at Maitland Hospital work very hard, to the extent that all five triage categories were met in March, and they continue to be met. That is a sign of the great work done by the staff, doctors, nurses and administration staff at Maitland Hospital.

The Minister for Health recently announced that 1,800 beds had been provided over the last three years and 350 beds will be provided for in this year's Health budget, a \$12.5 billion budget that continues to grow. An amount of \$2.3 million has been allocated to reduce waiting lists. It is a shame that we have had no support from the Opposition in standing up to the Federal Government on dental health care, among other issues. For example, a hospital in my area adjoins the building that houses the Hunter Imaging Group, which has a magnetic resonance imaging [MRI] scanner. The scanner does not have a Federal Government licence, so the people who use it cannot claim the benefits from Medicare. Therefore, people drive past it to use a licensed scanner in Newcastle.

Maitland is the fastest growing area in the Hunter Valley and I have been at pains time and time again, calling on the Federal Government via its local representative, the Federal member for Paterson, to license that scanner. But I have heard nothing: complete inaction. I would have thought that the current Federal election campaign would have spurred the Federal member for Paterson into action to get a licensed magnetic resonance imaging scanner for Maitland; but obviously that has not been the case. I have no doubt that the voters in Paterson will definitely take that into account.

Initiatives in this year's budget include \$6 million for the third Hunter River crossing, which will take 5,000 cars from the centre of Maitland and divert them through East Maitland; \$1.3 million for the heritage Morpeth Bridge that continues to serve the people of Morpeth and display its character; \$960,000 for the Dunmore Bridge; \$765,000 for the New England Highway upgrade; \$350,000 for black spots in the New England Highway area; and \$108,000 for school crossings. Again, it is a shame that the Federal Government has not committed to funding the F3 link road from Seahampton to Branxton. The State Government has put its money on the table and has undertaken to provide the money as needed. Again, we have heard nothing from the Federal Government or from the Federal member for Paterson in that regard—instead, we hear empty rhetoric. The bypass will reduce traffic congestion in and around Maitland, and it is a shame that it has not occurred already.

I turn now to education. I am happy to say that we have a new trade school in Maitland TAFE that caters for our youth. Students in high school will be able to form school-based apprenticeships by attending TAFE to learn a trade. That is another great initiative of the Iemma Government: 15 trade schools in New South Wales with a record \$256 million in recurrent funding allocated for schools and TAFE college maintenance, with \$1 billion over the next four years.

Regarding the police budget, I am happy that the initiatives by the Iemma Government will greatly help the Maitland area. To serve the people of New South Wales a special task force will be allocated to cater for the increase in domestic violence incidents. Unfortunately, Maitland has one of the highest numbers of incidents of domestic violence. The task force will travel throughout New South Wales, attending hot spots and making sure that incidents of domestic violence are reduced and that the offenders are punished accordingly.

Another great initiative is the Police in Schools Program. Young kids in our schools need to learn that police officers are there to help them. Police will visit our schools and, in conjunction with the principals, will develop programs to teach our school students that police officers are their friends. Students will learn the right thing to do and the culture in our high school will change to make sure that they grow up to respect police officers and to do the right thing. Another great initiative is the \$700,000 set aside for a new police station at Raymond Terrace, a long-awaited announcement that is very welcomed by the people of Raymond Terrace. My electorate includes part of Raymond Terrace, so that initiative is good news. A total of \$13 million will be spent on the new police station in time. In addition, \$90.2 million has been allocated for 10 mobile police stations, three of which will be used in the Hunter. That initiative will greatly relieve the work of staff in the police stations and will improve their response times in chasing offenders.

The Iemma Government is continuing with its preparatory work on the Tillegra Dam. I have received no opposition to this initiative from my constituents, except for a small number who, understandably, are worried about their particular circumstances. No-one in my electorate will dispute or oppose a drought-proofing measure in the Hunter, given that the population will increase by approximately 160,000 people. That is a welcome announcement: a great initiative that will result in the construction of the \$330 million Tillegra Dam with 450 billion litres to drought proof the Hunter Valley.

Regarding emergency services, during the recent flood at Maitland we acknowledged the value of our State Emergency Service workers. The Morpeth Fire Station has received a new fire engine worth \$350,000. Maitland has received an emergency response vehicle worth \$35,5000. A flood boat, complete with outboard motor and trailer worth \$27,100, has been provided to the Maitland emergency service.

Ageing and Disability Services have been allocated \$300,000 for fit-out costs for clients with challenging behaviour. Recently I attended the opening of a group home in Thornton that caters for five residents with disabilities. Another \$350,000 has been allocated for an upgrade of respite care services. That all relates to the great Stronger Together initiative, with \$1.3 billion allocated over five years, including \$1 billion for community inclusion by people with disabilities. An amount of \$242 million has been allocated for a fairer and clearer way to access those services and \$83 million has been allocated for children with disabilities. Again, I am happy to advise that the last of the 14 new rail cars for the Maitland to Newcastle line has been provided. Those beautiful, clean, air-conditioned rail cars involved an investment of \$102 million to serve the people of Maitland.

All those across-the-board initiatives show that the Iemma Labor Government is committed to groundbreaking initiatives. The hallmark is innovative initiatives in disabilities, mental health, business reform and infrastructure spending. They are responsible, achievable outcomes that do not jeopardise the Government's triple-A credit rating. This is a reformist Government that continues to move ahead and make sure that the

people of New South Wales are served well. Government members are used to hearing negative remarks from Opposition members. They are doing their job well as they oppose everything. I referred earlier to the goods and services tax, to the magnetic resonance imaging scanner, and also to the dental health system that was abandoned when the Howard Government came into office. I continually ask myself: Why do Opposition members not ensure that we get our fair share of the goods and services tax revenue, because there is an objective and clear rip-off by the Federal Government?

Why is that issue not dealt with? It costs every New South Wales family more than \$800 a year, but Opposition members are doing nothing about it. All they do is whinge and whine. We do they not stand up to their Federal colleagues? Why can I not get a licence for a magnetic resonance imaging scanner in Maitland, which has a growth rate of 2 per cent? The Federal Government must fulfil its constitutional responsibilities and take care of people's teeth. These issues are holding back New South Wales and it is being ripped off. If it were not for the Iemma Labor Government New South Wales would be in dire straits. It is a good thing that the Liberal-Nationals Coalition was not voted into office at the last election.

**Debate adjourned motion by Ms Tanya Gadiel and set down as an order of the day for a later hour.**

*[Acting-Speaker (Mr Thomas George) left the chair at 1.01 p.m. The House resumed at 2.15 p.m.]*

### ADMINISTRATION OF THE GOVERNMENT

**The SPEAKER:** I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR  
GOVERNOR

Office of the Governor  
Sydney 2000

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Assembly that she re-assumed the administration of the Government of the State on 12 October 2007.

12 October 2007

### DISTINGUISHED VISITORS

**The SPEAKER:** Jeremy Kinross, former member for Gordon, will be in the gallery during question time. I welcome him to the New South Wales Parliament. I also welcome to the gallery Terry Rumble, a former member for the Illawarra.

### QUESTION TIME

---

#### ROYAL NORTH SHORE HOSPITAL PATIENT CARE

**Mr BARRY O'FARRELL:** My question is directed to the Minister for Health. Will the Minister accept that a neurosurgeon being forced personally to locate an anaesthetist and a nurse, but still denied access to an operating theatre with a resulting six-day delay in surgery for a person with a broken neck, despite the risk that a cough or a sneeze could cause paralysis, is evidence of the inadequate resources available to patients and staff at Royal North Shore Hospital?

**Ms REBA MEAGHER:** I will seek details relating to this case and the allegations that have been made by the Leader of the Opposition. However, I advise that, as a result of additional funding, the number of urgent cases awaiting surgery at Royal North Shore Hospital dropped from 140 patients in 2005 to 27 patients in August this year. While financial management is important, extra funding for elective surgery has resulted in the surgical long-wait list being reduced dramatically at Royal North Shore Hospital, with only 12 patients waiting for surgery longer than 12 months.

**Mr Barry O'Farrell:** Point of order: Under Standing Order 129 my point of order relates to relevance. The Minister is talking about elective surgery. The head of the spinal unit has just said that he had to wait six days to operate on a patient who risked life paralysis.

**The SPEAKER:** Order! There is no point of order. The Minister clearly said that she would seek advice and she is now providing additional information.

**Ms REBA MEAGHER:** I am advised that the former management at Royal North Shore Hospital closed down four neurosurgery beds due to staff shortages in 2005, but I am also advised that these were reopened in late 2005, when appropriate staff were recruited. A further two ventilator neurosurgery beds were fully funded and opened following a \$1.5 million injection in the 2005-06 budget. Furthermore, Royal North Shore Hospital continues to be a centre of excellence in spinal and neurosurgery work.

**The SPEAKER:** Order! I call the Deputy Leader of the Opposition to order. The Leader of the Opposition will cease interjecting.

**Ms REBA MEAGHER:** In neurosurgery the number of patients treated continues to grow. In 2003-04 733 people were treated and in 2004-05 848 people were treated.

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting.

**Ms REBA MEAGHER:** In 2005-06 the number continued to grow to 910, and in 2006-07 1,024 patients were treated. We continue to invest with our record budget: nearly a third of the New South Wales budget is dedicated to Health. If those opposite would like New South Wales Health to have additional funding they should by all means pick up the phone and talk to their colleagues in Canberra.

### SEXUAL ASSAULT LEGISLATION REFORM

**Ms CARMEL TEBBUTT:** My question is to the Premier. Can the Premier update the House on the Government's efforts to support victims of sexual assault?

**Mr MORRIS IEMMA:** I can advise the member for Marrickville that the Government takes the crime of sexual assault very seriously. An example of the seriousness with which we view this crime is our commitment to extensively overhaul the laws to make sexual assault trials easier for the victims and by increasing penalties targeting offenders. The newest initiative will enshrine into our laws a definition of consent, further protecting victims by making it harder for the accused to falsely claim they had the victim's consent. Studies have found that the current definition of consent is difficult and complicated for jurors to understand. It is open to argument and potential abuse by the defence. This initiative will lessen the confusion for jurors and remove the ambiguity by not leaving it to our courts to interpret.

The new initiative will define consent and make it clear what constitutes a lack of consent. These rules will include a provision that a person may not have the capacity to agree to sexual intercourse if that person is intoxicated by drugs or alcohol, does not have the freedom to choose whether to have sexual intercourse if the person is unlawfully detained, unconscious or asleep or is being forced, or put under the fear of force, to consent. Current law allows acquittal in some cases when the accused claims to mistakenly believe that the victim consented, even if it seems unreasonable, such as when the victim physically resists. That is why an objective fault test will also be introduced.

These changes will lessen the anxiety felt by victims when consent is raised during trials. Defining consent in black and white will ensure courts and defence barristers do not transform submission into consent, and recognises that other threats or factors may have been involved. The Government is committed to easing the trauma faced by victims. Our reforms fundamentally have changed the legal system to make it work better for victims by prohibiting an accused from personally cross-examining the complainant, establishing remote witness facilities that allow complainants to give evidence by closed-circuit television, closing the court when the victim gives evidence, reforming jury warnings and directions by judges if there has been a delay in the reporting of an assault by a victim, allowing transcripts to be used in retrials so victims do not have to give evidence repeatedly—

**Mr Greg Smith:** Another Opposition suggestion.

**Mr MORRIS IEMMA:** It is good to have bipartisan support. The changes include also creating a duty for judges to not allow improper questions of victims, and recently asking the Bar Association to change its rules to rein in defence barristers and stop them from asking rape victims harassing and intimidating questions. We have introduced also a maximum life term sentence for anyone involved in gang rape. Recent figures from the Bureau of Crime Statistics and Research show a sizeable increase in conviction rates for sexual assault. Last year 49 per cent of people appearing on sexual assault charges in the District Court and the Supreme Court were convicted, with appearance rates also increasing in the Local Court. This is evidence that the reforms are working, and we will continue updating our laws in support of victims.

## CANCER SURVIVAL

**Ms LYLEA McMAHON:** My question without notice is to the Minister Assisting the Minister for Health (Cancer). Can the Minister update the House on the latest cancer survival information in New South Wales, particularly how New South Wales compares with the rest of Australia and other countries in cancer care?

**Ms VERITY FIRTH:** I am pleased to inform the House that there are very few places in the world where a person's chances of beating cancer are as high as they are in New South Wales.

**Mrs Jillian Skinner:** You need more radiotherapy services.

**Ms VERITY FIRTH:** Radiotherapy services are part of the reason we are getting those results. This is a key finding from a major study by the Cancer Institute of New South Wales entitled "Survival from Cancer in NSW: 1980 to 2003". This comprehensive report compares cancer survival in New South Wales with rates in the rest of Australia, New Zealand, the United States of America, the United Kingdom and other countries. Research shows that today 63 per cent of people diagnosed with cancer in New South Wales will be alive five years after they are diagnosed, with many cured of the disease. In 1980 fewer than half of those diagnosed with cancer survived that long.

For the most common cancers, such as prostate cancer, breast cancer and melanoma, survival in New South Wales is now better than 88 per cent. The New South Wales five-year survival rate of 63 per cent for all cancers is better than the rate in Victoria, which is 61 per cent. It is better than the rate for Australia as a whole, which is 60 per cent, and it is substantially better than the rate in the United Kingdom, where just 50 per cent of cancer patients survive five years beyond diagnosis.

New South Wales is now comparable with world leaders in cancer care. We are now up there with the United States of America, with 55.7 per cent, and Sweden, with 64.7 per cent. In cancer survival, the New South Wales health system can proudly take its place among the very best in the world. The fundamental goal of a health system is to treat and cure patients. The detailed comparison of cancer survival is evidence of the incredible improvements the New South Wales health system has delivered since 1980.

**The SPEAKER:** Order! The Deputy Leader of the Opposition will cease interjecting and be ready to seek the call for the next question.

**Ms VERITY FIRTH:** The chances of surviving cancer are 14 per cent better today than they were in 1980. Since 1980 survival from prostate cancer, which is our most common cancer, has improved 29 percentage points. Today the chances of surviving prostate cancer are 88.5 per cent. Breast cancer rates have improved by 15 percentage points. The chances of surviving breast cancer today are 88.4 per cent. The chances of surviving bowel cancer are 65 per cent today, compared to just 50 per cent in 1980.

The remarkable results documented in the survival report put paid to the recent claims by the New South Wales Opposition about the state of the New South Wales public health system. The strong improvements are a direct outcome of our significant investment in cancer care in New South Wales that now totals over \$1 billion annually. Today cancer patients in New South Wales benefit from greater access to new drugs and therapies and are diagnosed and treated by teams of highly qualified professionals using the latest technology and techniques.

Radiotherapy by linear accelerator machines is recommended for approximately 50 per cent of cancer patients. Following a substantial investment in new medical infrastructure by the Labor Government, New South Wales now has more linear accelerators per head of population than most comparable jurisdictions worldwide. New South Wales has more linear accelerators per head of population than Victoria, Queensland, Canada, France, Germany and the United Kingdom. We beat all of those jurisdictions in terms of access to cancer services. I am advised that over the past 10 years patients' access to radiotherapy in New South Wales has increased by 34 per cent.

While New South Wales is among the best in the world in the control and cure of cancer, there is almost always more work to be done in both improving survival rates for very common cancers I have mentioned and for cancers which have poor survival rates. We know there are still cancers that we need to work on that have poor survival rates, such as lung, brain, liver and pancreatic cancers that have survival rates at

lower than 20 per cent. A diagnosis of lung cancer, with just a 14 per cent survival rate, is the State's fifth-most common cancer diagnosis. I am advised that an estimated 80 per cent of lung cancers are caused by smoking. That is why, as part of the Government's cancer plan and as part of the Cancer Institute's activity in this area, we are absolutely committed to reducing smoking prevalence. Our State Plan's targets dictate that we have to get smoking down, and we have to get it down by 1 per cent per annum if we really want to attack cancer and reduce rates of lung cancer.

This year the Government allocated \$17.5 million to tobacco control programs. The Government continues to invest in hard-hitting quit smoking campaigns, which in 2006 contributed to a record 2.4 per cent annual decline in smoking rates. Previously we had never seen declines in smoking rates comparable with those recorded in 2006. That brought smoking rates down to 17.7 per cent, among the lowest in the world. Our smoking rates in New South Wales are 2 per cent lower than those of Victoria. Our rates are the lowest in the world, a direct result of the considerable public investment in our health system and in cancer care.

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

**Ms VERITY FIRTH:** We are also investing in sun protection awareness to slow down the increase in melanoma diagnoses. Later this year a program will be rolled out to increase awareness of the dangers of unsafe exposure to ultraviolet radiation. A new public education campaign aims to challenge pro-tanning attitudes and encourage better sun protection, particularly among young people but especially among our young women. As well as investing significantly in prevention and responding to the care needs of those who have already been diagnosed with cancer, the New South Wales Government most importantly will continue to invest in research which brings us closer to an effective cure. In recent years we have invested \$48 million in cancer research, with a further \$97 million allocated over the next four years. We are taking steps to increase to 10 per cent the rate of new cancer patients participating in cancer clinical trials.

I am sure people have read in the paper that investment in cancer research is paying enormous dividends for the future. Just this month we learned of a major discovery by New South Wales cancer researcher, Professor Phil Hogg. He has developed a special dye which can quickly determine whether cancer treatments are actually destroying cancer cells. The benefit for patients of this discovery should be the provision of shorter and more effective cancer treatments. The New South Wales Government directly supports Professor Hogg and his team with \$3.7 million in funding to take research findings from the laboratory to the clinic for the benefit of patient. In the New South Wales State Plan the Labor Government is committed to improving survival rates and quality of life for people with chronic illnesses. The report shows that we are delivering on that commitment.

I acknowledge the special needs of cancer patients. The Government believes in a strong public health system and is working to further improve cancer survival outcomes. In conclusion, I pay tribute to the exceptional medical professionals, nurses and cancer researchers who make up the New South Wales cancer care system and who dedicate tireless effort to helping others to survive cancer. They work day in, day out in our public and private hospitals helping cancer patients to survive a diagnosis that strikes at the very heart of those who get it. Yet here are our people at the frontline, helping them with the Government's support. I commend the report "Survival from Cancer in New South Wales: 1980 to 2003" to the Parliament and to the people of New South Wales.

#### **ROYAL NORTH SHORE HOSPITAL CLINICAL REFERENCE GROUP**

#### **HOSPITAL EMERGENCY DEPARTMENT MISCARRIAGE PROTOCOL**

**Mrs JILLIAN SKINNER:** My question is directed to the Minister for Health. Yesterday in the House she praised the clinical reference group she set up at the Royal North Shore Hospital. In view of this, how does she respond to claims of Professor Stephen Hunyor, a cardiologist and member of that clinical reference group, that the miscarriage review is "another superficial quick fix, a quenching of the fire in a decaying institution and public health service"?

**The SPEAKER:** Order! Members will come to order.

**Ms REBA MEAGHER:** The first point that needs to be clarified is that I did not establish the clinical reference group. The clinical reference group was established by the new chief executive of the North Sydney Central Coast Area Health Service. The doctors, whom I have met, who are participating in the clinical

reference group have indicated their willingness to work with the new chief executive to develop a new management model and implement that new management model by doctors and the chief executive working together. That is the type of cooperation that we celebrate as we try to put the Royal North Shore Hospital back on the front foot.

**The SPEAKER:** Order! I call the member for Murrumbidgee to order.

**Ms REBA MEAGHER:** I again make the point that we have received the very same type of cooperation from the nurses at the Royal North Shore Hospital. They have come together and formed a nursing task force to work with the chief executive to overcome the difficulties they experienced under the old management. It is that kind of cooperation and responsiveness by management, with doctors, nurses and managers working together to overcome the problems that were experienced—

**Mrs Jillian Skinner:** Point of order—

*[Interruption]*

**The SPEAKER:** Order! The House will come to order. The Deputy Leader of the Opposition has the call. What is the point of order?

**Mrs Jillian Skinner:** My point of order is on relevance under Standing Order 129. I asked a specific question about a view expressed—

**Ms REBA MEAGHER:** I am happy to answer it.

**The SPEAKER:** Order! I will hear the point of order.

**Mrs Jillian Skinner:** I asked a specific question about a view expressed by a member of the clinical reference group that the Minister for Health praised in Parliament yesterday. I asked the Minister to comment on this doctor's point of view.

**The SPEAKER:** Order! The Minister's answer is relevant to the question.

**Ms REBA MEAGHER:** As the Deputy Leader of the Opposition would be aware, there are many points of view in health when we talk about varying models of care. That is why I established an investigation to be headed by Professor Bill Walters, the lead obstetrician at the Royal Hospital for Women—he is something of an expert in this area—along with the Chair of the Clinical Excellence Commission, Professor Cliff Hughes. They will undertake a review of how we can strengthen our system and provide models of care that afford women more compassion when they present to emergency departments threatening miscarriage. In fact, as evidence of the varying opinions in relation to these different matters I refer to a letter that I received from Di O'Halloran, Chair of the Royal Australian College of General Practitioners, New South Wales. She writes:

First, may I convey my appreciation—

**Mr Adrian Piccoli:** Point of order—

**The SPEAKER:** Is this a different point of order to that raised by the Deputy Leader of the Opposition?

**Mr Adrian Piccoli:** It is a point of order on relevance that I am entitled to raise. I know that Government members do not like it.

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

**Mr Adrian Piccoli:** My point of order relates to Standing Order 129. The question asked specifically about Professor Hunyor and the comments that he made regarding the panel. Mr Speaker, are you going to consider any issue relating to the Health portfolio to be relevant to the question? The previous Speaker was sacked and you were made Speaker because the Government wanted to change Parliament.

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat.

[*Interruption*]

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. I call him to order for the second time.

[*Interruption*]

**The SPEAKER:** Order! I call the member for Murrumbidgee to order for the third time. I have ruled in relation to the matter raised by the member for Murrumbidgee. I will not allow superfluous points of order to be taken in a deliberate attempt to disrupt question time. The Minister for Health has the call.

**Ms REBA MEAGHER:** I have received correspondence from the chair of the Royal Australian College of General Practitioners, who makes some very interesting points. She writes:

First, may I convey my appreciation of your Department's efforts to work more closely with general practitioners to trial new and more integrated models of care involving general practitioners and other community-based health professionals.

That is a good point. She continues:

The current difficulties being experienced by emergency departments in dealing with the clinical and emotional problems that can arise in early pregnancy is potentially a situation that would benefit from the development of such alternative approaches.

That is a representative view that varies from the position put forward by the Deputy Leader of the Opposition. But it does not stop there. I have also received correspondence from Pat Brodie, Professor of Midwifery Practice, Development and Research from the Sydney South West Area Health Service and the University of Technology, who is also President of the Australian College of Midwives, and from Caroline Homer, Professor of Midwifery, University of Technology, and President of the New South Wales Midwives Association.

**The SPEAKER:** Order! I call the member for Epping to order.

**Ms REBA MEAGHER:** I accept that there are differing points of view in relation to this issue. But that is why we have established an expert inquiry to seek the views of all participants.

**The SPEAKER:** Order! The Deputy Leader of the Opposition will cease interjecting.

**Ms REBA MEAGHER:** It is the role of the inquiry to take on board the varying points of view but, most importantly, to examine the varying models across the New South Wales health system and develop an alternative model of care that has as its fundamental principle the fact that we afford women more privacy and more dignity when they are confronting emotionally challenging situations, such as miscarriage. I am astounded that the Deputy Leader of the Opposition has questioned this approach to the extent that she has. I would have thought the New South Wales Opposition would join us in attempting to explore the fact that we can do it better. That is what this investigation is about.

**The SPEAKER:** Order! I call the Deputy Leader of the Opposition to order for the second time.

### CITYRAIL SERVICES

**Ms VIRGINIA JUDGE:** My question is addressed to the Minister for Transport. What is the latest information on improvements to CityRail's operations?

**Mr JOHN WATKINS:** It is good to be back at the dispatch box.

[*Interruption*]

This is unbearable.

**The SPEAKER:** Order! I call the member for Hawkesbury to order. I call the member for Davidson to order. The House will come to order.

**Mr JOHN WATKINS:** The fourth annual Independent Transport Safety and Reliability Regulator rail customer survey released this week reveals that our rail customers believe overwhelmingly that rail services

have improved in recent years. A lot has been done in those months to improve RailCorp's performance. We have implemented a new timetable, ordered new trains, built new lines and we are improving train maintenance.

**Mr Andrew Stoner:** What about CountryLink?

**Mr JOHN WATKINS:** We are supporting CountryLink for the country people of this State.

**The SPEAKER:** Order! The member for Willoughby will cease interjecting.

**Mr JOHN WATKINS:** The member for Willoughby is never happy. We are spending millions of dollars in her electorate and she is not happy. All this expenditure ensures that our commuters have a system that is reliable, safe and comfortable. The Government is also continuing to attend to improving RailCorp's customer service. It is a big job. RailCorp has about one million customers a day. Most of them travel into the central business district but other journeys are scattered across Sydney. The Government recognises that there is some way to go to improve services for those customers. That is why today we announced a comprehensive new approach to CityRail operations. This overhaul is designed to achieve just one outcome—

**The SPEAKER:** Order! I call the member for Willoughby to order.

**Mr JOHN WATKINS:** That outcome is to improve services for our customers. Accordingly, RailCorp has engaged Boston Consulting Group—a leader in workforce development, organisational change and change management practices—

**The SPEAKER:** Order! I call the member for Willoughby to order for the second time.

**Mr JOHN WATKINS:** We have asked Boston Consulting Group to develop and help implement a customer service improvement program for CityRail. This program is designed to produce long-term improvements across our rail system and change processes and practices to ensure a better experience for rail users. Boston Consulting Group will assist RailCorp by providing an independent assessment of the issues faced on a daily basis from staff and commuter perspectives, assistance in developing strategies to deal with these matters, and additional skills and experience in making these kinds of changes. I must make the point strongly—because it has been misstated today—that this is not a survey. It is about changing processes throughout the organisation to make sure that passengers have a better experience on our train system.

**The SPEAKER:** Order! I remind the member for Willoughby that there are 16 minutes remaining in question time. I call the member for Hawkesbury to order for the second time.

**Mr JOHN WATKINS:** In recent times, with the rollout of new infrastructure, the recruitment of new staff and the implementation of a timetable that accommodates new safety requirements, on-time running and customer satisfaction have improved. A lot of good things have happened but there is more to do. The customer service improvement program that we announced today will look at a range of issues, including train preparation, dispatch, train crewing, station operations, security, signalling, train control and incident response. In particular, we will concentrate first on on-time running in sector three—the Western and North Shore lines—station and carriage cleanliness, ticketing and prioritising over the longer term improvement projects identified by the consultants. We want to address issues such as improving fleet availability to ensure that more trains arrive at their destination on time and safely; improving the cleanliness of seats and carriages throughout the day; providing safer trains and stations for our customers—particularly our female customers—especially at night; and ensuring that real-time information is announced clearly. The Government is aware of the community's expectations.

**The SPEAKER:** Order! The member for Wakehurst will remain silent.

**Mr JOHN WATKINS:** The process outlined today is designed to lead to substantial, identifiable improvements in the quality of our rail system. I have to say that the behaviour of the Opposition today just makes it clear that being in opposition is a horrible state: they are always wanting things to be worse.

**The SPEAKER:** Order! I call the member for Hawkesbury to order for the third time.

**Mr JOHN WATKINS:** Always hoping for problems, wanting the world to be an awful place.

**The SPEAKER:** Order! The member for Lane Cover will cease interjecting.

**Mr JOHN WATKINS:** It is very clear from that mob opposite that it is particularly corrosive to the human spirit to be in the Opposition—and we hope it lasts for a very long time.

#### **ROYAL NORTH SHORE HOSPITAL COUNTRY PATIENTS FAMILY ACCOMMODATION**

**Mr ANDREW STONER:** My question is directed to the Minister for Health: Now that her Government has demolished Rotary House at Royal North Shore Hospital and allowed Queen Mary House at Royal Prince Alfred Hospital to stand empty and unused for three years, what other plans does the Minister have to cut accommodation for country patients' families, and can the Minister explain why country people continually receive second-best under Labor?

*[Interruption]*

**The SPEAKER:** Order! I call the Leader of The Nationals to order for the second time. I remind him that he should ask one question at a time.

**Ms REBA MEAGHER:** I want to make it very clear that the New South Wales Government is committed to the redevelopment of Royal North Shore Hospital, a \$700 million redevelopment to ensure the facilities of the hospital are state-of-the-art. A \$700 million redevelopment is the largest ever undertaken of a hospital in New South Wales and it demonstrates our commitment to ensuring Royal North Shore Hospital's future as a major teaching hospital that provides state-wide services. Royal North Shore Hospital's reputation has been dragged through the mud in recent weeks, and quite unfairly so. This is an organisation that treats 50,000 people through its emergency department each year provides 48,000 occasions of inpatient service each year and treats 850,000 people in outpatient services each year.

**Mr Andrew Stoner:** A lot of those are from the country and they need accommodation.

**The SPEAKER:** Order! I remind the Leader of The Nationals that he is on two calls. He will cease interjecting.

**Ms REBA MEAGHER:** It is not only a hospital that services the north shore; it is a hospital that services the State and it is renowned not only in New South Wales but around Australia. It is renowned internationally for the work that it does in important areas such as cardiology, burns and spinal work. I can assure everybody in this place and those residents of North Sydney that we are committed to the future of Royal North Shore Hospital—

**Mr Andrew Stoner:** Point of order: I refer again to Standing Order 129 regarding relevance. I have waited and waited and waited for the Minister to get anywhere near the issue of accommodation for country patients at Royal North Shore and at Royal Prince Alfred. She has got nowhere near it at all; she is just waffling on with a total irrelevancy. I ask you to bring her back to the issue at hand: accommodation for country patients.

**Ms REBA MEAGHER:** Those opposite might not want to acknowledge the Government's investment in the redevelopment of Royal North Shore Hospital, and they may not want to acknowledge our investment in improving health care services in New South Wales, but I am proud. I am proud to go out into the community and tell that story every time.

**The SPEAKER:** Order! The House will come to order.

**Ms REBA MEAGHER:** Not only that, I am prepared to go out and tell the story about our investment in rural health—

*[Interruption]*

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting.

**Ms REBA MEAGHER:** So that we can actually provide services closer to home for rural patients.

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

### SMALL BUSINESS RED TAPE

**Mr PAUL McLEAY:** My question without notice is addressed to the Minister for Small Business. Can the Minister advise the House what the New South Wales Government is doing to cut red tape for small business?

**Mr JOSEPH TRIPODI:** A very important issue: red tape reduction.

**The SPEAKER:** Order! I remind the member for Hawkesbury that he is on three calls. If there is one more outburst I will have him removed.

**Mr JOSEPH TRIPODI:** Red tape reduction is at the heart of the Government's reform agenda. New South Wales is the premier State in Australia and Sydney is our premier city. When it comes to business, no other city compares. That is because of this Government's commitment to making this State competitive. Today I will reaffirm that commitment to the red tape reduction agenda. This week begins the Government's fifth industry-specific red tape review. These reviews are about targeting an industry, talking to small business owners, observing their operations and finding the red tape. I am determined that this review will be the biggest and the most extensive industry-specific review that we have undertaken. Cutting red tape is a priority for this Government.

**The SPEAKER:** Order! The member for Epping will cease interjecting.

**Mr JOSEPH TRIPODI:** That is why we directed the Department of State and Regional Development to put together a dedicated team of professionals to dig down and find the obsolete regulations, the time-consuming licensing arrangements and the unnecessary paperwork that is taking time away from small business owners. Cutting red tape is not a glamorous job, there are no big announcements to be made, but it is very necessary. It is about the small things that can really make life frustrating for small business owners. One example of unnecessary red tape picked up by our team was that of motor dealers that were filling in two identical forms to send to two different government agencies every time a car was sold. The review of this industry led to a recommendation to combine the two forms—not a huge change, but it halves the time that dealers spend on paperwork, giving them more time to focus on what they do best, and that is to sell cars.

The latest review will look at similar issues facing small business owners in the real estate and the rental hiring sector. This sector includes real estate agents, conveyancers, valuers, plant and equipment hirers, car rental operators and businesses hiring out recreational equipment such as boats and jet skis. There are around 80,000 businesses in these industries across our State and I want to hear from most of these people and hear as much as we possibly can from them. That is why today I am encouraging all members to talk to their local businesspeople, let them know that this review is happening and encourage them to contribute and to put in a submission. They can do this in writing by making a formal submission. They can also talk to our team over the phone or talk face-to-face at their place of business. The more submissions we get, the better the Government's response will be in reducing the red tape. The closing date for submissions will be 30 November.

Once the submissions are in, a task force of representatives from the industry and relevant government agencies will consider the points raised and make recommendations to the Government. I will make it my personal priority to see that implementation of recommendations is done as speedily as possible. This Government is committed to helping small businesses grow and to cutting red tape, allowing them to focus on their primary business. Regulation is important, but regulations that are no longer needed or not doing what they were intended to do have no place in this State. This review will identify any unnecessary regulations. Small things make all the difference for small business and this review is part of our commitment in New South Wales to help businesses become more competitive. We already have a strong small business sector in New South Wales and this Government wants to do all it can to help small businesses become the big businesses of the future.

### ROYAL NORTH SHORE HOSPITAL STAFF HARASSMENT REPORT

**Mr BARRY O'FARRELL:** My question is directed to the Premier. How is it possible for the health Minister to claim that she acted swiftly in establishing an inquiry into bullying and harassment at Royal North Shore Hospital after a culture of bullying was brought to her attention when, as health Minister in 2003, the Premier received a report on the same issue at the very same hospital, a report that was never acted upon?

**Mr MORRIS IEMMA:** The Leader of the Opposition referred to the report that was the subject of media commentary last week. We sought advice as part of the health Minister's response. I am advised that the

report to which the Leader of the Opposition referred was commissioned by the hospital in the area. On the advice we have received, the report was not received by the department or my office at that time. The report was commissioned in relation to a specific allegation about harassment and intimidation surrounding a staff member of the hospital at that time.

**Mr Barry O'Farrell:** But there are system-wide issues.

**Mr MORRIS IEMMA:** I will come to the system-wide issues in a moment. That staff member no longer works for the hospital. Last week we sought advice in relation to that report, and the advice we received was that the report was commissioned locally and it was not received by the department or my office. In relation to system-wide issues of harassment or intimidation, I point out and invite the Leader of the Opposition to look at the changes and reforms that were instituted following the issues that arose in Macarthur Health Service at that time. As the then Minister for Health I introduced legislation to increase the powers of the Health Care Complaints Commission. We gave the Health Care Complaints Commission, the investigative body, powers to protect staff and whistleblowers who wished to come forward with concerns about intimidation and harassment against management or, indeed, other staff. In relation to other initiatives such as the professional practice units, these specific measures were introduced to deal with issues of harassment, intimidation or bullying of staff.

**The SPEAKER:** Order! The Deputy Leader of the Opposition will cease injecting.

**Mr MORRIS IEMMA:** Those are some of the changes. I am more than happy to peruse the record and provide further information to the Parliament on additional measures. As well, I worked with the Nurses Association at that time in relation to general campaigning about bullying. Those are just some of the initiatives taken at that time. The Minister for Health has already put in place additional measures at Royal North Shore Hospital to clamp down on bullying, harassment and intimidation, which have no part in our health system. It is precisely the reason that complaints bodies such as the Health Care Complaints Commission were given extra powers to protect staff. Health services were given extra measures to protect staff and to deal with the issues in the Macarthur Health Service that were raised by the five nurses. Members might recall the five nurses who came forward not only with allegations of intimidation, harassment and lobbying but also with allegations that adverse action had been taken against them in relation to their employment.

### HOSPITAL EMERGENCY SERVICES

**Mr ADRIAN PICCOLI:** My question is directed to the Minister for Health. Is the Minister aware that six weeks ago a Griffith man who broke his arm was turned away from Griffith hospital, had to be driven by ambulance to Wagga Wagga, where again he was turned away and had to wait overnight in Wagga Wagga because no ambulance was available, and was eventually sent to Sydney for treatment? Is the Minister further aware that the man is the Federal Labor candidate for Riverina? How does the Minister respond to his angry assessment, "I've seen it all now, and I've seen the health system simply isn't working"?

**Mr John Aquilina:** Point of order: Earlier you ruled that during question time members should ask one question, not a multitude of questions. Also, there are several Speaker's rulings—not just mine—that relate specifically to the length of questions. I ask you to direct the member to reword his question.

**The SPEAKER:** Order! I uphold the point of order. I ask the member for Murrumbidgee to reword his question.

**Mr ADRIAN PICCOLI:** How does the Minister respond to a Federal Labor candidate who, after an appalling experience with the New South Wales health system, angrily declared, "I've seen it all now, and I've seen the health system simply isn't working"?

**Ms REBA MEAGHER:** Some 6,000 people attend our emergency departments every day. Not all of them will be satisfied with the service they receive. I will seek further information on this case.

**Mr Adrian Piccoli:** Point of order: My point of order relates to relevance under Standing Order 129. My question related specifically to a man who had to travel 1,400 kilometres to get treatment.

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat.

## LOCAL GOVERNMENT PERFORMANCE

**Mr GRANT McBRIDE:** My question without notice is addressed to the Minister for Local Government. What is the latest information on the Government's efforts to monitor the performance of local councils?

**Mr PAUL LYNCH:** I thank the member for his longstanding interest in matters relating to local government. The Government is committed to ensuring that councils are sustainable and meeting community needs. We do this in a number of ways.

**The SPEAKER:** Order! The member for Murray-Darling will remain silent.

**Mr PAUL LYNCH:** The Promoting Better Practice Program, which commenced in 2004, aims to improve the delivery of local government services to local communities. The better practice reviews act as a monitor checking the performance of councils. This gives confidence in what is being done and helps to focus attention on key priorities for councils. As of 30 September this year the Department of Local Government had undertaken a total of 67 reviews of local councils. The reviews involve departmental officers closely evaluating the effectiveness and efficiency of key aspects of council operations and giving feedback. The process involves examining a council's overall strategic direction, checking compliance, examining appropriate practices and ensuring that the council has frameworks in place to monitor its performance.

The findings of the review are provided to the council by way of a written report, which contains recommendations to treat performance problems and to prevent problems from arising. Councils are enthusiastic about the program and the level of cooperation with review teams has, for the most part, been excellent. Indeed, many councils have requested that the department undertake a review. In addition to identifying problems, the program identifies good practice in local government and encourages the sharing of what is working well with others; that is, we can point one council to another as a good model to follow. This recognises the many good things that happen in the local government sector.

**Question time concluded.**

## MAKING POVERTY HISTORY

### Ministerial Statement

**Mr KEVIN GREENE** (Oatley—Minister for Community Services) [3.06 p.m.]: The gap between the world's rich and poor has never been wider than it is today. Tens of thousands of children die every day as a result of extreme poverty. As a leader in the world where such poverty exists Australia cannot stand idly by while this goes on. That is why the Iemma Government is a proud supporter of the Make Poverty History campaign.

**The SPEAKER:** Order! I remind members that the calls to order during question time still stand.

**Mr KEVIN GREENE:** As part of the global call to action against poverty, some 80 countries are committed to working towards ending the injustice of poverty. This is the largest anti-poverty movement in history. It is a campaign that gives governments the world over a clear way forward to reduce global poverty. As part of that campaign, this week is anti-poverty week and today people are standing up against poverty. This afternoon Martin Place will be filled with people, including me, who want to see the end of the era in which people die for no reason other than where they are born. Earlier this year the Iemma Government was a supporter of the Make Poverty History '07 road trip. We donated \$65,000 to the campaign.

It is more than a worthy cause; it is a vital one. This year sees us at the halfway point on the road to halving extreme poverty by 2015. A linchpin in the achievement of this role is the commitment of world governments to increase their aid contributions. I am sorry to say that this is yet another area where John Howard has not been the leader Australia needs. Under the Howard Government, Australia's international aid ranking has plummeted. As a result, the proportion of gross national income donated this year—at just 0.3 per cent—is less than it was when Howard came to power. Meanwhile, Kevin Rudd has committed Australia to reaching the intermediate United Nations target of 0.5 per cent of gross national income by 2015.

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

**Mr KEVIN GREENE:** Kevin Rudd is clearly the new leader that Australia needs to guide it into a changing world. The fight against global poverty begins at home.

**The SPEAKER:** Order! Members will come to order. I am sure the Minister will conclude his statement soon.

**Mr KEVIN GREENE:** I am proud to be part of a Government, and a party, that fully supports the goals of this campaign. I invite all my parliamentary colleagues to join me today in taking a stand against poverty.

**Ms KATRINA HODGKINSON** (Burrinjuck) [3.12 p.m.]: That was one of the most political ministerial statements that I have ever heard in this place. The Minister was talking about an unproven and untested—

**The SPEAKER:** Order! I ask members on the Government benches to come to order while we hear the political response.

**Ms KATRINA HODGKINSON:** If the Minister wanted to do something productive he might meet some of the recommendations out of the "Breaking the Silence: Creating the Future. Addressing child sexual assault in Aboriginal communities in NSW" report and do something productive for the Aboriginal community and those less fortunate. The Minister should actually do something, not just stand here and deliver a diatribe supporting Kevin Rudd and the Labor Party.

**The SPEAKER:** Order! I call the member for Parramatta to order.

**Ms KATRINA HODGKINSON:** A very important campaign is underway, an event organised as part of Anti-Poverty Week.

**The SPEAKER:** Order! I call the Minister for Police to order.

**Mr David Campbell:** She is reading a text message on her phone.

**The SPEAKER:** Order! The House will come to order. The Minister for Police will come to order.

**Ms KATRINA HODGKINSON:** During Anti-Poverty Week an event will be held in Martin Place next Wednesday, from 5.00 p.m. to 5.30 p.m. It is a very important event and I encourage the Minister for Police to attend. Anti-Poverty Week is extremely important, something every member of the Opposition takes very seriously. We are very keen to ensure that as many members of Parliament as possible turn up. I know the member for Hornsby will be there in full colours, and I will certainly be there as well. We are determined to make poverty history in New South Wales. We know that the Minister for Community Services has no interest in making poverty history in New South Wales.

#### QUESTION TIME: SUPPLEMENTARY ANSWERS

---

#### ROYAL NORTH SHORE HOSPITAL COUNTRY PATIENTS FAMILY ACCOMMODATION

**Ms REBA MEAGHER:** I am advised that there has been no interruption to carer accommodation at Royal North Shore Hospital with the closure of Rotary Lodge on Monday 4 September 2006. Alternative arrangements have been made at Royal North Shore Hospital to replace Rotary Lodge with a mixture of on-site and nearby off-site accommodation at no extra cost to carers. I am advised that there are long-term plans within the redevelopment of Royal North Shore Hospital to provide accommodation on site for staff, students and carers. In relation to the Royal Prince Alfred Hospital, I am advised that alternative accommodation is available for the families of patients at Royal Prince Alfred Hospital. I am advised also that the Isolated Patients Travel and Accommodation Assistance Scheme arrangements have been used to assist other country residents with accommodation across the State.

**The SPEAKER:** Order! The member for Bathurst will remain silent. The Minister is providing a supplementary answer. I would have thought that members would be interested in it.

**Ms REBA MEAGHER:** That assistance includes assistance for those attending Royal North Shore Hospital.

## **PUBLIC ACCOUNTS COMMITTEE**

### **Report**

**Mr Paul McLeay**, as Chair, tabled report No. 164 entitled "Public Accounts Committee Annual Review 2006-07", dated October 2007, together with "Extracts from Minutes of Public Accounts Meetings relevant to Annual Review".

**Report ordered to be printed on motion by Mr Paul McLeay.**

## **PETITIONS**

### **Inner Sydney Light Rail**

Petition requesting the development of an integrated light rail network through inner Sydney, received from **Ms Clover Moore**.

### **CountryLink Pensioner Booking Fee**

Petitions requesting the removal of booking fees charged to pensioners on CountryLink services, received from **Mr Greg Aplin** and **Mrs Shelley Hancock**.

### **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 **Mrs Judy Hopwood**.

### **Hornsby and Berowra Railway Stations Parking Facilities**

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

### **Hawkesbury River Railway Station Access**

Petition requesting improved access to Hawkesbury River railway station, received from **Mrs Judy Hopwood**.

### **South Coast Rail Services**

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

### **Shoalhaven Mental Health Services**

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

### **Lismore Base Hospital**

Petitions requesting funding for stage 2 of the Lismore Base Hospital redevelopment, received from **Mr Thomas George** and **Mr Donald Page**.

### **Breast Screening Funding**

Petition requesting funding for breast screening to allow access for women aged 40 to 79 years, received from **Mrs Judy Hopwood**.

### **Hornsby Palliative Care Beds**

Petition requesting funding for Hornsby's palliative care beds, received from **Mrs Judy Hopwood**.

### **Mental Health Services**

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

### **Rescue Helicopter Services**

Petition requesting that the Government halt the decision to award the contract for helicopter medical retrieval services to a foreign, for-profit company, review the tender process and make the tender documents publicly available, received from **Mr Andrew Stoner**.

### **Shoalhaven Local Area Command**

Petition requesting additional resources for the Shoalhaven Local Area Command, received from **Mrs Shelley Hancock**.

### **Licence Laws for Older Drivers**

Petitions asking for an inquiry into licence laws for older drivers and the implementation of a suitable licensing system for senior citizens, received from **Mr Greg Aplin, Mr John Turner** and **Mr Andrew Stoner**.

### **Licence Renewals for Drivers Over 75 Years**

Petition opposing the new regulation concerning licence renewals for drivers over 75 years and asking that current rules unfairly restricting elderly drivers be examined, received from **Mrs Shelley Hancock**.

### **Termeil Bridge Realignment**

Petition requesting that the Princes Highway and Termeil Bridge be realigned to the east of the existing road, received from **Mrs Shelley Hancock**.

### **Forster-Tuncurry Cycleways**

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

### **Inner Sydney Bicycle Lanes**

Petition requesting dedicated bicycle facilities for the entire length of William Street, and on Craigend Street and Kings Cross Road, received from **Ms Clover Moore**.

### **Johns River Bypass Interchange**

Petition requesting a full diamond interchange at the Johns River Pacific Highway bypass, received from **Mr Robert Oakeshott**.

### **School Crossing Safety**

Petition requesting that all school crossings be upgraded to improve safety, received from **Mr Greg Aplin**.

### **School Bus Safety**

Petition praying that seatbelts be provided for all students on school buses, received from **Mrs Shelley Hancock**.

### **Tomerong Traffic Arrangements**

Petition requesting an upgrade of the Island Point Road and Princes Highway intersection, Tomerong, received from **Mrs Shelley Hancock**.

### Lake Tabourie

Petition requesting that the current height constraints of Lake Tabourie be re-evaluated to allow the lake to be opened to the sea, received from **Mrs Shelley Hancock**.

### Shoalhaven River Water Extraction

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

### Swansea Ambulance Station

Petition requesting the provision of an ambulance station for Swansea, received from **Mr Robert Coombs**.

### Liquor Licensing Process

Petition asking that the liquor licensing process be amended to encourage and promote the development of small, local venues and a diversity of venues, received from **Ms Clover Moore**.

## BUSINESS OF THE HOUSE

### Reordering of General Business

**Ms CLOVER MOORE** (Sydney) [3.15 p.m.]: I move:

That General Business Order of the Day (for Bills) No. 8 [Liquor Amendment (Small Bars and Restaurants) Bill 2007] have precedence on Thursday 18 October 2007.

The Liquor Amendment (Small Bars and Restaurants) Bill has received wide public and media support. It has been reported and indeed supported in newspapers including the *Sydney Morning Herald*, the *Daily Telegraph*, the *Age*, the *Courier Mail* and on radio, even including the BBC. Business supports the bill—including the Property Council, the Chamber of Commerce, Westfield, and the Chair of the Committee of Sydney. Indeed, even former Prime Minister, Paul Keating, has expressed support. There is strong community support.

**The SPEAKER:** Order! The member for Vacluse will stop supporting the former Prime Minister.

**Ms CLOVER MOORE:** There is also very strong community support. I have received letters and emails of support from across New South Wales, including from people in Terrigal, Port Macquarie, Ballina, Newcastle, Wombarra, the South Coast, and all over Sydney including Ryde, Lane Cove, Manly, Newtown, Campbelltown and Parramatta. The spontaneously organised Raise the Bar Group, which rallied outside Parliament House yesterday, got more than 6,000 people to join in its first two weeks.

The bill will contribute to the social, economic and cultural vibrancy of New South Wales. Small bars will be subject to a rigorous development application process through local government, including public exhibition and consultation: the whole community will have the opportunity to address the committee and participate. Indeed, police will be able to participate in that assessment process. My bill will allow restaurants to serve alcohol without meals and help small bars to get licences and to trade. This does not conflict with the Government's reform agenda and I would argue that it is complementary. We have been waiting a long time for reform. Indeed, it was promised to us by former Premier Bob Carr at the time of the Olympics.

I urge members of the House to support the reordering of business to allow a debate on this straightforward proposal, which can be implemented immediately. New South Wales needs a new night economy that has less impact on neighbouring amenity—a night economy that is diverse and in line with the situation in other cities in Australia and overseas.

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [3.17 p.m.]: The Government does not support the motion moved by the member for Sydney to reorder the process of Parliament. That is not to make any comment in relation to the merits or otherwise of the bill but merely to state that, as the member has only recently introduced the bill, the Government has not yet formulated its position on the matter.

**The SPEAKER:** Order! I call the member for Bega to order.

**Mr JOHN AQUILINA:** The Government needs to carry out further consultation on this issue. At this stage, therefore, the Government is opposed to the motion and will seek an opportunity to debate the bill at a later time.

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

**The House divided.**

**Ayes, 39**

Mr Aplin	Mrs Hopwood	Mrs Skinner
Mr Baird	Mr Humphries	Mr Smith
Mr Baumann	Mr Kerr	Mr Souris
Ms Berejikian	Mr Merton	Mr Stokes
Mr Cansdell	Ms Moore	Mr Stoner
Mr Constance	Mr Oakeshott	Mr J. H. Turner
Mr Debnam	Mr O'Dea	Mr R. W. Turner
Mr Draper	Mr O'Farrell	Mr J. D. Williams
Mrs Fardell	Mr Page	Mr R. C. Williams
Ms Goward	Mr Piccoli	
Mrs Hancock	Mr Piper	<i>Tellers,</i>
Mr Hartcher	Mr Provest	Mr George
Mr Hazzard	Mr Richardson	Mr Maguire
Ms Hodgkinson	Mr Roberts	

**Noes, 49**

Mr Amery	Mr Harris	Mrs Paluzzano
Ms Andrews	Ms Hay	Mr Pearce
Mr Aquilina	Mr Hickey	Mrs Perry
Ms Beamer	Ms Horner	Mr Rees
Mr Brown	Ms Judge	Mr Sartor
Ms Burney	Ms Keneally	Mr Shearan
Ms Burton	Mr Khoshaba	Mr Stewart
Mr Campbell	Mr Koperberg	Ms Tebbutt
Mr Collier	Mr Lynch	Mr Terenzini
Mr Coombs	Mr McBride	Mr Tripodi
Mr Corrigan	Dr McDonald	Mr Watkins
Mr Costa	Ms McKay	Mr West
Ms D'Amore	Mr McLeay	Mr Whan
Ms Firth	Ms McMahan	
Ms Gadiel	Ms Meagher	<i>Tellers,</i>
Mr Gibson	Ms Megarrity	Mr Ashton
Mr Greene	Mr Morris	Mr Martin

**Pair**

Mr Fraser

Mr Daley

**Question resolved in the negative.**

**Motion negatived.**

**BUSINESS OF THE HOUSE**

**Reordering of General Business**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [3.26 p.m.]: I move:

That General Business Notice of Motion (General Notice) No. 60 [Bells Line Expressway] have precedence on Thursday 18 October 2007.

This motion should be debated tomorrow because it is an issue of great importance to the people of the Central West and the Western Plains. This issue is close to the heart of communities throughout the Blue Mountains area, out to Lithgow and beyond—a large and important economic district in this State. I note that the member for Bathurst is in the Chamber. People in Bathurst want this road upgraded. The Western Highway and the Bells Line of Road are among the most dangerous in the State. Both roads have an incredibly high number of accidents and, in particular, fatalities per kilometre. The Great Western Highway adversely affects the amenity of the Blue Mountains area. Large trucks rumble through residential areas and pedestrian crossings, and there are multiple speed changes and dangerous corners.

I could go on about the inadequacy of current infrastructure. Many motorists travel on the Bells Line of Road because they have no better choice. It is a sad indictment of this Government that, in the twenty-first century, there is no B-double route for road freight to come from the Central West and the Western Plains to the container port in Sydney. Businesses such as Fletcher International, a major abattoir at Dubbo, are constantly struggling to export freight because of road issues. Other businesses such as Manildra, a flourmill based to the west of Orange, are struggling with the same issue. We have a commitment from the Federal Government to provide \$10 million to study the proposed Bells Line Expressway, which has the broad endorsement of councils throughout the Central West, the Western Plains and the Blue Mountains area.

**Mr John Williams:** And Bathurst.

**Mr ANDREW STONER:** And Bathurst council. The Federal Government knows that this is an essential piece of infrastructure.

**The SPEAKER:** Order! The member for Bathurst will cease interjecting.

**Mr ANDREW STONER:** When we are talking about export capacity and road safety—

**The SPEAKER:** Order! The member for Bathurst will have an opportunity to support the motion.

**Mr ANDREW STONER:** When we are talking about export capacity and road safety we must at least support this study. To date all the Iemma Government has done is say, "No. We will not provide one red cent to study this vital road upgrade."

**Mr Gerard Martin:** That's been studied to death, you dope! It's been studied to death, you silly moo!

**Mr ANDREW STONER:** Put your money where your mouth is. Put \$10 million on the table. Match the Federal study and get a proper study. You always criticise it. You always run the proposal down. You find every reason in the world not to support the proposal. Why? Because the Government in New South Wales is Sydney-centric.

**The SPEAKER:** Order! The member for Bathurst will remain silent. The Leader of The Nationals will direct his remarks through the Chair.

**Mr ANDREW STONER:** Just the other day it said it wanted to convert the proceeds from the sale of retail electricity into—guess what? More road works in Sydney! That is an absolute disgrace while proposals such as the Bells Line Expressway remain unfunded. The member for Bathurst should be knocking on the door of the Minister for Roads and demanding \$10 million. I would expect Country Labor to recognise the importance of this proposal—

**The SPEAKER:** Order! I welcome the member for Blacktown to the debate, but I ask him to remain silent.

**Mr ANDREW STONER:** —and knock on the Minister's door for 10 million lousy dollars out of a State budget of \$45 billion to make this essential project become a reality. It is important that we debate this matter tomorrow, because that Federal money will not be on the table forever. Perish the thought: if Kevin Rudd wins the money will vanish.

**Mr Gerard Martin:** No, no, he's already put it on the table. Go back to sleep.

**The SPEAKER:** Order! The member for Bathurst will have an opportunity to speak in the debate if the motion is agreed to. He will remain silent.

**Mr ANDREW STONER:** You say that Kevin Rudd is backing it but what about the New South Wales Labor Government?

**Mr Gerard Martin:** Come on. Come in spinner.

**Mr ANDREW STONER:** All right, put your money where your mouth is and support this debate.

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [3.31 p.m.]: Obviously the ambitions of the Leader of The Nationals are frustrated somewhat. He still cannot help speaking on Federal issues and congratulating the Federal Government. The New South Wales Government welcomes this opportunity, seeing the Leader of The Nationals has now hit a home goal. Quite frankly, I would not dare try to restrain the member for Bathurst from the opportunity to have a go in this debate and reveal the thin tissue of lies and deceit the Opposition has come up with during this whole issue. We are happy to agree to the motion.

**Motion agreed to.**

## CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

### Hospital Administration

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [3.32 p.m.]: There is an expression that the more things change the more they stay the same.

**Mr Chris Hartcher:** It's French.

**Mr BARRY O'FARRELL:** I did not go to a good enough school to be able to say it in French. I know that my colleague the member for Terrigal can say it in Latin. There is a hospital within a community that provides extraordinarily important health services to the people that live in that part of Sydney. Nevertheless, a culture of bullying has developed at the hospital. When adverse care incidents have occurred and have reported those matters in the particular hospital, instead of being acted upon and dealt with appropriately staff are subjected to this culture of harassment and bullying. Not only does this place enormous pressure on the hospital staff; it ensures that the hospital cannot provide appropriate care to its community.

I could be talking about Royal North Shore Hospital but I am talking about another community in Sydney that four years ago was going through exactly the same crisis. Camden and Campbelltown hospitals went through exactly the same thing. We heard from the Premier today during Question Time a statement he repeats time and again. Following the outrageous allegations and incidents at Camden and Campbelltown hospitals the Government rushed the new facilities into operation before the upcoming election and the maternity unit at Camden Hospital had to be closed within six months because it was unsafe. This all happened on the watch of the current Premier when he was Minister for Health. Nothing has changed.

The Premier likes to say, "We had legislation. It's all been fixed." The Government time and again resorts to legislation to pretend it is fixing problems across Sydney and the State. In this instance, as in so many others, the legislation is found wanting. If the changes made to the Health Care Complaints Commission as a result of what was discovered at Camden and Campbelltown hospitals four years ago were effective we would not be seeing what is occurring at Royal North Shore Hospital today. But it gets worse. When the Premier was Minister for Health, in June 2003, a report on a culture of bullying at Royal North Shore Hospital was presented to that hospital. What was done? The only reason we know anything was done was because the current Minister for Health claimed recently in a press release that when the culture of bullying at Royal North Shore Hospital was brought to their attention she immediately acted to initiate an inquiry.

What did that inquiry find? Amongst other things, it found little evidence that the recommendations or observations in the 2003 report had been acted upon. As I said yesterday, instead of fixing problems, instead of ensuring that the underlying issues affecting health, transport and education in this State are actually addressed in a way that guarantees some room for improvement—and hope for improvement—for the public of New South Wales the Government simply seeks to manage the media moment. It announces an inquiry or a review to get through the current media dilemma. This practice continues in relation to Royal North Shore Hospital and other hospitals across the State.

**The SPEAKER:** Order! The member for Monaro will remain silent.

**Mr BARRY O'FARRELL:** The problem will continue for as long as the Minister for Health, when confronted with complaints from staff at hospitals such as Royal North Shore Hospital, refuses to listen to the complaints, to consult hospital staff and talk to the public about what is going on. Instead, she uses the media to launch an attack on doctors such as Dr Tony Joseph—continuing the very culture of bullying and harassment that has existed throughout the Government's period in office. While ever she does this things will not be improved.

**The SPEAKER:** Order! The member for Monaro will remain silent.

**Mr BARRY O'FARRELL:** The Minister for Health hides behind clinical decisions in trying to defend her Government's failure to adequately resource hospitals such as Royal North Shore Hospital. Last week we saw her attempt to hide behind nurses in relation to Mrs King's treatment—being placed on a bed in a storage room. Today we had another example of a clinical explanation. The head of the Spinal Unit at Royal North Shore Hospital, one of the key units that makes that facility a world-class unit, told the story to the media downstairs of a Coffs Harbour man denied surgery on his spine for six days because resources did not allow the operating theatre to be opened. Memorandums show why those decisions occurred: hospital managers are told that if they go over budget their assessment will be reviewed on that basis. We will not get to the bottom of the problem until Government members admit the problems. They have to stop failing upwards in the Labor Party. Reba Meagher should not be the Minister for Health; she should be out on her ear.

### F3 Expressway Woy Woy Link

**Mr GRANT McBRIDE** (The Entrance) [3.38 p.m.]: Mr Speaker—

**Mr Chris Hartcher:** For everybody, this is about Belinda Neale.

**Mr GRANT McBRIDE:** This is about you. We will get to you. It will not take much time.

**The SPEAKER:** Order! The member for Terrigal will remain silent.

**Mr GRANT McBRIDE:** Love the hairstyle, brother, but this is all about you.

**The SPEAKER:** Order! The member for The Entrance will direct his remarks through the Chair.

**Mr GRANT McBRIDE:** The stylist has done a great job—a really great job.

**The SPEAKER:** Order! The member for The Entrance will direct his remarks through the Chair.

**Mr GRANT McBRIDE:** The pink tie, the silver, very cool. But this is about him!

**The SPEAKER:** Order! If the member for The Entrance—

**Mr GRANT McBRIDE:** Yes, I am sorry.

**The SPEAKER:** Order! If the member for The Entrance continues to ignore the Chair I will direct him to resume his seat.

**Mr GRANT McBRIDE:** This motion is urgent because the Howard Government's announcement for a direct link from the F3 to Woy Woy is a cruel hoax for the people on the peninsula and, in particular, the whole of the Central Coast. This announcement is a rabbit out of the hat six weeks before the Federal election. It is a trick. It is a scam. It is a con. It is a desperate act by a desperate Howard-Costello Government to prop up some ailing, failing local Liberal members. The member for Terrigal would agree with that assessment. This motion is urgent because it alerts the people of the Central Coast to the con being perpetrated by the Howard Government, that is, a proposal to carve out an arterial road through Brisbane Water National Park from Woy Woy to the F3.

This motion is urgent because there has not been one iota of consultation with any of the relevant authorities—the council, the State Government, the Roads and Traffic Authority [RTA], the Department of the Environment and Climate Change, national parks or any other agencies at State, local or Federal level. The Iemma Government's 2006-07 and 2007-08 budgets made record allocations to the construction and upgrading of arterial roads on the Central Coast. By contrast, not one dollar is attached to the construction of the proposed

road. The member for Terrigal, Chris Hartcher, has endorsed our road upgrade program over the next four years. I have the document to prove it.

**Mr Chris Hartcher:** Point of order: That is untrue. I will demonstrate that during debate.

**The SPEAKER:** Order! There is no point of order.

**Mr GRANT McBRIDE:** I seek the support of members of this House for according my motion priority—in particular the support of the member for Terrigal, given his public support for the Iemma Government's road-building program for the Central Coast over the next four years.

**Question—That the motion of the member for Ku-ring-gai be accorded priority—put.**

**The House divided.**

**Ayes, 38**

Mr Aplin	Mrs Hopwood	Mr Roberts
Mr Baird	Mr Humphries	Mrs Skinner
Mr Baumann	Mr Kerr	Mr Smith
Ms Berejiklian	Mr Merton	Mr Souris
Mr Cansdell	Ms Moore	Mr Stokes
Mr Constance	Mr Oakeshott	Mr Stoner
Mr Debnam	Mr O'Dea	Mr J. H. Turner
Mr Draper	Mr O'Farrell	Mr R. W. Turner
Mrs Fardell	Mr Page	Mr J. D. Williams
Mrs Hancock	Mr Piccoli	Mr R. C. Williams
Mr Hartcher	Mr Piper	<i>Tellers,</i>
Mr Hazzard	Mr Provest	Mr George
Ms Hodgkinson	Mr Richardson	Mr Maguire

**Noes, 49**

Mr Amery	Mr Harris	Mrs Paluzzano
Ms Andrews	Ms Hay	Mr Pearce
Mr Aquilina	Mr Hickey	Mrs Perry
Ms Beamer	Ms Horner	Mr Rees
Mr Brown	Ms Judge	Mr Sartor
Ms Burney	Ms Keneally	Mr Shearan
Ms Burton	Mr Khoshaba	Mr Stewart
Mr Campbell	Mr Koperberg	Ms Tebbutt
Mr Collier	Mr Lynch	Mr Terenzini
Mr Coombs	Mr McBride	Mr Tripodi
Mr Corrigan	Dr McDonald	Mr Watkins
Mr Costa	Ms McKay	Mr West
Ms D'Amore	Mr McLeay	Mr Whan
Ms Firth	Ms McMahan	<i>Tellers,</i>
Ms Gadiel	Ms Meagher	Mr Ashton
Mr Gibson	Ms Megarrity	Mr Martin
Mr Greene	Mr Morris	

**Pair**

Mr Fraser

Mr Daley

**Question resolved in the negative.**

**Question—That the motion of the member for The Entrance be accorded priority—put and resolved in the affirmative.**

**F3 EXPRESSWAY WOY WOY LINK****Motion Accorded Priority**

**Mr GRANT McBRIDE** (The Entrance) [3.51 p.m.]: I move:

That this House:

- (1) notes the New South Wales Government's investment of \$79.5 million on Central Coast roads this year;
- (2) condemns as a hoax the Commonwealth's announcement of a million-dollar study into a proposal to carve a road through the Brisbane Water National Park;
- (3) notes that the Commonwealth has provided not one dollar to actually build the road; and
- (4) calls on the Commonwealth to better use taxpayers' money on roads that Central Coast residents can realistically expect to drive on.

I have moved this motion because it deals with practical issues that impact on the lives of hundreds of thousands of residents on the Central Coast. This issue is urgent because the Commonwealth Minister for Local Government, Territories and Roads is misleading residents on the Central Coast in his desperation to cling to power. Roads funding on the Central Coast has been rising steadily under the Iemma Government, with another record budget this year. But in the shadow of a Federal election the Commonwealth is engaged in a cruel hoax, proposing a study for a road that it will never, and can never, build. This motion deals with the future of a 40-year-old national park, which is home to a range of endangered species and an important collection of Aboriginal art in sandstone caves. The Commonwealth's proposed road would require the bulldozing of 12 kilometres of national park and an Act of Parliament to approve. Some \$1 million in taxpayers' funds will be wasted if the Commonwealth proceeds with this study.

The Commonwealth has proposed a \$500 million road that is totally unfunded and unaffordable, and that would be an environmental disaster for Brisbane Water National Park. I note that the member for Terrigal is a former Minister for the Environment. This motion has been accorded priority today because residents of the Central Coast need to know the hoax that has been perpetrated upon them. The New South Wales Government was not consulted about the plan to carve a 12-kilometre road through a national park and to build another crossing alongside Australia's highest road bridge, Mooney Mooney Bridge. That is because the entire Lloyd proposal is a sham. It is an election con trick. It is about pulling a rabbit out of a hat and somehow creating a positive image of the local member. The fact is that Mr Lloyd has been the member for Robertson for 12 years and the Minister for Roads for four years. If he was concerned about the matter he could have advanced this proposal four years, or even 12 years, ago. He has lived on the southern part of the Central Coast so he would have been aware of the issue.

This is a desperate and reckless proposal from a Commonwealth Government that ran out of good ideas a long time ago and is now onto the very bad ones. The New South Wales Central Coast has a population of more than 300,000. It is estimated that about 10 per cent of residents commute out of the region each day to work. A large proportion of those 30,000 people head to Sydney, many of them down the F3. Roads are a vital issue for the Central Coast and its residents. That is why the Iemma Government is investing almost \$80 million in Central Coast roads this year alone. That figure does not include our work in partnership with the Commonwealth to widen the F3 at Berowra. It is very disappointing that the Howard Government should seek to exploit local concerns about roads by making an unfunded promise about a new freeway link through Brisbane Water National Park.

The outgoing Commonwealth roads Minister, Jim Lloyd, has announced a \$1 million study to analyse the feasibility of building a new link road from Woy Woy to the F3. That is a distance of about 12 kilometres and could include one or two major water crossings—it has still not been established. No matter which route the road takes, it will have to be carved directly through Brisbane Water National Park. This proposal has never been raised with the New South Wales Roads and Traffic Authority. It has never been costed. [*Quorum called for.*]

[*The bells having been rung and a quorum having formed, business resumed.*]

Neither the Commonwealth nor any of its agencies ever mooted the proposal but it has been announced six weeks out from a Federal election by the Federal Minister for Roads in his own seat—which we all know he may lose. It was announced not that the road would be built but that \$1 million will be spent on a feasibility

study. Some \$1 million will be spent on consultants regarding a project that is conservatively estimated to cost at least half a billion dollars. Mr Lloyd told the *Daily Telegraph* that the link road may well involve a new crossing of Mooney Mooney Creek—but, as I said before, there could be two crossings. The current crossing at Mooney Mooney Creek is the highest road bridge in Australia and spans more than 200 metres. Mr Lloyd's suggestion that another crossing might be built is all hot air. Some 75,000 motorists use the Mooney Mooney Bridge every day. How many of Woy Woy's 10,000 residents might use Mr Lloyd's pipedream bridge through a national park? The answer is very few of them. This is a bridge for which there is no funding.

**Mr Chris Hartcher:** A bridge too far.

**Mr GRANT McBRIDE:** Thank you for that. This bridge goes way too far. A proposal to spend that amount of money to serve a population of 10,000 does not stack up. The Commonwealth will find that it is simply not feasible. Let us consider the business case. The road may be cheaper to build than the Lane Cove Tunnel but it will serve a market that is about one-hundredth the size.

**Mr Anthony Roberts:** You leave Lane Cove alone.

**Mr GRANT McBRIDE:** I am on the member's side. Woy Woy residents would not pay a toll; they would have to pawn their cars. Population forecasts for the region reveal that major growth will occur in Wyong shire, where new roads are greatly needed. Wyong shire's population increase will be more than double that of the Gosford City Council area. New home approvals in the shire are already 50 per cent higher than in Gosford. But the Howard Government has given up hope of holding the seat of Dobell at the Federal election. It has written off the friend of the member for Terrigal—he is going to get a dirty telephone call from the member for Dobell. The Federal Government has written off Wyong shire and the seat of Dobell and is attempting instead to defend the seat of Robertson at the election. I wish it luck—with policies like this, Mr Lloyd will certainly go down. The Federal Coalition is not governing for the future; it is simply trying desperately to cling to power. This proposal is about saving a drowning Minister. The Commonwealth Government is prepared to make wild promises in the seat of Robertson but has written off Ken Ticehurst, the member for Dobell.

Brisbane Water National Park was established on 1 October 1967—40 years ago this month. What are the chances of Jim Lloyd ordering bulldozers to demolish 12 kilometres of the national park? The member for Terrigal would never let that happen. There would be bipartisan support on the Central Coast and in this place for opposing the project. It would never happen. The outgoing Federal roads Minister is so desperate to cling to power that he is prepared to promise anything. The study is a waste of taxpayers' money. We want our Federal representatives to commit to serious, efficient funding for roads on the Central Coast. We want funding that will deliver the sorts of outcomes that the member for Terrigal mentioned in his article. It is called "Chris Hartcher MP: In Touch"—or out of touch, I am not sure, but it is interesting anyway.

**Mr Chris Hartcher:** As the member for The Entrance is referring to a document, I ask that he table it.

**The DEPUTY-SPEAKER:** There is no need for that; it is already well known in the community.

**Mr GRANT McBRIDE:** In that document the member for Terrigal says that these road upgrades are vital for the residents of the Central Coast.

**Mr CHRIS HARTCHER (Terrigal) [4.01 p.m.]:** It is with the greatest reluctance that I interrupt the member who was about to read from my excellent newsletter called "In Touch", which details the last State budget and the road funding allocation that I was able to obtain on behalf of my constituents in the electorate of Terrigal, who are extremely impressed. However, they are very disappointed with the member for The Entrance, who has not been able to obtain similar road funding. But I am not going to go there. The member for The Entrance is not a bad bloke. I move:

That the motion be amended by deleting all words after "That" and inserting instead:

this House:

- (1) acknowledges the State Government's failure to resolve the traffic gridlock that daily jams Central Coast roads;
- (2) rejects the attempt by the member for The Entrance to politicise the Central Coast roads issue for the Federal election;
- (3) congratulates the Federal Government on its ongoing support for road improvement and black spot elimination in New South Wales.

The member for The Entrance began his contribution by saying that roads were important for the thousands of residents who live on the Central Coast, and that comment is echoed by the *Sydney Morning Herald* in its main editorial today, which reads:

Five deaths on a sinking road

The editorial refers to the tragedy that occurred on Saturday 9 June on the old Pacific Highway near Somersby, and I quote part of it:

Despite the exceptional weather—400 millimetres of rain fell that weekend—the crash became a hot political issue as soon as it happened. The Premier, Morris Iemma, pointed out with extraordinary speed that the former highway was no longer a NSW Government responsibility, but Gosford Council's. True, the road was handed back to the council in 1996 after the F3 freeway replaced it as the main artery north—but the design that appeared to have failed in this section dated from before the handover.

The New South Wales Coroner will investigate that tragedy. The Premier was quick in trying to deflect blame, but the evidence now shows that the State Government handed over the road without any funding to maintain it. Responsibility for the road was clearly with the State Government, as reflected in the *Sydney Morning Herald* editorial. It is a tragic incident for which one suspects the Coroner will lay blame at the door of the New South Wales Government.

The Brisbane Water National Park was created, as the member for The Entrance said, in 1967. But what the member did not say and what he may not be aware of, because many people are not, is that the F3 actually goes through Brisbane Water National Park under licence of the National Parks and Wildlife Act 1974. When I became Minister I was surprised to discover that. The F3 is simply a part of the national park. I invite the member for The Entrance to check this. I am not aware of any change since I stood down as Minister. The F3 goes through the national park.

The national parks legislation allows for roads and electricity easements to go through national parks subject to the consent of the Minister for Climate Change, Environment and Water. The electricity easements that feed Sydney, for example, go through the Brisbane Water National Park because the power stations are on the Central Coast. Sydney's electricity comes from the great power grid that goes through the Brisbane Water National Park and through the Popran National Park on the Central Coast. It is not unknown for major community projects to be facilitated through national parks. The member may pretend that this is going to be the ultimate sacrilege but the F3 already goes through the national park. I wonder if the member will say in reply that the F3 should be closed down, that the electricity supply to Sydney should be shut down because the power grids pass not just through a national park but through the very national park he is talking about, Brisbane Water National Park.

The member for Lane Cove will be my outstanding second in this debate. There are two great seconds in this debate: the member for Gosford, who I am sure will participate, and the member for Lane Cove. We could not do better if we tried. It is the A team. The member for Lane Cove will point out the figures in relation to black spot projects, but I might just give some of the figures for the Central Coast from the Federal Government. Gosford City Council has received from the Federal Government a total of \$8,743,000. Wyong Shire Council has received \$7,974,000. That is a total for roads from this Federal Government of \$16,717,000 under the Roads to Recovery Program. In addition, from 1996 to 2007 Gosford City Council has received untied financial assistance of \$17,560,000 and for the same period Wyong Shire Council has received, untied, \$15,872,000. That is a total of \$33,433,000 in a 10-year period from the Federal Government.

Under the State Government the Central Coast roads are almost in a total state of gridlock. Terrigal Drive is gridlocked every morning. The Premier, as an election stunt before the March 2007 State election, renamed The Entrance Road the Central Coast Highway. It was a great day. He came up to the Central Coast and was asked: Well, what have you got for us, Premier, because there is not much point coming up without giving us something? And do you know what he did? He renamed The Entrance Road the Central Coast Highway. That was his big election road issue.

Then the Coalition made some brilliant road funding proposals before the election, but what did we get? One week before the election we got a roads announcement from the State Government, yet when it actually published its costings from Treasury it allocated nothing for the Central Coast. The Government made its announcement without any consultation, without any Treasury deliberation, one week before polling day, and Treasury had not caught up with it. The road allocation on the pamphlet issued by Treasury, calculations of the political parties for the election, was zero. The member for The Entrance talks about election stunts. That was the ultimate election stunt. There was a lovely photo. The member for Gosford was there—she looked lovely;

the member for The Entrance looked great; and the member for Wyong was there too. So was my opponent, whose name I forget.

**Ms Tanya Gadiel:** Where were you?

**Mr CHRIS HARTCHER:** I was not invited. The member for Parramatta makes a very appropriate interjection: Where was I? I was not invited. That was pretty hurtful. I was hurt to be taken out of that photo opportunity.

**Mr Grant McBride:** A short observation in terms of our relationship: I think it is going downhill. The member for Terrigal and I had a good relationship. I will respond to the issues he raised.

**The DEPUTY-SPEAKER:** I am sure the member for Terrigal is well aware of the status of his relationship with the member for The Entrance.

**Mr CHRIS HARTCHER:** I was excluded from the photo opportunity and it was pretty rough, but I got over it—especially on polling night when my vote went up from a majority of 272 to a majority of 7,000. I can handle these slights. This is an attempt by the member for The Entrance—and here is where the killer punch comes—to fortify his factional mate, the wife of the Minister for the Central Coast. If there is one person who is responsible for the gridlock on Central Coast roads it is the Minister for the Central Coast, the Hon. John Della Bosca, who has failed to make sure that the Central Coast gets the road funding it deserves. We will forget who was John Della Bosca's predecessor for the previous three years: we will not go there.

We will concentrate on Mr Della Bosca. He has been the Minister for Central Coast roads for a number of years. Central Coast roads are in total gridlock. If Central Coast roads are an issue for the Federal election, it is the fault of John Della Bosca. The Labor Party candidate, whose name also escapes me, should be talking to her husband about funding for Central Coast roads. There is no necessity for the member for The Entrance and the member for Gosford to try to make this an election stunt. The failure lies at the door of John Della Bosca.

**Ms MARIE ANDREWS (Gosford) [4.10 p.m.]:** It gives me great pleasure to support my parliamentary colleague the member for The Entrance in this debate. Like many regions of our State, the Central Coast is highly reliant on its roads and rail network. Generations of Central Coast residents have commuted to Sydney for work. History tells us that Labor governments made the major investments in infrastructure to improve their lives: rail electrification under the Wran Government; the Calga to Somersby section of the F3 freeway, including the Mooney Mooney Bridge, under the Unsworth Government; or the more than \$200 million for upgrading both Gosford Hospital and Wyong Hospital under the Carr and Iemma governments. In contrast, we have an Opposition that went to the last election with no such plans. It did not even have a transport policy.

Central Coast residents want and deserve infrastructure. They will elect governments with properly costed plans and practical solutions. They will not cop pie-in-the-sky announcements from a desperate Commonwealth Government to examine a road linking Woy Woy to the F3. I urge members opposite, who have the touching naivety to think that the Federal Government is serious, to consult a map. They will see that the direct line between Woy Woy and the F3 crosses Woy Woy Bay, Woy Woy Creek, Kariong Brook, Mooney Mooney Creek and about 12 kilometres of national park. If anyone suggested to Central Coast residents that we had many hundreds of millions of dollars to spend on the region no-one would suggest that this is how it should be spent. A series of expensive and complex bridges across remote creeks would not be high on anyone's agenda. It would not secure the region's water supply, it would not create lasting employment or economic activity, and it would not boost health or education. Whichever way one carved this proposed road, it would have to crash through the beautiful Brisbane Water National Park.

I am advised that some of the more venerable members of the National Parks and Wildlife Service have been unable to recall any instance of a major new public road being built through a national park. The National Parks and Wildlife Act only allows access to in-holdings under very limited circumstances. And a new public road which is not for the purpose of park management or public access to a park would require an Act of Parliament. Without it, the road would not be permissible. A road corridor would need to be revoked from the park, with parliamentary consent. Brisbane Water National Park, which was created in October 1967, has sandstone landscapes rich in Aboriginal art. The park is part of a system of reserves that protect the State and regionally significant waterways of the lower Hawkesbury River, Broken Bay, Pittwater and Brisbane Water. It provides critical nesting and breeding sites for species that include the threatened koala, the yellow-bellied glider and the spotted tailed quoll.

So we would need to convince the community that putting a 12-kilometre road through this 40-year-old national park would be a responsible thing to do. The Walker inquiry following the Thredbo landslide examined roads inside national parks. Mr Walker recommended that major road corridors be placed under the control of the Roads and Traffic Authority. This recommendation led to the excision of the Alpine Way and Kosciuszko Road from Kosciuszko National Park, with those roads placed in the hands of the Roads and Traffic Authority. These were roads that already existed; it did not involve revocation of a park for new roads.

Generations ago sections of the F3 were built on parts of Ku-ring-gai Chase National Park. But this was a pre-condition of the establishment of that part of the park so it did not require an Act of Parliament or revocation. What the Liberal Federal member for Robertson and Howard Government frontbencher, Mr Jim Lloyd, is suggesting is unique. Given that it would require an Act of Parliament, did the Federal roads Minister consult the New South Wales Government before announcing his feasibility study? Surely he would do that if he were serious. Of course he did not. His proposal rests entirely on the New South Wales Government sponsoring it. Yet he was not serious enough to bother opening dialogue with the State. That demonstrates that it is not a serious proposition but simply a cheap political stunt. He could not raise the proposal while maintaining a straight face.

Does anyone think an environmental impact study will recommend this road? Absolutely not! The Commonwealth Government does not care about whether this promise is feasible, possible or likely. It is an insane idea, driven by a panicking Federal member for Robertson who knows his time is running out. There is some precedent for it though, in Joe Bjelke-Petersen's Queensland. In the early 1980s the Bjelke-Petersen Government supported the Douglas Shire Council bulldozing a road through Daintree National Park. The initiative triggered enormous protests, sit-ins and two High Court challenges. The road was eventually built, although immediately after opening it the Queensland Minister got bogged when rain made the road impassable. There is no prospect of such an occurrence in Brisbane Water National Park. This road will never even be started. No jurisdiction has budgeted for it or ever considered it. It has never been raised by the Commonwealth in discussions with the State. It is the sort of cynical election-eve promise that gives all political representatives a bad name. Residents of the Central Coast will treat this pledge by the Howard Government with the contempt it deserves. There is no prospect of it being built. I commend the motion to the House.

**Mr ANTHONY ROBERTS** (Lane Cove) [4.15 p.m.]: The Federal Coalition Government has invested in our future so that Australia can aim higher and rise to the new challenges of the twenty-first century. The Federal Coalition Government and the great Federal members representing Central Coast electorates—not just the wonderful State member for Terrigal—have fought hard, planned ahead and invested in the future of not only their local communities but Australia. These investments by the Federal Coalition in economic and social infrastructure will help to underpin the prosperity and welfare of not only the residents of the Central Coast or New South Wales but of all Australians. As we know, Australia's road and rail infrastructure are the key arteries for economic prosperity and national unity. Under AusLink, which is the Coalition Government's five-year land transport blueprint—the member for Terrigal mentioned this—the Coalition Government has invested almost \$22 billion in upgrading the nation's infrastructure. That is incredible.

The Federal member for Robertson, Jim Lloyd, and the Federal member for Dobell, Ken Ticehurst, have done outstanding work. They have stood up for their local communities and the Federal Government has invested money to increase growth in those communities. Earlier today the member for Wagga Wagga pointed out that the Coalition's record, compared with State Labor's record, is phenomenal. For example, the Labor Party's idea of turning a road into a highway is renaming it as a highway. Not even the cost of a sign was allocated in the budget. Labor members simply went out there and had a photograph taken. They did not even invite local State members.

**Mr Chris Hartcher:** I wasn't invited.

**Mr ANTHONY ROBERTS:** The member for Terrigal was not invited. We should ask the member for Wagga Wagga, who works hard for his community, about the 11 kilometres of road from Khancoban to the Victorian border. The condition of that road has contributed to the deaths of many people. The local member lobbied the State Government for years, but it was the Federal Government that stumped up the money.

**Mr Daryl Maguire:** They still haven't declared it a State road.

**Mr ANTHONY ROBERTS:** That is disgraceful. Let me detail the money that is being spent in Robertson and the wonderful job the Federal member for Robertson has done in serving his community. The

Federal Government has provided funding of about \$5.8 million for the black spot program, Roads to Recovery and supplementary Roads to Recovery funding is \$8.743 million and \$87.5 million has been allocated to the AusLink national network. That is a transport program subtotal of \$102,073,262 provided by the Federal Government. In terms of financial assistance grants to local government, Wyong council and Gosford council have received \$82 million. Some \$1.8 million has been allocated to the National Disaster Program, and the subtotal for regional programs, including regional partnerships and regional assistance, is \$2.8 million. The Federal member for Robertson has fought for that funding, and the Coalition Government has provided almost \$190 million to assist with the safety and transportation of people in his electorate.

**Mr Chris Hartcher:** Jim Lloyd.

**Mr ANTHONY ROBERTS:** Jim Lloyd should be commended for that. Members opposite should hang their heads in shame for not supporting Jim and the wonderful work he does for the Liberal Party. Again, they are looking after their Federal Labor mates, their union controllers.

**Mr Chris Hartcher:** And John Della Bosca.

**Mr ANTHONY ROBERTS:** Does he ever go up the coast?

**Mr Chris Hartcher:** Occasionally, for holidays.

**Mr ANTHONY ROBERTS:** Occasionally, for holidays possibly. Let us move on to Ken Ticehurst, the tremendous member for Dobell, whose achievements include \$237,752,308 in program funding from the Department of Transport and Regional Services: \$70 million for transport programs, \$164,894,000 for local government programs, \$422,000 for national disaster programs, and \$2,386,000 for regional programs. That is a subtotal of \$237,742,308. Those men should be congratulated. Well done, Ken Ticehurst and Jim Lloyd, and good luck in the election.

**Mr DAVID HARRIS (Wyong) [4.20 p.m.]:** The Central Coast is a rapidly growing area spread over 81 kilometres of coastline. More than half the region includes national parks, bushland, open space and aquatic environments. The region is well known for its outstanding environment, and that is a major reason why more than 300,000 people choose to live on the Central Coast. The Iemma Government is investing record funding in the region's infrastructure to meet the needs of the growing community and to maintain and preserve the unique environment.

I am very proud to say that we are striking a good balance between preserving the environment and improving infrastructure. We have significantly expanded national parks and reserves on the Central Coast, including the magnificent 12,000-hectare Jiliby State Conservation Area and additions to Wallarah, Brisbane Water and Bouddi national parks. We have commenced the implementation of the \$11.7 million coastal protection package to help ensure the region's beaches and coastline are protected from overdevelopment. Since 1999 the Government has provided approximately \$13 million to improve and maintain facilities in the national parks on the Central Coast.

Although the Iemma Government is committed to the environment, it is also meeting the needs of the growing region and is spending record amounts in upgrading infrastructure. The Iemma Government is delivering for Central Coast families by spending more than \$200 million in the next four years to upgrade and maintain the coast's major arterial roads. There is not one major road on the Central Coast that is not undergoing an upgrade by the Iemma Government. We have talked about what the Federal Government has done over many years. In comparison, this financial year alone we are spending a record \$79.5 million on roads, including \$14 million to continue the upgrade to four lanes of the Central Coast Highway, Ocean View Drive to Tumbi Road. That is not just in name; it is back-up money to get more work done.

In addition, the Iemma Government has allocated \$12 million to continue upgrading the Pacific Highway to dual carriageway from Tuggerah to Wyong, \$10 million to upgrade the Pacific Highway to four lanes from Lisarow to F3 stage two and \$3.4 million to complete the upgrade of Avoca Drive from The Entrance Road to Sun Valley Road. Those projects are real. They are happening and are making a difference to Central Coast families. The Iemma Government is investing record amounts of funding in Central Coast roads. That is in stark contrast with the actions of the Howard Government. The Howard Government has dismally

failed the Central Coast community. The two local Federal members of Parliament, Jim Lloyd and Ken Ticehurst, have done nothing to help improve the region's infrastructure over the past decade, despite boasting about a \$17 billion surplus. We need a Federal Government that will support the Central Coast and invest in the region's infrastructure, not shift the blame to everyone but itself.

Let me further illustrate the failings of the Howard Government on the Central Coast. The Central Coast's Federal member for Robertson, Jim Lloyd, is the Federal roads Minister—although many people on the Central Coast do not know that, with good reason—and all he can come up with for families on the Central Coast is a \$1 million study to investigate a fantasy link road off the F3 to Woy Woy. The Iemma Government is working hard to protect the coast's unique environment but Jim Lloyd wants to bulldoze straight through the Brisbane Water National Park and build a four-lane highway straight over two waterways. He wants to waste a million dollars investigating a pie-in-the-sky project that everyone, including him, knows will never happen. That money should be spent on curbing and guttering and upgrading rural roads, not wasted on lining the pockets of his consultants.

Jim Lloyd has had three long years as the Federal roads Minister to commit to the Central Coast and all he can come up with is a last minute desperate attempt for attention six weeks out from the Federal election. A link road to Woy Woy would cost an estimated half a billion dollars to build, straight through the Brisbane Water National Park. That is a thoughtless, cruel hoax and a con. Jim Lloyd ought to be embarrassed about thinking that a smoke and mirrors subterfuge can fool the Central Coast community. His announcement reeks of desperation.

This is another example of the Howard Government seeking a major headline, but not actually solving a problem. Just look what it did recently in relation to the Pacific Highway. Last week the Howard Government announced an allocation of \$2.4 billion to further upgrade the Pacific Highway, a national road, but only if the State Government would match that funding—strings attached again. But the money John Howard has ostentatiously put on the table will not justify his claim. Jim Lloyd announced a fantasy freeway link road that he does not have the money for, or the forethought to ensure it can be delivered. I am disappointed that John Howard does not want to spend any new money on the Pacific Highway. He is talking only about spending money allocated in the AusLink package announced earlier this year.

**Mr GRANT McBRIDE** (The Entrance) [4.25 p.m.], in reply: I acknowledge all members who have contributed to this debate: my colleagues from the Central Coast—the member for Wyong, the member for Gosford and the member for Terrigal—and also the member for Lane Cove. In reference to the collapse of the Pacific Highway and the tragic loss of life associated with that incident, on behalf of my colleagues and the New South Wales Parliament I extend our condolences to the families involved, the extended families and friends. Furthermore, I address this sobering comment to the member for Terrigal, a solicitor. The case is currently before the Coroner and any observations in this House are totally inappropriate.

I refer to the commitment made by the State Government in contrast to what has been now offered by the Federal member for Robertson. His commitment must be the biggest given to any one seat by any Federal or State government in history. Six weeks out from the election Jim Lloyd is making a play of half a billion dollars to save his seat. As pointed out by other members, he has been the Federal roads Minister for three years. He has given no details about this project whatsoever; he has just plucked it out of the air. There has been no consultancy with any other relevant agency—Federal, State or local.

If one were to ask Gosford and Wyong councils where they would spend half a billion dollars they would both say that they certainly would not spend it on a road that goes from Woy Woy to the F3. The State Government has made a commitment of \$400 million over the next four years for the whole of the Central Coast, but the Federal Government is talking about spending \$500 million on one road to service a community of 10,000. I do not believe that the member for Terrigal was sincere when he said he supports the Federal member in regard to that project.

The member for Lane Cove claimed that this proposal is a hoax. It is not a hoax, because no-one is fooled. Everyone on the Central Coast knows that there is no way anyone will spend \$500 million on one project to service a community of 10,000. It is not a hoax; it is a joke. Unfortunately for Jim Lloyd, he was ill advised to put up this project. If he had announced a project to attack the real issues of the Central Coast, the issues identified by the member for Terrigal and my colleagues regarding the congestion on arterial roads across

the Central Coast, that would be the primary issue. We have a unique geography on the Central Coast, and that is the issue. The back page of the newsletter entitled "In Touch" issued by the member for Terrigal states:

As your local member I am pleased to inform you that I secured the following roads funding in the 2007-2008 State Budget for our electorate.

That is a slight exaggeration, but we will go with it. He then lists the budget information as follows:

- \$3,400,000 for the Avoca Drive upgrade from The Entrance Road to Sun Valley Road at Green Point.
- \$1,000,000 for the planning of the Avoca Drive upgrade from Sun Valley Road to Bayside Drive at Green Point.
- \$5,000,000 for the planning of The Entrance Road ...

I do not know who edited this newsletter—

[*Interruption*]

This is \$5 million for planning.

**Mr Chris Hartcher:** It is in the budget. Why don't you read the budget papers?

**Mr GRANT McBRIDE:** The member lists \$5 million for planning, which he would not get wrong, but he repeats the statement two points down:

- \$5,000,000 for the planning of The Entrance Road ...

The member for Terrigal is saying that \$10 million has been allocated for the planning of The Entrance Road. His editor, whoever that may be, should be admonished. I cannot imagine who the editor might have been. The member for Terrigal then makes the following comment:

These road upgrades are vital for the residents of the Central Coast, they are all arterial roads linking residential areas with the commercial areas of Erina and Gosford and then through to the F3 so residents can easily access Sydney and Newcastle.

He continues:

Many of our main roads are seeing almost 30,000 cars a day, with the upgrades we can expect to see improved safety, better travel times, improved traffic flow, and accessibility which will match the level of development of the Central Coast.

Thank you, Chris Hartcher!

**Question—That the words stand—put.**

**The House divided.**

**Ayes, 47**

Mr Amery	Mr Harris	Mr Morris
Ms Andrews	Ms Hay	Mrs Paluzzano
Mr Aquilina	Mr Hickey	Mr Pearce
Ms Beamer	Ms Hornery	Mrs Perry
Mr Brown	Ms Judge	Mr Rees
Ms Burney	Ms Keneally	Mr Sartor
Ms Burton	Mr Khoshaba	Mr Shearan
Mr Campbell	Mr Koperberg	Ms Tebbutt
Mr Collier	Mr Lynch	Mr Terenzini
Mr Coombs	Mr McBride	Mr Tripodi
Mr Corrigan	Dr McDonald	Mr Watkins
Mr Costa	Ms McKay	Mr West
Ms D'Amore	Mr McLeay	Mr Whan
Ms Firth	Ms McMahan	<i>Tellers,</i>
Ms Gadiel	Ms Meagher	Mr Ashton
Mr Greene	Ms Megarrity	Mr Martin

**Noes, 35**

Mr Aplin	Ms Hodgkinson	Mrs Skinner
Mr Baird	Mrs Hopwood	Mr Smith
Mr Baumann	Mr Humphries	Mr Souris
Ms Berejiklian	Mr Kerr	Mr Stokes
Mr Cansdell	Ms Moore	Mr Stoner
Mr Debnam	Mr Oakeshott	Mr J. H. Turner
Mr Draper	Mr O'Dea	Mr R. W. Turner
Mrs Fardell	Mr Page	Mr J. D. Williams
Ms Goward	Mr Piccoli	Mr R. C. Williams
Mrs Hancock	Mr Provest	<i>Tellers,</i>
Mr Hartcher	Mr Richardson	Mr George
Mr Hazzard	Mr Roberts	Mr Maguire

**Pair**

Mr Daley

Mr Fraser

**Question resolved in the affirmative.****Amendment negatived.****Question—That the motion be agreed to—put.****Division called for and Standing Order 185 applied.****The House divided.****Ayes, 47**

Mr Amery	Mr Harris	Mr Morris
Ms Andrews	Ms Hay	Mrs Paluzzano
Mr Aquilina	Mr Hickey	Mr Pearce
Ms Beamer	Ms Horner	Mrs Perry
Mr Brown	Ms Judge	Mr Rees
Ms Burney	Ms Keneally	Mr Sartor
Ms Burton	Mr Khoshaba	Mr Shearan
Mr Campbell	Mr Koperberg	Ms Tebbutt
Mr Collier	Mr Lynch	Mr Terenzini
Mr Coombs	Mr McBride	Mr Tripodi
Mr Corrigan	Dr McDonald	Mr Watkins
Mr Costa	Ms McKay	Mr West
Ms D'Amore	Mr McLeay	Mr Whan
Ms Firth	Ms McMahan	<i>Tellers,</i>
Ms Gadiel	Ms Meagher	Mr Ashton
Mr Greene	Ms Megarrity	Mr Martin

**Noes, 35**

Mr Aplin	Ms Hodgkinson	Mrs Skinner
Mr Baird	Mrs Hopwood	Mr Smith
Mr Baumann	Mr Humphries	Mr Souris
Ms Berejiklian	Mr Kerr	Mr Stokes
Mr Cansdell	Ms Moore	Mr Stoner
Mr Debnam	Mr Oakeshott	Mr J. H. Turner
Mr Draper	Mr O'Dea	Mr R. W. Turner
Mrs Fardell	Mr Page	Mr J. D. Williams
Ms Goward	Mr Piccoli	Mr R. C. Williams
Mrs Hancock	Mr Provest	<i>Tellers,</i>
Mr Hartcher	Mr Richardson	Mr George
Mr Hazzard	Mr Roberts	Mr Maguire

**Pair**

Mr Daley

Mr Fraser

**Question resolved in the affirmative.****Motion agreed to.****BUSINESS OF THE HOUSE****Suspension of Standing Orders: Divisions and Quorums****Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.40 p.m.]: I move:

That standing orders be suspended at this sitting to provide that from 7.30 p.m. until the rising of the House no divisions or quorums be called.

I appreciate that there will be all sorts of reasons raised by members opposite as to why the Government is taking this step and the dire consequences if we do not, but the only reason the Government is doing so is that it has been so efficient in fulfilling its responsibilities in dispatching legislation. A record amount of legislation has been dealt with efficiently, and I thank the members who participated in debates on legislation last night. We are now in this happy position of being able to allow members to make their budget speeches and to introduce more legislation. That is the sort of Government we are: dealing with legislation all the time but doing so efficiently.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [4.42 p.m.]: The Leader of the House claimed that the Government has given us plenty of time to deal with legislation. When Mr Speaker called for notice of Government business how many bills were mentioned? None. This is because Government members have no new ideas. It is not as if there are no problems to be solved in New South Wales. Is that not right, Mr Koperberg? We have plenty of problems to solve, but today the Government introduced no legislation. Yesterday we had debate on four bills. We have nothing tonight because Government members have done no work. Lazy, lazy, lazy! I think it has more to do with the fact that a few of these skunks want to get away. I withdraw that remark—it is an insult to skunks.

Probably the greater reason is that a few Government members are going to skulk off to a Federal fundraiser tonight. We have them worked out. They want to sneak off to a fundraiser for their mate Mr Rudd, but they will keep the Parliament going. They have put together this concept of family friendly hours for Parliament. We already have family friendly hours in the Parliament—because it never sits at night. The Government has no business. It has no legislative program to put in place.

**The SPEAKER:** Order! Government members will come to order.

**Mr ADRIAN PICCOLI:** They are too disorganised. Yesterday standing orders were suspended to change the program again because the Government had no business. The same procedure was going to be followed today again to bring on the bills in which the agreement in principle speech was made this morning. Those bills were going to be dealt with to their conclusion tonight but the Leader of the House has changed his mind for some reason. The Government is completely disorganised. As I said yesterday, it cannot even run the Parliament. The problems over the last few weeks in particular and over the past 12 years in health show that it cannot run a \$13 billion health budget.

I can tell the House what Labor members can run very well: their personal budgets. I bet that the cheque for additional salary of the Leader of the House, the man with no portfolio, came on time. I bet that was very organised. I bet that when all the Labor backbenchers were looking for positions as chairmen of committees and parliamentary secretaries they were very organised. They know what it means to be a Labor Party member of Parliament: snouts in the trough. If only Government members took a fraction of the time it takes to organise their personal finances and supplementary salaries to run the \$40 billion New South Wales budget. And that is not to mention overseas trips. Noreen Hay is overseas so much that she comes to Australia for holidays.

**Mr Grant McBride:** Point of order. I am sure the member for Goulburn is as embarrassed as I am by this behaviour. It is outrageous.

**The DEPUTY-SPEAKER:** What is the point of order?

**Mr Grant McBride:** Mate, you are turning yourself into a big clown. We want Chris Hartcher back.

**The DEPUTY-SPEAKER:** Order! The member for The Entrance will state his point of order.

**Mr Grant McBride:** Chris Hartcher, that is the model of behaviour we want; not a clown like you.

**The DEPUTY-SPEAKER:** Order! The member for The Entrance will be seated. There is no point of order.

**Mr ADRIAN PICCOLI:** The limitations of time stop me from dealing with the member for The Entrance because I have in my office—

**The DEPUTY-SPEAKER:** Order! Members will listen to the member for Murrumbidgee in silence.

**Mr ADRIAN PICCOLI:** —a file marked "Helen Westwood". We know what she said about some members of Parliament. She said a couple of things about the member for The Entrance. On another day I will have my folder with me to deal with the member for The Entrance and a couple of other members of Parliament. This is the laziest Government we have ever seen in New South Wales. We oppose the motion.

**Mr Grant McBride:** Mr Speaker—

**The DEPUTY-SPEAKER:** Order! The member for The Entrance will be seated.

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

**The House divided.**

**Ayes, 47**

Mr Amery	Mr Harris	Mr Morris
Ms Andrews	Ms Hay	Mrs Paluzzano
Mr Aquilina	Mr Hickey	Mr Pearce
Ms Beamer	Ms Hornery	Mrs Perry
Mr Brown	Ms Judge	Mr Rees
Ms Burney	Ms Keneally	Mr Sartor
Ms Burton	Mr Khoshaba	Mr Shearan
Mr Campbell	Mr Koperberg	Ms Tebbutt
Mr Collier	Mr Lynch	Mr Terenzini
Mr Coombs	Mr McBride	Mr Tripodi
Mr Corrigan	Dr McDonald	Mr Watkins
Mr Costa	Ms McKay	Mr West
Ms D'Amore	Mr McLeay	Mr Whan
Ms Firth	Ms McMahan	<i>Tellers,</i>
Ms Gadiel	Ms Meagher	Mr Ashton
Mr Greene	Ms Megarrity	Mr Martin

**Noes, 36**

Mr Aplin	Mrs Hopwood	Mr Smith
Mr Baird	Mr Humphries	Mr Souris
Mr Baumann	Mr Kerr	Mr Stokes
Ms Berejikian	Ms Moore	Mr Stoner
Mr Cansdell	Mr Oakeshott	Mr J. H. Turner
Mr Debnam	Mr O'Dea	Mr R. W. Turner
Mr Draper	Mr Page	Mr J. D. Williams
Mrs Fardell	Mr Piccoli	Mr R. C. Williams
Ms Goward	Mr Piper	
Mrs Hancock	Mr Provest	
Mr Hartcher	Mr Richardson	<i>Tellers,</i>
Mr Hazzard	Mr Roberts	Mr George
Ms Hodgkinson	Mrs Skinner	Mr Maguire

**Pair**

Mr Daley

Mr Fraser

**Question resolved in the affirmative.****Motion agreed to.****RURAL HEALTH SERVICES****DROUGHT****Matter of Public Importance**

**Mr STEVE CANSDELL** (Clarence) [4.54 p.m.]: One wonders about the wide-ranging effects of drought but, drought or no drought, rural health services are a major problem. In fact, health per se in New South Wales is a major problem. Hopefully the time permitted for this discussion will allow the member for Murray-Darling to deal in detail with most of the problems that people who live to the west of the Great Dividing Range are suffering as a result of extreme hardship caused by the prolonged drought. The provision of health services to rural areas of New South Wales could best be described as the poisoned chalice of health. When Craig Knowles was the Minister for Health, he passed the poisoned chalice to Morris Iemma, who in turn passed it to John Hatzistergos, and he passed it to the present Minister for Health, Reba Meagher. It is almost like pass the parcel in Belfast—but I think Belfast might even be safer!

I turn now to examine in detail the inadequacy of health services in rural areas of New South Wales and the hardships in rural areas that have been exacerbated by prolonged drought. The Clarence electorate is served by a number of hospitals in the North Coast district including the Lismore Base Hospital, which is overdue for a radiotherapy unit that was promised in 2004, the Campbell Hospital in Coraki, which was downgraded, the Maclean District Hospital, which has an out-of-date accident and emergency department but great staff who are working under extreme conditions, and the Grafton Base Hospital which, despite continual promises, still awaits new operating theatres and requires urgent redevelopment of its accident and emergency department.

In the Far North Coast radiotherapy treatment services are virtually nonexistent. Many patients are forced to travel to places over the Queensland border to access treatment. In 2004 the Federal Minister for Health and Ageing, Tony Abbott, and the former Minister Assisting the Minister for Health, Frank Sartor, announced that a jointly funded radiotherapy unit would be built in Lismore at a cost of \$16 million. At the time the New South Wales Government committed to construction of the unit by July 2007 and completion by 2008. We do not know when construction will commence, and we certainly do not know when, if ever, the unit will be available. The entire Northern Rivers community and I are concerned not only that construction did not commence when it was promised but also that no firm start-up date has been set. As a result of delays the cost of the radiotherapy unit has blown out to \$24 million, an almost 50 per cent increase.

It should be borne in mind that Lismore and the North Coast area record the fourth-highest number of oncology operations in New South Wales. It is unacceptable that patients have to travel more than 200 kilometres to access oncology treatment. Recently I was told by a cancer sufferer and their family that while their lives have been turned entirely upside down by the illness, their distress is exacerbated by the lack of a local cancer treatment facility. That is completely unacceptable. I am aware of a young lady from Casino who gave birth on 21 September at the Lismore Base Hospital and who, within two hours of having given birth, was asked to find herself a bed somewhere else and find her own way back to the hospital in Casino. The headline "Casino mum falls victim to bed crisis" summed up the situation, and an editorial in the *Northern Star* on 29 September stated:

The treatment suffered by Casino's Tara Randall after giving birth at the Lismore Base last week, as revealed in yesterday's *Star*, was shocking.

The birth of their child is the most magical moment in a parent's life. For a new parent, it is also a source of deep apprehension.

This makes the hours after birth crucial. It is when new parents really meet their baby and realise the freedom to drop down the pub on a whim simply isn't that important.

For Ms Randall, that process was disrupted horribly. She was left on the bed she gave birth on, unable to bathe, for about two hours after her son, Bailey, was born. She then had to arrange transport for her, her mother and her baby to Casino when told that there were no beds for her.

That article describes the plight of country people in New South Wales, and the situation is unacceptable. I cite a letter to the chief executive officer of the North Coast Area Health Service, Chris Crawford, from the Medical Staff Council at the Grafton Base Hospital. The point is made at the commencement of the letter that despite repeated requests and repeated promises on many occasions for improved services on the North Coast, the Government has failed. The letter states that since 1998 some of the broken promises, which have never been redeemed, include provision of new operating theatres at the Grafton Base Hospital. I have a newspaper article that has an accompanying photograph of Craig Knowles and the then hapless Labor candidate for Clarence, Terry Flanagan, who is now rural policy adviser to the Government, standing outside the hospital's old operating theatres dressed in gowns and wearing masks—which should be a lot bigger. The article states:

Three new operating theatres will be built at the Grafton Base Hospital ...

That was an ironclad promise from the Minister of the day but nothing came of it. The Government has never delivered on its 1999 promise to establish an orthopaedic service and appoint an orthopaedic surgeon even though it promised that the money it saved by closing a nursing home would be spent on orthopaedics. In 2003 the Government promised to revamp the casualty department. The situation has reached crisis point although it has just spent \$750,000 on that department. The accident and emergency department at Lismore Base Hospital handles 26,000 referrals and has 24 beds. Grafton Base Hospital has 24,500 referrals and six beds. The hospital now has a better administration area and better patient waiting areas—people will no longer have to wait outside—but there will be just one more bed and not a single extra staff member. The Government spent \$750,000 on the casualty department but it was like putting a bandaid on a boil. Grafton Base Hospital has been promised a fourth anaesthetist/physician/surgeon since 2004 but no funding was provided and that promise was never delivered on.

The article "Knowles prescribes \$7m for GBH redevelopment", which I mentioned previously, also refers to the promised polyclinic at Yamba that was never built. Thank God we got the new ambulance station at Yamba. The article also mentions a new management plan for Maclean District Hospital that never eventuated. The biggest issue on the North Coast at present is the redevelopment of the operating theatres at Grafton Base Hospital to allow orthopaedic surgery and to take the heat off Lismore, Maclean and Coffs Harbour hospitals. But there is no money for that project. The Grafton accident and emergency department must be upgraded completely so that it complies with the North Coast Area Health Service recommendation that it contain 17 beds. That is an \$18 million commitment. The Howard Government has put that money on the table. It is not an election promise; the money is there. But there was one condition: a local hospital board must be appointed to run it. A hospital committee has existed for some time that comprises people of the highest credentials.

**Mr Adrian Piccoli:** Name them!

**Mr STEVE CANSDELL:** There is Shirley Adams, former mayor and deputy mayor of Clarence Valley; Dr Alan Tyson, Medical Staff Council boss; Dr Bill Costello, leading retired surgeon; and community leaders Bill Dougherty, Ron Bell and Geoff Shepherd. They are ready to serve on an interim hospital board so that we get the \$18 million. We need to make a move. The Government must take its head out of the sand, stop playing politics and trying to build up the small hopes of the Federal Labor candidate—whose campaign will end in despair—and back the community. The community wants a local hospital board and the \$18 million so that work on the operating theatres and the accident and emergency department can start now.

This issue is extremely important locally. The Minister should sign off on the deal, meet the board and the local area health service, establish the ground rules and it will be done. We are not talking about establishing a new tier of bureaucracy, as the Minister claimed; we are abolishing bureaucracy. The prospective board members are volunteers and the hospital boards will not cost \$300,000—or whatever figure the Minister identified—to run. We want local people to run local services for the community and to give residents what they want and need. This is an important issue. I urge Government members to be non-political in this debate. I would love to hear the member for Monaro talk about the dire need for better health services in country New South Wales.

**Mr STEVE WHAN** (Monaro—Parliamentary Secretary) [5.04 p.m.]: I will be as apolitical in my speech as the member for Clarence was in his. The provision of rural health services is particularly important to Country Labor, and we have been representing rural New South Wales strongly in this regard. I am pleased that the Iemma Government and its predecessor the Carr Government have done a good job delivering new facilities in rural New South Wales. Country Labor members are very proud of that record. It is inevitable that Federal issues will be raised in a debate such as this because good health delivery in rural New South Wales, like everywhere else in Australia, should be the result of a partnership between State and Federal governments. This

should be an equal partnership that is about delivering good health care, not playing the blame game. Coalition members play the blame game too often. We need new leadership at a Federal level to reverse that trend and to ensure that we work cooperatively on rural health delivery.

The member for Clarence mentioned a number of local issues. But I am surprised—particularly as the matter before the House refers to the drought—that he did not talk about the need for additional mental health workers. I will explore that issue if time permits. The member for Clarence raised health issues regarding Grafton and the North Coast that are largely to do with staffing levels. Unfortunately, no Minister can click his or her fingers and say, "All vacant positions shall be filled; we will have no staffing problems in the health system." There is a nationwide shortage of nurses. More than 5,000 nurses are needed because not enough were trained in the past decade. I was impressed to hear Kevin Rudd announce today that a Rudd Labor government will spend \$81 million on a nursing strategy that will produce 9,000 extra nurses in Australia, 1,500 new graduates and large cash bonuses to encourage former nurses to return to the workforce. That is a vital initiative. Today the recruitment website of the Greater Southern Area Health Service, which serves my electorate, is advertising more than 70 nursing positions. It is extremely difficult for area health services to cope with this shortage.

The Minister for Health has taken a great interest in Grafton Base Hospital. The Government is completing the \$755,000 expansion of the emergency department and the hospital's budget has increased by 36 per cent in the past three years. It has received a \$900,000 on-site computerised tomography scanner; an ultrasound and radiology department upgrade; a new patient lift costing \$400,000; ward bathroom upgrades costing \$170,000; operating theatre air-conditioning upgrades costing \$30,000; and an upgrade of the palliative care unit costing \$95,000. It is interesting that in the past few weeks the Federal Coalition has made another election promise that involves picking out a marginal seat and injecting some money into it. Lucky Grafton was the recipient this time. But of course the money comes with a condition: a 1950s management model must be re-established in our hospital system in 2007. Hospital boards are not an appropriate management option in 2007 for hospitals in rural, let alone regional, New South Wales. If the Federal Government were serious about assisting Grafton Base Hospital it would provide that funding with no strings attached. Funding with strings attached is not serious funding. The Federal Coalition is trying to con the electors of Grafton and the surrounding region.

The New South Wales Government has made record capital investment in the State's hospitals. Hospital upgrades are occurring and hospitals are being redeveloped or rebuilt in places such as Batlow, Berrigan, Bombala—I am particularly proud of that upgrade as I represent the area; it will be finished at the end of the year—Junee, Merriwa, Tingha, Walcha and Warialda. Operating theatre upgrades are also occurring. Bega will have a new hospital and a new hospital for Queanbeyan is well underway. What a contrast with the Coalition's record. Members may be interested to know that when the Coalition was last in government in New South Wales it closed or downgraded 30 hospitals and closed more than 7,000 hospital beds. The New South Wales Government has been trying to do the opposite: reopening hospital beds and improving access where they can be staffed.

As I said, we have seen health becoming a big Federal election issue—and so it should. We have seen the Howard Government providing more than 45 per cent of funding for public hospitals. What does it provide now? It provides 41 per cent. The States provide 51 per cent. Tony Abbott admitted that and said that the States had increased their funding to public hospitals—a very candid admission. I am sure he got a phone call from the Prime Minister about it immediately afterwards and I suspect it was not to congratulate him on his candour. We will only see that trend reversed if we have a positive working relationship between the State and Federal governments.

When it comes to the barriers that New South Wales faces in trying to improve service delivery last Thursday, 11 October 2007, the *Australian Financial Review* quoted a Macquarie Bank economist who has estimated that the effective funding of State budgets from the Federal Government is currently at its lowest level as a percentage of gross domestic product [GDP] in 30 years, and that includes goods and services tax. Members opposite do not comprehend that the goods and services tax replaced other funding and that when you tally it up all the States' share of revenue, let alone local government, has decreased significantly.

I turn briefly to something that I am surprised the member for Clarence did not deal with, and that is mental health services to assist those affected by the drought. The matter of public importance dealt with drought as well as health services. Drought has placed tremendous pressure on farmers and people in rural communities and that has taken a toll on mental health. That is why, following consultation with New South

Wales farmers, the Government announced a \$1 million drought mental health assistance package, which provided six additional mental health workers, 50 mental health first aid training sessions for front-line service providers, 15 mental health workshops for farmers to be held throughout rural and regional New South Wales, 15 service network meetings to increase the capacity of communities to respond to mental health issues, and a partnership with Beyondblue, amongst other things, and that is really important.

We do not want to underestimate the importance of mental health services in New South Wales because it is vital to the health of our communities. We must acknowledge that the drought has taken a terrible toll, which is why the Government is providing additional services and assistance where it can. The Government is making a big effort to try to improve health services in rural New South Wales, but we are facing barriers with staffing shortages, which are difficult to overcome. We also have to recognise, in light of discussions we have had in this place over the last couple of sitting weeks, that it is something—

**Mrs Shelley Hancock:** We're sick of it.

**Mr STEVE WHAN:** The member opposite says she is sick of the discussion about rural mental health and other things. That is very disappointing. We should acknowledge that people in our health system work extremely hard to deliver health services, but they are challenged by staffing shortages. Human beings run our health service and that means we will not always get the most perfect outcomes. In those cases we must work out what we can do to deliver better outcomes, but we should provide support to workers to ensure that we get the best services possible.

This Government is committed to rural health care. This Government delivered a record \$3.7 billion in rural and regional New South Wales health care in the last budget, that is, more than 38 per cent of the budget allocated to rural and regional New South Wales. That is something that this Government is proud of. There is a long way to go, but it will be Country Labor that will work to represent these areas and deliver better health care for rural New South Wales.

**Mr JOHN WILLIAMS (Murray-Darling) [5.13 p.m.]:** The greatest concern for country people in New South Wales is their health. The uncertainty for country people is what would happen in the event of an illness or an accident. During the worst circumstances seen by country residents to date, their reliance on the nearest hospital creates the greatest uncertainty. There are far too many hospitals in my electorate that are trying to provide a level of service with a continuing level of reduced funding. Medical staff in the Murray-Darling are some of the most committed health providers in the country, but they are frustrated with the lack of financial support from the Iemma Government. The goods and services tax windfall experienced by the Carr-Iemma Government has been poorly managed and created a real challenge to health services, as was highlighted recently.

**Mr Steve Whan:** I have to listen to an economics lesson.

**Mr JOHN WILLIAMS:** I actually studied economics, so I can give the member a lesson in it. Let us track the process a country person faces when diagnosed with an illness that in most cases cannot be treated by a local hospital or multipurpose service [MPS]. In an emergency a patient may require a three-hour ambulance ride or, if the patient is lucky, he or she could be airlifted to the nearest metropolitan hospital. Generally this causes a great deal of stress for patients and family members, because suddenly they are faced with a disconnection in a real crisis. I am realistic enough to understand that it is impossible to provide for a wide range of medical services in every remote town, but the cost cutting endured by remote area health services has resulted in a continual downgrading of services throughout New South Wales.

Obstetric services are removed without any regard for the fallout such action will have on communities. I have attended numerous community health forums where I have learned that the biggest slap in the face is the removal of obstetric services from local hospitals. A recent study done in Britain highlighted the fact that hospitals with low levels of births are in actual fact safer than the highly specialised high volume units. The downgrading of hospitals and the removal of obstetrics makes no sense to country people who have lived in an area for a long period who are happy to recall the great history of their hospital in delivering most of the current population.

Today if a woman is going to give birth in the country she must make arrangements with the nearest obstetric unit to the town. If there is a possibility of complications then the woman may have to travel further to a major base hospital or a metropolitan hospital. A woman who gives birth in the country could spend up to

three weeks or more away from her family. During a time of the greatest need for family support, she is on her own. It is time for the Department of Health to review the possibility of providing obstetric services to more country hospitals rather than removing them. It should be noted that the member for Bathurst recently made a comment on Central West ABC: he wants his electorate removed from the Greater Western Area Health Service and moved to the city.

**Mr Kevin Humphries:** Shame.

**Mr JOHN WILLIAMS:** It is an absolute disgrace and a recognition of the lack of support from this Government. The shortage of doctors in country New South Wales has been well publicised. There is no doubt that recruitment of doctors for the country creates a huge challenge, but part of the role of government is to provide solutions to ensure it meets its service obligations. At a meeting of mayors in my electorate on 8 October 2007 the mayor of Urana shire, Peter Rautely, informed the meeting that his community had lost its local general practitioner, and I acknowledge the member for Wagga Wagga who is affected by this change in the town of Lockhart. They have a doctor visiting one day a week from Tocumwal on a temporary basis.

Members of this House probably would not realise that there is a huge need in the country for the aged to have their scripts written. The aged and infirm cannot travel to the nearest general practitioner; in most cases they do not have the means to or they are too ill. This situation was highlighted to me when the township of Wentworth lost its general practitioner. The worst situation that the Urana shire may face is the closure of its multipurpose service if they cannot find a general practitioner for their town. This is not good enough and highlights the reaction of the Department of Health to a crisis.

**Discussion concluded.**

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

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

## **PRIVATE MEMBERS' STATEMENTS**

---

### **INDIGENOUS EDUCATION**

**Mr JOHN WILLIAMS** (Murray-Darling) [5.27 p.m.]: Recently during the winter break members of The Nationals toured the electorates of Barwon and Murray-Darling to talk to locals about the education system and how it is working for the indigenous community. It was an excellent experience for those who had not visited our electorates. My comrade in Barwon and I experience many issues with certain communities in our electorates. We recognise that things must change, that people must value education, and that people must get back into the education system, which is the pathway for most indigenous people to get a job and experience what we take for granted.

The trip was undertaken with the best intentions; at no time was politics brought into the process. Consequently, the Minister for Community Services was motivated to follow the same pathway and re-mark his territory, similar to dogs marking their territory. The Minister did not go missing for 3½ months; he was on the job, and he visited Broken Hill and Wilcannia. However, he decided to make the issue political. When I returned to my office after touring my electorate I received many phone calls about the Minister's comments. Indeed, a headline in the local newspaper stated:

Greene condemns "negative Stoner"

The comments that we reiterated to the press were pretty much what came out of the community. They were not happy with the arrangement for the Department of Community Services in Wilcannia, and they have not been happy for quite some time. The department's services are provided to Broken Hill on a casual basis. Occasionally departmental staff go to Broken Hill to deal with community services issues. Wilcannia has the highest demand per capita for Department of Community Services in the State. The Minister visited Wilcannia to inspect the office and to meet with the community. The Minister said it was a "really nice office", although it has not been manned for a long time.

The Minister forgot to mention that when he arrived he did not have a key to the locked office, so he could not enter it. He had to go to the shire building and ask to use the council chambers for the community meeting. The local key stakeholders met with the Minister but at no time during the meeting did the Minister ask them how they felt about the services provided by the Department of Community Services in Wilcannia. However, they have spoken with me and told me that they are very dissatisfied. They want the provision of those services changed.

The Minister said that he had consulted with the Wilcannia community and the Department of Community Services office staff who said they were happy with the current arrangement. He must have spoken to a wooden Indian in front of the general store; he certainly did not talk to anyone else. This is a red-hot issue. Since that article appeared in the *Barrier Daily Truth* I have been inundated with calls from people who say that the article was completely wrong. They are not satisfied with the department's services in Wilcannia and they want full-time people in the office. I understand that it is very hard to get people to work in Wilcannia, but a solution must be found. If more incentives are needed to get staff there, they should be provided.

Currently police are taking young people to Broken Hill for services provided by the department, which is not a suitable arrangement. It is unworkable. The people of Wilcannia are clear and emphatic: they want the office manned; they need the services of the Department of Community Services in Wilcannia. No more snow jobs. It does not snow in Broken Hill. However, the Minister tried damned hard to do a snow job on the people through the article published in the newspaper.

### **MCARTHUR EXPRESS TRUCKING COMPANY**

**Mr NATHAN REES** (Toongabbie—Minister for Emergency Services, and Minister for Water Utilities) [5.32 p.m.]: On 24 September 2007 the harsh reality of the Howard Government's approach to workplace relations ambushed the 700 staff of the McArthur Express trucking company at Seven Hills. The company entered voluntary administration with no warning to their loyal workforce. Employees, subcontractors, owner-drivers and their families were left without their livelihood. In addition, more than \$1.8 million in unpaid wages, superannuation and long service leave is owed to the workers following the collapse.

Mr David Johnston of Seven Hills is a former McArthur Express employee from my electorate of Toongabbie. Mr Johnston is typical of the many honest, hardworking employees who have been let down badly by the owners of that company. After 2½ years of service with the company Mr Johnston was locked out of his place of employment—no notice, no pay and certainly no respect. He lost three weeks direct pay, 12 months superannuation entitlements and all his accrued leave entitlements. The effect on Mr Johnston and his family was immediate. When I spoke to him he told me that his biggest fear was not about house and car payments or other bills, it was plain and simple—Mr Johnston was scared of not being able to provide for his kids.

Two of Mr Johnston's children suffer from the chronic illnesses of epilepsy and cerebral palsy, conditions that require constant care and medication. Mr Johnston is unable to fight for his entitlements: he does not have the resources to go to court and he does not have rights under the Federal industrial relations laws. Mr Johnston has a pressing need to find work and provide for his family and his ill kids. The person who could assist Mr Johnston is the Federal Minister for Employment and Workplace Relations, Joe Hockey, through the Federal Government's General Employee Entitlements and Redundancy Scheme that is supposed to reimburse workers who are left out of pocket. The scheme is best known for saving the Prime Minister's brother, Stan Howard, from political embarrassment when National Textiles, his company, required a bailout seven years ago.

Although the scheme was good enough to provide a quick fix for the Prime Minister's family, apparently it is not good enough to provide for the needs of Mr Johnston's family. It certainly is not good enough to address the real problems faced by the McArthur Express workers when their bosses did the dirty on them. Administrators appointed to the trucking company believe that the owners have deliberately tried to deceive employees and creditors from preventing any accurate assessment of the company's financial position. Let us look at the owners of McArthur Express, a company that allegedly cannot afford to pay its hardworking staff. Mr Jon McArthur, son of the company founder, along with fellow shareholder, Richard Fritsche, have each received a \$1.5 million unsecured loan from McArthur Express. That same Mr McArthur was reported in the *Daily Telegraph* of 4 October 2007 as "living in a \$2.2 million apartment overlooking Sydney Harbour".

If those unsecured loans were to be paid back to the administrators, that would cover the full entitlements owed to employees and contractors of McArthur Express. Not content with that, the families of McArthur Express directors—get this—secured their own full payout of entitlements by pathetically resigning

the week prior to the collapse, leaving other workers with nothing but worthless employment contracts that had been transferred to shelf companies based in the British Virgin Islands. That is similar to the same low act used by Chris Corrigan in the wharfies dispute back in 1998. But still, nine years on, the Federal Government has not a lifted a finger to rectify the gross inadequacy of those Federal laws.

The actions of McArthur's shareholding directors were disgraceful—the lowest of the low. I hope all Australians will agree that such an act is beyond civilised limits and utterly contemptible. It is one of the very real impacts of unscrupulous bosses that are of no interest to the Federal Government or the New South Wales Opposition. It is hoped that over the coming months we can force Joe Hockey to the party and expose the inadequacies of the Federal Government's law and thus preserve the rights and dignity of all Australian families faced with similar situations.

### **WEEMALA RESIDENT GRAYDEN MOORE**

**Mr ANTHONY ROBERTS** (Lane Cove) [5.37 p.m.]: It is a national tragedy that young people with catastrophic traumatic brain injury who have the most potential to improve and have a long life expectancy are deprived of appropriate rehabilitation at the time when it can be most effective. If given a fair go they can continue to recover over many years, progressively saving the Government money, progressively being able to give back more to the community and, most importantly, be given back their dignity and purpose in life. For far too long the Department of Health and the Department of Ageing, Disability and Home Care bureaucrats have allowed a substandard existence, or at worst a slow death for those young people.

Tonight I bring to the attention of the House the plight of a fantastic young man by the name of Grayden Moore, who is 26 years of age. He is a constituent of mine. He is a highly intelligent young man. He is very fortunate to have wonderful family backing: his father, Derek, his mother, Laurelei, and his aunt, Gaye, as well as his extended family and siblings. Derek and Laurelei wrote to me with respect to Grayden, which I will put on the record. They wrote:

As parents of 26-year-old Grayden Moore, and key stakeholders in Royal Rehabilitation Centre Sydney [RRCS], we are extremely concerned that young people with Acquired Brain Injury [ABI] like Grayden will be overlooked once again in the proposed redevelopment of the Ryde site.

Grayden suffered a catastrophic brain injury from a skateboarding accident at age 23 and has fought hard to give himself a chance of rehabilitating fully. He was told by the doctors in the Brain Injury Unit in late 2005 that he would have to go back to a nursing home but we insisted that he go to Weemala instead and he was admitted to a "Transition Unit". Despite direction to the contrary, he did eventually get some limited rehabilitation, and in 2006, was the first admission into the Extended Care Service [ECS] at Weemala for eight years.

However, now that Grayden has reached the point where he has the opportunity to continue his rehabilitation and realise his potential to live in and contribute to the community, the lack of any Slow to Recovery rehabilitation program at RRCS is preventing him from doing that.

The parents ask that members of this House stand up for the young people of New South Wales and ensure that all residents of the Royal Rehabilitation Centre Sydney, especially young people with an acquired brain injury who have the greatest potential to continue giving to the community, are given the best facilities to continue their rehabilitation. The letter goes on to state:

It is a national disgrace that these most disadvantaged people are not being given a fair chance to fully determine their own future.

As the recent Senate Committee into Disability Services showed, the entire sector is grossly under funded. Grayden is only now being provided with some rehabilitation therapies for a limited time and only outside Weemala, since RRCS does not provide a Slow to Recover program that he indisputably needs. It is a sad fact that there is little appreciation, even amongst the medical community, of just how long recovery from an ABI can take and just what the results of that recovery will be with proper rehabilitation. This is a young man with the potential to live for another 50 years and contribute to the community who currently is not even being given the opportunity to reach that potential. It is essential that NSW ... addresses this issue now, as other states have. The redevelopment of RRCS must include a comprehensive Slow to Recover program that facilitates the re-integration of ABI patients into the community.

Determining what sort of accommodation and services Grayden needs will require a more flexible assessment tool appropriate to survivors of catastrophic brain injury, rather than those currently used by DADHC.

Key aims looking forward are:

1. Ongoing rehabilitation to enable Grayden to reach his full potential, funded by the Department of Health.

2. Accommodation: Grayden will not and cannot move from Weemala till he is provided with an appropriate facility to learn the sufficient personal and life skills enabling him to live as independently as possible in a safe supportive environment in the community.

Developing these supported accommodation services for slow-to-recover patients on the Ryde site is essential to:

- maximise Grayden's access to a suite of rehabilitation and support services in a timely and effective manner.
- minimise transport and time costs as well as safety risks Grayden would otherwise bear if he had to go offsite to access his rehab.
- expand the existing rehabilitation services Ryde provides to include a suite of services that would firmly establish Ryde as a flagship model of excellence in rehabilitation and support in New South Wales.

Supported accommodation should include models of housing with varying levels of on-site support, from hostel housing through to fully self-contained and independent accommodation within a supportive village setting.

Grayden is an inspiration to all young people who are in this position. In fact, Grayden is an inspiration to us all. He is a young man who has faced adversity and survived a near death experience, but he continues to fight on. On behalf of all members I say to Grayden that we look forward to seeing him back on the tennis circuit.

### SUDANESE REFUGEES

**Mr PAUL GIBSON** (Blacktown) [5.42 p.m.]: Since 1945 Australia has welcomed more than 6.6 million people from all round the world, including about 675,000 refugees and humanitarian arrivals. Today this country has a population approaching 21 million, and 40 per cent of that population are either first-generation immigrants or their children. People in many other countries envy Australians because we live in harmony and we have mutual love and respect for one another, something about which every Australian should be proud. There are roughly 20 million refugees in the world today. Apart from the United States of America, Australia takes more refugees than any other country. On a per capita basis Australia is the most generous country in the world, another issue about which we should all be proud. Recently I was sickened by a press release issued by the Federal immigration Minister, Kevin Andrews, in which he played the racist card—and it was played only because a Federal election is around the corner. He picked on the Sudanese, the smallest group of refugees in this nation, and said:

Sudanese people will no longer be included in the humanitarian refugee program in the near future. We are cutting back.

He had to give a reason for his decision. At first he said:

We are cutting back because they will not integrate into the Australian way of life.

Later he said:

We are cutting back because of the crime rates.

I would like to see some of these statistics. The facts as I know them are as follows. Nearly 3,000 Sudanese people live in the Blacktown electorate. They are lovely people. Not every Sudanese is a law-abiding citizen, but nor is every Australian. The Sudanese are a lovely group of people who want a fair go, something that Australians were born and bred on. The Sudanese want a bit of compassion and they need some tender loving care. Sudanese people migrate to Australia on compassionate grounds. The Federal Government put up its hand and said, "We will accept these refugees." They are given a tax file number, which is a big help to them, they are then put on the dole and they are then placed in the care of an agency. If they do not have accommodation within four weeks they are on their Pat Malone. If, after they have arrived in Blacktown, or wherever, they move on to any other part of Australia. We have no idea where they have gone or whether they are coping, and we have no idea about their health or anything else.

I have tried for a long time to encourage the establishment of a transitional school, as some of these kids have never been to school. They should be sent to a transitional school for 12 or 18 months to assess their ability. If children aged 10 have the capabilities only of kindergarten children, that is where they should start their education. These kids are moving away from school because they cannot cope and we are doing nothing to help them. An article in the *Blacktown Advocate* makes reference to Madol Padem, a young fellow completing year 12. Madol, who has been living in Blacktown for two years, resented being judged because of his race. The article reports him as stating:

We're all equal when we come here.

Blacktown council recently said that it was great to see African community members proudly marching in the Blacktown festival, sharing their food and culture at stalls and what have you. African people have made a tremendous impact on Blacktown, which is in stark contrast to the criticisms of Kevin Andrews. The article also states:

The chairman of Southern Sudanese NSW, Ajang Biar, said of the 7000 African refugees in the state, more than 100 were attending universities and 90 per cent were employed.

They are not integrating, are they! Mr Ajang Biar, who works with the Sudanese in Blacktown, said that he has been in Australia for a number of years and he has never had any trouble adjusting. Mr Biar said:

I finished my post-grad in community service, bought a house, two cars and my three boys are at university. My nephew has already represented Australia as a marathon champion.

The Sudanese are not integrating into this nation, are they! Blacktown council recently held an employment exposition at which 100 African community members lined up for advice. At the end of the day 70 jobs interviews had been arranged. As I said earlier, these people are integrating. In May this year I wrote to the Prime Minister and informed him that Sudanese people are asking the Prime Minister to send them back to Africa because they got a better go in Africa than the Federal Government is giving them here. John Howard has still not replied to my letter. [*Time expired.*]

### **HORNSBY ELECTORATE EMERGENCY SERVICES**

**Mrs JUDY HOPWOOD** (Hornsby) [5.47 p.m.]: Tonight I refer to emergency services in the Hornsby electorate, and I pay tribute to all those emergency service workers involved in controlling a bushfire that broke out yesterday in the Mount Colah and Berowra area immediately before question time. I pay tribute to the local Rural Fire Service, to Angelo Baldo, the manager, to Colin Manton and to the fantastic Rural Fire Service teams that sprang into action immediately and quickly controlled the bushfire. I also pay tribute to the State Emergency Service, the fire brigade, the volunteer rescue teams, police and other non-government organisations that provide assistance at most emergencies. All those teams do not always work on all crisis situations.

Nearly 50 per cent of the Hornsby electorate is comprised of bushland, so it is very prone to bushfires. Emergency teams have been called on to assist not only to put out bushfires but also to assist in other emergencies such as storms. Investigations are being conducted to establish whether the bushfire at Mount Colah yesterday was the work of arsonists, which is a worrying factor for emergency service workers. It is frightening to think that someone within our community deliberately caused a bushfire that could have resulted in the loss of life and property.

I pay tribute to Shane Fitzsimmons, the new Rural Fire Service Commissioner, who lives in Berowra Heights in the Hornsby electorate. Constituents in the Hornsby electorate are very proud of the fact that he was appointed to this extremely important position. Danielle Long from the *Hornsby Advocate* wrote a very nice article about Shane headed "Family support in top job." Shane, who is only 38 years old, was appointed as Rural Fire Service Commissioner on 18 September and took over from Phil Koperberg, who stepped down from the position last year. Shane said that it was a tremendous honour and privilege to be given this top job. I wrote to him and personally called him. I know Shane from one of my local schools and the role he played in relation to his daughters' attendance. He has a wonderful wife, Lisa, who is very supportive, as well as daughters Lauren, aged 10, and Sarah, aged seven, who are obviously extremely proud of their father.

Shane was a little surprised that this opportunity arose so early in his career, but certainly he has been, firstly, a very committed Rural Fire Service volunteer and now he has progressed to the top job of commissioner. Sadly, his father, George Fitzsimmons, who also was in the Rural Fire Service, was just 52 years old when he died in 2000, along with three other National Parks and Wildlife staff, during a hazard reduction burn-off in Ku-ring-gai Chase National Park that went wrong. As the family is totally committed to community service, Shane felt this loss deeply and wishes that his father could have seen this wonderful opportunity bestowed on him. Shane Fitzsimmons knows that his father would want him to look out for the safety of his 70,000 firefighters. Whilst his father perished in a hazard reduction burn, the problem of bushfire arsonists is keenly felt and Shane believes his role should include providing the safest environment for bush fire fighters and, obviously, will consolidate that view in his role as commissioner.

When bush fire fighters—Rural Fire Service and New South Wales Fire Brigades personnel—have fires lit behind them as they carry out their work, which has happened on a number of occasions, it is extremely

dangerous for them. Many people are calling for the strengthening of penalties for arson. It is extremely worrying that in the Hornsby area there has already been two fires, one on the first day of the season, 1 October, and the second one yesterday. Obviously, it is going to be a difficult season and bush fire fighters face many challenges.

**Mr NATHAN REES** (Toongabbie—Minister for Emergency Services, and Minister for Water Utilities) [5.52 p.m.]: I thank the member for Hornsby for her support of our Rural Fire Service men and women and the volunteers, who do a terrific job. On Sunday I attended a memorial service for the 82 State Emergency Service volunteers who have lost their lives during their service since the keeping of records started in the early 1950s. Volunteers have lost their lives in active defence of their communities on more than 80 occasions across New South Wales over the past 50 years. That is 82 too many. The only thing that stops us describing arson as an act of terrorism is that there is no apparent collective cause to it. These characters endanger lives and communities. Each of us has a responsibility to identify suspicious activity and report it to the police or the Rural Fire Service.

I believe Shane Fitzsimmons was surprised to be honoured by his appointment as commissioner as early as he was. I have been in this place for seven months now and from the outset he impressed me as someone with an extremely safe pair of hands. He is very strong on policy and operations and, in particular, has tremendous rapport with the Rural Fire Service volunteers. I have seen him at numerous events and the respect and regard in which they hold him is extraordinary. He had big shoes to fill, but he is well and truly on the way to filling them. He has my full support. I congratulate those members of the Rural Fire Service who got the fire in the Hornsby electorate under control as rapidly as they did yesterday following the event a couple of weeks ago.

#### **SYDNEY CENTRAL BUSINESS DISTRICT JOGGERS**

**Mr TONY STEWART** (Bankstown) [5.54 p.m.]: I raise concerns about a proliferation of joggers who frequent Sydney's busy central business district footpaths and streets during weekday lunch periods with little or no regard for the safety of others. I have received complaints about these joggers from my constituents who work in the city. Many of these joggers run around the congested city streets and the problem seems to be getting worse. Yesterday, on busy Pitt Street I witnessed an elderly woman being bowled over by a bloke practising his Olympic running skills at the expense of busy lunchtime crowds who were forced to endure his precarious, sweaty athletic jogging prowess as he bolted down the street. He did not even stop to help this lady; he pushed her right over. She fell on to her shopping, and then was helped up. Fortunately, on this occasion the elderly woman hit by this frenzied jogging galah survived the day.

I am advised that such occurrences are becoming far more frequent around the city and something needs to be done about it. A growing band of joggers frequents Sydney's busiest footpaths and streets, often terrorising lunchtime crowds of innocent and unsuspecting shoppers and commuters, who are sitting ducks for a collision with these testosterone-frenzied office athletes. But don't get me wrong—I have nothing against joggers. In fact, occasionally I jog, but not in the middle of Pitt Street, down busy roads or between buses and crowds. I jog where I believe the amenities will not be unsettled by my exercise.

It is fairly selfish to jog along a crowded street, pushing people aside in an endeavour to get off on one's fitness needs. Joggers should exercise safely in a park—we are blessed with many of them in Sydney—or in streets away from the main central business district throng of shoppers, cars and commuters. This is simply common sense. We have ample spaces within the city designed to safely accommodate jogging and other exercises without impacting on the safety of shoppers, commuters and motorists. However, we still get throngs of joggers through our busy city at lunchtime. I am not saying that it would not be a problem at other times when fewer commuters are in these areas. People who are shopping or buying lunch already have enough to contend with passing traffic. They have to dodge buses, avoid being run over by a taxi or other cars, or even avoid being attacked by the odd angry seagull. Putting up with joggers is something we have to consider more uniformly.

Today I wrote to the Lord Mayor of Sydney requesting that City of Sydney Council examine my concerns with a view to formulating a policy that restricts jogging to suitable areas of the central business district during weekday lunch periods. I know there are less busy times and that is not the concern I am raising with the House now. During lunchtime in the largest city in Australia with masses of joggers running through crowds, it is obviously dangerous and selfish of them not to think of the needs of the majority of others who are trying to go about their business safely. This might seem to be a drastic step, but I consider it to be a sensible

approach aimed at ensuring safety for all, and one that deserves consideration in any busy city. I am not knocking those who want to exercise, as that is an important pastime that everyone should undertake for their health and wellbeing, but it should not be at the expense of the safety of others.

### **KU-RING-GAI COUNCIL PLANNING POWERS**

**Mr JONATHAN O'DEA** (Davidson) [5.58 p.m.]: I am concerned about the proposal of the Minister for Planning to take away Ku-ring-gai Council's planning power for larger developments. Community leaders in my local area see this as a blatant and undemocratic grab for power. Of course, we need to properly cater for Sydney's growth in a balanced way both in greenfield and brownfield sites. However, it is unacceptable of the Minister to appoint an external panel to develop Ku-ring-gai's comprehensive local environmental plan and handle development applications valued at over \$10 million or those more than three months old. His proposal fails to take into account the many achievements of Ku-ring-gai Council over the past couple of years.

Under Mayor Nick Ebbeck the council essentially has met the New South Wales Government's requests on planning and development, including lodging its plans for six town centres before Christmas 2006. The council also demonstrated a willingness to refine those plans thereafter. Council has cut median times for processing development applications by 70 per cent from 134 days in 2003 to 38 days in 2007. Council also has slashed the number of development applications on hand from well over 1,000 in 2003 to just 330 now.

There has been a massive cut in council's legal bills for planning issues from \$2.3 million in 2003 to just \$970,000 to date this year. Council recognises this figure could be lower, but given that it is currently processing \$1.75 billion worth of development, its performance is very respectable. There has also been a huge improvement in council's success rate in Land and Environment Court appeals arising from council's development application decisions. There were 128 in 2003-04 and only 39 in 2006-07, with the success rate for council rising from 50.5 per cent to 84 per cent.

Ku-ring-gai Council has already planned for over 10,000 new residential dwellings in the local area over the next 25 years. In the past three years it has approved 3,000 new units. I understand that, as the Mayor of Ku-ring-gai, Councillor Nick Ebbeck has experienced significant delays in receiving written replies from the Department of Planning over the last year. He also informed the planning department that its statistics regarding the Ku-ring-gai Council's performance were incorrect, but the department showed little interest in the real facts. Furthermore, he was apparently told by the planning Minister not to plan for open space in considering the six town centre areas.

This appears to be part of Minister Sartor's grand strategy to centralise planning powers within his own department and override the rights of local communities comprised of people who pay rates and who deserve a properly functioning local democracy. Mayor Ebbeck says he has a team of councillors and staff urgently working on a detailed response to the notice to show cause why council's planning powers should not be removed. These valuable council resources could have been spent processing development applications and addressing other ratepayer matters. Instead, time is being spent fighting yet more New South Wales Government red tape and misuse of power.

It appears that the Minister's 12-page letter to council this past week contains many inaccuracies and relies on old and misleading statistics that paint the wrong picture of council's performance. The Minister should allow the local council to make important decisions about what is happening in its own backyard without unduly imposing his will on the local community in a way that will favour large developers. Ku-ring-gai Council should continue its good work under the leadership of Mayor Nick Ebbeck. Council has lifted its game and should be allowed to continue on its path, keeping the "local" in local government. I have not had time in a five-minute speech to cover this matter as fully as I would have liked. I look forward to speaking on this topic and related matters again in the near future—as will, I expect, many local residents.

### **F3 FREEWAY SEAHAMPTON TO BRANXTON LINK ROAD**

**Mr FRANK TEREZINI** (Maitland) [6.03 p.m.]: I speak on a topic of great interest to the people of Maitland and surrounding areas. It is a topic that has been discussed and pursued for decades and one that has become increasingly talked about in recent years. I am, of course, talking about the subject of endless discussion, the F3 link road from Seahampton to Branxton. The first signs of a growing area that one sees when visiting Maitland is the road congestion. The road network has been improved over time but over recent years, with the growth of the area at a rate of 2.3 per cent, the road network has become even more congested.

Maitland continues to grow and, more importantly, will continue to grow at the rate of 2.3 per cent, compared to the national average of 1.3 per cent, which means population expansion at the rate of around 1,500 people per year.

The recent floods resulted in the New England Highway being cut off not far from the Maitland station roundabout and that caused traffic to be diverted through the centre of the town. This part of the road acted as a bypass around the centre of the city, but when it was cut, Maitland felt the effects of carrying that through traffic through its centre. Many of the vehicles, of course, did not have to come through the city at all, or use the New England Highway. Likewise, in the ordinary course of events, even with the New England Highway fully operational, many vehicles do not have to use the present bypass around central Maitland, but instead should now be using the F3 link road.

The F3 link project has been talked about for decades. At one point in 1996 the project was ready to proceed and funded. However, after a change of government the money was taken away. That money began to be returned in dribs and drabs over the years and now in 2007 we are still talking about this road. The project is now really 20 years too late. With Maitland being the fastest-growing area in New South Wales, the need is now desperate. The project will, when built, consist of a stretch road about 40 kilometres long. It will be a four-lane highway with graded separated interchanges. It is part of the AusLink national network in relation to which the funding arrangement between the States and the Commonwealth is 20-80 respectively. It will start at the F3 freeway at Seahampton and end at Braxton, thereby bypassing Maitland and other areas altogether.

At the moment, planning is underway, with some funding having been provided by the Commonwealth for the preconstruction and planning phase. This includes resumption negotiations, et cetera. The Roads and Traffic Authority has displayed a modified design for public comment. The planning Minister is due to make a determination on the modifications. It is anticipated that the preconstruction planning and design activities will be completed by mid-2008. Recently, a further \$20 million of Federal money was provided to continue this planning.

While it is good to see that the Roads and Traffic Authority is carrying out the preconstruction work, what is needed is a clear and unequivocal commitment from the major provider of the funds for this project, the Federal Government. I am, therefore, compelled to once again call on the Federal Government to make a clear, concrete and unequivocal commitment to a timetable for this project. As I am making this speech during a Federal election campaign, I find myself in the position of calling on both sides of politics at the Federal level to make that commitment. The project has been needed for many years, and I call for the commitment to be made.

The Federal Government must now commit to the people of Maitland and the lower Hunter. The Federal Government has been in power for 11 years and has talked about it for that entire period, but it should now make a commitment. Allocation of funding to the project is a necessity. Furthermore, a clear timetable for the completion of the project should be announced as it is now well and truly overdue. The State Government has committed to the project and put its money on the table; it has made a commitment to releasing the money as needed. The Roads and Traffic Authority is out there doing the preparatory work. The Federal Government needs to make the same commitment.

The building of this link road has become a major priority in the lower Hunter region. Indeed, we are in dire need of a road that allows motorists to bypass Maitland and other cities. The building of this road is a major part of the solution to traffic congestion in and around the city of Maitland. We must now have a commitment to funding the project from the Federal roads Minister and, just as importantly, a commitment to a timetable for its completion. After so much delay, anything less than that will be taken by the people of Maitland as totally unsatisfactory and will be seen as a sign that the Federal Government is not serious about going ahead with the construction of this road. We are in an election campaign mode for the Federal election and I would have thought that this is the best time for the Federal Minister to make an appropriate commitment. I call for that commitment to be made.

### **PORT MACQUARIE ARTS, CULTURAL AND ENTERTAINMENT CENTRE**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [6.08 p.m.]: I draw to the attention of the House a travesty of justice which is occurring in the Port Macquarie Hastings shire at the hands of this Labor Government. Imagine that the Federal Government intervened in relation to poorly managed and unpopular projects with cost blow-outs and implications for State taxpayers, projects such as the Kurnell desalination plant or the Cross City Tunnel. Imagine also that the Federal Government arranged for the State Government to be

sacked and replaced by an administrator appointed by it. While that might be welcomed by many of the long-suffering citizens of New South Wales, it would be an undemocratic abuse of power by the Federal Government. Yet that is exactly what is taking place in the Port Macquarie Hastings shire and has already happened in other council areas elsewhere, such as the Tweed shire and Broken Hill.

Once again the Labor Government has abused its power by establishing a process lacking principles of natural justice and procedural fairness that will potentially deny local democracy to the ratepayers of the Port Macquarie Hastings shire for up to five years. First, on the basis of a small number of complaints relating to the arts, cultural and entertainment centre project known as the Glasshouse, the Minister for Local Government established an investigation into a council that has won numerous awards. An analysis of 95 letters to local newspapers opposing the project revealed that they had come from 45 parties and that 55 per cent of the letters were written by only 7 parties. In fact, there has been substantial support for the project, which is reflected in the majority of submissions to the inquiry strongly supporting the council. Yet the Director General of the Department of Local Government, in persisting with this witch-hunt, has stated that the council seems to be unwilling to listen to its community. This is despite the fact that the former Minister for Local Government stated in a letter dated 10 May 2006 that the project had been investigated fully and that no further inquiry was warranted.

The Minister and the Department of Local Government persist in using a figure of more than \$60 million for the project, which includes interest payments of almost \$20 million on a 20-year loan. Interest payments are not capital costs and their inclusion is totally contrary to the rules of accounting and Australian accounting standards. As such, this represents an act of fraud by the Government. One can only imagine how the cost of the desalination plant would be inflated if interest payments over 25 to 30 years were added. This fraudulent accounting method was the Government's main justification for forcing the initial investigation and the subsequent inquiry to pave the way for sacking the council. This fraud is further highlighted by the former Minister for Local Government in his letter of 10 May 2006 in which he said that an inquiry was not warranted and that the council had the financial wherewithal to proceed with the project.

The Minister has now appointed the former administrator of the Tweed and Glen Innes councils as inquiry commissioner. With respect to Mr Willan, that background hardly qualifies him to be a truly independent arbiter. Even less independent is senior Department of Local Government operative Angus Broad, who has been appointed deputy commissioner. The Department of Local Government has single-mindedly pursued the council on the basis of flawed assumptions throughout. Indeed, the Director General of the Department of Local Government has made a submission to the inquiry despite having overseen an earlier better practice review and a section 430 investigation. Interestingly, the local branch of the Labor Party has also made a submission to the inquiry in which it refers openly to the political make-up of the elected councillors. Both the dissenting councillors are former mayoral candidates, one of who thanked the local branch of the Labor Party for its help in securing meetings with Ministers. He also thanked the member for Port Macquarie, who has been uncharacteristically diligent in his support for this inquiry.

It is clear that there is a political imperative at play, that the inquiry is a sham and that the Iemma Labor Government is about to ride roughshod over local democracy once more. Governments, be they local, State or Federal, are elected to make decisions that they think are in the best interests of their constituents—even if those decisions are not universally popular. The ultimate protection for those constituents is the ballot box: if enough voters are not happy with the elected government they will vote it out. That is democracy, and that is what the Iemma Labor Government does not value at a local government level. I call on the Minister for Local Government to stop this sham.

## **ASIA-PACIFIC FRIENDSHIP GROUP INNER MONGOLIA VISIT**

### **EYES ON INNER MONGOLIA PROGRAM**

**Ms SONIA HORNERY** (Wallsend—Parliamentary Secretary) [6.13 p.m.]: A peasant must stand a long time on a hillside with his mouth open before a roast duck flies in. This ancient Chinese proverb illustrates for members of the New South Wales Parliament Asia-Pacific Friendship Group the need to act now in building Australia's relationship with our friends the People's Republic of China. If we wait Australia too will be left behind. How do we build this relationship? We do it by sending voluntary specialists to the most underprivileged in China via the Eyes on Inner Mongolia Program. This New South Wales venture enlisted two volunteer medical teams—comprising three ophthalmologists, two anaesthetists, four nursing staff, two team leaders, two team directors and four assistants—to conduct cataract removal operations in July 2007 at the Erdos

Hospital and in Xilinhot in Inner Mongolia. A staggering total of 408 cataract operations were performed during the visit. Team director Patricia Quah and Susan Hahn deserve special mention for their contribution to the program.

The inaugural trip was in 2003 and, due to its overwhelming success, it has been an annual event ever since. These trips are laying the foundation for building a solid future with a booming eastern continent. In years to come delegates who have been part of this venture will view their input as being a historical act forging a unique relationship with China that will have immense repercussions. Why make this effort? Australia has similarities with China in that both countries are large with vast areas that are harsh and uninhabitable. We also share a similar attitude to economic growth. These similarities have created an increased sense of cooperation. The New South Wales Parliament Asia-Pacific Friendship Group believes it is worth building our relationship because of this sense of cooperation. We can grow together.

Any country that is not taking the time in the way that Australia is must certainly be jeopardising its economic future because China has the potential to be a future superpower, and may even be able to supersede America. The annual visits conducted by the New South Wales Friends of the Asia Pacific cement our ties with one of the biggest and fastest-growing nations in the world. We believe it is worth building this relationship because of China's potential future global impact. Therefore, we want to be integral to China's growth. Chinese Australian business representatives also accompanied the mission to Inner Mongolia. Their role was to create ventures between local governments and Chinese businesses that will engender business between the two countries.

Is the House aware that Inner Mongolia and Australia complement each other in the various resources that we have to offer? Inner Mongolia is rich in precious minerals, coal and cashmere. Australia is rich in high-quality coal, minerals and grain. As a joint force, the sum of these resources is greater than the individual products. I mentioned earlier that, as well as helping the sick in Erdos and Xilinhot, the parliamentary friends of the Asia Pacific, the Australian Council for the Promotion of Peaceful Reunification of China and Australian entrepreneurs performed important civic duties. I bring the House's attention to the meeting between members of the local Erdos congress and Australian representatives. At the meeting greetings were exchanged, thus building goodwill, enhancing networks and expanding Australia's profile as a reliable and advanced economic ally.

Let us not forget that Australia is enthusiastic about fostering trade with our friends overseas and that we as parliamentarians have the honour to promote skills, talents and resources through such ventures. Members will be pleased to know that delegates from Erdos entered into partnerships with Australian businesses in projects that foster local industries in both Erdos and Australia. Australian delegates also visited Bautou, the economic centre of Inner Mongolia and China's major producer of steel, and Hohhot, the capital city of Inner Mongolia, for further discussions of partnerships between Australian and Mongolian businesses.

I congratulate the members of the New South Wales Parliament Asia-Pacific Friendship Group on their invaluable efforts to make the people of Australia aware of the scope of opportunity for affiliations in Inner Mongolia, the industriousness of the Chinese people and their entrepreneurial skill and commitment to projects, and the outstanding willingness of the Chinese to embrace change. The awareness that I have endeavoured to bring to the Australian public's attention will help Australian businesses maximise the opportunity for infinite economic growth between Inner Mongolia and Australia at the foundation level. I am sure that members of Parliament and visitors to the House will agree that the friendship between Australia and Inner Mongolia symbolises the birth of a new era in Australia-China relations and a new road to mutual prosperity and power as a result. So we can have our roast duck and eat it at any time.

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

**Mr ROBERT OAKESHOTT** (Port Macquarie) [6.18 p.m.]: I speak today about health services in Port Macquarie and on the mid North Coast, and particularly about a submission from the North Coast Area Health Service for \$50 million of capital works at Port Macquarie Base Hospital. The work has been on the Government's drawing board for some time. Port Macquarie Base Hospital has gained somewhat of an infamous reputation in this place in the past decade. It has been called just about everything in this Chamber. However, I think all would agree that it has been a unique experience to have a privately run public hospital in the New South Wales health system. In early February 2005 the hospital was purchased by the Government for \$80 million and returned to the public system. I recall seeing the then Premier and then Minister for Health, who at the time was Morris Iemma, standing on the steps of the hospital and making some bold commitments.

Part of the buy-back plan involved developing a master plan for capital works at the facility. A key component of the plan was improved mental health services, including allowing for the scheduling of involuntary patients and an expanded emergency department. There has been rapid and significant growth in emergency services uptake at Port Macquarie Base Hospital, which serves the entire mid North Coast. Some of the growth figures there have been extraordinary: 18 per cent in the last 12 months, for example, demonstrates that the emergency department is blowing all expectations out of the water. It is certainly in need of expanded facilities and improved resources. The Government made this commitment, which we now desperately need turned into a reality.

I am pleased that the chief executive officer of the area health service and the area health service in general have now put forward more than just a concept plan. It is a detailed drawing of a \$50 million upgrade and the delivery of what is considered the fourth wing at Port Macquarie Base Hospital. Prior to the election campaign there was plenty of talk about a two-storey upgrade to the fourth wing and spending anywhere between \$20 million and \$30 million. I am therefore pleased to see a recognition in the growth of the amount of work that is being done at the hospital, with the latest detailed proposal being a three-storey facility and a \$50 million capital works spend to deliver the 20-promised bed mental health unit, the expanded emergency department and intensive care unit and the much-needed general beds. They are needed urgently to allow the hospital to function properly.

I urge the Minister to advocate for those important capital works in Port Macquarie. I also urge the Premier to do so. It was in his time as the Minister for Health that the hospital was brought back into the public health system and he stood on the front steps and made some very welcome commitments in February 2005. But the clock is ticking: it was two years ago and we are now starting to expect delivery on some of those commitments.

We are in a Federal election environment and the Prime Minister was in Grafton two weeks ago committing \$18 million to Grafton hospital emergency department, which is lower on the capital works priority list of the North Coast Area Health Service than the upgrade of Port Macquarie Base Hospital. So if this is not an exercise in electioneering and not an exercise like the opportunistic Commonwealth interventions into State public hospitals at Mersey hospital, I ask the Deputy Prime Minister, our local Federal member, to explain what sort of commitment over and above \$18 million is going to be committed to the now detailed \$50 million of capital works for Port Macquarie Base Hospital. I sincerely hope that this is not marginal seat campaigning and that the good work that has been done by the area health service in developing a priority list for capital works in our area is recognised. The Federal Government may even consider committing money before 24 November.

### **EQUINE INFLUENZA**

**Mr PETER DRAPER** (Tamworth) [6.23 p.m.]: Since equine influenza was detected and quarantine restrictions were introduced around Tamworth on 25 August we have experienced what can only be considered a national disaster. This disaster has resulted from the failure of our national bio-security arrangements to prevent the introduction of exotic diseases into Australia. It is a shame that this situation was not declared a national disaster because that would have allowed for additional support for the thousands whose livelihood has been severely impacted. Many people have faced disruption to their lives and are experiencing financial hardship following the lockdown of horses and properties, or the loss of customers from businesses.

Much media attention has focused on the impact upon the billion dollar thoroughbred racing industry, and it certainly deserves all possible assistance to get through the crisis. Unfortunately, a lot less attention has focused on the impacts affecting the recreational equine industry. Tamworth is home to the National Cutting Horse Association and the Australian Bushmen's Campdraft and Rodeo Association that together have a membership of some 4,300 horse owners. The Australian Quarter Horse Association with some 6,000 members and 139,000 horses is also headquartered in Tamworth. Most members have been, or still are, affected by travel restrictions, cancellation of events and in some cases lockdowns.

The Australian Bushmen's Campdraft and Rodeo Association today announced that it has been forced to cancel the national finals in campdraft and rodeo, which are its flagship events. It is the first time in the event's history that it has been cancelled, very much disappointing competitors from right across the country and impacting significantly on the wider Tamworth economy. On the outskirts of Tamworth the \$28 million Australian Equine and Livestock Events Centre is well under construction and its completion in a couple of months will see a world-class centre giving Tamworth a legitimate claim to the title of Australia's equine capital.

Before the equine influenza outbreak occurred Tamworth Regional Council had applied to the Federal Government for an AgFund grant to fund a major bio-security strategy. The council was hoping to have it in place before the opening of the centre. I hope the current equine influenza crisis will fast-track those funds and I commend the foresight of council and local organisations for developing these plans. Supporting the rapidly growing equine industry in and around Tamworth are many individuals, all heavily impacted by this crisis: strappers, farriers, transport operators, horse chiropractors, equine dentists, veterinarians, equine retail outlets, television race production crews, produce suppliers and more. All have seen cuts to employment and all are experiencing financial hardship. This goes right through our community: it affects motels, fuel outlets, food outlets, horse breeding programs—the list goes on and on.

Moonbi, on Tamworth's outskirts, has been the centre of a quarantine lockdown that has affected both locals and visitors. Equine influenza was detected at Moonbi and then it spread through the broader community. Many people could not return to their homes or jobs, causing severe financial hardship. Permits to leave were finally issued on 3 October; however, some people had been unable to resume their normal lives for some 40 days. Once the virus had escaped the New South Wales Department of Primary Industries took responsibility for controlling the situation under the AusVet contingency plan. I commend the Department of Primary Industries for moving quickly in attempting to control a very difficult situation that rapidly expanded and still has a considerable course to run.

Equine influenza has had negative impacts on people's lives and incomes for nearly two months. Horses have died. Some people believe that public information meetings should have been organised earlier; others felt that the meetings could further spread the disease. Even a simple matter like taking a horse float or truck to obtain a pink slip for registration became a nightmare. Demands on Department of Primary Industries personnel were unparalleled, and particularly the department's veterinarians. In many ways the whole crisis was a critical learning process.

I trust that lessons have been learned and that the equine influenza outbreak has been contained. I hope that through the creation of buffer zones and the use of vaccines within those zones this disease will be eradicated as quickly as possible, allowing all participants in the equine industry to resume normal activities. Many people have expressed concerns that the thoroughbred industry seems to be receiving disproportionate attention simply due to its financial contribution to State coffers. The Government must be aware that many so-called pleasure horses are worth much more than the average racehorse. In addition to the large number of people and horses represented by the Australian Quarter Horse Association, the Australian Bushmen's Campdraft and Rodeo Association and the National Cutting Horse Association, the Australian Stockhorse Association has a further 9,500 members and 170,000 registered horses. There are also over 70 individual horse breed associations. These numbers cannot be ignored and the interests of these horse owners must be considered too.

The impacts of the equine influenza outbreak are clearly more significant than first anticipated. Even if it takes many months, the Government must continue attempting to eradicate equine influenza. Not to do so would leave unimaginable economic consequences. Tamworth and surrounds have been recently declared a purple zone, allowing movement of horses within restricted areas, but lessons have to be learned from the experience. Tighter bio-security arrangements and practical containment plans are essential to prevent further threats to our environment and agricultural industries or, even more important, possible threats to people given the chance of bird flu entering this country at some future stage.

**Private members' statements noted.**

#### **MOTOR DEALERS AMENDMENT BILL 2007**

#### **ASSOCIATIONS INCORPORATION AMENDMENT (CANCELLATION OF INCORPORATION) BILL 2007**

#### **CHRISTIAN ISRAELITE CHURCH PROPERTY TRUST BILL 2007**

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

*[Assistant-Speaker (Ms Alison Megarrity) left the chair at 6.30 p.m. The House resumed at 7.30 p.m.]*

**EVIDENCE AMENDMENT BILL**

**Bill introduced on motion by Mr Barry Collier, on behalf of Mr David Campbell.**

**Agreement in Principle**

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [7.31 p.m.], on behalf of Mr David Campbell: I move:

That this bill be now agreed to in principle.

The purpose of the Evidence Amendment Bill is to implement the model uniform evidence bill, which was endorsed as national model evidence legislation by the Standing Committee of Attorneys-General in July this year. The model bill is based on the recommendations of the Australian, Victorian and New South Wales Law Reform Commissions, which reviewed the New South Wales and Commonwealth Evidence Acts after 10 years of operation. The research of the commissions was wide and thorough. Consultations were held in every State and Territory, and submissions were received from 130 individuals and organisations, including the New South Wales Public Defenders Office, the New South Wales Director of Public Prosecutions and the Commonwealth Director of Public Prosecutions. The commissions reported that the uniform Acts are working well and there are no major structural problems with the Acts or their underlying policy. They made a range of recommendations to finetune the law and promote harmonisation between Australian jurisdictions.

Accordingly, the majority of the amendments that this bill proposes are for clarification and procedural improvement. Other changes are made to rectify confusing court decisions or uncertainties in the legislation. The bill proposes a number of important reforms including the expansion of certain privileges to pre-trial proceedings, and clarifications regarding the manner in which the jury is to be directed in relation to children's evidence and the effects of delay. The bill also proposes a new test of competence to be a witness, to make it easier to determine, for example, whether and how children, people with a disability and people with a cognitive impairment may give evidence. The intention is to ensure that the rules of evidence in New South Wales continue to be fair, clear, efficient and up-to-date. Before addressing some of the bill's provisions in more detail, it is fitting to provide some background to the proposed amendments.

In 1995 the Commonwealth and New South Wales adopted uniform evidence legislation. This uniform scheme was subsequently adopted in Tasmania and Norfolk Island. Around the tenth anniversary of the Commonwealth and New South Wales Acts coming into force, the Australian, New South Wales and Victorian Law Reform Commissions were given a joint reference to review the operation of the uniform evidence Acts. The model bill is based on the recommendations of these three commissions, and I am pleased to say that many of their recommendations were for New South Wales initiatives to be adopted in other jurisdictions. For example, the commissions recommended that the uniform evidence Acts incorporate the New South Wales confidential communications privilege and our prohibition on improper questioning of witnesses.

The text of the model bill has been developed by a working group of officers from around Australia, together with Parliamentary Counsel from New South Wales, the Commonwealth and Victoria. The model bill was also reviewed by an expert reference group comprising former New South Wales Supreme Court Justice the Hon. James Wood, AO, QC; the Hon. Justice Tim Smith of the Supreme Court of Victoria; Professor Les McCrimmon of the Australian Law Reform Commission; and Sydney barrister Mr Neil Williams, SC, who is also a co-author of textbooks on New South Wales evidence law. The Government is grateful to the members of the expert reference group for their generosity in agreeing to review the draft model bill and field queries from our officers.

The Government is also pleased to note that the model bill will not only be used to update the uniform evidence Acts currently in place in New South Wales, Tasmania and the Commonwealth. The Victorian Attorney General has indicated that he is interested in joining the uniform evidence scheme by implementing the model bill. Meanwhile, a number of other jurisdictions are giving serious consideration to joining the scheme. The expansion of the uniform evidence scheme will be valuable because it will allow the development of a broad, consistent body of case law on evidentiary matters. It will also assist in the development of a truly national legal profession across Australia. As I said, the majority of the proposed amendments are for clarification and procedural improvement. However, it is appropriate for me to set out in some detail the intent and operation of the key amendments that the bill proposes. I ask for the forbearance of those who do not take a keen interest in the finer details of evidence law.

First, in relation to de facto partners and compellability, the bill proposes changes to the manner in which the Evidence Act addresses de facto couples, particularly in the context of whether the de facto partner of an accused person may be compelled to give evidence. Currently, section 18 of the Evidence Act, which applies only in criminal proceedings, allows certain categories of witness to object to giving evidence against the accused. Witnesses entitled to raise the objection are the accused's spouse, de facto spouse, parent or child. The purpose of the section is to excuse these people from giving evidence against the accused if the court finds that there is a likelihood that harm might be caused to the person, or to the relationship between the person and the accused, if the person gives the evidence; and that the nature and extent of that harm outweighs the desirability of having the evidence given.

The section recognises that couples in intimate relationships should not be forced to give evidence against one another unless the interests of the community require it. The section also recognises that persons who are forced to testify are unlikely to be reliable and accurate witnesses. Therefore, the effect of the current section is not only to protect family relationships and potential witnesses from harm, but also to ensure the accuracy and reliability of evidence that is placed before the court. Currently, the Evidence Act does not have its own definition of "de facto couples". The Evidence Act refers instead to a definition in the Property (Relationships) Act that includes same sex couples. This ensures the reliability and accuracy of evidence before the court, whether the couple is homosexual or heterosexual.

The proposed amendments regarding de facto relationships in the Evidence Act are twofold: First, references to "de facto spouse" are replaced with references to a "de facto partner". This is to ensure that the language of the Evidence Act is clearly gender neutral. Second, a definition of "de facto partner" is inserted into the dictionary, so that the Evidence Act has its own definition of de facto. Like the current New South Wales definition, the proposed new Evidence Act definition will ensure that the rules of evidence are not discriminatory and that they do not prevent the court from ensuring the quality of the evidence before it.

I am disappointed that the current Commonwealth Evidence Act does not include same-sex couples in its definition of "de facto couples". Moreover, in July the Commonwealth Attorney-General, the Hon. Philip Ruddock, MP, advised the Standing Committee of Attorneys-General that he is preparing an Evidence Act amendment bill that will not adopt the proposed model definition, and will continue to discriminate against same-sex couples. His discriminatory stance is not only contrary to the recommendations of the Australian, New South Wales and Victorian Law Reform Commissions; it is also contrary to commonsense, and to the interests of the administration of justice.

Mr Ruddock has shown that he is reluctant to grant same-sex couples certain rights. However, ensuring that same-sex couples are included in the Evidence Act definition of "de facto" does not, as Mr Ruddock's refusal to amend the Commonwealth Evidence Act seems to suggest, constitute a grant of some new or special right. Including same-sex relationships in the Evidence Act definition is merely a recognition, firstly, of the fact that couples will not always give accurate evidence against each other and, secondly, of the fact that it is not the business of the courts to alienate couples and family members from one another unless there is a compelling reason to do so.

The bill also proposes to introduce new exceptions to the hearsay rule and the opinion rule, for evidence of Aboriginal and Torres Strait Island traditional law and custom. In their report, the Law Reform Commissions found that the Evidence Act should be amended to be more responsive to Aboriginal and Torres Strait Island oral traditions. It is not appropriate for the hearsay rule—and by extension, the legal system—to treat orally transmitted evidence of traditional law and custom as prima facie inadmissible, when this is the very form by which law and custom are maintained under indigenous traditions.

Similarly, a member of an Aboriginal or Torres Strait Islander group should not have to prove that he or she has specialised knowledge based on training, study or experience before being able to give opinion evidence about the traditional law and custom of his or her own group. The intention is to make it easier for the court to hear evidence of traditional laws and customs, where relevant and appropriate.

The exceptions proposed in the bill shift the focus away from whether there is a technical breach of the Evidence Act to whether the particular evidence is reliable. Factors relevant to reliability or weight will include the source of the representation, the persons to whom it has been transmitted, and the circumstances in which it was transmitted. The requirements of relevance in sections 55 and 56 may operate to exclude representations that do not have sufficient indications of reliability. Reliability will also be ensured if courts continue to use their powers to control proceedings to create a culturally appropriate context for the giving of evidence regarding the existence or content of particular traditional laws and customs.

Further safeguards are provided by the court's powers under sections 135, 136 and 137 to exclude or limit the use of evidence. For the purposes of the exceptions to the hearsay and opinion rules, the commissions also concluded that a "broad definition of traditional laws and customs" was desirable. The everyday meaning of a "traditional law" or "traditional custom" is one which has been passed from generation to generation of a society, usually by word of mouth and common practice. However, the High Court has held—in *Members of the Yorta Yorta Aboriginal Community v Victoria* (2002) 214 CLR 422 [46], per Chief Justice Gleeson, Judge Gummow and Judge Hayne, with Judge McHugh agreeing—that for the purposes of the Native Title Act 1993 "traditional laws and customs" refers specifically to traditional laws and customs "whose content originates in the normative system of Aboriginal and Torres Strait Islander societies prior to assertion of sovereignty by the British Crown".

The commissions considered that for the purposes of the Evidence Act, "traditional laws and customs" should not be limited to that interpretation. To ensure that the Act covers the full range of matters within the scope of "traditional laws and customs", a broad definition of "traditional laws and customs" has been inserted. The new definition is not limited to "normative rules". It contains a non-exhaustive list of matters that includes customary laws, traditions, customs, observances, practices, knowledge and beliefs of a group, including a kinship group, of Aboriginal or Torres Strait Islander people. The commissions consider that this broader definition will enable the court to receive more diverse evidence that can be used to prove the existence and content of traditional laws or customs.

The definition also refers to "any of the traditions, customary laws, customs", and so on, of the group. This is to make clear that the new exceptions to the hearsay and opinion rules apply to traditions and customs generally, and not only to those whose content has been shown to originate in traditional law and custom in force prior to the assertion of sovereignty by the British Crown. Just like the common law we have inherited from Britain, Aboriginal and Torres Strait Island traditional law and custom did not ossify in 1788. Moreover, it is impractical and inappropriate to require courts to inquire whether the content of any given traditional law or traditional custom has its origins before sovereignty in order to decide whether the exceptions may apply. Requiring such an inquiry would be contrary to the purpose of the new exceptions, which is to shift the focus away from technical obstacles to admissibility, and on to whether the particular evidence is reliable and what weight it should be accorded.

Again I am disappointed that the Commonwealth Attorney-General has decided that—contrary to commonsense, and to the interests of the administration of justice—he will not implement any of the model uniform evidence provisions relating to traditional law and custom. I am concerned that Mr Ruddock's refusal to implement these exceptions to the hearsay and opinion rules stems from a misapprehension that Aboriginal tradition may somehow cause, or excuse, violence against women or children. Such assumptions are offensive, and they are comprehensively wrong. The great advantage of the proposed exceptions for traditional law and custom is that the exceptions make it easier for community members to speak to the court and to explain what their traditions really are. If any person tries to misrepresent tradition out of self-interest, community members can much more easily set the record straight in court.

These exceptions are supported not only by the Australian, New South Wales and Victorian Law Reform Commissions but also by the Law Reform Commission of Western Australia and the New South Wales Aboriginal Justice Advisory Council. These exceptions are consistent with the recommendations of the Royal Commission into Aboriginal Deaths in Custody, and Rex Wild, QC, and Patricia Anderson's report entitled "Little Children Are Sacred".

If traditional law and custom is a relevant and appropriate consideration in a court case, it is highly impractical to exclude it on the grounds that it breaches the hearsay or opinion rules. As I said earlier, the exceptions proposed in the bill merely shift the focus away from whether there is a technical breach of the Evidence Act to whether the particular evidence is reliable. There is simply no sensible reason to oppose them, and certainly no reason for the Commonwealth Attorney-General to refuse to implement these exceptions.

In addition to foreshadowing that he will depart from the uniform scheme in relation to de factos and traditional law and custom, the Commonwealth Attorney-General has already enacted amendments to the Commonwealth Evidence Act that depart from the model bill on the subject of the confidential communications privilege. The Law Reform Commissions recommended that the New South Wales confidential communications privilege be adopted by all uniform evidence jurisdictions. This privilege allows the court, in certain circumstances, to protect private communications to professionals from being disclosed in court. Earlier this year, however, the Federal Government amended the Commonwealth Evidence Act to insert its own new

version of the privilege. This Commonwealth version of the privilege is limited to journalists' sources, and therefore does not protect those who confide in doctors, for example.

In light of Mr Ruddock's very public enthusiasm for uniformity in national model legislation, it is most surprising that he should have chosen to depart from the agreed model in relation to this privilege. It is particularly surprising, given that he is on record as having expressed support for the New South Wales version of the privilege during meetings of the Standing Committee of Attorneys-General. The New South Wales provision has been operating satisfactorily for 10 years and it already ensures that all important issues such as, for example, national security can be taken into account by the court. Mr Ruddock has never adequately explained the need for this departure from the recommendations of the Law Reform Commissions, and from his previous support for the New South Wales privilege.

The bill also sets out a proposed new test for determining a witness's competence to give sworn and unsworn evidence, as well as to clarify the distinction between sworn and unsworn evidence. Currently section 13 of the Evidence Act contains two different tests for giving sworn and unsworn evidence, both of which require a witness to demonstrate an understanding of the difference between truth and lies. The Law Reform Commissions' report noted that these tests have been criticised for being too similar and too restrictive. The proposed amendment clarifies the distinction between sworn and unsworn evidence. New section 13 provides that all witnesses must satisfy the test of general competence in new section 13 subsection (1). This test of general competence moves away from the truth and lies distinction and focuses instead on the ability of the witness to comprehend and communicate. The purpose of the revised test of general competence is to enhance participation of witnesses and to ensure that relevant information is before the court.

The revised test of general competence provides that a person is not competent to give sworn or unsworn evidence about a fact if the person lacks the capacity to understand, or to give an answer that can be understood, to a question about the fact, and that incapacity cannot be overcome. When considering whether incapacity can be overcome, the court will consider reasonable adjustments, including alternative communication methods, use of technology, or support depending on the needs of the individual witness. The proposed new test of competence provides that even if the general test of competence is not satisfied in relation to one fact, the witness may be competent to give evidence about other facts. For example, a young child may be able to reply to simple factual questions but not to questions that require inferences to be drawn.

New section 13 subsection (4) provides that a person who is not competent to give sworn evidence about a fact may provide unsworn evidence about that fact. This provision will allow young children and others—for example, adults with an intellectual disability—to give unsworn evidence even though they may not understand or cannot adequately explain concepts such as an obligation to tell the truth. It is up to the court to determine the weight to be given to unsworn evidence. A number of criteria must be met before a person may give unsworn evidence. First, the person must be competent to give evidence under new section 13 subsection (1). Second, the court must inform the person that it is important to tell the truth, that he or she should inform the court if asked a question to which he or she does not know or cannot remember the answer, and that he or she should not feel pressured into agreeing with any statements that are untrue.

The bill sets out new section 13 subsection (8), which provides that when a court is determining if a person is competent to give evidence, the court may inform itself as it thinks fit, including by referring to the opinion of an expert. This expands on current provisions by specifically referring to information from experts. This provision is not intended to allow an expert to supplant the court's role in determining a witness's competence. Rather it is intended to emphasise that the court may have recourse to expert assistance—for example, to identify any alternative communication methods or support needs that could facilitate the giving of evidence by a person with a disability. Under this new general test of competence, rulings as to competence may be made not only before the witness commences to give evidence but also as that witness's evidence proceeds.

I turn now to giving evidence in narrative form. The bill implements an election commitment in relation to the evidence of vulnerable witnesses. Since 1995 section 29 of the Evidence Act has allowed parties to apply to the court for a direction that their witness give all or part of their evidence in narrative form rather than in a question-answer format. The Law Reform Commissions recommended that the court should be permitted to give such a direction where it thinks it is appropriate, without waiting for a party to apply for it. Accordingly, the bill proposes to amend section 29 to provide that the court may direct a witness to give all or part of their evidence in narrative form, either on application by a party or of its own motion.

The proposed new section can be used for any witness, but the commissions emphasised that giving evidence in narrative form may be particularly helpful in the case of vulnerable witnesses, such as child

witnesses, or witnesses with an intellectual disability. The new section would also be helpful for witnesses who for cultural reasons are not accustomed to a direct question and answer style of communication. The purpose of this amendment is to send a clear message that the court can act to ensure the best outcome in receiving evidence from a witness. As is currently the case, before making any such direction the court will have to take into account a range of considerations, including fairness to all parties. The court would also take into account the witness's ability to comply with instructions about what evidence is admissible and the other options available to assist the witness to give evidence.

Should the process result in undue delay or inadmissible evidence being given, the court has general powers to control proceedings, and specific powers under sections 135, 136 and 137 to exclude or limit the use of evidence. New section 29 subsection (2) does not affect the ability of a witness to give evidence through an interpreter under section 30 or to be questioned or give evidence by an appropriate means under section 31.

Another important technical amendment is the bill's proposed clarification of the rule against hearsay. Section 59 sets out the rule against hearsay. It prevents evidence of a previous representation from being admitted for the purpose of proving a fact that the maker intended to assert by the representation. The main rationale for the rule is to avoid any unfairness that would be caused by the admission of representations made by witnesses whose evidence cannot be cross-examined directly in court. The bill proposes amendments to section 59 to clarify the test to be applied in determining whether a person intended to assert the existence of facts contained in a previous representation, for the purposes of that section.

The amendments are intended to counter the approaches to determining intention which were explored by the New South Wales Supreme Court in *R v Hannes* (2000) 158 FLR 359. According to the court's reasoning in that case, an intended fact could include: first, facts specifically and consciously adverted to by the maker and, second, any fact which is a necessary assumption underlying the fact subjectively adverted to. The Law Reform Commissions found that this reasoning is problematic. Proof of a subjective state of mind is very difficult to ascertain, and particularly so if a party must argue that the representation was not intended to assert the existence of a particular fact. The policy of the Act is to exclude unintended assertions from the rule against hearsay. Further, there is a risk that the reasoning in relation to necessary assumptions is too broad and could therefore give rise to practical difficulties. It may result in the exclusion of relevant evidence of implied assertions assumed by a fact adverted to, even though an implied assertion, when considered independently of the fact it supports, could not reasonably be supposed to have been intended.

The proposed amendments have been recommended by the Law Reform Commissions. They are intended to foreclose such difficulties by clarifying that in determining whether a person intended to assert the existence of facts contained in a previous representation, the test to be applied is what a person in the position of the maker of the representation can reasonably be supposed to have intended, having regard to the representation and the circumstances in which it was made. Although direct evidence of subjective intention can be considered, investigation or proof of the subjective mindset of the person who made the representation is not required.

I turn now to the definition of the word "lawyer". The bill proposes to clarify also the definition of "lawyer" in the Evidence Act. It has been unclear whether the definition of "lawyer" as "a barrister or solicitor" means that the lawyer must hold a current practising certificate, or whether it is sufficient to be admitted as a solicitor or barrister on the roll of the relevant court. The bill proposes amendments to clarify that the definition of "lawyer" in relation to client legal privilege includes Australian lawyers, that is, those who are admitted but do not necessarily have a current practising certificate, as well as foreign lawyers. These amendments implement recommendation 14-3 of the Law Reform Commissions' report. They also adopt the Australian Capital Territory Court of Appeal decision in *Commonwealth v Vance* [2005] ACTCA 35. In considering the definition of "lawyer" under section 117 of the Uniform Evidence Act, the Australian Capital Territory Court of Appeal found that a practising certificate was an important indicator, but not conclusive on the issue of whether the legal advice was sufficiently independent to constitute legal advice for the purposes of claiming privilege under the Act.

The policy of the privilege does not justify its restriction to those with a practising certificate, particularly since a range of lawyers may provide legal advice or professional legal services in various jurisdictions. It is the substance of the relationship that is important, rather than a strict requirement that the lawyer hold a practising certificate. The amendment is directed to clarifying that client legal privilege may pertain to Australian lawyers and their employees and agents. However, the amendment is not intended to affect the common law concept of independent legal advice.

This item also extends the definition of "lawyer" so that it includes a person who is admitted in a foreign jurisdiction. The rationale of client legal privilege is to serve the public interest in the administration of justice and its status as a substantive right means that it should not be limited to advice obtained only from Australian lawyers. This position reflects the reasoning of the Full Federal Court in *Kennedy v Wallace* (2004) 142 FCR 185.

I now turn to privilege against self-incrimination. The bill makes a number of key amendments relating to privileges. The first of these relates to the privilege against self-incrimination. Section 128 of the *Evidence Act* provides a procedure relating to the privilege against self-incrimination and the granting of certificates giving a witness immunity in some circumstances. The commissions found that the current certification process is cumbersome and hard to explain to witnesses. Comments were also made about the necessity to invoke the process in relation to each question. To address these concerns, the bill proposes a new section 128 subsection (1), which has been expanded to cover not only particular evidence but also evidence on a particular matter.

In addition, section 128 has been restructured to simplify the order in which the process of certification is outlined in the section. Rather than including the requirement for the court to inform the witness of his or her rights and the effect of the section, the new section provides that the witness may object to giving the evidence on the grounds that it may incriminate him or her or make him or her liable to a civil penalty—new section 128 subsection (1); that the court shall determine whether or not that claim is based on reasonable grounds—new section 128 subsection (2); if the claim is reasonable, that the court can then tell the witness that he or she may choose to give the evidence or the court will consider whether the interests of justice require that the evidence be given—new section 128 subsections (3) and (4), and if the evidence is given, either voluntarily or under compulsion, that a certificate shall be granted preventing the use of that evidence against the person in another proceeding—new section 128 subsection (5).

New section 128 subsections (8) and (9) address two issues that arose in *Cornwell v The Queen* [2007] HCA 12. In that case the accused was granted a certificate under section 128 in his first trial for evidence given by him that may have incriminated him in relation to other possible charges. After a hung jury, a retrial commenced for the same offence. There was argument over whether the retrial counted as a new proceeding for the purposes of the then section 128 subsection (7) and therefore whether the evidence for which the certificate had been granted could be adduced in the retrial. There was also argument as to whether the certificate had been validly granted in the first place.

In addition to the amendments made in response to recommendation 15-7 of the report, new section 128 subsection (8) has been included as a response to the High Court's decision in *Cornwell*. I note that at the time the commissions' report was published, the High Court had not yet delivered judgment in those proceedings. New section 128 subsection (8) provides that section 128 subsection (7) applies regardless of any challenge, review, quashing or calling into question on any ground of the decision to give, or the validity of, the certificate concerned. This amendment has been made on the basis that the granting of a certificate under section 128 is not the same as any other evidential ruling. To ensure that the policy of section 128 is carried into effect, the witness must be certain of being able to rely on that certificate in future proceedings.

New section 128 subsection (9) makes it clear that a proceeding under the section does not include a retrial for the same offence, or a trial of the defendant for an offence arising out of the same facts that gave rise to that offence. That is, new section 128 subsection (9) seeks to make clear that a certificate is not to be used by an accused to prevent the use of his or her evidence in another proceeding for the same offence, or in a proceeding in which he or she is charged with an alternative count, for example, manslaughter, if the first, failed trial in which he or she gave the evidence under certificate was for murder.

I now turn to privilege against self-incrimination in interlocutory proceedings. The second key amendment to privileges under the *Evidence Act* relates to the procedure for dealing with claims for the privilege against self-incrimination, when these are made in certain interlocutory proceedings. The bill proposes a new section 128A, which provides a new process to deal with objections on the grounds of self-incrimination, which have been made by a person who is subject to a search order or a freezing order in certain civil proceedings. Examples of search and freezing orders are Anton Piller orders and Mareva injunctions respectively.

This amendment addresses, but does not implement, recommendation 15-10 of the report. Recommendation 15-10 was that self-incrimination privilege be abrogated in relation to search and freezing

orders. The Victorian Law Reform Commission revisited this issue in its 2006 Report "Implementing the Uniform Evidence Act". The Victorian Law Reform Commission developed draft provisions that did not abrogate the privilege, but rather set out a new procedure to follow when a claim is made. The Standing Committee of Attorneys-General working group, which developed the model uniform evidence bill, preferred this refinement and the Victorian Law Reform Commission approach has been adopted in the model uniform evidence bill. Accordingly, the new section, rather than preventing claims for privilege being made, provides a means for evidence to be secured and provided to the court in a sealed envelope. Under these provisions the court is then empowered to require disclosure of that evidence to the party seeking it where, upon consideration, the court determines that the interests of justice require it and a certificate providing use and derivative use immunity is given to the disclosing party. The protection conferred by new section 128A does not apply to documents that were in existence before a search or freezing order was made. Any pre-existing documents annexed or exhibited to the privilege affidavit are also not covered by the protection conferred by section 128A.

I now turn to expanding privileges to pre-trial court procedures. The last amendment relating to privileges that I will address relates to pre-trial proceedings. The commissions noted that the introduction of the Evidence Act has resulted in two sets of laws operating in the area of privilege. Where the Evidence Act governs the admissibility of evidence of privileged communications and information, the common law does not apply. In all other situations, the common law rules persist unless a statute expressly abrogates the privilege. This means that within a single proceeding, different laws apply at the pre-trial and trial stages. An individual's ability to resist or obtain disclosure of the same information may vary depending on the stage of the proceedings in which it is sought.

The commissions recommended that the operation of client legal privilege, professional confidential relationship privilege and matters of State privilege should be extended to apply to any compulsory process for disclosure and they are recommendations 14-1, 15-3 and 15-11 respectively. The bill proposes to implement these recommendations in part. New section 131A extends the operation of these privileges to pre-trial court proceedings. However, the provision does not extend the privileges to non-curial contexts. Extension to out-of-court proceedings may be considered in future, with the benefit of the Australian Law Reform Commission's final report on client legal privilege, which is due for publication later this year.

The last two amendments that I will address in detail relate to the manner in which the jury is to be directed in relation to children's evidence and the effects of delay. The commissions recommended that the current New South Wales sections 165A and 165B regarding children's evidence be adopted in the Uniform Evidence Act. This recommendation has been implemented, and our provisions regarding children's evidence have been included in the model bill. As part of the process, however, two existing provisions have been combined into a new section 165A and some changes have been made to update the drafting, and make it clearer. Accordingly, this bill proposes to combine and update current sections 165A and 165B so that they mirror the model bill.

New section 165A subsection (1) provides that in any proceeding in which evidence is given by a child before a jury, the judge is prohibited from warning or suggesting to the jury, firstly, that children as a class are unreliable witnesses; secondly, that the evidence of children as a class is inherently less credible or reliable, or requires more careful scrutiny than the evidence of adults; thirdly, that a particular child's evidence is unreliable solely on account of the age of the child; and, fourthly, in criminal proceedings it is dangerous to convict on the uncorroborated evidence of a witness who is a child.

However, section 165A (2) permits the judge to either inform the jury that the evidence of a particular child may be unreliable and the reasons for which it may be unreliable, or warn or inform the jury of the need for caution in determining whether to accept the evidence of the particular child and the weight to be given to it. The judge may give a warning or inform the jury if a party has requested the warning or information and the court is satisfied that there are circumstances particular to that child, other than his or her age, that affect the reliability of the child's evidence and warrant the giving of the warning or information. The expression "circumstances, other than solely the age of the child" is intended to encompass all of the following: characteristics of individuals or the witness's age, such as suggestibility; characteristics unique to that child, such as disability; and historical or current circumstances unique to that child, such as the manner in which the investigation was conducted or the manner in which the child was questioned.

I deal now with the notion of the Longman warning and delay. Finally, the bill proposes to insert a new provision to deal with the Longman warning given to juries in relation to delay. It is proposed to implement a

new section 165B to implement recommendation 18-3 of the report. The new section will replace the existing common law on Longman warnings so as to limit the circumstances in which they are given and clarify their scope. In *Longman v The Queen* (1989) 168 Commonwealth Law Reports at page 79, the majority of the High Court held that the jury in a sexual assault case should have been warned that, as the evidence of the complainant could not be tested adequately after the passage of time, it would be dangerous to convict on that evidence alone unless the jury, scrutinising the evidence with great care, was satisfied of its truth and accuracy. In addition to the warning about delay, the court also found that the jury should have been warned about the risk of fantasy and the potential for delay, emotion, prejudice or suggestion to distort recollection.

There is considerable evidence that Longman warnings on the effects of delay are given almost routinely and in circumstances where the delay is of relatively short duration. The purpose of this amendment is to clarify that there is no irrebuttable presumption of forensic disadvantage arising from delay. Information provided to the jury in relation to forensic disadvantage arising from a delay should be given only if the accused has applied for it and only where there is an identifiable risk of prejudice to the accused. Such prejudice should not be assumed to exist merely because of the passage of time. Delay, which may lead to forensic disadvantage, is not limited to proceedings for alleged sexual offences, nor is it limited to delay between an alleged offence and its being reported.

Section 165B subsection (2) provides that if the court is satisfied, on application by a party, that the defendant has suffered a significant forensic disadvantage because of the consequences of delay, the court must inform the jury of the nature of the disadvantage and the need to take that disadvantage into account when considering the evidence. The section contains two safeguards. First, the mere passage of time is not to be regarded as a significant forensic disadvantage—section 165B subsection (4). Significant forensic disadvantage arises not because of delay itself but because of the consequences of delay, such as the fact that any potential witnesses have died or are not able to be located, or the fact that potential evidence has been lost or is otherwise unavailable. The second safeguard is that the court need not take this action if there are good reasons for not doing so—section 165B subsection (3).

Section 165B subsection (5) provides that no particular form of words needs to be used in giving the information, but that the judge must not suggest that it would be dangerous or unsafe to convict the defendant because of the delay. These words are considered an encroachment on the fact-finding task of the jury and open to the risk of being interpreted as a direction to acquit. Accordingly, new section 165B has been drafted to refer not to warnings to the jury but rather to the court informing the jury of the nature of the significant forensic disadvantage suffered and the need to take that disadvantage into account. I refer to the use of the phrase "delay in complaint". In the new section it has also been deliberately avoided because of its association with discredited assumptions about the reliability of sexual assault complainants, particularly children.

The court remains bound by the overriding obligation to prevent any miscarriage of justice. As a result, if the judge considered that the requirements of new section 165B could be made out and counsel had failed to apply for the warning, the judge would be bound to ask counsel, in the absence of the jury, whether such a warning was requested. As noted in the report, if there are factors affecting the reliability of certain evidence, a warning may be sought in accordance with section 165 or, in the case of children's evidence, in accordance with new section 165A.

Though they may be of a highly procedural or technical nature, the amendments that I have addressed today, like all those in the bill, may be considered significant improvements to the manner in which civil and criminal proceedings will be conducted in our courts. Lawyers and many others in the community will need time to familiarise themselves with the amendments. In particular, police prosecutors, who are responsible for approximately 98 per cent of all criminal matters in New South Wales, will need time to update their training and operating procedures. Therefore, it is proposed that if the bill is passed the legislation will commence by proclamation at least six months after assent. The precise date of commencement will be determined in consultation with the courts, the Minister for Police and other stakeholders. If possible, commencement will also be coordinated with that of similar amendments that are planned for the Commonwealth Evidence Act. I commend the bill to the House.

**Debate adjourned on motion by Ms Katrina Hodgkinson and set down as an order of the day for a future day.**

**TOW TRUCK INDUSTRY AMENDMENT BILL 2007****Bill introduced on motion by Mr Philip Koperberg.****Agreement in Principle**

**Mr PHILIP KOPERBERG** (Blue Mountains—Minister for Climate Change, Environment and Water) [8.17 p.m.]: I move:

That this bill be now agreed to in principle.

The main purpose of the Tow Truck Industry Amendment Bill is to amend the Tow Truck Industry Act to improve the management and regulation of the tow truck industry. The key measure within the bill will dissolve the Tow Truck Authority and establish the Roads and Traffic Authority [RTA] as the tow truck industry regulator. This will result in the provision of better services to the tow truck industry and will give industry a stronger voice in shaping its future direction. It will allow the New South Wales Government to take the next steps to enhance regulation of tow truck activities and it will provide further protection to road users and those who use tow truck services.

The matters addressed in this bill have arisen primarily from a statutory review of the Tow Truck Act that was completed in 2005 by the Ministry of Transport. The review was required under section 109 of the Act to determine whether the policy objectives of the Act remain valid. The review found that the Act's objectives are valid and its terms generally appropriate. It found that while de-regulation of the industry is an ideal future goal, government regulation is still required to prevent unacceptable and, at times, unlawful industry behaviour. The review proposed several recommendations to further strengthen tow truck industry arrangements. I am pleased to inform the House that the New South Wales Government has already implemented most of these recommendations.

In particular, some of the proposed amendments to the Tow Truck Industry Regulation have been implemented to strengthen the regulatory regime; joint compliance operations have been successfully conducted between the New South Wales Police Force and the Tow Truck Authority on a regular basis; the authority has developed a driver training program in consultation with Training and Logistics Industry Skills Council Limited and national accreditation of this program has recently been approved; and a new towing authority form has been introduced to improve customers awareness of their rights and to better enable them to make an informed decision when negotiating for towing services.

The statutory review also recommended that the Tow Truck Authority and the board of the Tow Truck Authority be dissolved and that the Roads and Traffic Authority be established as the tow truck industry regulator, that the Tow Truck Industry Advisory Council be abolished and that the Job Allocation Scheme provisions within the Act be repealed. The bill implements these remaining recommendations. Extensive consultation has been undertaken on the proposals in the bill. I understand the bill has the support of the Tow Truck Authority, the Tow Truck Authority Board, the NSW Police Force, the Roads and Traffic Authority and the Ministry of Transport. In addition, consultation with industry and stakeholders, including the Motor Traders Association, the NRMA, the Insurance Council of Australia and other insurance groups was undertaken during the course of the statutory review.

I wish to speak first on the proposal to dissolve the Tow Truck Authority and to establish the Roads and Traffic Authority as the tow truck industry regulator. Since the Tow Truck Authority was established in 1998, it has implemented a range of reforms to deliver a more effective regulatory system for the tow truck industry and to improve the industry's professional standards as well as the standard of services provided to the tow truck industry. However, the statutory review identified several shortcomings with the current governance arrangements. In particular, it found the authority is not financially sustainable and, importantly, this is impeding its ability to implement further necessary industry reforms.

The authority currently has a very limited revenue base derived largely from tow truck operator and driver licensing fees. Over the last several years, the number of operators and drivers has steadily declined, leading to a corresponding decrease in revenue. The authority has never become financially independent, as was the original intention, and has consistently relied on supplementary funding from the Government. As a result, the authority's ability to deliver better services to industry—and the people who rely on the tow truck industry's services—is severely limited. Accordingly, the review proposed that the authority be dissolved and that its

functions be carried out by a larger and better-resourced government agency, such as the Roads and Traffic Authority.

The New South Wales Government has examined this recommendation and believes that it is sensible for a number of reasons. Firstly, the functions of the Tow Truck Authority are closely aligned with those of the Roads and Traffic Authority, and already the two authorities work collaboratively in several areas. The Tow Truck Authority licenses tow truck operators, certifies drivers and regulates an industry that plays a significant role in maintaining the efficiency of the roads and traffic system in New South Wales. This is similar to the role of the Roads and Traffic Authority, which manages the licensing of around 4.5 million drivers throughout the State. The Tow Truck Authority's role in improving professional standards in the tow truck industry complements the Roads and Traffic Authority's priority in promoting responsible road use and road user safety. The Tow Truck Authority and Roads and Traffic Authority currently work collaboratively in several areas. For example, the Roads and Traffic Authority distributes tow truck plates and various industry forms on behalf of the authority.

Secondly, the capacity, support and knowledge base of the Roads and Traffic Authority will improve services to industry and strengthen the way the industry is governed. This is particularly the case with compliance and enforcement. Members may be aware that while many tow truck operators and drivers are law-abiding, there are some who undermine the credibility of lawful and legitimate operators. A finding of the review was that whilst industry standards and conduct have improved since the introduction of the stricter licensing and regulatory regimes under the Act, industry behaviour still needs to improve further. Establishing the Roads and Traffic Authority as the industry regulator will strengthen compliance and enforcement activities and, in turn, weed out these unscrupulous operators.

For example, the Tow Truck Authority has only four dedicated compliance officers and has not had sufficient resources to adequately enforce tow truck legislation statewide. This is particularly the case outside the Sydney metropolitan area. In contrast, the Roads and Traffic Authority has a statewide enforcement network and opportunities will be pursued to better utilise these resources to enhance the enforcement of tow truck legislation. The Roads and Traffic Authority will draw on the expertise of Tow Truck Authority staff to examine and refine several of its enforcement programs to improve compliance within the industry. The integration of intelligence will also enable the Roads and Traffic Authority to better pursue opportunities to tighten the net on illicit activities involving vehicle theft and vehicle rebirthing rings.

The Tow Truck Authority has identified vehicle theft and rebirthing activities as a problem within the tow truck industry and provides criminal intelligence in this regard to the NSW Police Force. The Roads and Traffic Authority has a dedicated Vehicle Identification Inspection Unit, which has been established to combat fraudulent activities attempting to use the Roads and Traffic Authority's registration system to launder stolen and rebirthed vehicles. Inspections are conducted by the Roads and Traffic Authority on high-risk vehicles in the Sydney, Newcastle and Wollongong areas, and programs are in place to detect vehicle rebirthing outside these areas. This unit also manages the Written-off Vehicle Register and the allocation of Vehicle Identification Numbers. There will be an important opportunity to combine the intelligence resources from both agencies to monitor and carry out enforcement activities on vehicles of interest.

The Roads and Traffic Authority also has a highly advanced specialist proof of identity unit working to reduce the risk of fraudulent driver licences. The Tow Truck Authority has detected several applicants who have attempted to use false or misleading documents as part of their applications. Easier access to resources, such as those provided by the proof of identity unit, will enhance the integrity of current tow truck licensing processes. The Roads and Traffic Authority has highly effective document verification and robust licensing processes and procedures, which will produce more efficient, streamlined customer identification and enrolment procedures for the tow truck industry. In addition, the Roads and Traffic Authority has strong relationships that it has built with other government agencies, such as the NSW Police Force, with respect to road enforcement activities. This is beneficial, because the review identified a need to conduct joint compliance operations with Police in tow truck hot-spot areas.

These joint compliance operations have been successful so far and will be even more effective under the new arrangements. The other key benefit of the new arrangements is that the Roads and Traffic Authority has a statewide reach through its network of motor registries, which will provide benefits to both industry and road users. Currently, 167 locations across New South Wales provide licensing and registration services and in 2006-07 alone the Roads and Traffic Authority conducted more than 16 million licensing and registration transactions. The motor registry network will eventually allow services to industry to be delivered in locations

throughout the State, as opposed to the current situation where most tow truck industry services are delivered through the Tow Truck Authority's Parramatta office.

This registry network and other Roads and Traffic Authority resources will also be used to educate road users on their rights as users of tow truck services and on the responsibilities and obligations of tow truck drivers. This is an important point because a key finding of the review was that consumers need to be made more aware of their rights when using tow truck services. In particular, there are still unscrupulous tow truck drivers who will prey on vulnerable and uninformed motorists by imposing unjustified or exorbitant charges and, on occasions, fraudulent charges for towing services. To give effect to the new administrative arrangements, all staff currently working for the Tow Truck Authority have been transferred to the Roads and Traffic Authority and will form a distinct unit within that authority. The Roads and Traffic Authority will maintain a focus on tow truck regulation.

These new management arrangements are similar to those in other jurisdictions. For example, Queensland and Victoria do not have a standalone authority to regulate their tow truck industry and have integrated these regulatory functions with other comparable activities. New South Wales is the only State that has an autonomous Tow Truck Authority. As a result of this change in administration, the bill will dissolve also the Tow Truck Authority board, and the Roads and Traffic Authority will assume several of its functions. This implements another key recommendation of the statutory review.

The board currently is comprised of five members and it is the peak body responsible for decisions affecting the tow truck industry. The board's functions, as prescribed by the Act, include determining the policies of the Tow Truck Authority, providing strategic planning, and giving directions in relation to Tow Truck Authority functions. The statutory review recommended that the board be disbanded in light of the new administrative arrangements. Accordingly, the bill will provide for the functions of the board now to be performed by the Roads and Traffic Authority, and I am pleased to advise that the board supports this approach. I commend the board on its progress and achievements to date in reform of the towing industry.

Another key finding of the statutory review was that the Tow Truck Industry Advisory Council should be dissolved and that the industry should determine the nature and make-up of its own representative body. Under the Act the advisory council comprises members from various industry bodies and government agencies. Its principal role is to advise the authority on the regulatory environment, developments in the industry and proposed regulatory improvements. However, the statutory review concluded that the advisory council, which has not met since June 2002, was not effective in communicating with industry and also not representative of the various industry segments.

The statutory review recommended that the advisory council be abolished and that the industry should determine the nature and composition of its own representative body. The bill gives effect to the recommendation to abolish the advisory council. The New South Wales Government recognises the need to assist industry in driving the establishment of a more effective industry body. In the place of the advisory council an interim Tow Truck Industry Consultative Committee will be established. The committee will comprise current Tow Truck Authority board members and various stakeholder and government agency representatives. The principal role of this interim committee will be to consult widely with industry members and stakeholders to recommend the composition and role of a new, more effective and more representative industry advisory council.

These new arrangements will give industry and other stakeholders a much stronger voice in influencing and shaping the future direction of the tow truck industry. The bill gives effect also to another key recommendation in the statutory review report, that being the repeal of the provisions in the Act relating to the job allocation scheme. This scheme was originally proposed as a means to improve the safety of the public and tow truck drivers at accident scenes by putting in place a centralised call centre through which accident towing jobs were to be allocated. The scheme was intended to eliminate unscrupulous practices within the industry such as tow truck drivers racing to an accident scene, the harassment of drivers of damaged vehicles by tow truck drivers and corrupt payment practices.

The scheme currently is not, and never has been, in operation. A six-month trial of three models of the scheme was conducted in 2003. An evaluation of the trial found that it did not deliver all the expected outcomes, it did not improve service levels and response times were slower than anticipated. If implemented across the State, the scheme would have caused a major redistribution of towing work in many locations, which may have had longer-term detrimental affects on the industry and consumers. It would also have raised potential national

competition policy concerns. Furthermore, the review found that reforms introduced since the Act's commencement have significantly improved the operating environment that first prompted the development of the scheme and have essentially mitigated the need for it.

These reforms included the introduction of a stricter licensing and regulatory regime, which has been successful in denying undesirable persons entry into the towing industry and in prohibiting from operation certain types of tow trucks that previously were used to speed to accident scenes in an attempt to secure a tow. As an indicator of the success of these reforms the Tow Truck Authority has reported a significant decline in the number of complaints it receives in relation to driver behaviour at accident scenes since the Act's introduction. I must emphasise that the removal of the scheme from the Act will not change the existing requirements of tow truck drivers and operators.

In particular, the current requirement to obtain a towing authorisation for accident towing will remain. Towing authorisations are an important tool in reducing illegal accident towing and provide a high level of consumer protection. They will, therefore, continue to be required for accident towing work. In fact, a new and improved towing authorisation has been introduced. This new towing authorisation provides an enhanced level of information for consumers, particularly with respect to their rights and responsibilities associated with the towing of their vehicle after an accident and the fees and charges associated with the towing of their vehicle. The new towing authorisation also provides a clearer audit trail of fees and charges imposed by towing operators. This will assist the regulator to investigate and stamp out unconscionable activities undertaken by some towing operators.

There are other amendments in the bill of a consequential nature. For example, the Act will be amended to clarify that all moneys payable under the Act and regulation that are received by the Roads and Traffic Authority are to be paid into the Tow Truck Industry Fund. Similarly, all money to be paid out of the fund is to be limited to expenditure related to the function, execution and administration of the Act and regulation. This is a temporary measure and will provide a transparent mechanism to account for income and expenditure on tow truck matters.

Before concluding, I would like to point out that the New South Wales Government will not at this stage adopt several recommendations of the review. For example, the Government at this stage will not remove maximum accident towing fees. Currently, maximum fees are not set for trade towing. Consumers seeking a trade tow generally have more time and opportunity to obtain information and quotes in relation to the towing services they require. This opportunity provides for a more competitive market, in contrast to when they are involved in an accident and need to arrange the towing of their vehicle immediately, often when they are in a state of shock or injured.

In the case of accident towing, the industry is not yet mature enough to set its own fees. There are still a significant number of unconscionable towing operators who endeavour to take advantage of a motorist's limited awareness of their consumer rights and the driver's responsibilities when arranging to have their vehicle towed following an accident. The New South Wales Government will, therefore, continue to set maximum accident towing fees and will review this situation once industry training has been established and consumer awareness of the industry has been sufficiently raised.

In relation to the demerit points system proposed for towing operators and drivers, this matter is still under consideration and the Government will advise of its intentions on this recommendation in due course. The bill will build on the success of the wide-ranging reforms already implemented by the Tow Truck Authority and will provide the foundations to drive further tow truck industry reforms. It will enhance the regulatory environment in which the tow truck industry operates, and it will improve the efficiency of the delivery of services to both the tow truck industry and those who rely on tow truck services. I commend the bill to the House.

**Debate adjourned on motion by Ms Katrina Hodgkinson and set down as an order of the day for a future day.**

## **BUDGET ESTIMATES AND RELATED PAPERS**

**Financial Year 2007-08**

**Debate resumed from an earlier hour.**

**Ms KATRINA HODGKINSON** (Burrinjuck) [8.40 p.m.]: In speaking in the debate on the budget estimates and related papers for the financial year 2007-08 I note that once again the budget totally failed the preschools of this State. Members will know that New South Wales spends an average of only \$100 per child on preschool education. That is the lowest of all the States and Territories across Australia, the national average being \$175. Average fees are a shocking 73 per cent higher in New South Wales than the \$20 Australian standard: New South Wales has the highest fees. Enrolment rates of four-year-olds are only 59.1 per cent in New South Wales compared with enrolment rates in other States at 81.4 per cent to 100 per cent. We can see how far behind New South Wales has slipped when it comes to preschool education. In the 2007-08 budget preschools and childcare services received only \$116.3 million compared with \$113.3 million in the 2006-07 budget, an increase of only 2.7 per cent and the equivalent of the consumer price index increase. That is an extremely paltry performance by the Minister for Community Services and the Government, which obviously has scant regard for preschool education in this State.

The Federal shadow Minister for Community Services, Mrs Macklin, has said she wants a greater participation rate for four-year-olds, but the statistics I have just read out obviously show she has got pie-in-the-sky ideals and has no understanding of the problem that exists with the State Government. For years and years the Opposition has been calling for an increase in funding for preschool education in New South Wales to at least bring it up to the standard of other States, but we are so far behind the eight ball that only 59 per cent of four-year-olds are in the preschool system in New South Wales. That is a national disgrace and the Government should hang its head in shame. It is high time the Government acknowledged the need for efficient, appropriate and affordable preschooling for children across New South Wales.

In the time I have to speak this evening I will concentrate on some budget response points in relation to issues pertaining to my electorate of Burrinjuck. I commence with hospitals. Cowra Hospital is quite a large building and the entire upper floor of the hospital remains unused. There is a unique opportunity for the total refurbishment and upgrade of the hospital. At one stage it was a very busy teaching hospital and many nurses passed through it. There have been calls locally for radiotherapy and dialysis services at Cowra Hospital. Cowra and the Central West are growing areas. The Nationals have been calling strongly for a new Bells Line Expressway out of Western Sydney, across the Blue Mountains and into the Cowra area past Bathurst and Orange. One of the reasons for that is because Cowra is quite inaccessible, but a huge amount of produce comes out of the area. Considerable traffic is also caused by medical specialists and all the other services that are essential for any regional community. With the expansion of the Central West the time has come for the total upgrade of Cowra Hospital and for radiotherapy services to be firmly placed on the agenda of the Government. At the very least the Government should introduce dialysis services at the hospital.

While I am on the topic of hospitals, I should say that I hoped that this budget might have mentioned something positive about both Yass and Crookwell hospitals. The maternity ward and operating theatre at Yass Hospital were closed in November 2004 and the operating theatre at Crookwell was closed around about the same time. Yass was one of 32 hospitals across rural and regional New South Wales to lose maternity wards. At the time of the closure I went to a public meeting of about 600 people at Yass Memorial Hall. I spoke at the meeting. The bureaucrats from the Greater Southern Area Health Service told us that expectant mothers would just have to go to Canberra to have their babies. That is a 62-kilometre drive.

There has been no end of problems with women delivering their second or third children. In the normal course of events, they would have just slipped into Yass Hospital to deliver their babies but now they have to go to Canberra. There have been ambulance accidents, problems regarding childminding for other children and single mothers facing all sorts of difficulties as a result of the closure of the maternity ward. I call on the Government to reopen those 32 maternity wards and to look at expanding maternity wards across the State rather than continually consolidating and centralising services. It is just not working.

I also raise several matters in relation to roads. I have spoken about the need for a new Bells Line Expressway across the Blue Mountains. The Federal Government has committed the sum of \$10 million to the upgrade of the road and all the State Government has to do is match that. I know the member for Orange joins me in that call. The road is such an essential piece of infrastructure for the State and it is impossible to fathom why the State Government would think so poorly of the Central West region that it would not automatically jump at the opportunity to allow a small injection of funds from a State budget worth billions and billions of dollars. Why not inject \$10 million to get this road underway?

An enormous amount of produce comes out of the Central West and that means a huge amount of freight. When freight vehicles are mixed with the touring public and people who are not used to that road going

through the Blue Mountains, it is a recipe for disaster. At the very least, our tourists and those who transport important freight into a major metropolitan area deserve to have a road of modern-day standards. Quite simply, the existing road is below par. Many of the regional roads across New South Wales were built during the 1960s and they were given only a 25-year to 30-year life expectancy at that time. It is now 2007 and many of those roads should have been rebuilt by 1990 or 1995, or by the start of the new millennium at the very latest. There is not even a plan or a vision for the regional infrastructure road network across the State.

The closure by the Government of rail and branch lines and the reduction of services is increasing the pressure on our regional roads. We are seeing many more B-doubles and there is a need for increased B-double routes across New South Wales, particularly in my electorate of Burrinjuck. There is an increased amount of B-double traffic on roads such as the Lachlan Valley Way and the Burley Griffin Way. Many of those roads have incredibly poor black spot areas. I particularly mention the 10-kilometre stretch of road north of Binalong heading towards the Galong turn-off. Fire swept through that area a few years ago and the road has never been upgraded. People travelling up that road have to quickly reduce the speed at which they are travelling. It is a terrible black spot. It is very difficult to see, and there are many, many accidents on that section of the road.

I call on the Government to immediately provide funding to repair that section of the road. Many other roads, such as the Goulburn-Taralga-Oberon road, need to be resealed, particularly along the eight-kilometre stretch near the Abercrombie River. The Crookwell-Tuena-Bathurst road also needs resealing. Main Road 248 east and west through the upper Lachlan Shire Council and stretching from Boorowa to Crookwell needs upgrading. I will deal with the Bimbi Bridge later, but now simply make the point that it has been closed since 23 July this year. Traffic is now being diverted 30 kilometres around that area. The Zouch Street bridge in Young has been the centre of a constant argument between the railways and the RTA over which agency is responsible for fixing it. The road runs right through the middle of Young, which is a very busy and flourishing town, and is porous with potholes and uneven surfaces.

Despite the road being one of the major regional highways, the bridge is in desperate need of repair. I mention also a heavy vehicle route, Gocup Road, between Tumut and Gundagai. I congratulate the Federal government for announcing in the past week the allocation of \$11 million for roadworks. It is interesting that once again the Federal government has had to step in with funding for this extremely important road. The Coalition considers the road to be of national importance, even though it is a State road, but once again the State has reneged on its responsibilities and has left it to the Federal Government to pick up the pieces.

I turn now to the issue of policing. On many occasions I have called for 24-hour policing in Cowra because it has the third-highest statistics for sexual assaults of any local government area in New South Wales. Bureau of Crime Statistics and Research [BOCSAR] figures released in December 2006 are extraordinary. People would not associate Cowra with those types of crime statistics and, given those statistics, it is a travesty that 24-hour policing is not available in Cowra. I have met personally with the Minister for Police, the Hon. David Campbell, to bring the matter to his attention. I am not mentioning this matter to score a political point, but instead as something that needs fixing immediately. Cowra will need approximately 12 additional police officers to fill the current gap in policing. There will be costs associated with an expanded police presence and an upgraded police station, but action simply cannot be delayed. Given the statistics I have cited, we cannot leave a major town such as Cowra in the Central West without 24-hour policing.

The Gundagai police station was supposed to be refurbished a couple of years ago. Anyone who visits the police station will see that the redevelopment plans are still on the wall. The Government promised at least 12 months ago that the refurbishment would happen, but the police station still awaits refurbishment. This is yet another broken Government promise and I call on the Government to take action to address this problem. Young's police station comprises a split site, but I draw to the attention of the Minister for Police the need to have all police officers located at one site.

I turn now to discuss the schools in my electorate. Cowra High School needs air-conditioning. Only 17 out of 47 classrooms at the high school have air-conditioning, which is a disgrace. When I think of students and staff enduring very hot February days in the Central West, with temperatures reaching 40 degrees Celsius and beyond, I also think of Department of Education and Training staff and members of Parliament who may be in air-conditioned comfort, and I feel great regret because I know that conditions in the Central West in February can become extremely hot. Even in December temperatures can be extremely high and the classrooms can become extremely hot. The Government needs to come to grips with providing air-conditioning for schools in my electorate. That should have happened years ago. The Yass Public School currently is using a temporary demountable for its school canteen and needs a permanent assembly hall.

We need more teachers and we need to provide greater certainty for teaching staff to encourage them to remain in small country schools, despite fluctuating student numbers caused by the drought. I speak primarily of Bylong Primary School where the numbers have been fluctuating. Today it was brought to my attention that Rye Park Primary School will soon have up to eight children leaving because of the drought. Since rainfall records have been kept, this is only the second consecutive spring that has been an absolute rainfall failure for the Yass district. Confidence is at an all-time low, yet the Government imposes strict rules about allocating teachers and about fluctuating student numbers at primary schools, and that really shows the disregard that the Government has for country communities. I call on the Minister for Education and Training to exercise a little leniency when it comes to primary schools and teacher numbers during the drought. The numbers will improve, but he should just in the meantime give us a bit of a break.

In Yass we have an Aboriginal mentor for Aboriginal students, Greg Chatfield, who has held the position for the past couple of years. We have been trying to get him a permanent position. Previously there was an Aboriginal education assistant at Yass, Pam Bell, but the position was abolished in 1998. Ever since then we have been trying to get the position reinstated. A couple of years ago Greg Chatfield filled the gap. He has been doing a great job with the 42 Aboriginal students in Yass currently and his work has increased educational outcomes for Aboriginal students at Yass. However, he is funded on an ad hoc and temporary basis only. The deputy principal of the Yass High School has said :

[He] is considered a valued and respected member of Yass High Community who has made a great contribution to racial harmony in school ... His innovative and groundbreaking work deserves recognition and permanent funding support.

I could not put it any more succinctly than that. In the interests of Aboriginal welfare in the Yass community, Greg's position should be a permanent position. I call on the Minister for Education and Training to make the position permanent. With 42 Aboriginal students in the Yass community, one would imagine that such a position would warrant permanency; but, no, it has not been reinstated since 1998. That is a measure that could have been included in this year's budget, but there was no mention of it in the budget. [*Extension of time agreed to.*]

I mention also the very important matter of the need for 40 kilometre per hour zones at preschools on major roads. I have presented hundreds of signatures on petitions to this Parliament about a matter which is of particular importance in the Young area where there is a real problem of traffic speeding past preschools—which primarily is the reason I am making the call for the Government to act—but the problem is not confined to the Young area. I draw to the attention of the House the very real and very genuine need for a new Murrumbateman primary school. That wonderful school in Murrumbateman was attended by my great-uncle, Sir Walter Merriman. However, owing to declining enrolments in the 1970s, the school eventually closed in 1973.

I have written to successive Ministers for education about this extremely important matter. It is essential for the Parliament to understand that the area along the Barton Highway up to the New South Wales-Australian Capital Territory border will feed students into a new primary school at Murrumbateman. As I have stated previously, I have raised this matter with all consecutive Ministers for Education and Training since 2000, informing them of the ever-increasing population and demand for school services in Murrumbateman. The replies I received rejected the proposal either because there were projected long-term enrolments below 250 or because the peak enrolment of Berinba Primary School in south Yass, which was 313 in 1994, had not been reached at that stage.

However, the results of the 2006 Australian Bureau of Statistics census for the five census collection districts immediately surrounding the village of Murrumbateman indicate that 464 children aged five to 14 live in the area, but there is no primary school. An additional 212 in that area are aged zero to four. In the four census collection districts immediately surrounding Berinba Public School, which is a 15-minute drive north of Yass, there are 382 children aged five to 14 and 178 aged zero to four. None of these census collection districts overlaps. Those figures show that a new primary school at Murrumbateman would not adversely impact on enrolments at Berinba Public School.

Another issue I draw to the attention of the House is the workplace locations of parents in the Murrumbateman area. Overwhelmingly, the area along the Barton Highway up to the Australian Capital Territory border acts as a dormitory for Canberra with breadwinners travelling to the Australian Capital Territory each day. Of the 128 students who attended the Australian Capital Territory primary school at Hall—one of the victims of John Stanhope's recent cull of schools—82 were from New South Wales. At that time a total of 563 New South Wales students attended primary schools in the Australian Capital Territory. A large proportion of those students came from the Murrumbateman and Barton Highway area.

The most direct road route between Murrumbateman and Berinba Primary School at Yass is 21 kilometres. That means that a parent having to drive from Canberra—which is to the south of Murrumbateman—to pick up a sick child or to drop a child at school would have to travel an additional 42 kilometres. Most Murrumbateman parents choose to enrol their children in Australian Capital Territory schools to avoid that travel. For the same reason, a new school at Murrumbateman would be unlikely to have any impact on enrolments at Berinba Public School, which, as it happens, is my old school.

A significant number of children from the Murrumbateman region attended the Hall Primary School until its recent closure by the Australian Capital Territory Government. A new primary school at Murrumbateman is extremely strongly supported by the community. We have presented petitions in this place and written many times to successive Ministers. The Government continues to ignore this issue. The establishment of a school would relieve many parents who have reluctantly sent their little children to school a long way from home and it would have scant impact on enrolments in Yass. I wonder if any city member of Parliament could envisage having to travel 21 kilometres in the opposite direction to their place of work to drop their small children off at school. Given that there are many zero to four-year-olds and five- to 12-year-olds, it will have no impact on any other New South Wales State primary school. Why can this school not be established? It is extraordinary.

I draw the attention of the House this Government's closure of the Cowra to Blayney railway line. I recently met with representatives of the Lachlan Valley Railway Society in Cowra and heard firsthand about the state of the branch line that links the main western and southern railway lines. They showed me photographs of sections of road which have been declared unsafe but which are in perfectly good condition. They were upgraded prior to their reopening by the former Minister for Transport, the Hon. Carl Scully, in 2000. That was only seven years ago. The line is in perfectly good order yet it has been closed. How could the Government have let the line deteriorate so much over such a short period that it must be closed? It beggars belief that the Government can behave in that way.

As I said earlier, we already have B-doubles on the road and it is proposed that B-triples will soon be allowed on the highway. I acknowledge that they will not be allowed to travel on regional roads, but they will be on the Hume Highway. We have more and more B-doubles on the road, along with tourist traffic and local traffic, including P-platers, and everyone else vying for the same bit of road, which has deteriorated because this Government has spent no money on road infrastructure. Roads are falling apart and members wonder why country fatalities are increasing. This is crazy.

I refer members to the need for supported accommodation in Cowra. I wrote to the Minister for Disability Services strongly urging her to call for expressions of interest to establish supported accommodation for disabled adults in Cowra. There is no long-term supported accommodation for disabled adults in the area. Many Cowra parents care for disabled children and they are concerned about how they will cope now that their children are approaching adulthood. They are concerned that their children will have nowhere to live when they are too old or too ill to provide an appropriate level of care.

At least nine parents aged over 64 in Cowra care for their adult disabled children and another nine aged between 50 and 64 also care for disabled adult children in their Cowra homes. When parents are no longer able to care for their disabled children, those disabled adults are forced to move out of Cowra, away from their family and friends and the community in which they grew up. That can be a devastating prospect and it causes significant emotional trauma for those disabled adults. There is a clear need for disabled accommodation in Cowra.

The Minister informed me that individual families would need to ring a number provided by the department to register their interest. I am concerned that the Minister does not understand that these people do not necessarily understand all the bureaucrat speak used in the department. They live in the central west and they care full-time for their adult children, some of whom have very severe disabilities. Many of these parents are old and are struggling with their own health issues. They do not need the additional trauma of having to worry about lobbying some bureaucrat for something they do not believe they will get. The Minister for Disability Services should come to Cowra with me. I call on her to meet these people firsthand. I have written to her in great detail and have outlined the number of people who need this service. She should recognise the fact that the local member of Parliament has done all the work for her. We need disabled adult supported accommodation in Cowra urgently. I call on the Minister to address that need by the end of this year.

Concern has been expressed that drought support workers funding will be discontinued by the end of this year. Drought continues to ravage the electorate of Burrinjuck. I call on the Minister for Primary Industries

to ensure that drought support workers remain in place in Burrinjuck and across New South Wales for the duration of the drought. He must not eliminate these positions regardless of his personal feelings about the drought. It will cost a bit of money, but it is essential; we must maintain those drought support workers at any cost because they are saving many people a lot of heartache.

I have written a couple of times to the Minister for Community Services, the Hon. Kevin Greene, seeking funding to allow the Young crisis accommodation centre to find new premises. The centre is housed in a building very kindly provided by the Catholic Church, but it will not be available after June next year. The Minister flicked me a nothing response. I would be embarrassed if I were he sending that sort of response to a member. He has made no commitment to helping the 80 or so women and children who walk through the centre's doors every year. They are devastated by domestic violence or finding themselves suddenly destitute. Where will they go if there is no crisis accommodation available? They will be sleeping in cars or with strangers. We do not know. We must ensure that they have a safe haven. The Department of Community Services spends only \$130,000 each year supporting the women and child victims of abuse.

The Young crisis accommodation centre also services people from Cowra, Grenfell, Harden, Boorowa, Temora, Cootamundra and the many surrounding villages. The Minister must make a commitment that the Young crisis accommodation centre will continue providing uninterrupted service past June 2008. The centre has barely nine months in which to identify and secure new accommodation, to modify the building to meet its client's needs and to move in. The need to secure new accommodation is obvious. The Minister cannot sidestep his responsibilities with general statements about working to identify alternative accommodation. This Government must accept its responsibility to provide sufficient funds to ensure that this vital service continues.

I would like to raise many more issues in this budget debate, but time precludes me from doing so. I wanted to speak about the Yass water supply and the fact that Yass Valley, Bowning and Binalong are all provided with water from the Yass water treatment plant, which sources water from the river via the Yass dam, and the need for an increase in the size of the dam wall. There are many other extremely important issues in these budget papers. The Government has once gain failed— [*Time expired.*]

**Ms JODI McKAY** (Newcastle) [9.10 p.m.]: I speak tonight about the budget commitments for Newcastle and the Hunter region. We are already seeing the real and tangible effects of the Iemma Government's record budget announcement for the Hunter region. The 2007-08 budget allocated \$16 million for the construction of the Tourle Street Bridge, and this week I was pleased to announce the commencement of preliminary works on that bridge. The new \$47 million bridge will be built immediately east of the existing bridge that connects Newcastle with Kooragang Island, with the contract to build the bridge awarded to Daracon Contractors. The new concrete bridge will be 255 metres long, with 3.5-metre lanes, two-metre shoulders and a separate 2.1-metre footway on its eastern side. It will have wide lanes and better curve alignment that will improve safety and traffic flow across the bridge. When the new bridge is built the existing bridge will be demolished and the site will be retained for construction of a second bridge in the future.

This announcement is great news for the people of Newcastle, Stockton and Port Stephens and will reduce maintenance costs and ensure access by heavy vehicles to the industrial areas of Kooragang Island. Major works are expected to get under way later this month, with the construction of the bridge expected to be completed in 2009. In the longer term when future growth at Newcastle port, Newcastle airport and in the Port Stephens area stimulates growth in traffic volumes the bridge will be duplicated, providing a four-lane crossing of the Hunter River. This is a significant project for the Hunter region and is part of a budget that delivered a record \$300 million for roads in the region, which is an increase of \$53 million on last year. Significant funding has also been given to progress major projects, including the third Hunter River Crossing, the New England Highway and Nelson Bay Road.

The significant increase in road spending is part of a record \$1.3 billion allocated also to health, education and transport infrastructure projects in the Hunter region. That is a 35 per cent increase in capital works spending. I am pleased to report that the new community health centre in Newcastle will soon be opened officially. The recent budget included the final \$614,000 needed to complete the centre in Hunter Street, which will not only house health services once again in the inner city but also provide a landmark building to act as a catalyst for growth in the administrative and cultural heart of the Hunter. Nearby is James Fletcher Hospital, where a new 20-bed mental health unit will be built at a cost of \$2 million. I am pleased to belong to a Government that has made mental health a priority and, on behalf of the family members and friends of mental health sufferers, I commend the Premier for his leadership in this area.

Next door to James Fletcher Hospital is the Newcastle police station. Early in the new year the command will take delivery of a new mobile police station, which is one of three being delivered to the Hunter region, at a cost of around \$300,000. The mobile police station will allow Newcastle police to maintain a highly visible presence in the inner city of Newcastle, at shopping centres, train stations and other areas where crime hot spots are identified. It is well known that our civic and business leaders, police and other stakeholders have been working hard to combat a growing level of antisocial behaviour in our inner city on Friday and Saturday nights. The mobile police station together with other recent initiatives, including the crime prevention partnership established by the Premier earlier this year, will help to ensure that we have a safe and vibrant inner city.

In the law and order area, \$2 million has been allocated to Newcastle for the intensive supervision program, which involves specially trained youth workers, psychologists and alcohol and drug counsellors working closely with young offenders, their families, their schoolteachers and police. The intensive supervision program has already had a fantastic result in Western Australia, New Zealand, 30 States in the United States of America and nine countries throughout Europe. We look forward to seeing the results in our region, with real assistance provided to young people to get their lives back on track.

In education, I can report to the House that the Newcastle TAFE campus is undergoing a major facelift. I acknowledge the presence of the Parliamentary Secretary Assisting the Minister for Education and Training, the member for Strathfield, in the Chamber. I recently announced a significant upgrade that is the second stage of a major overhaul of Newcastle TAFE facilities. This is an example of the Iemma Government meeting our commitment to students, teachers and families in Newcastle by embarking upon the largest school and TAFE building program ever undertaken in New South Wales. This year the Iemma Government is spending a record \$11.2 billion on education and training, including more than \$870 million to upgrade, modernise and maintain New South Wales public school and TAFE facilities. Stage two of the upgrade at Newcastle TAFE includes the installation of new lifts to the upper levels of blocks F and C and sunscreens to block F, refurbishment of the nursing and aged care studies facility in block F, and refurbishment of the general and adult education facilities in block F as well as landscaping of the courtyard in block F. The tender for the new lifts and sunscreens has been won by O'Donnell and Hanlon from Kempsey, and construction is expected to get underway in the coming weeks.

The main part of stage two of work at the Newcastle TAFE campus, which is currently out to tender, is scheduled for completion in September 2008. Once it is completed students will have modern and comfortable facilities and industry standard equipment to help them in their vocational studies. Newcastle and the Hunter region as a whole are nurseries for skill and talent, and making sure that our TAFE students continue to have access to state-of-the-art industry standard facilities is helping us to address national skills shortages. I am pleased to report to the House that the latest data released by the Independent National Centre for Vocational Education Research showed that the Hunter was driving the growth in apprenticeship commencements, with an increase of more than 33 per cent in 2003. Work yet to begin at Newcastle TAFE includes the development of hairdressing and beauty therapy facilities—yet another project included in this year's budget.

Hunter passengers and the region's rail manufacturing industry are also benefiting from \$232 million allocated in the budget for rail rolling stock. This includes \$132.8 million to progress the manufacture of 626 new air-conditioned trains for the CityRail network. In addition, \$2 million will complete the \$102 million rollout of new diesel trains for the Hunter line to provide a more reliable and comfortable ride for Hunter commuters. There has been emphatic feedback from commuters using the new trains between Newcastle and Maitland. At Broadmeadow, which is an important and central railway station in the Newcastle electorate, easy access upgrades will be carried out to ensure safe access for all to the station. Bus passengers in our area will also share in \$281.3 million in funding for Sydney and Newcastle Buses, with 26 new low-emission Euro 5 diesel buses going to Newcastle. The first delivery is imminent.

I can also report to the House that preliminary work on the Newcastle network review is underway. The review will see a significant reconfiguring of bus routes and timetabling in the Newcastle area. We cannot go on doing things in the old way. We must change, and I commend the Iemma Government for acknowledging the changing face of Newcastle and the Hunter. The Newcastle network review will involve extensive community consultation. It will deliver improved integration with other forms of public transport and it will identify growth areas, providing improved connectivity with the University of Newcastle, John Hunter Hospital and major retail locations. We are making the brave decisions. It is no longer acceptable to have circuitous routes in the inner city while people in Mayfield bus hop to get to our region's major hospital. We must and will develop express services to key routes during peak travel times. We must provide safe late night transport for our young people

and we must stop unnecessary duplication of services in the central business district. Just because that is how it has always been done does not mean it has to continue. The people of Newcastle want change and we will deliver.

Another area I am passionate about is social housing. I spoke in the House last night in support of the community housing bill, which recognises the role of the community housing sector as a viable and diverse component of the New South Wales housing sector. The bill sets up the legislative framework for community housing providers, such as Compass Housing in the Hunter, to grow and expand. Community housing offers a way to maximise the amount of social and affordable housing available to those experiencing housing stress. There are around 4,000 Housing New South Wales properties in Newcastle providing accommodation to those most in need. We are fortunate to have a housing Minister who is innovatively exploring options for social housing, with the 2007-2008 budget delivering more than \$63 million for public and community housing in the Hunter region.

I move now to the environment. I acknowledge the presence in the House of the Minister for Climate Change, Environment and Water and thank him for his support of the Hunter Region. I recently had the privilege of representing the Minister at the dedication of 20,000 hectares of new reserve in the Hunter region. The budget has allocated \$2.9 million to establish and manage the new reserves under the lower Hunter conservation plan. The new parks will contribute to the region's nature-based tourism industry through the development of new walking and cycling trails, camping areas, bird-watching facilities and holiday cabins. These new reserves will also create two major green corridors in the region to provide protection to endangered ecological forests and extensive areas for threatened native plants and animals.

It is also heartening to know that Hunter families will share in the Government's \$340 million Climate Change Fund, which provides incentives to families and businesses to find practical ways to preserve water and energy, and cut New South Wales' emissions of greenhouse gases. It is significant initiatives like the Climate Change Fund that make this Government a leader in this country. It is also the smaller investments that the Government makes that have a real and tangible effect on local communities such as mine. I recently handed over a new fire engine to the Lambton brigade, and a new fire engine costing \$523,000, announced in the 2007-2008 budget, will soon arrive for Waratah fire station. The June long weekend floods that our city went through showed the important role our emergency services play in assisting communities in times of need.

We are doing it differently in Newcastle. The Minister for Lands, Tony Kelly, was recently in the city to announce the establishment of a working group to develop a plan of management for the Merewether Beach precinct. The State Government has contributed \$25,000 to the draft plan and will work hand in hand with Newcastle council on this project, while an expression of interest process continues unhindered for Surf House, an iconic building which has been left to decay for more than 15 years. I can also report progress on the derelict Newcastle Bowling Club site, where we have finalised a plan of management that provides for a convention-function facility surrounded by landscaped grounds that will integrate with King Edward Park, providing a place for families using our spectacular Ocean View Park.

Finally, I can report that more than \$155 million will be spent on capital works for water in the Hunter region during 2007-2008. Of course, the major capital expenditure is the \$33 million Tillegra Dam project, which will form the backbone of the Hunter and Central Coast water supply needs for the next 60 years. The total cost of that project is \$300 million. In Newcastle we will see an innovative water recycling scheme on Kooragang Island, the home of most of our city's industrial facilities. This initiative recognises the need to balance growth and economic prosperity with environmental concerns.

The Hunter is a growing region and the deliverables in this year's budget acknowledge that growth and the importance of our region to New South Wales. Roads, education, health and transport projects were the focus of this year's budget. The Iemma Government is meeting its commitment to improve and upgrade important infrastructure in the Hunter region. The record capital works projects in the Hunter will support an estimated 17,000 direct and indirect local jobs. I commend the Government on its record \$1.36 billion investment in the Hunter region. We are getting on with the job and we are delivering for the people of Newcastle and the Hunter.

**Mr RUSSELL TURNER** (Orange) [9.25 p.m.]: It gives me pleasure to speak tonight on the Government's budget for this financial year and to note the many projects that have been deferred or, I suspect, may fail to materialise. I speak first on the imminent—I hope—new Orange Base Hospital. This was first promised by the Government in 2002 with a completion date of 2005. We are now in October 2007 and the

latest news is that we are expecting the preferred tenderer to be announced in November this year. We are looking forward to that announcement. At the same time we are also looking forward to the promise by the Government that radiotherapy services will be installed in the new hospital and not just a few dots on the plan where they may go. I look forward to holding the Government to its promise that radiotherapy services will be installed in the hospital from day one so that up to 1,000 people a year will not have to travel from the Central West and far western areas of New South Wales to Sydney for radiotherapy services. We desperately need them and we will be holding the Government to its promise.

I also raise the issue of the proposed construction of the Orange Base Hospital on what is known as the Bloomfield Hospital site, where the current Bloomfield Hospital is built. It will remain and we are promised that it will be upgraded at the same time. It is a heritage site and will be retained as an asset to the community and provide expanded mental health facilities. Staff at the Bloomfield Hospital and the Riverside complex, or parents of patients at those complexes, are concerned about their future. There has been a complete lack of communication by the Government as to whether or how those people's lives will be altered with the building of the new Orange Base Hospital. For some patients that is their home. Some of them have been there for 30 or 40 years. Their parents are elderly and are concerned about how the lives of patients will be disrupted.

For so many years we were promised that the present hospital would be replaced. Now it is starting to fall down around our ears. The Government is using the excuse that we are getting another one so we should not complain. We constantly get reports about lifts breaking down, that the carpet is becoming threadbare and dangerous to walk on and that the medical equipment is being patched up rather than being replaced. This is not fair to the patients and it is certainly not fair to the staff who are working very hard in an inadequate, old facility. They are trying to make do with old equipment in the hospital because this Government is continually deferring the promised new hospital.

I again refer to the fact that the Government has let down the people of Cudal with its promised new district hospital. The Government completed stage one, which is basically a replacement of what was already in Cudal—general practitioners' facilities and a first aid station—but the Government promised that it would complete stage two, which would replace the nursing home beds that were in the old Cudal hospital that was declared unsafe and demolished. Here we are in 2007 and there is no mention in this new budget of funding to complete stage two of the Cudal hospital, again letting down the people of Cudal and letting down the community committee that worked so hard over many years to keep the Cudal hospital open. Eventually it was demolished with a promise that it would be replaced. No mention of it and no dollars in this year's budget.

I call on the Government to at least maintain services in other hospitals within my electorate at Wellington, Gulgong and Mudgee. I note that the multipurpose centre at Molong is reaching the stage where it is about to commence operation, which is certainly great news for Molong. I know that Gulgong is trying very hard to get a commitment from this Government for a multipurpose centre. We hope that materialises in next year's budget and that the people of Gulgong get the improved medical services that flow from these multipurpose centres. I raise my concern tonight about what will happen to facilities at the current Molong hospital, which is basically just a first aid station that has some nursing home beds, once the multipurpose centre at Molong is completed. What will happen to the existing Molong hospital? When the multipurpose centre is finally built in Gulgong, what will happen to the facilities at Gulgong hospital?

I turn now to my concerns about the Isolated Patients Travel and Accommodation Assistance Scheme. I acknowledge that the Government has finally lowered the minimum distance from 200 kilometres to 100 kilometres. A lot of people are applying for the rebate, but quite often the rebate is less than the Government's administration fee or so little above it that a lot of people no longer apply for it and therefore it is costing people who can least afford it money to travel to hospital or to their doctor. The Isolated Patients Travel and Accommodation Assistance Scheme is not benefiting those people as it should. I ask the Government to take that into account when it reviews the administration fee that is eating up the benefits of that particular scheme.

I again mention the Great Western Highway and the Bells Line of Road, which is continually referred to in this House. The Government continually fails to acknowledge the benefits of a new highway over the mountains roughly following the Bells Line of Road. I note that this Government insists on merely upgrading the Great Western Highway. I have acknowledged, and many other people acknowledge, that the Great Western Highway is a highway in name only. It is trying to be a local road for the residents of the Blue Mountains through Katoomba, Leura and all the other towns and villages along the way. It is also trying to be a highway, but I note again in this House that it is not a highway; it is nowhere near a highway. The road is so deficient that this Government will not even allow B-doubles to cross the Blue Mountains. It is an untenable situation and one that people just cannot believe.

Companies such as Electrolux in Orange can load B-doubles in Orange in the afternoon and travel to Melbourne, Adelaide or Brisbane overnight for delivery first thing in the morning, but they are not allowed to load a B-double in Orange in the afternoon for delivery to Sydney tomorrow morning because B-doubles—a modern form of transport—are not allowed over either the Great Western Highway or the Bells Line of Road. Yet the Government fails to acknowledge the importance of the new road. It continues to insist that we are merely going to get an upgrade of the Great Western Highway. There is a lot of controversy at the moment following the release of the draft plan, which shows that the highway might go through the Hartley Valley. The proposed route will disrupt many people's lives. It is completely unacceptable and we will not give up until we get decent access over the mountains. We must realise the potential to reduce travel time and reduce the number of deaths and accidents that currently occur on that stretch of road. Current statistics show that on a per kilometre basis that road has the highest number of deaths and accidents of any highway in New South Wales.

Turning to police stations within my electorate, I acknowledge that work has finally started on the Orange police station. That is certainly welcome news and I look forward to the official opening of that police station in the not too distant future. However, I have concerns about other police stations, especially our one-man police stations and the residences attached to them. They are receiving very little maintenance and very few upgrades. It is difficult to attract good officers to those one-man police stations when the residences attached to them have had very little upgrade work. There has been very little modernisation to the kitchens, bathrooms and so on, over the past 30, 40 or 50 years. I also point out that Mudgee is now under 24-hour police command. I call on the Government to guarantee that it will be maintained as a 24-hour police station and that all other police stations will be manned so that they can adequately service the people and deal with the crime that occurs within the cities, towns and villages throughout the Orange electorate.

I acknowledge the extra funding that the Government announced this week for the Country Towns Water and Sewerage Scheme. It is years too late, but the Government has finally announced schemes for towns such as Cudal, Manildra and Cumnock, which will finally be sewerred. For many years residents have been levied some \$500 a year and contributed toward this scheme. In many cases they were pensioners and people on low incomes who could not really afford it, but they made that commitment and the Government has let them down until now. I hope that there are no further delays and that those four towns will be sewerred as soon as the contracts can be let. They will suddenly come into the modern day and age where we expect that our towns and villages will be sewerred. I am sure that the towns will certainly welcome that.

I am also concerned about the lack of funding for our State parks. In particular, there is a controversy raging at the moment about the Burrendong State Park and the Mookerawa State Park. Many people have had campsites and caravan sites in the parks for several years: they go there to relax. They do not want to get involved in the brawl that is currently going on between the park trusts, the State Government and Wellington Council. This Government is not acknowledging the downturn in visitation revenue to those State parks as a result of the low level of water in Burrendong Dam.

At the moment the storage level is at 17 per cent, up from the previous 4 per cent or 5 per cent, but coming into summer it will return to the 3 per cent to 5 per cent level. Visitations will decrease and income will remain low, so it will not be viable for an operator to run the kiosks. The Government will not acknowledge the problem nor give financial assistance to ensure that the parks remain in first-class condition. Wellington Council may be forced to withdraw the licences of people staying in caravan parks. Farmers or businesses that rely on the farming community are all affected by this horrendous drought and it is not up to Wellington Council but the State Government to provide the necessary financial assistance.

I acknowledge that the New South Wales Government has provided \$6 million on a 50:50 basis for stage one of the distributor road or the Orange bypass. However, stage one will be a waste of time if the project is not completed and freight or stock trucks no longer need to traverse Summer Street, but can bypass Orange. These trucks leave a mess on the road when they take off at traffic lights, and that is most unsatisfactory. I acknowledge that the Federal Government in its election campaign has promised \$10 million to complete the bypass, which will become the Mitchell Highway. The Mitchell Highway is a State Government responsibility but the Government has failed to accept that responsibility. It also has also failed to acknowledge the importance of Main Road 353 between Wellington and Dunedoo and that this portion of the road, one of the largest stretches of gravel road, the most important road in the Orange electorate, remains unsealed. [*Extension of time agreed to.*]

The Federal Government has acknowledged the importance of Main Road 353. It has announced an allocation of \$16 million to complete the vast majority of work to ensure that the road is safe and is a quicker

alternative to the Newell Highway, which may be closed because of fire or accident. I highlight also the State Government's lack of commitment to tourism for all inland centres. It provides only a paltry amount for tourism compared to what it provides for Sydney and coastal areas. Most overseas tourists would not even know of the existence of country New South Wales because the Government refuses to acknowledge the fantastic tourist attractions west of the Blue Mountains.

The Age of Fishers Museum is a fantastic, world-class facility at Canowindra, and is one of two in the world; the other is in Canada. The fish fossils were discovered some years ago and both the Federal and State governments provided initial funding for construction of the fossil museum. However, this first-class facility has been threatened with closure because the State Government has not provided funds to run it. Sydney has many art galleries and museums that will never pay their way and will always require subsidisation. I understand that, but the Age of Fishers Museum is equally important and should be funded appropriately.

Additional responsibilities have been placed on local councils. Wherever possible councils have passed the financial burden on to ratepayers, but with rate pegging, there is limited capacity to increase revenue stream to recover those costs. The State Government has not provided adequate funding for roads and railways. I acknowledge that the XPT is a world-class train and that the Government is upgrading engines and carriages, but the line is substandard. The XPT can travel at 160 kilometres an hour but between Blayney and Bathurst the train must slow down to 40 kilometres an hour in some areas because of the condition of the track. As a result, freight is carted by truck on an inadequate road system.

The line between Molong and Yeoval has been closed for many years and although I have no problem with that, the Government will not officially close the line and remove the dog-leg crossings. Despite no train travelling on the line for 20 years, we still have railway crossings limited to 30 kilometres an hour because the Government will not provide funding to straighten the road and make it an alternate route to Dubbo. If the Government were to provide requisite funding, 20 kilometres would be cut off the trip for people travelling from Sydney, the Central West, Orange and Bathurst to the Dubbo Zoo and other Dubbo facilities.

This Saturday I will attend Euchareena Public School for its 125th anniversary. It is a fantastic school comprising 10 or 12 students. Schools such as this must remain open and be funded appropriately. The Government must acknowledge the wonderful work undertaken by the parents and citizens associations in providing facilities in these schools. The Government ignores public schools in the Central West. I highlight the inadequate facilities at Gulgong High School where little upgrade has taken place since it was opened in the early 1970s. Gutters are broken or leaking, and students get wet running between demountables that have been on the site since the school was first constructed. One toilet has three steps in front of its door and students or teachers have to lift a student who is in a wheelchair up the three steps, yet the Government has the hide to call it "a disabled toilet". That is a disgraceful situation that should be rectified immediately. The school is also seeking security fencing because it is used as a thoroughfare from the playing fields into town and a place to commit acts of vandalism.

I call on the Government to acknowledge that we must continue to support farmers throughout this most horrendous drought. When I was a farmer during the 1982-83 drought I had to handfeed sheep for far too long so I know what the farmers are going through. I acknowledge that the Government is providing some support to farmers. I will hold the Minister for Primary Industries to his commitment that the Government will continue to support farmers at the current level while the drought continues. Earlier this year we thought there was some respite and the drought might end; that led to a record amount of grain being sown. However, those paddocks are now being burnt off. In some instances stock have been put in crop paddocks, in some instances the crop is being baled, and in other instances where it is marginal the farmers are holding out the hope of getting a crop to take advantage of the world record prices at present.

I turn now to public housing. Again, the Government is letting down people in public housing through a lack of maintenance. Last week I supported a single mother with a couple of children who are living in public housing. I visited her because Department of Housing staff insisted that they did not have time to visit, although they had promised 15 months earlier that something would be done. Departmental staff maintained that they did not have time to visit the property in 15 months. Fortunately, someone from the department visited the property within two hours of my contacting them. This woman now has new carpet; the old carpet was so hard that cleaning had made no difference. The bathroom ceiling, which had peeling paint, has been repainted; the sewerage leak in the backyard has been fixed; and power points that would not switch off, although there are young children in the house, have been repaired. It should not take the intervention of the local member to get something done. I acknowledge that the local staff did something fairly quickly once I brought the matter to their attention, but that is not good enough.

Public housing needs to be maintained. We need a better system to deal with tenants who insist on disrupting the lives of their neighbours; and if they fail to correct their behaviour there should be a better system to evict them. In some streets there is a mixture of public housing and private housing. People who have bought their own home take pride in their home and garden, yet one or two people can make their life hell. The Government has taken some steps to correct the problem, but I do not believe those steps have gone far enough. Unfortunately, in many cases the Department of Housing bureaucracy takes so long to take action that people's lives are disrupted for so long that all they want to do is get out.

Sometimes we get the feeling that the Government is letting things go along the same line so that people will move out of public housing and move into private housing. That should not be the situation. People who have lived in public housing for a long time have said to me, "We used to be proud to say we lived in public housing. We are no longer proud to live in public housing. In fact, we wished we could get out if we could afford to." That is not the Government's role; it is the Government's role to supply public housing for those on low incomes and those in difficult circumstances who need public housing. Yet the Government has taken too long to act on these concerns. I call on the Government to make public housing a priority again so that people will not feel embarrassed to say they live in public housing, and to take all available measures to ensure that people do not have to live in public housing.

Finally, I call on the Government to meet the commitments it has made to the people of New South Wales in this budget. Do not defer any of the commitments to next year or the year after; complete the promises on time. As I said, I look forward to the new police station in Orange. The police officers who work hard in Orange are looking forward to getting a new police station, which has been promised for many, many years. We are looking forward to the start of the Orange Base Hospital and its timely completion. As I said, the Government must give the police and those who work in the medical facilities the support they deserve. The Government must acknowledge that the road system throughout the electorate is inadequate. I call on the Government to support our farmers in this desperate time of drought. I acknowledge that many small businesses, especially those in our small towns, are suffering almost as much as the farmers. I thank the Government for the opportunity to speak on the budget tonight.

**Mr DAVID HARRIS** (Wyang) [9.55 p.m.]: This budget delivers for the people of Wyong. This budget reinforces why the people of New South Wales and Wyong put their faith in the Iemma Labor Government. This budget delivers on infrastructure and services not only for the people of Wyong but also for communities across the State. This budget is about fiscal responsibility while at the same time improving outcomes for the people of New South Wales and Wyong in particular. This budget recognises that in the electorate of Wyong, as in other growing areas, there is a need for increased public infrastructure. Wyong will undergo significant growth in the next 25 years, as has been identified in the draft Central Coast strategy. At this time growth on the Central Coast as a whole will fit between 60,000 and 100,000 new residents in the area.

Later this year two important documents will be released: the North Wyong Structure Plan and the Central Coast Conservation Strategy. These two documents will be welcomed by my colleague the member for Swansea and I as they will deliver direction to the local community as to the services that are needed in the area. Along with the Central Coast strategy, they will allow both the State Government and Wyong Shire Council to plan in detail how this growth will be catered for. Council staff are currently working hard on population studies to complement these State Government plans, and I meet with council staff regularly to discuss associated issues. I look forward to continuing to work with Wyong council to meet the general needs of the Wyong community.

As I said at the outset, this budget recognises the significant growth in the region, and it commits more than \$68 million to infrastructure projects in the Wyong electorate alone. As well as this, \$22 million will be spent on transport initiatives. This means that more than \$90 million will be spent on projects in Wyong during this financial year alone. Significantly, Wyong residents will also benefit from the total Central Coast infrastructure expenditure of \$258 million. Let us explore a bit of the detail. Health is an important matter on the Central Coast. In a community that has a large elderly population and a large youth population, the needs of health are magnified by the need to provide a range of services required to cater for these specific demographics. They are quite diverse. This budget sees a record health budget of \$1.22 billion to improve health services for the North Sydney Central Coast Area Health Service, which is an increase of \$58.8 million on last year. That is significant. Specifically, a further \$4 million is allocated to the redevelopment of Wyong hospital, bringing spending thus far to \$88.6 million. When complete in 2009, we will have seen a total of \$95 million, which is a substantial investment in health care in Wyong and the northern Central Coast.

I visit Wyong hospital regularly, and I am impressed by the new facilities. This hospital is home to several vital services. The Wyong mental health centre—I acknowledge that the Minister who has responsibility for mental health is at the table—is a 50-bed, state-of-the-art facility located at Wyong hospital. Its co-location with other essential hospital services is vital in providing a total-care plan for patients. When fully operational, the centre will triple the number of mental health beds available on the Central Coast.

Within the centre there are three specialist patient care areas: a 15-bed older persons unit, a 25-bed adult acute mental health unit and a 10-bed high-level observation unit. Wyong Mental Health Centre will open in stages, commencing with 10 older persons mental health beds in the dedicated older persons unit. The Wyong Hospital redevelopment also includes a new and expanded emergency department. I had the pleasure of attending the opening about a month ago with the Premier and health Minister. This is a fantastic resource for the community of Wyong and the wider Central Coast. The redevelopment includes extra beds for acute care; separate dedicated paediatric beds and dedicated mental health beds; new medical and surgical wards; six new operating theatres; an extended medical imaging, pathology and pharmacy service; new outpatient clinics; a high dependency unit; and education facilities. This is indeed a real win for the people of Wyong, and will ensure their health needs are looked after into the future as the community continues to grow.

More than 30,000 people commute from the Central Coast to Sydney and Newcastle each day. The residents of Wyong who use public transport will benefit from record expenditure on new trains, buses, rail lines and station upgrades—record spending of \$5.8 billion across the State. It is an achievement that this Government and the Deputy Premier and Minister for Transport, the member for Ryde, in particular, can truly be proud of. This Government has a real transport plan. In the Wyong electorate \$3 million has been allocated for an upgrade of facilities at Tuggerah railway station. The upgrade will provide greater safety and parking. It includes a bus interchange, which will integrate with the upgrade of Tuggerah Straight to dual carriageway.

An allocation of \$400,000 has been provided to complete concept designs for the new North Warnervale railway station, which will be a centrepiece of the Warnervale township and also provide better access to the Warnervale employment zone when completed. The community of Warnervale, of which I am a resident, looks forward to the completion of the new railway station. This will be an important milestone in developing the necessary infrastructure for that area. Some \$15 million will be spent on improving the maintenance of rail infrastructure, including track reconstruction, bridge renewal, signal maintenance and other works. This work will continue to provide safer, more reliable rail travel for Wyong and Central Coast commuters.

A portfolio area I am extremely passionate about is Education, being a former school principal and teacher. Indeed, my wife is currently a teacher. I am very proud that the new Hamlyn Terrace Public School will be constructed about 100 metres down the road from where I live, with the project to be completed by next year. I have been watching the progress of the development as the buildings go up. The school will give the Hamlyn Terrace community a quality facility in which to deliver public education. The project will be delivered as part of a successful public-private partnership and will cost in excess of \$8 million. It is the second school to be built in my electorate in the past couple of years. The other is Woongarah Public School, which was completed two years ago. Indeed, it is the fifth school built in the area in the last 10 years, offering fantastic facilities for students in the area. This is further evidence that the Government is committed to quality education.

The formation of the trade school initiative at Wyong TAFE is well under way and will benefit local kids by offering them access to better skills training. The first two courses being offered are electro-automotive and aged care nursing. It is interesting that aged care nursing was selected because that is a very big need in our area and continues to grow. The trade school initiative will ensure that students are able, through their Higher School Certificate studies in years 11 and 12, to complete the first year of their apprenticeship. The initiative has the added bonus that because it is done through the TAFE system the students will leave year 12 with both their Higher School Certificate and a recognised trade certificate. I believe that is an outstanding initiative on the part of the New South Wales Government.

The Building Better Schools initiative, which involves \$280 million in capital funding to schools across the State, will also bring great benefits to schools over the next four years. Gorokan High School, in particular, will be a beneficiary of the initiative. Gorokan High School is a high-performing school in our area but it services an extremely disadvantaged demographic. The staff and the school principal, Allan Arkins, have worked very hard to overcome this disadvantage. They run excellent programs for Aboriginal students, which may be of interest to the Minister for Aboriginal Affairs, who is at the table. The school also has a very good performing arts program. Over the next four years the students will benefit from a new gymnasium, a new

performing arts classroom, and upgrades to the school's science laboratories and kitchens. The facilities will be very much welcomed by the local community.

Wyong students will also benefit from a stronger focus on literacy and numeracy in the early years of schooling, with an allocation of \$81.6 million to be provided to the literacy and numeracy program across the State over four years. My wife is a kindergarten teacher. The use of effective literacy and numeracy programs in the early years of schooling ensures a strong foundation for students as they move through school and, hopefully, into training and employment in the future. I am particularly excited about the Connected Classrooms Program. One of my penchants as a teacher and principal was technology in the classroom. One of the first things I did when I was principal at Gwandalan was to purchase an electronic whiteboard, together with a projector and the interactive material that went through it, and that was of great benefit. The program is now being rolled out across the State so that all schools and students can benefit from these great technologies.

Wyong students will also benefit from Learn or Earn initiatives, which deal with skills training, as well as very important transition programs from primary to secondary schooling. On the Central Coast, in particular, there are very strong transition programs operating in our schools. Training our workforce strategies have also been put in place. I very much welcome the introduction of climate change strategies, such as providing water tanks in schools, which assist schools to contribute to the community's efforts in combating climate change. As a former teacher and principal, as I said earlier, I am proud of the Government's significant commitment to Education and Training in the State budget.

I now turn to housing. I listened with interest to other speakers' comments on this issue. The New South Wales Government will spend in excess of \$9 million on housing in the Wyong electorate. This is part of a \$27.8 million allocation to be spent on social housing projects across the Central Coast. This is welcome funding and it will help to meet the needs of less affluent people in our community. Public housing is an important issue in our electorate. The provision of affordable housing is crucial in meeting our social responsibilities as a government. It is a shame that the Federal Howard Government is not committed to the same level of support for social housing. After three successive Commonwealth-State Housing Agreements, the Howard Government now wants to rip up the entire agreement and yank from each State around \$300 million currently set aside for housing.

John Howard's new policy to rip out about one-third of the New South Wales housing budget means that social housing providers across the country may be forced to sell around 39,000 homes to make up this financial shortfall. The Opposition should be talking to the Federal Government—although it probably will not matter for much longer, given that the Federal election is coming up—about its responsibility in terms of social housing. The Federal Government's current policy on social housing is clearly a disgrace.

Last week I attended the Oliver Twist Gala Ball, which raises much-needed funds for an organisation known as Coast Shelter. Coast Shelter runs services for homeless people in the Wyong electorate and also provides a kitchen that serves up to 200 meals a day to people who are not able to prepare meals for themselves. The head of the organisation is a good man in our community, Laurie Maher, the former Mayor of Gosford. Laurie expressed the view that John Howard's neglect of people, together with the direction in which the Federal Government is heading with regard to social housing, is absolutely atrocious. I certainly support that view.

On the Central Coast roads are a big issue. Everywhere you go in the electorate, people talk about the state of the roads. However, I am very pleased to report this evening that that talk is becoming more and more positive. Everywhere you go on the Central Coast, on all the major arterial roads there is roadwork going on. Indeed, the people of Wyong can actually see in action the dollars that are being spent to make sure we have a quality road system. This financial year \$17.8 million will be spent on roads in Wyong alone, and \$79.5 million will be spent on Central Coast roads, which is a record Roads budget for the Central Coast. The Government should be commended for that.

A program of works designed to address congestion issues for local residents in a growing area is absolutely essential. I will outline some of the projects that are being undertaken. An allocation of \$12 million has been provided for the Pacific Highway dual carriageway upgrade between Tuggerah and Wyong, \$1.2 million has been allocated to repair Deep Creek Bridge on the F3, \$618,000 has been allocated for infrastructure maintenance council grants and \$300,000 has been allocated to improve a very dangerous intersection on the Pacific Highway at Mataram Road, Charmhaven, where I used to live. An amount of \$290,000 has been allocated for traffic facility council grants, \$143,000 has been allocated for school crossing supervisors and \$135,000 has been allocated for safety improvements on the Pacific Highway and Cutler Drive in Wyong.

An amount of \$110,000 has been allocated for black spot treatments for Wyong Road, Chittaway Road and Enterprise Drive in Berkeley Vale. An amount of \$100,000 has been allocated for Wyong town centre planning. Planning for that project is one of the most significant issues facing our community. In addition, \$100,000 has been allocated for planning for Sparks Road, which again is essential because it is the major arterial road into the new Warnervale developments; \$85,000 for treatment of black spots from Sparks Road in Kanwal; \$50,000 for black spot treatment along Britannia Drive, Wyong; and \$50,000 for Wyong Road, Bryant Drive and Reliance Drive, Tuggerah. It can be seen that the Government is making a significant impact on road funding on the Central Coast and, indeed, in Wyong.

I turn now to water, a big issue during the last State election campaign. I emphasise that the Labor Party went to the last election with a clear plan for creating a sustainable water grid and securing the Central Coast's water supply. As the member for Newcastle said earlier, the plan involved building the Tillegra Dam and strengthening and upgrading the pipeline from the Hunter. Even before the election we had announced major recycling projects, including a significant project at Vales Point power station. That means that the power station will no longer need to draw water from the local town water supply; it will recycle its own water. Under the local water savings funds local schools, clubs and business received quite significant grants to make sure they were water efficient.

Through Hunter Water the Government committed funds to the Hunter-Central Coast pipeline, which sustained the coast over another very dry summer. Each day it added 30 per cent to the local water supply. Significantly, water now flows both ways. The Central Coast has been banking water with the Hunter, and that is what a water grid is all about: sharing between communities. Recently Minister Koperberg visited the area and announced an extension of the washing machine rebates on top of the water tank rebate and other rebates already offered to local Central Coast residents as an extension of metropolitan programs. I am pleased to report that we are now delivering on our election promises by allocating more than \$4 million towards improving the capacity of the pipeline. Eventually it will provide 50 per cent of the water supply for the whole Central Coast when the upgrade is completed. That will allow water to be transferred between both the Central Coast and the Hunter. [*Extension of time agreed to.*]

Further funds have been awarded to the Gosford/Wyong Councils' Water Authority for infrastructure upgrades. We recognise the importance of creating a sustainable water supply for Central Coast residents into the future. We put our policies and our money where our mouth is, and we are delivering for the people of Wyong and the Central Coast.

Law and order is a big issue on the Central Coast and in Wyong. I am pleased to report that the Tuggerah Lakes command has already benefited from extra police. We received 13 new police from the graduation class at the end of last year and recently one more has been added. Through those extra police the local area command has been able to drive down crime in the northern Central Coast. Our police are working very hard and deserve support for their efforts. The announcement that \$1.3 million has been allocated in the budget to achieve just that is most welcome. The Wyong Police Centre will be a state-of-the-art facility which will enable police to centralise the highway patrol, detectives and forensic units into one building.

The centre will house holding cells, saving police vital time in transporting offenders. Currently offenders are taken from The Entrance to Gosford overnight and taken to Wyong court the following day. With the new police centre that will no longer be necessary and their vital resources will not be tied up. Tuggerah Lakes local commander, Geoff McKechnie, reported in the local media that that money "will see us move well into the acquisition and planning stage and get the thing started". It is expected that that facility will be completed towards the end of 2009, a great facility for the community and for the police. Recently we have taken delivery of a new mobile police station, which will aid police in increasing high-visibility operations and assisting the local command to meet the needs of the growing local community.

In an area that is quite disadvantaged, community services are absolutely vital. The Iemma Government will provide more than \$15.3 million to community groups on the Central Coast to improve services for local families. Constituents in Wyong will benefit from \$3.7 million for 50 community services, including family support services and neighbourhood centres. The budget has allocated \$3 million for children's services such as preschools and occasional care, \$2.3 million for early intervention programs under the very good Better Futures strategy, \$4.6 million for 17 services for homeless people and crisis accommodation under the Supported Accommodation Assistance Program, and there will be an 11.6 per cent increase in funding to the Department of Community Services.

The Government is spending a great deal on improving the aged and disability areas, environment and tourism and increasing the capability of our emergency services. All this benefits the local economy and supports more than 3,200 jobs through the State Government's capital works programs on the Central Coast, directly benefiting local families and businesses. It can be seen from all of that that the needs of Wyong and the wider Central Coast have been recognised by the Iemma Government, which has allocated record amounts of increased funding. Planning is being undertaken and infrastructure has been rolled out. On 11 October an article in the *Financial Review* by Laura Tingle pointed out the contrasts between what the Iemma Government has achieved and what the Federal Government's budget papers provide: the States have been losing their share of Federal funds. The article states:

The political fight over federal funding of the states is set to flare again with figures showing total payments to the states, including grants and GST revenues, have fallen to their lowest level in a decade.

Significantly, the figures come from the federal government itself, which produced updated data in the 2006-07 final budget outcome, released late last month.

The numbers appear to support the states' Arguments that the commonwealth is not paying them enough.

Although New South Wales is not getting the money it deserves the Iemma Government has delivered a record budget. That is an indication of the good management of the Government. However, the job is never complete and we on this side of the House understand that responsible government is about creating priorities and delivering sensible outcomes. That is in stark contrast to the Opposition, which, throughout the March election campaign, made an impossible list of unfunded and unachievable promises. The Opposition tried to bribe the Wyong community, and in the end it became just too unbelievable and the electorate rightly rejected it.

Unfortunately, it seems that the Opposition has not learned the lesson of another election defeat. Its Federal counterparts should take note that voters want spending on infrastructure and services as well as fiscal responsibility, something the Government is delivering. That is why the Iemma Government was returned to office, but the Opposition continues to live in denial. Government is about hard work and actions, not dreams and fantasies. It is about making tough decisions, making the budget balance while delivering services to the community. It is all about being responsible.

The budget demonstrates to the electorate of Wyong, along with the rest of the State, that the Government is fiscally responsible while continuing to deliver on services and infrastructure. That is in stark contrast to what those opposite would do. There is always more to do, and I will continue to bring issues to the attention of the Government while I work hard for the people of Wyong. I will finish by reading some quotes from that learned journal, the *Daily Telegraph*, regarding the 2007-08 budget. At the time the budget was delivered, an article in that journal stated:

This is the Budget we all needed.

Michael Costa delivered the Budget we needed—and one that will give the Opposition nightmares.

Barry O'Farrell's chance of ever becoming NSW Premier may now have vanished—

and that was only after a couple of months as Leader of the Opposition—

Treasurer Michael Costa and NSW consumers could have seen him off after only months in the Liberal leadership.

Costa has framed a remarkable budget.

It's remarkable for the fact that it delivers on all the Government's election promises, in health, transport, education and utilities.

We could not have put it better ourselves.

**Debate adjourned on motion by Mr Paul Lynch and set down as an order of the day for a future day.**

**The House adjourned at 10.20 p.m. until Thursday 18 October 2007 at 10.00 a.m.**

---