

# LEGISLATIVE ASSEMBLY

Thursday 29 November 2007

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

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

## COMMUNITY JUSTICE CENTRES AMENDMENT BILL 2007

## CRIMES (FORENSIC PROCEDURES) AMENDMENT BILL 2007

## LOCAL GOVERNMENT AMENDMENT BILL 2007

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

## EVIDENCE (AUDIO AND AUDIO VISUAL LINKS) AMENDMENT BILL 2007

**Bill received from the Legislative Council and introduced.**

**Agreement in principle set down as an order of the day for a future day.**

## OCCUPATIONAL HEALTH AND SAFETY AMENDMENT BILL 2007

**Bill introduced on motion by Mr Barry O'Farrell.**

### Agreement in Principle

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [10.01 a.m.]: I move:

That this bill be now agreed to in principle.

In the week in which Bernie Banton died the issue of occupational health and safety again has captured attention. There is no better week to remind this House and the public that only through a combined commitment and acceptance of responsibilities by employers and employees will we have good and safe workplaces. As I said in this place when speaking about Bernie Banton, rogue employers and rogue workers are in the vast minority in this country but, regrettably, it takes only one of each to give a bad name to all those who work tirelessly to earn a living and provide business places in which people can work.

Behind this bill is the fundamental importance of ensuring a balance of responsibility in workplace safety issues. Indeed, this bill followed an extensive 10-month review by the Iemma Labor Government of the State's Occupational Health and Safety Act 2000. That was a statutory review required by law. Over that 10 months and following consultations with unions, employees and employers, a series of proposals were developed to improve the balance of workplace safety matters to ensure a more practical approach that guaranteed workers and employers understood their responsibilities and sought to provide an environment in which both worked together in order to improve safety within our workplaces.

The changes proposed by the bill I have introduced are designed to clarify what is expected of employers and employees, and to focus all parties on actual improved safety results we all should seek. By requiring employers and employees to consult on workplace safety matters the Act can successfully develop a spirit of cooperation across New South Wales workplaces. Such a spirit of cooperation can further improve the rate of injuries and fatalities in workplaces across the nation. The key changes proposed within this legislation involve the inclusion of legally binding agreements between employers and WorkCover. These enforceable undertakings would focus on better safety results rather than costly legal action. Other key changes include a requirement for employees to take reasonable care for their own safety, and clarification to recognise that people with a duty of care must do what is "reasonably practical" to ensure health and safety in the workplace.

This legislation provides a far more practical approach to managing workplace risk—an approach used in most other States. Further key changes in this bill include the introduction of new fraud offences for making false representations or for obtaining financial advantage by deception, and adding an advisory role to the statutory functions of WorkCover. This reflects a new approach from that authority to place greater emphasis on the provision of advice, systems and education, which ultimately hold the keys to delivering better safety records in New South Wales workplaces.

One example of why businesses big and small across this State are seeking these reforms—reforms that provide employer ease as well—is the case highlighted more than a year ago by the *Australian*. Rob Partridge used to run a small plumbing company on the New South Wales Central Coast. In 1998 there was a dreadful accident in which an elderly resident at a retirement village was killed after a thermostat failed and she was scalded in the bath. WorkCover prosecuted Mr Partridge over the accident. This case demonstrates the extraordinary level of duty of care imposed under the existing New South Wales Occupational Health and Safety Act.

Despite that he had not installed the thermostat and was rarely at the retirement village, Mr Partridge was deemed to be "in control" of the premises for plumbing purposes. It did not matter that he had strictly followed the manufacturer's instructions in servicing the thermostat. He had tested the device only three months before the accident. The internal fault it developed could be detected only with the aid of stereo microscopic magnification—not something usually done by the average plumber. In the article Mr Partridge said the following about this case:

It wrecked my life. I had a good business, a lot of clients; mentally it's devastated me. I had to plead guilty. The barrister said, 'It's going to cost you \$50,000 to fight it, and WorkCover only has to find one minor thing you did wrong, remotely connected to it'.

The article continued:

The most serious fault the industrial court could attach to Partridge was that he failed to gather information regarding the expected lifespan of the mixing valve and consequently failed to advise [the retirement village] as to the need to replace the mixing valve when the valve's lifespan had expired.

I repeat: This was the result despite the device having been tested three months earlier and having been found to be acceptable. That is why the current Act is flawed: it demonstrates a one-sided approach to workplace safety and puts enormous responsibility on employers like Mr Partridge and others across the State. The Act fails to place any requirement for responsible action on workers. There are employers who do the right thing by providing a safe workplace and encouraging their employees to work safely. Situations arise when a worker is foolish—we have all been foolish at times—and disregards advice, training and everything. At the end of the day, instead of that foolishness being recognised as the cause of the problem, injury or, God forbid, death, the responsibility is laid at the door of an employer regardless of the employer's record or efforts to ensure better workplace safety outcomes.

Employers and employer groups across the State support the legislation. I have received an enormous amount of correspondence, and I want to mention some of those who have contacted me. Robert Bushby, the President of the Ingleburn Chamber of Commerce and Industry, supports the proposals. Greg Farrow, the President of the Maitland Business Chamber, also supports the proposals. Michael Broekman, the Director of Namoi Valley Bricks, one of the companies in Gunnedah, who has direct experience of these issues, supports the proposals. I have received correspondence from representatives of Namoi Gas and Steel, who also support the proposals.

Whether in city or in country, whether in regional areas or in remote areas, employers across this State understand the extraordinary obligations imposed upon them by the current occupational health and safety legislation in New South Wales. They understand the risks they face every day when they open their workshops, their shops or other workplaces. These are not risks they can foresee but risks they cannot foresee, risks that have nothing to do with their efforts to ensure, as is the fact, that the great bulk of workplaces across New South Wales are run appropriately and with everyone's safety in mind.

I regret that I have had to introduce this legislation as a private member's bill. Before the State election the State Government promised these identical reforms. I repeat: The legislation I have introduced in the Legislative Assembly this morning is the bill prepared by the Minister for Industrial Relations, the Hon. John Della Bosca. This bill came out of the consultations that the Hon. John Della Bosca undertook with all those involved in workplace safety. It is the bill that the Hon. John Della Bosca wanted to introduce to Parliament

before the State election campaign and the bill that the Premier, Morris Iemma, promised would be introduced to Parliament before the State election campaign.

One may well ask why there has been no initiative from the State Government in this area. Despite 10 months of consultation, despite a consultative process that the Minister himself described as constructive when thanking all those who contributed to the important review process, nothing has happened. Despite describing the proposals put forward in the legislation as "ensuring that the legislative framework is effective and responsive to the changing needs of the New South Wales workforce", and despite committing that "Together, we will continue to further reduce the incidence of injuries and fatalities in New South Wales workplaces", nothing has happened.

The reason nothing has happened is that the New South Wales union movement has nobbled the process, has stymied the process, and has stopped this reform legislation dead in its tracks. The union movement of New South Wales, for reasons best known to John Robertson and his cohorts, is stopping sensible legislation that seeks to ensure that workplaces across the State provide an environment for greater safety results and less costly legal actions. The union movement is stopping workplaces across the State from having a more co-operative environment in which everyone who works in them, employer and employee alike, accept their responsibility to improve workplace safety.

We have just gone through a Federal election campaign where union influence was at the centre. I certainly accept the result of that election campaign. As I said in my remarks about Bernie Banton's passing on Tuesday this week, I will never seek to deny a union due credit when it acts appropriately on behalf of a worker or workers, or the community. Equally, I would say the same in relation to employer groups. I will not hold back in my criticism of a union or a union movement, or an employer or an employer group, if they act contrary to the public interest. It is clear that in relation to this matter Unions New South Wales, led by John Robertson, is acting contrary to the interests of the public. The interests of the public are acknowledged and recognised by two of the three most powerful members of the Iemma Government, Treasurer Michael Costa and Industrial Relations Minister John Della Bosca, both of whom support this legislation, both of whom want the practical, sensible reforms outlined in this legislation to be put in place in New South Wales.

At least two members of the Iemma Government understand that the consequences of not introducing these changes are having a devastating impact upon the business investment climate in New South Wales. Those who have businesses in this State clearly have to try to work through and around the existing occupational health and safety laws. They want change, they want reforms and they want a balancing of the system. However, other people, on a daily and a weekly basis, are looking to see whether they should invest in New South Wales, or Queensland, or Victoria, or elsewhere. We have the worst regulatory regime that exists anywhere in the nation. The Rob Partridge story is enough to stop most people picking up tools in New South Wales for their own benefit, to create employment for others, or to create a greater wealth for society.

We as Liberals and Nationals well understand that the State and Federal governments do not have enough resources to maintain our living standards into the future. The people who determine our living standards are those in the non-government sector, which makes up about 85 per cent of the employment of the State and national economy. They are the people who create wealth, the people who create employment, and the people who ultimately are responsible for the living standards that we enjoy today and that we want our children and future generations to enjoy. That is why this legislation is essential.

I am disappointed that, despite repeated promises, this Parliament has not passed this legislation before now. Only on 4 August this year the Premier of New South Wales said, "There will be reform and in my view it will be a balanced package." The Premier went on to say, "The process is before Cabinet and will be legislated when the Parliament returns in September." I understand that the Parliament will sit next week; indeed, I understand that there is a possibility it might sit the following week. There is no sign of the State Government introducing the changes needed to make our workplaces safer. There is no sign of the State Government introducing the changes needed to ensure a better balancing of workplace safety obligations and responsibilities. There is no sign of the State Government introducing these reforms, which would, in the words of the Minister for Industrial Relations, "demonstrate practically that New South Wales was genuinely open for business", if that was not just another slogan put out there to win a campaign and not provide any results.

It is simply outrageous that the Premier can mislead the public both before the election and after the election. We know that one of the reasons that bills were introduced last night was to ensure that we could debate them next week and that they could get through the upper House before the end of this year. That is why

the Liquor Bill was read at great length last night. If the Premier was going to introduce these reforms, his time is up. These reforms cannot now be introduced and cannot be passed by both Houses of Parliament in order to be effective by the end of the year. The Premier has again, after the election, lied to the public and failed to deliver on a core promise that he was hanging out for the business community before the election.

I will cite a couple of other examples of how our system fails. New South Wales has the largest number of prosecutions, the highest fines and the largest number of occupational health and safety inspectors in the nation. However, according to the Australian Bureau of Statistics, the State has injury rates worse than the Australian average. Despite the enormous regulatory regime that exists within New South Wales, despite an army of inspectors and a phalanx of prosecutions, despite an enormous growth in the fines that are imposed upon people like Rob Partridge, we are not seeing in this area, any more than in other areas, the achievement of the types of results we want.

Where is the focus of the State Government? The Minister for Industrial Relations, John Della Bosca, argued in May last year when proposing these reforms: Should there not be a focus on the production of better safety outcomes in workplaces, rather than on what has been described as a costly legal process? Approximately 32 per cent of the Australian workforce works in New South Wales. New South Wales WorkCover has undertaken 34 per cent of all workplace inspections. While the inspectors have issued only 31 per cent of improvement notices and only 18.7 per cent of prohibition notices, a massive 63.4 per cent of the nation's prosecutions have been commenced in New South Wales. We have seen reforms take place in other areas when the State Government said that too much money had been spent on legal processes and on lawyers and not enough money was being spent on those who have responsibilities in this area or the victims. This is another incidence of the entire legal process soaking up too much money but not producing better results.

New South Wales WorkCover recorded 66 per cent of the nation's convictions with an 88 per cent success rate, with the remainder recording an 80 per cent success rate in prosecutions. I remind the House again of Rob Partridge's plea of guilty on the advice of his barrister. He was told that WorkCover had only to find a minor infraction, not even directly related to the incident, for him to suffer an even bigger penalty than previously. The system is flawed, unbalanced, unfair and not delivering better workplace safety results. The system should be reformed. I am pleased to introduce this important legislation that should have been introduced by a State government that is focused on the needs of employers and employees in New South Wales. However, this State Government is too focused on the needs of its Unions New South Wales mates, too open to influence from John Robertson and the union hierarchy, and is not really focusing on the interest of workers, union workers and non-union workers across the State.

The State Government is not focused on the needs of the wider State in terms of attracting investment in New South Wales and is certainly not focused on the interest of employers who currently face unreasonable imbalance in their attempts to run businesses in New South Wales, especially regarding workplace safety laws. I commend this bill to the House. I encourage members opposite to have the strength of character to support this legislation—John Della Bosca's legislation, the legislation supported by Michael Costa, the legislation that is required to create better workplace safety outcomes, the legislation that the State's employers demand.

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

## **GOVERNMENT SCHOOLS (INFRASTRUCTURE REGISTER) BILL 2007**

### **Agreement in Principle**

**Debate resumed from 8 November 2007.**

**Mr THOMAS GEORGE** (Lismore) [10.23 a.m.]: I support the Government Schools (Infrastructure Register) Bill 2007. At the outset I thank the Leader of The Nationals, shadow Minister for Education, and member for Oxley, Andrew Stoner, for introducing the bill. The object of the bill is to establish a requirement for the Director General of the Department of Education and Training, who is referred to in the bill as the director general, to keep an infrastructure register in relation to government schools. The register is to comprise reports on the status of the capital infrastructure of government schools, which will be known as school status reports, and three-yearly plans on building and maintenance work in those schools, which will be known as school building plans. School status reports and school building plans are to be prepared by the director general and included on the website of the Department of Education and Training.

To highlight the problems faced by schools today and the impact of those problems upon the parents and citizens committee, groups and families, I cite an application by the Wyrallah Road Public School in 2001 for school improvements. The proposed school improvements included major shelter provision, covered walkways, air-conditioning in all school buildings, a modern technology laboratory, a major playground centre and environmental improvements across the whole school. In May 2001 I visited the school and met the parents and citizens committee as well as the school staff. I explained to those present that there is a process for dealing with the applications for school improvements. Following that meeting, I contacted the school services unit and the asset management directorate of the Department of Education and Training. The Wyrallah Road Public School parents and citizens committee presented the school's problems to the directorate and discovered that although the application had been lodged in 1994, it had been classified as needing to be reviewed and prioritised. In 2001 the directorate advised me to visit the school, inspect the conditions and make official representations to the Minister for Education and Training. In 2004 I received an email from the then principal of the school that stated:

Yes, Wyrallah [Road Public School's] request for the provision of a hall has been noted by the Department and funding will be considered in the context of future capital works priorities.

It was pointed out to the asset management directorate by the principal that the school has 19 classes and that 2004 projections showed the school will not get any smaller in the near future. The school was on the move in 2004 and that pace has continued to the present. The school badly needs a multipurpose unit. The principal requested the asset management directorate, the school community and me to join forces and make the multipurpose unit a reality. In September 2005 I attended the fiftieth anniversary celebrations of the Wyrallah Road Public School and again many families approached me regarding the provision of the multipurpose centre. After discussions with the new parents and citizens committee, whom I had not met previously, I pointed out that the improvements were not yet listed as a priority by the asset management directorate. They asked whether I was sure about that and I replied that I was positive. The parents and citizens committee wrote to me to confirm what I told them. The letter states:

Confirming your information and, to our surprise, that the Wyrallah Road Public School's previous application for a hall has not reached initial submission stage yet.

I point out to the House that despite a clear need for improvements in the school being shown in 1994, by 2005 the school's request was yet to be classified as a priority by the Department of Education and Training. So the Wyrallah Road Public School Committee, parents and friends and the school community had thought they were well and truly on the process. This highlights the need to have a register to which people can refer to verify their place on the list. Thank goodness for the Federal Government investing in our schools programs. There have been a lot of representations made to me over the last few years by schools such as Wyrallah Road Public School that have been supported by the Federal Government investing in our schools program. This is one example where we need to have a transparent system where schools, parents and citizens and the community can see where they are placed on a register.

Whilst we are talking on the requirements of schools, I raise an issue that has been brought to my attention related to school building plans. The Diocese of Lismore recently approached me. That diocese is responsible for Catholic education from Port Macquarie or Kempsey to the border. The diocese has been trying to build a school at the Macksville East Public School site. Most people would know that I come from a real estate industry background. Under the current law once a property is publicly listed for sale you cannot dictate who is going to buy it.

**Ms Angela D'Amore:** People selling their property can decide who they are going to sell their property to.

**Mr THOMAS GEORGE:** You cannot decide who is going to buy a property.

**Ms Angela D'Amore:** They can decide which bid they want.

**Mr THOMAS GEORGE:** You cannot. If you publicly list a house or list a property with a real estate agent you cannot say, "Thomas George cannot buy that property."

**Ms Angela D'Amore:** The vendor can choose.

**Mr THOMAS GEORGE:** No, the vendor cannot choose who is going to buy a property.

**Ms Angela D'Amore:** Rubbish!

**Mr THOMAS GEORGE:** I would ask the member for Drummoyne to check that. If I am wrong I would like to know and I would like it to be pointed out to me.

**Mr Richard Amery:** We certainly would not let a National buy in our electorate.

**Mr THOMAS GEORGE:** That may be the case. That is probably the reason why you need to move to the country.

**Mr Richard Amery:** If there is not a law stopping that we would make one.

**Mr THOMAS GEORGE:** I think there are some laws that have been made to suit certain people. The Diocese of Lismore approached the council at Macksville to purchase a block of land that was owned by the Department of Education and Training. Council received this reply from the Department of Education and Training:

I refer to your letter dated 15 December, 2006 concerning the Macksville East Public School site. It is confirmed that the Department is still prepared to proceed with the sale to Council at the previously offered amount of \$400,000 plus GST.

They agreed to sell it to the council. On 9 May the council received a further letter from the Department of Education and Training stating:

I refer to previous correspondence between the Department and ... Council regarding the proposed disposal to Council of the Macksville East Public School site also known as Thistle Park. Under the NSW Government's Total Asset Management Policy, a direct sale to Council can only occur where council intends to use the property for community purposes and not where it intends to resell the property.

The proposed sale to Council can now only proceed if Council is prepared to agree to a restrictive covenant being placed on the title to ensure that the property is only used for community purposes and that it cannot be used for a non-government school purpose.

I cannot believe this.

**Mr Richard Amery:** It is land that is designated for education purposes. Is that so radical?

**Mr THOMAS GEORGE:** What is the difference between a government school building and a non-government school building on that site? The Department of Education and Training has said no, it cannot be sold to a non-government school. Forget whether it is the Catholic church or the Anglican church, the Government will not allow a school to be built on the site. As soon as the council offered it to an organisation that would build a school on the site it was withdrawn from the market. I cannot believe this. The Chancery of the diocese of Lismore has written to me and also to the Premier. There has been a precedent set. I believe there is an Al Amana school at Bass Hill that was able to buy an education site and build on it. The Diocese of Lismore wants to build a school, the town needs a school and yet this Government has refused the opportunity for a non-government organisation to build a school. Father Jones from the diocese has again written to the Minister, and I have a copy of that letter. I ask the Minister for Education and Training to reconsider and let the Diocese of Lismore purchase the property to enable it to build a badly needed school for Macksville.

I wish to place on record another matter that may not relate to the bill but certainly relates to education. I wrote to the Minister for Education and Training about a problem at Pearces Creek Public School and I am disgusted that a reply came back informing me that the department had written directly to the school when the representation was made to me—the arrogance of this Government again. It is not only happening in the education department—

**Ms Angela D'Amore:** Knock on the door. Pick up the phone. Come on!

**Mr THOMAS GEORGE:** Yes, the arrogance of this Government! There seems to be a new edict that when members of Parliament make representations on behalf of constituents the Government replies directly to the constituent and sends the member a copy of the reply. That is not courtesy. Ministers visit areas and do not advise the local member of their proposed visit. That is the arrogance we have come to know from this Government. You should remember that one day you will be in Opposition—

**Mr Richard Amery:** Not while you are over there, Thomas.

**Mr THOMAS GEORGE:** No, but one day you will be in Opposition. Just remember that you would appreciate a Minister advising you when he visits your area. In future would you please send any correspondence from the Department of Education and Training directly to me and I will forward it on to the constituent? Otherwise you are going to encourage letters going to Ministers that do not mention whom we are representing.

**Ms Angela D'Amore:** Oh!

**Mr THOMAS GEORGE:** The member for Drummoyne makes a big joke of it but let me tell you that the constituents do not appreciate it either. My constituents rang me and highlighted their concerns about receiving a direct reply when they had contacted me in the first place. I think it is respected around here that no one tries harder than me to stick to some sort of code of ethics. When Ministers come to our electorates without informing us and write directly back to our constituents and bypass us it is not appreciated.

**Mr RICHARD AMERY** (Mount Druitt) [10.38 p.m.]: The Government does not support the Government Schools (Infrastructure Register) Bill 2007. It is a private member's bill introduced by the Leader of The Nationals. Its object is stated to be establishing a requirement for the Director General of the Department of Education and Training to keep an infrastructure register in relation to government schools. On the face of it one might say that having a register of required works seems a fair enough proposal and therefore by legislation we should tell the director general to do that which he already does—keep a priority list of major projects within the department. The Opposition's bill would create a public list that would rank one school as No. 1 and another as No. 1,250. What impact would that have?

**Mr Brad Hazzard:** That means you put more resources in.

**Mr RICHARD AMERY:** I will talk about resources in a moment. I am glad that the member for Wakehurst has interjected on that subject, which the member for Lismore also mentioned. It would not matter if we doubled the Education budget; there would always be a No. 1 ranked school on the so-called register and a school ranked No. 1,250. That is a most divisive proposition. It would cause consternation in school communities across the State. But divisiveness in all public policy is what the Coalition is about. The member for Lismore referred to the Investing in Our Schools Program, which is a divisive policy of the former Federal Government. Under that policy the Federal Government bypassed the Director General of the Department of Education and Training, the department and, in many cases, local school communities and funded directly public schools controlled by the State Government.

**Mr Brad Hazzard:** This is great. We can send a copy of this to all your school principals and all your parents and citizens associations.

**Mr RICHARD AMERY:** Please do. I will give the member for Wakehurst the stamps to make sure that he does. It is all about resources. The member for Lismore named some projects underway in his electorate, and I will name some from my electorate if I get time. What underpins resources? It is funding. What was a big issue during the recent Federal election campaign?

**Mr Brad Hazzard:** It was actually lousy school maintenance because of seven Labor governments.

**Mr RICHARD AMERY:** The interjection by the member for Wakehurst leads me to another point. This week members seem to be playing bit-parts in an episode of *Fawlty Towers*—no-one will mention the war. We seem to have forgotten that something happened last weekend. Of those who have sat in the public gallery this week—and who have not watched television, listened to a radio or read a newspaper—only the cryptic crossword experts could detect from what has been said in Parliament that there was a Federal election last weekend. As far as education funding is concerned, there is light at the end of the tunnel. That light is the election of the Rudd Labor Government on the weekend. I formally announce to the Parliament of New South Wales—because Hansard obviously has not been informed—that the Labor Party, of which I have been a member for more than 30 years and of which there is probably 1,000 years membership collectively on this side of the House, had a historic election win on Saturday. As we speak, the new Rudd Ministry is being selected by the Labor Party Caucus and the leader. What a fantastic result! But for some reason it is not mentioned in this place.

Mr Rudd and his team were elected largely because of the Howard Government's policy of decreasing funding for public schools over the past 11 years. Mr Rudd made the "education revolution" a big issue in the

election campaign. What position did the Teachers Federation take? It pointed out, I think quite eloquently, that the Howard Government since its election has progressively decreased the amount of Federal funding for public schools in all States, and certainly in New South Wales. As a result the New South Wales Labor Government has had to put its hands deeper and deeper into its pockets in order to make up the funding shortfall. But there is now a light at the end of the tunnel because—and I repeat—Kevin Rudd has just been elected Prime Minister of Australia, due in no small part to the decreases in education funding by the Howard Government over the past 11 years.

I thank the Leader of The Nationals for introducing this bill that, in cricket terms, is a full toss to the Government. It highlights the fact that the Federal Coalition Government has an appalling, divisive record when it comes to funding education in all States, and certainly in New South Wales. My electorate, like many others around the State, has a combination of schools, some of which were built in the past 10, 15 or 20 years and others that were built anything from 50 to 100 years ago. New motor vehicles come with power steering and air-conditioning, and the older ones do not. So, too, older schools do not have purpose-built libraries, freestanding halls, increased electricity capacity and so on. My constituents who send their children to older schools are trying to ensure that those schools catch up with the newer schools that have modern amenities.

The State Government has allocated record funding for catch-up school maintenance. I pay tribute to the former Minister for Education and Training, Carmel Tebbutt, to whom I highlighted school maintenance needs and the ongoing lack of Federal funding for schools in the electorate of Mount Druitt. Colyton Public School needed a hall, for which it campaigned for about 15 years. Rooty Hill High School needed a freestanding library because it had been using converted classrooms for this purpose for virtually 40 years—ever since the school was built. Eastern Creek Public School could not reach the enrolment requirement that would secure a decent library for the school.

I give credit to the former Minister for Education and Training—as I did in my speech during the budget debate—for visiting my electorate and for allocating funding to those schools, although the department's maintenance and capital works budget was strained. Two of the projects are now in progress and I understand that the other project is about to go to tender. The State Government can make that sort of commitment in all electorates. It is doing its best to make up the shortfall in Federal capital funding over the past 11 years. Some Opposition members will assert that the Federal Government allocated millions of dollars to education last year, and planned to allocate more this year. That is a sleight of hand. The Federal Government always claimed to be increasing funding.

**Mr Phillip Costa:** Former.

**Mr RICHARD AMERY:** I am sorry; I keep forgetting. I have already announced the Federal election result, have I not? Before I conclude my speech I will do so again because we are not talking much about it in the House this week. The growth in education funding might have been running, for the sake of argument, at 5 per cent or 6 per cent. The Federal Government would then allocate to the States a consumer price index increase of maybe 2 per cent or 3 per cent, based on whatever formula it used. The Federal Government's funding contribution to the States was always less than the cost of public education—the cost of bricks and mortar, and paying teachers and staff.

Therefore, the State Government had to continually increase education funding in its budgets. As a result, education now receives the second-highest funding allocation—about one-quarter of the entire State budget now goes to education. Contrast that with the divisive approach of the former Federal Government. Due in no small part to its poor record on public education funding, Federal Coalition members are now in the wilderness on the Opposition benches. No doubt they will enjoy discussing their situation with State Coalition members, who have been in opposition for more than a decade.

The bill would establish a public register by an Act of Parliament. The director general would be required to prioritise projects such as school halls, public fencing, plumbing works, toilet repairs and so on at schools around the State. Some schools would be funded in the current year and some would receive funding in the future. That would cause school communities a great deal of distress. I do not believe that parliaments should be so prescriptive as to tell departments how to prioritise every little maintenance project.

There is an old catchcry that the Opposition is about accountability. We must look through the nonsense of the proposition now before the Parliament. The Opposition wants all the toilets in New South Wales schools to be listed on a register. Who is to say which toilets will be fixed next week? It is an absurd piece of



legislation. It is the sort of thing that the Opposition cooks up for a Thursday morning. No-one could take this proposition seriously. I will conclude as I started. The Federal Government's Investing in Our Schools Program, the resourcing of our schools and the decline in Federal Government allocations to public education over the past 11 years are the real reason why the Federal Coalition is in opposition today. That is the real reason that we have seen headlines such as, "Rudd bowls Howard" and "Victory for ALP".

**Mr Jonathan O'Dea:** Point of order: Newspapers should not be read from or brought into the Chamber.

**ASSISTANT-SPEAKER (Mr Grant McBride):** Order! I uphold the point of order.

**Mr RICHARD AMERY:** I was making passing reference, because obviously the Opposition has not read them. Members and visitors in the gallery should go to the Parliamentary Library, where there is a good stock of weekend newspapers, and read the headlines showing that last weekend the Federal Coalition Government was defeated and Kevin Rudd won the biggest Labor win since 1943. He knocked off the Prime Minister, the first time that has happened since 1929. Whilst industrial relations and climate change were big issues, education funding and the poor performance of the former Federal Coalition Government are the reasons why the Opposition is bleating about resources in the House today. Our education department, our school communities, our education Minister and our Government have been drained of Federal funding for the past 11 years. With the election of the Rudd Labor Government I am sure that the situation will improve in the future.

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

#### **UNIVERSITY OF TECHNOLOGY (KURING-GAI CAMPUS) BILL 2007**

##### **Agreement in Principle**

**Debate resumed from 28 June 2007.**

**Mr JONATHAN O'DEA** (Davidson) [10.52 a.m.]: The proposed redevelopment of the University of Technology site at Lindfield in the electorate of Ku-ring-gai, which adjoins my electorate of Davidson, has created great consternation within the local and wider community. Like many others, I believe the university site should continue to be used as a community facility for educational purposes. The current site has been used to educate new nurses and teachers needed for the vital areas of health and education. The loss of the university site for this educational purpose will place a further strain on health and education resources in this State. The broad public interest certainly warrants protection of this site as a valuable community education asset. What extra or enhanced educational infrastructure is planned for the North Shore in the next 20 years? It seems that the Government is only interested in closing public educational facilities in Sydney's north.

Under the Metropolitan Strategy and the draft subregional strategy it is clear that there will be substantial population growth in the region to 2031. What is not at all clear is how the growing educational needs of this population will be met. So much for Labor's education revolution! While Federal Labor talks of an education revolution, State Labor acts in a revolting way on education. Labor members again have been shown to be hypocrites, while the Coalition is fighting for better educational resources for our community, as can be seen by the bill before the House earlier today. One sensible suggestion from members of the Lindfield Public School community is to move Lindfield Public School from the Pacific Highway to the university site. This could result in increased school space in a friendly environmental setting, improved public sporting facilities and schools and restrictions being removed from the busy Pacific Highway at Lindfield. Residential units could then be built on the current school site on the highway, which is near public transport and shops.

It is important to also note that nearby public primary schools in Roseville and Lindfield in my neighbouring electorate of Davidson are already at or over capacity. The high school in the adjoining suburb of Killara is already operating over capacity, with 1,450 students enrolled in 2007. The very capable principal has publicly stated that he expects enrolments to increase to about 1,500 students next year—more than 300 students over its capacity. Needless to say, there is a real shortage of space. Although the Government has abandoned the promised Epping to Parramatta rail line, the railway from Chatswood to Epping is scheduled to open next year. This railway will travel under the university site. After public debate the Government adopted a railway tunnel option under the Lane Cove River rather than a bridge over it. I understand this option required increased depth

for the tunnel, which has made it impractical to locate a station at the university site due to the required depth of escalator shafts. In turn, the University of Technology pointed to the lack of a railway station as a major reason for its existing education offerings at the Kuring-gai campus site becoming unviable.

Given all these factors, will the Government provide an assurance that no railway station can be built at the university site? If not, the fear is that plans for a valuable rail station may magically appear after significant housing development is approved, to the benefit of developers. Both the public relations firm KJA and the planners for the university project, JBA Urban Planning, have strong links to the New South Wales Government, having worked for various government instrumentalities or departments. Some of their senior executives have worked for the State Rail Authority and the Rail Infrastructure Corporation. These people should have the expertise and contacts to be able to assist with an answer to my question.

The political consideration by the Minister for Planning that the University of Technology site development is State significant under part 3A followed an invitation from the university after Kuring-gai Council did not give them what they wanted. No matter what happens with the educational buildings and surrounding areas, the oval must be retained for public sporting use. With childhood obesity a big threat, the lack of sporting facilities only adds to the problem when children who are willing participants are denied the opportunity to play sports. Earlier this week the Government raised that issue as a matter of public importance. This week I spoke in a private member's statement about the pressures on sports facilities in my local area and I called on the Government to help protect them. I will not repeat the details of the sad situation I spoke of whereby young people are being denied the opportunity to partake in organised team sports due to a grounds shortage.

The University of Technology oval has been used for sport by university students and the wider community and must be retained as a facility for active sport. Sport builds teamwork and teaches participants the value of working towards a common goal in harmony. This philosophy of education in sport and the value sport plays in teaching our children values of fair play should not be lost. The University of Technology should also play fairly in its dealings with the community. The concept plan for the university site has failed to take into account the genuine need for playing fields. The University of Technology purchased the entire Kuring-gai campus site from the State Government for \$1 back in 1994. It is most reasonable in the circumstances for Kuring-gai Council's proposal to buy the two-hectare university oval for \$1 to be facilitated by the State Government on behalf of local residents.

Certainly the State Government should not approve any rezoning or development of the site that would increase the value of the land before the oval is secure for future public use. The reality is that organised sport on the North Shore is facing a crisis due to the lack of sporting fields. The emphasis is too much on new residential development and not enough on supporting infrastructure, including educational and sporting facilities. Higher density development in parts of the Ku-ring-gai local government area is inevitable and has been provided for elsewhere. However, it should not be at the expense of the provision of a fair and reasonable number of educational and sporting facilities. The University of Technology, Sydney, development plan is therefore flawed in wanting to replace the current sporting oval with a smaller passive recreational area and residential housing.

We are encouraging more families into the local government area with higher density residential developments. Smaller backyards and a higher population concentration will mean that young people have inadequate spaces in which to play and be educated. Encouraging young families to the North Shore and then not providing much-needed educational and sporting facilities is simply bad planning policy. When levels of graffiti and other youth crime rise, should we be surprised? Sure, sporting facilities cost money and deny developers profits from potential extra residential dwellings; however, we need a fair compromise to ensure the physical and mental wellbeing of our young people.

A range of environmental concerns is associated with the development of the site, which Ku-ring-gai Council has recently detailed in its comprehensive submission considering potential impacts of the concept plan, and the State significant site study. Apart from the loss of open space—the oval, tennis courts and bushland—council's concerns include the impact on threatened species of flora and fauna, bushfire risks, stormwater management, contamination, traffic problems and the destruction of items of heritage value. The site provides a unique opportunity for the Government and the Minister for Planning to put the interests of families, especially children, before those who want to profit from development.

Whilst urban consolidation is unavoidable, we must have a genuine and sensible balance between promoting new residential developments, supplying adequate educational and sporting facilities and taking

environmental protection measures that benefit the whole community. The current proposal would clearly cause this balance to be lost. The campus site at Lindfield should continue to be used for educational and associated sporting activities. If the Government continues down its path and opposes the bill then it is not headed in the right direction.

**Mr ROB STOKES** (Pittwater) [11.02 a.m.]: I support the University of Technology (Kuring-gai Campus) Bill 2007. The bill is important for the reasons outlined by the member for Davidson, and I will outline its importance from the perspective of the Pittwater community. More, not less, educational resources are desperately and increasingly needed in Northern Sydney. The bill seeks to preserve educational opportunities. My community of Pittwater has no universities nearby. In fact, for many people on the northern beaches the University of Technology, Sydney, Kuring-gai campus is their closest university. Its closure would be a real retrograde step for the community of Pittwater and neighbouring communities on the northern beaches.

The need for education has been brought into even sharper focus by the decision of the Government to close and sell off Seaforth TAFE. The northern side of Sydney is experiencing a net steady loss of educational opportunities, which is unacceptable. The campus should not join the sad progression of closed educational facilities. The Beacon Hill High site joins the Kuring-gai campus site, which is also being sold off and destroyed in favour of development. Universities in northern Sydney are already overcrowded, so this is not about a lack of demand for the university. In actual fact there is an increasing demand for tertiary places in northern Sydney. I know first-hand from my experience of lecturing at Macquarie University how overcrowded lecture theatres can be. In fact, upwards of 40 people have attended my tutorials, so there is no suggestion that this educational facility is not needed. There is no shortage of demand. We need this educational facility and the bill will preserve it.

A massive urban redevelopment is proposed for the University of Technology, Sydney, Kuring-gai site and intensification of use, which is in keeping with the policy of urban consolidation. Urban consolidation is all about increasing housing choice and making better use of existing infrastructure: It is not about overloading existing infrastructure, but that is what development of this site would involve. There is no local train station to the proposed development site and no massive road network to support the increasing population. If we are going to increase density in our middle-ring suburbs we must also increase the amenity, the facilities and the infrastructure of the area to meet increased demand. We should not overwhelm the existing infrastructure with too much development, which is what the bill seeks to avoid.

Development of the site has raised environmental concerns. Without wishing to disparage the main campus of the University of Technology, Sydney—an example of British brutalism architecture at its finest—the Kuring-gai site is a beautiful spot that retains a lot of the original natural environment. It would be a shame to see the environmental values of the site, which often are an important part of a proper educational experience, go under the developer's wrecking ball. The council has raised significant environmental concerns, and that is another reason why Ku-ring-gai Council, as the elected representatives of the local affected community, should retain the consent authority over any proposed development. The only proposed development should be for educational purposes. The University of Technology (Kuring-gai Campus) Bill 2007 is all about putting education before development and profit, and the Opposition supports it. We support education over development. Educational opportunities for my constituents of Pittwater and the local community would be eroded if the bill were not passed. I commend the bill to the House.

**Mr ALAN ASHTON** (East Hills) [11.08 a.m.]: As an expert, I am happy to respond to this debate. I agree with the reference I heard of the main campus of the University of Technology, Sydney, as some sort of block. Originally it was a glorified TAFE, but in recent years it has improved, as has the quality of its students. My daughter is doing a combined law and journalism degree at the University of Technology, Sydney. She has provided me with notes, which are of great assistance to put my view on this bill. The bill is consistent with existing enabling legislation of New South Wales universities. In particular, section 18 (2) of the University of Technology, Sydney, Act 1989 enables university councils to realise commercial opportunities to remain competitive, whilst reserving for the Minister the ultimate decision on the long-term disposal of land, based on a broad educational perspective and the interests of the New South Wales Government. I was pleased to get that extra advice.

**Mr Barry O'Farrell:** What year was that legislation?

**Mr ALAN ASHTON:** It was 1989. It has not been amended since that time. The 21-hectares are owned by the University of Technology, Sydney, and are currently used for educational purposes by the

university. The Government bought the site in 1961 from the Commonwealth and has operated it since 1967, initially as the Kuring-gai College of Advanced Education, and then in 1994, following amalgamation, as the University of Technology, Sydney. Following the Government's decision in 2002 not to proceed with plans to develop a multicampus education precinct with a railway station at the Kuring-gai campus, the university determined that the campus was unviable in the long term and commenced the review, including educational and non-educational options.

As mentioned by the member for Mount Druitt, who spoke in the schools debate, if this Government had received its share of GST revenue from the former Federal Coalition Government more money may have been available for universities. However, over the past 11½ years the Federal Coalition Government cut money out of universities and government schools and directed money to the best private schools. The Federal Coalition Government also did many other things, which we may have an opportunity to debate later today or next week. The University of Technology, Sydney, has lodged an application with Ku-ring-gai Council for rezoning of its campus site. The university has taken that decision. In 2005 Ku-ring-gai Council considered the rezoning proposal inappropriate and required the university to work with council officers to determine a more feasible and appropriate development opportunity for the site.

Student numbers at the Kuring-gai campus are falling, and I can understand that. Unless students get a free kick to come to this country and their family, which may live overseas, pays \$200,000 for their degree, university enrolments will decline in some places. That problem has arisen at the Kuring-gai campus and made it unsustainable in its current form. The previous Federal Government stipulated that university campuses must be largely self-sufficient. It is the height of arrogance for members opposite to move motions and bills about what should happen on university campuses when they did nothing for 11½ years under the Federal Coalition Government. Look what is happening to the Liberals now. Last night Tony Abbott said, "You can choose who you want between Malcolm Turnbull and Brendan Nelson"—

**Mr Barry O'Farrell:** Point of order: I have been patient, but this has nothing to do with the bill, which is important for education in this State.

**The DEPUTY-SPEAKER:** Order! I uphold the point of order. The member for East Hills should keep the subject matter of the bill in mind.

**Mr ALAN ASHTON:** I was simply making a passing reference to the history, which is always relevant when talking about universities and schools. As I said, the Kuring-gai campus has falling student enrolments and it is not sustainable in its current form. That is not the State Government's fault; it is the fault of the previous Federal Government. Who knows? It is good news week. In the next few days things may pick up at the Kuring-gai campus, but I cannot see it happening immediately. There are priorities. As I said, university campuses must be able to survive. The University of Technology, Sydney, is required to consider whether to expand the Kuring-gai campus or consolidate its city campus with services from Ku-ring-gai. The university has decided to pursue the latter option to ensure a sustainable and efficient operation of its overall provision of tertiary education.

Years ago universities were more regulated, but in the dog-eat-dog world that has developed over the past 11½ years universities have had to look after themselves. The Federal system has not provided the funding for universities it should have provided, so they must consider selling their sites if they are no longer viable. Universities cannot simply rely on higher student enrolments next year. The current rezoning proposal will facilitate the reuse of the site for non-educational purposes, which in turn will enable the university to reinvest in its city campus, resources and curriculum.

Once upon a time universities could claim some of the money paid in student union fees and the like, but that has gone. Universities no longer have that resource. As I said, the university lodged an application with Ku-ring-gai Council for a rezoning of its campus site, and in 2005 the council considered the rezoning inappropriate and required the university to do more work. Under the University of Technology, Sydney, Act 1989—the definition in the Act will kill off this bill—section 6 (3) indicates that beyond its key educational research functions the university has other functions as follows:

- (a) the University may exercise commercial functions comprising the commercial exploitation or development, for the University's benefit, of any facility, resource or property of the University or in which the University has a right or interest (including, for example, study, research, knowledge and intellectual property and the practical application of study, research, knowledge and intellectual property), whether alone or with others.

I am sure all members are familiar with that provision. The bill will explicitly override section 18 of the University of Technology, Sydney, Act 1989. This section relates to, and enables, the university council to deal in the property. Under the University of Technology, Sydney, Act the university's council has control and management of any property vested in the university. The reality is that the Minister for Education and Training, John Della Bosca, has no responsibility in relation to the zoning of the campus site. Let us recall a little more history. Years ago universities had councils, and the State Government had input into who could be appointed to those councils. Indeed, many members of this Chamber have served on university councils. For some years I was a member of the Padstow TAFE council.

Who abolished university councils? They were abolished by the mob that was in Government in Canberra until Saturday. They removed the power of this Parliament to appoint people to university councils. This Parliament is no longer represented on university councils. We have heard the bleeding heart speeches about what will happen to the Kuring-gai campus under the University of Technology, Sydney, Act. I understand the issues, but it is not the State Government's fault that the law has been changed in the past 11½ years. We have not downgraded universities; the State Government has not made these changes. The Liberals' previous lord and master, Lord Downer, and his mob, including John Howard, made the changes. But that has been quickly forgotten, as Liberals wonder why Tony Abbott does not have the numbers.

Section 18 (2) of the University of Technology, Sydney, Act enables the university council to manage the university's assets to promote the object and interests of the university while reserving for the Minister the ultimate decision on the long-term disposal of land based on a broad education perspective and the interests of the Government. The bill would create an anomaly. In the end it is all about the law. As I said, my daughter gave me these brief notes. The bill would create an anomaly between the University of Technology, Sydney, Act and all other university Acts, in an attempt to solve a specific local issue. It would limit the Minister's discretion in relation to land matters concerning one university. If this bill were passed it would not be long before the Government had to change all the other Acts relating to New South Wales universities. Then we would have to go to Canberra and say, "We have to tidy up a problem created by the Kuring-gai campus of the University of Technology, Sydney."

The bill would also place the University of Technology, Sydney, in a less favourable position than all other universities in an increasingly competitive environment fostered by the higher education policies of the previous Commonwealth Government. There may be significant financial impacts on the University of Technology, Sydney, which may in turn have general flow-on effects on training and education for key service delivery outcomes in New South Wales, particularly relevant to the education and health sectors. The Government will oppose the bill. I was a teacher and, like many members of this House, I attended university. I went to the University of Sydney, which has large grass areas where one can enjoy the university's ambience. I appreciate that ambience when I take my daughter to the university. In many ways the University of Technology, Sydney, looks like an American campus with 10 or 12 storeys of air-conditioned concrete and no ambience. In a sense it does not provide for the wider social and personal life of a university student, which is a pity.

It is not the Government's fault that the Kuring-gai campus of the University of Technology, Sydney, has declining numbers and cannot be competitive in its own right. As I said, the current Act does not provide for the university's proposal and that is the real reason the Kuring-gai campus of the University of Technology, Sydney, is failing. That failure goes back to 11½ years of ignorance and neglect by the previous Federal Government. I have waited 8½ years to say that and it is lovely.

**Ms GLADYS BEREJIKLIAN** (Willoughby) [11.19 a.m.]: I strongly support the University of Technology (Kuring-gai Campus) Bill 2007. I commend my colleagues for ensuring, hopefully through the passage of the bill, that the Kuring-gai campus of the University of Technology, Sydney, continues to be used for educational purposes. I will highlight the issues raised with me by many constituents in the Willoughby electorate. As that site is used primarily for educational purposes it has ancillary benefits for the community. The site has many sporting ovals to which many organisations would be denied access if the use of that site were changed. Many parents, organisations and community leaders have approached me with their concerns about the future of the site, and its impact on them if the site was used for different purposes.

I implore members of the House to consider those concerns. On the lower North Shore there is a huge demand for additional sporting fields and ovals with community facilities that this site, because it is used primarily for educational purpose, offers to the community. Local parents, community organisations and community leaders have raised many concerns about the impact on them were this bill not passed and were the

use of that site changed to other purposes. This is a huge community issue on the lower North Shore and beyond. I urge members to consider those concerns and to support the bill.

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [11.21 a.m.], in reply: I thank members representing the electorates of Davidson, Pittwater and Willoughby for their contributions and I commiserate with the daughter of the member for East Hills. I am sure that the member for East Hills did not deliberately mislead the House when he said that he was reading from a brief handed to him by his daughter: The Minister for Planning handed the brief to him. The fact that the Minister for Planning is not prepared to come into this Chamber to argue Labor's disgraceful opposition to the bill speaks volumes for what is wrong with the Minister and with the State Government when it comes to what it describes as "planning in the city". The Government fails to heed the views of the community, it fails to consult the community, and, as the member for Davidson said, it fails to ensure that its planning policies, in the end, produce a better result not just for the local community but also for the State as a whole. This is but the latest example

In response to the ignorant contribution by the member for East Hills, if he wants to talk about history I am happy to do so. The reality is that, despite the 1989 legislation that he quoted, 10 years later the State Labor Government, of which he is a member, introduced specific legislation upon which this legislation is modelled to save a similar piece of land in southern Sydney. The then education Minister, John Aquilina, rushed legislation through Parliament to prevent the University of New South Wales from selling off the St George campus. That legislation was identical to this legislation, which would prevent the University of Technology, Sydney, from selling off the Kuring-gai campus.

The member for East Hills wants to talk about ignorance when it is he who has displayed an enormous amount of ignorance in reading an incorrect and not factual brief provided to him by a Minister who does not care about either the facts or the views of the people of this State. I refer to two quotes by the former education Minister, John Aquilina, when, in 1999, he introduced legislation that was rushed through both Chambers to preserve the St George campus of the University of New South Wales as an educational precinct—exactly the same thing we ask for the University of Technology, Sydney, Kuring-gai campus at Lindfield. He said:

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

The public interest will suffer if the university effectively removes the land from public use.

That is why the member for East Hills is being disingenuous, at the very least, in trying to quote history. If he wants to quote history, he should talk about 1990 when the previous Commonwealth Labor Government, under education Minister John Dawkins, started this very process when the decision was made to turn colleges of advanced education into universities, and with that decision went the land for the petty sum of \$1. Something that might realise \$60 million for the University of Technology, Sydney, was sold for \$1 to be used for educational purposes. As I said earlier, the big flaw was not having included in that legislation the provision for the land to be bought back for \$1 if it was no longer needed for education purposes.

I have no doubt that if that provision existed in the legislation, the University of Technology, Sydney, would have found a way to make its Lindfield campus work, to ensure that student numbers at Lindfield increased, and to make an asset that was ultimately worth only \$1 return some income. However, as it is worth more money as a residential development site, the Government proposes to construct 442 medium-density units on the site, a development that will impact significantly on environmental and other issues in the area as well as on the people who live along Eton Road and in the surrounding areas.

I live a few blocks away, in the general area, but I will not stand by and not represent a part of the community that I have the privilege to serve in this place simply because my house is in the general locale. The people who live on Eton Road will suffer most from increased traffic movements no matter what the environmental assessment report seeks to suggest. Many submissions have been received, including those from Ku-ring-gai Council, environmental groups, residents groups and individual residents. Public submissions close tomorrow. The message from the local community is clear: We want this site kept for educational purposes.

As the member for Davidson said, proposals have been received from Killara High School, Lindfield Public School, the non-government sector and Moore Theological College. Each and every one has failed because of the price put on the development. If only \$1 was involved, each and every one of those proposals could have succeeded, but because so much is being demanded and because this site is valued as a medium-density development the Government simply cannot afford the economics. There are enormous environmental concerns with the site. In particular, I notice that the submission from the community-based environmental conservation group in my electorate, the South Turramurra Environment Protection, now known

as STEP, makes the point that, despite statements have been made, either 4.1 or 6.7 hectares of bushland is about to be alienated as a result of this proposal.

As the member for Pittwater said, the site is unique. It sits on a peninsula overlooking the Lane Cove National Park. Its environment makes it a great campus, which, frankly, means it is at risk of being developed as a medium-density site. It is in a bushfire-prone area. Winchester Avenue, which abuts it, lost homes in the fires. In fact, the current fire commissioner won his medals trying to save homes and lives in that area in 1994. On any impartial ground this development should not proceed. I simply ask the State Government to be consistent and do what it did in 1999. To pass this legislation would allow another educational precinct to be kept in public ownership and kept for educational purposes. I speak on behalf of not only the local community but also local sporting groups. I admit this interest: I have children who are members of the local soccer, cricket and rugby clubs, and I know that sufficient grounds are not available. My eight-year-old son plays cricket and sometimes matches cannot be played because a ground cannot be found.

The State Government's planning laws are delivering more people into my community, which, in itself, is causing consternation. However, the Government is not delivering the social infrastructure for my community, such as sporting fields, to provide the people who will live in medium-density units with both the passive and the active recreational opportunities that they deserve and that should be provided in any city. I am disappointed with the State Government; I am disappointed with its hypocrisy. I am disappointed with the ignorance of the member for East Hills. However, I wish his daughter well in her studies. She will, no doubt, do better than her father. Finally, I am outraged that the Labor Party is opposing the bill.

**Question—That this bill be now agreed to in principle—put.**

**The House divided.**

**Ayes, 37**

Mr Aplin	Mr Hazzard	Mr Roberts
Mr Baird	Mrs Hopwood	Mrs Skinner
Mr Baumann	Mr Humphries	Mr Smith
Ms Berejikian	Mr Kerr	Mr Souris
Mr Cansdell	Mr Merton	Mr Stokes
Mr Constance	Ms Moore	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
Mr Fraser	Mr Piccoli	
Ms Goward	Mr Piper	<i>Tellers,</i>
Mrs Hancock	Mr Provest	Mr George
Mr Hartcher	Mr Richardson	Mr Maguire

**Noes, 49**

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

**Question resolved in the negative.**

**Motion negatived.**

**Bill not agreed to in principle.**

**Pursuant to standing orders business interrupted.**

### **STATE LABOR GOVERNMENT ELECTION PROMISES**

**Debate resumed from 8 November 2007.**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [11.36 a.m.], in reply: In concluding this debate I simply make the point that before the last State election campaign the State Labor Government made a myriad of promises to the people of New South Wales. The Sunday after the election campaign the Premier stood at a press conference and said that he would start to fix the problems in New South Wales. There has been no improvement. Promise after promise has fallen over—promises about everything from the Spit bridge to promises in relation to our hospitals, community services and occupational health and safety. As I said earlier this morning, before and after the election campaign we had solemn promises of reform to the State's workplace safety laws to be introduced into Parliament by September, and even those have failed.

The election on Saturday means that the excuses of the State Government have ended. Over the past 11 years it has spent too much time seeking to blame the Federal Coalition Government for its inaction, its failure to deliver on promises and its failure to improve services in New South Wales. Those excuses have now finished. As I said when I last spoke in this debate, the State Government made decisions about closing hospital beds. It made decisions about an integrated ticketing system for our rail system and mismanaged that. It made decisions about allowing police numbers across the State to run down.

When it made those decisions, and so many other decisions that have seriously disadvantaged the people of New South Wales, it did so around its own Cabinet table on its own cognition and without understanding the impact that it would have on the people of New South Wales. It did so despite the enormous growth in State revenue from \$20 billion in 1995 to \$46 billion last year. It did so despite receiving windfall tax receipts of more than \$11 billion. It did so because, simply and fundamentally, it fails to focus on the reasons why it is in government. It fails to understand that it has been given the opportunity by the electorates—their trust, if you like—to govern on behalf of the public interest, to deliver services that people need within their communities, whether they live in the city or in the country.

I instanced the visit that my colleagues and I made to Dubbo. I instanced the difficulties that people in Dubbo are having in relation to health services in that region, the fact that too many of them are being forced to bypass places such as Dubbo and Orange and come to Sydney at great expense and dislocation to their families. They are issues that are known by at least two of the members who sit opposite who represent cities outside of the conurbation of Newcastle, Sydney and Wollongong. But two members out of the entire caucus do not make a sufficient number to ensure that the State Government remains committed and focused on delivery of services to the people of New South Wales.

That is why in our health system too little money, too little of the \$12.5 billion allocated to health—27 per cent of the State budget—finds its way to the front line, to the clinics, to the hospitals, to support the doctors and nurses in delivering services to the public. That is why a \$1.2 billion so-called improvement program for the Department of Community Services has failed to deliver improved services within the department. That is why we see, despite claims of massive investment in our railways, there are fewer services and trains are running more slowly and carrying fewer people than they did seven years ago.

That is why, in relation to policing, communities across this State are still crying out for police on the ground, despite the slogans of the Government about delivering more police to the community. That is why we have the introduction of flawed schemes such as the Criminal Infringement Notice Scheme, which starts to decriminalise certain minor levels of crime. The State Labor Government fails to understand what families across New South Wales are experiencing within their local communities. The reason it fails to understand that is that it continues to run New South Wales as though it were a family company, seeking to enrich itself and its family members, failing to protect the public interest, and failing to put the public interest first.



The Treasurer and the Minister for Industrial Relations believe and agree that there should be reform in occupational health and safety but, because John Robertson says no, nothing happens. Frankly, in many areas too much of the State is failing, too many opportunities are being missed and too much complacency exists at government level. The excuses are finished. Now is the time for the Premier, if he can, to get on with the job of fixing New South Wales. That is what the public deserves. That is what the public has deserved for almost 12 years, and they have not got it. Now is the time to deliver.

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

**The House divided.**

**Ayes, 35**

Mr Aplin	Mr Hartcher	Mr Richardson
Mr Baird	Mr Hazzard	Mr Roberts
Mr Baumann	Mrs Hopwood	Mrs Skinner
Ms Berejikian	Mr Humphries	Mr Smith
Mr Cansdell	Mr Kerr	Mr Souris
Mr Constance	Mr Merton	Mr Stokes
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Mr Campbell	Mr Khoshaba	Ms Tebbutt
Mr Collier	Mr Koperberg	Mr Terenzini
Mr Coombs	Mr Lynch	Mr Watkins
Mr Corrigan	Mr McBride	Mr West
Mr Costa	Dr McDonald	Mr Whan
Mr Daley	Ms McKay	
Ms D'Amore	Mr McLeay	<i>Tellers,</i>
Ms Firth	Ms McMahan	Mr Ashton
Ms Gadiel	Ms Meagher	Mr Martin

**Question resolved in the negative.**

**Motion negatived.**

**FEDERAL INDUSTRIAL RELATIONS LEGISLATION**

**Mr STEVE WHAN** (Monaro—Parliamentary Secretary) [11.48 a.m.]: I move:

That this House:

- (1) notes that at the 2007 State election, voters in the Monaro electorate expressed strong concern about the Federal Government's unfair industrial relations changes;
- (2) notes particularly that workers in regional and rural communities are disadvantaged by these changes and are already having their entitlements and rights eroded;

- (3) rejects the Federal Government's pre-election decision to enhance protection through "no disadvantage" tests; and
- (4) recognises that only through State Governments and the election of a Federal ALP Government will workers' and families' working conditions be properly protected.

Obviously, I gave notice of this motion some time ago and I had hoped it would be debated before the Federal election. Nevertheless, the result of the Federal election last Saturday has provided us with the opportunity today to consider the motion and analyse the effect the industrial relations changes had not only on the 2007 State election result but also the 2007 Federal election result. Clearly, despite the former Howard Government's failed anti-union scare campaign and its failure to scare people into believing its industrial relations changes were good, the people saw through them. The people realised that these draconian changes would hurt them and their families. I proposed this motion because early in the process people were seeing the results of the Howard Government's industrial changes. We saw how the former Federal Government abused its Senate majority to bring about these changes against the wishes of the people and without revealing its intention at the 2004 Federal election.

The people saw through these draconian changes almost immediately after their introduction. In the midst of the Federal Government's multimillion dollar advertising campaign elderly conservative voters in Cooma told me that they were very worried about how their grandchildren were going to defend themselves under this terrible regime. Then we started to hear about more people who were concerned about the changes. For example, there was the person who talked to me about the Australian workplace agreement he had been asked to sign at work. He had signed it because he did not understand it very well. He said to me, "Do you think it's fair that whenever there is a public holiday I have to make up that public holiday on a Saturday or a Sunday of the same week?" I said, "No, I don't think it's fair, but you've already signed, haven't you?"

The member for Terrigal obviously thinks that was fair, and that summarises his position very well on this issue. Then there was the person who came to see me because his employer had put him off after he questioned where his superannuation payments were going because they had not been paid into his fund. He showed me two Australian workplace agreements: one was the agreement he had been shown by the employer and the other was the agreement the employer had tried to register with the authorities. That employee discovered these two different agreements only after he had been dismissed. Was that picked up by the so-called safeguard mechanisms put in place by the Howard Government? No, it was not. The employee picked up the discrepancy in his investigations after the company dismissed him for asking questions.

Then there was the worker who signed on to work on the construction of the new defence headquarters near Queanbeyan and found out afterwards that he was not paid on days when it rained and he was not able to get onto the work site. He asked me, "Well, how do you think that's going to help me pay my mortgage?" Of course I could not answer that question. A person was dismissed without notice from a childcare centre in Jindabyne after questioning practices at the centre. I heard those sorts of stories consistently. That is why industrial relations was such an important issue at the recent Federal election and the last State election.

An enthusiastic campaign was run in Eden-Monaro by grassroots groups formed to fight the Howard Government's industrial relations laws. People like Peter Malone, who organised the Eden-Monaro campaign, led the campaign. We saw Independents like Anne Rocca, a Queanbeyan councillor who was convener of Empower, Alison Rahill, Damien Kirkwood, David Perkins, Debbie and Greg Kirkwood from Cooma, who proudly said he was an ex-Liberal voter after being converted by the changes and was no longer proud of his former voting record, Odile Tomkin, Matt McCann, Phil Morgans, Jane Timbrell, Anna Brown, Rosie Stephens, Bill Thomas, Sarah Goodlet, Geoff Lawler, Albert White, who worked many years at the Queanbeyan Hospital, Craig Malcolm, Peter Cassidy, Kevin Lang, David Gibbs, Jim Bright and Roger McEvoy.

**Mr Chris Hartcher:** Just table the phone book.

**Mr STEVE WHAN:** The member for Terrigal wants me to table the phone book. We almost could table a phone book of the people who opposed the Federal Government's industrial relations changes because there were thousands of them. The changes certainly concerned the people in Eden-Monaro. The Federal election result shows the concern of voters in areas where people were on collective agreements. The new areas of Tumbarumba and Tumut in the Eden-Monaro electorate have a very high workforce in the timber mill. Of course, the Federal Liberals were actively pursuing those areas that came into the Eden-Monaro electorate because those constituents had voted conservative in the past and the Liberals thought they would provide them with a winning margin.

What happened when those people realised their collective agreements could disappear? In Tumbarumba the swing away from the Howard Government was 14.8 per cent; in Tumut it was 17.37 per cent. In Tumut East, the former conservative voting area, there was a 20.67 per cent swing away from the Federal Government. That is absolutely amazing. What did we hear from the Howard Government? Its former Federal member said that no-one had talked to him about concerns with WorkChoices. I can tell him that they talked to the Federal Labour candidate, now the member for Eden-Monaro, Mike Kelly. I suppose that is why the Liberals did not turn up at any of the debates on industrial relations at Bega, Narooma, Tumut, Jindabyne, Cooma, Bungendore, Queanbeyan or Bombala.

Bill Heffernan turned up at Tumut and by the time he finished his comments the local journalists were booing him. That was an interesting indication of what was happening. Of course, the Liberals were far busier with other things, such as what was happening in the Lindsay electorate. We have all seen the headline "Libs busted—Shameful race tactics exposed in key seat". This time the dirty tactics of the Liberals were exposed after they got away with the same tactics in the previous Federal election when they slandered Ed Husic. The same tactics were used in some of the State electorates. Interestingly, when the Coalition won Eden-Monaro in the previous election a forged letter was circulated against Jim Snow on the South Coast. No-one ever found out who was responsible for that letter, but having seen the antics in the Lindsay electorate we have a better idea of who might have been responsible.

The impact of the Your Rights at Work campaign and the absolute contempt for the industrial relations laws were evident in Tumut and Tumbarumba. Bega experienced massive voter swings: the Bega Cheese factory with its big workforce and collective agreements did not want that change. As I said in this place in another debate, if those Federal election results were transferred to the State seat of Bega, the Labor vote would be 52.49 per cent. That is interesting. Tourism was another industry in which workers were concerned about the industrial relations changes. I guess that concern would have played out also in Tweed, Lismore, Coffs Harbour, Clarence and Ballina. If the Federal election results were transferred to those State electorates, the member for Tweed would be worried. Labor would have a result of 56.66 per cent in Tweed. In Lismore 57 per cent of the vote would win the State seat for Labor. In Clarence the figure is 52 per cent, in Ballina it is 56 per cent.

As a State Labor member I cannot claim those results will instantly transfer to us because the Labor Government knows that rather than just running the negative, carping campaign that we hear from those opposite, we have to go out and win those people over to us. We have to show them positive policies in exactly the same way as Kevin Rudd has done. That is the reason we now have Country Labor representatives in Richmond and Page. This side of the House is very proud of the results of Labor's Federal election campaign. Of course, the Your Rights at Work campaign and the draconian industrial relations laws of the Howard Federal Government would have been very important for timber workers in the North Coast seats of Clarence, Ballina, Coffs Harbour and particularly Lismore.

The 57 per cent Federal Labor vote in Lismore should make members opposite sit up and think. Do they? No. Only in the past two weeks have they come in here and said anything about it. On 16 October the member for Terrigal defended the workplace laws. He said they were the greatest thing the Howard Government had ever done. Even he knew then there was a problem because he pointed out to this side of the House that it was no longer called WorkChoices. He said that WorkChoices had been dropped for sometime and that it was now workplace relations. They drop the potato when it gets too hot to handle. That is exactly what happened on that side of the House. On 16 October the member for Terrigal was still defending these changes to the industrial laws and the move away from centralised wage fixing. On 15 November he again defended the changes and was joined by the member for Castle Hill. This motion is relevant for that reason and I commend it to the House.

**Mr CHRIS HARTCHER** (Terrigal) [11.58 a.m.]: I am sure every member in the Chamber was impressed by the passion displayed by the member for Monaro. He certainly left no doubt about the intensity of his feeling. I move the following amendment:

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

this House calls upon the State Government to protect the interests of workers in New South Wales by reforming the State's unfair occupational health and safety laws as it promised to do in 2006.

The motion moved by the member for Monaro is very important because it raises the question: What is the best system for looking after workers in this State? We need a system that ensures that workers receive a fair day's pay for a fair day's work, that workers are kept safe while they are at the site of their employment, and that

throughout New South Wales the economy booms with everyone having a job, enjoying good conditions, a good salary and the protection of occupational health and safety requirements. I expect that the member for Monaro will support my amendment because, after all, he claims to be the member who advances the cause of workers throughout New South Wales.

For the past 11 years the people of New South Wales and the people of Australia have enjoyed unparalleled economic prosperity, the lowest level of industrial disputation since 1906, the lowest level of unemployment since 1973 and the highest rate of wage growth since 1945. All of those attributes are the hallmark of the Howard Government and its management of the Australian economy. The legacy of the Howard Government to Australia is unparalleled economic growth and unparalleled growth and prosperity—facts acknowledged by no less a person than Mr Rudd. In the twenty-first century Australia faces enormous challenges presented by global expansion and a global world market but has been placed in an extraordinarily secure position, thanks to Mr Howard.

The people of Australia will always recognise the extraordinary work done by Mr Howard and by the Liberal-Nationals Coalition in creating economic prosperity. The member for Monaro and those of his ilk present a false argument when they pretend that the only issue in the recent Federal election was WorkChoices. The people of Australia passed judgment on a number of issues. Nobody can change what happened last Saturday—what happened last Saturday speaks for itself—but Australia's future will not be based on hysteria that is put about by the Australian Labor Party suggesting that all we need to do is pander to the interests of trade union bosses and somehow a successful economy in a successful nation will be the result.

Trade union bosses have taken this country nowhere. The trade union bosses to whom members opposite pander and the vast majority of trade union apparatchiks who are now in power will have the opportunity over the next three years, given to them by the people of Australia, to show exactly how they manage the economy and the nation. The member for Monaro cited remarks I made on 16 October, as he is quite entitled to do. In a couple of years I might quote his remarks as the Coalition and the people of Australia pass judgment on the achievements and management style of the Rudd Government.

Let me examine the interests of the workers in New South Wales, to which my amendment relates. New South Wales has the most incompetent and unfair occupational health and safety laws in Australia. When no less a person than the New South Wales Minister for Industrial Relations, the Hon. John Della Bosca, presented the exposure draft of the Occupational Health and Safety Bill 2006 he stated that his Government's proposals would give "greater peace of mind to the people in the engine room of our economy". Yet for some funny reason Mr Della Bosca's draft legislation and his words have gone nowhere. We have seen nothing of the occupational health and safety legislation that he and the Iemma Government promised would protect workers. One can only wonder why.

The reason for that speaks for itself: the gang of trade union bosses who dominate the Australian Labor Party in New South Wales decided they did not want or need occupational health and safety reform because occupational health and safety is a convenient issue with which to beat employers about the head, regardless of whether it protects the interests of workers. A gigantic chasm exists between trade union leadership and their supporters in the Australian Labor Party and the ordinary workers of New South Wales. That chasm will be revealed over the next 3½ years at a State level and 3 years at a Federal level. However, because the New South Wales Opposition stands for the workers, a fair go and strengthening the economy of this State, the New South Wales Leader of the Opposition introduced an occupational health and safety bill to mirror the bill released by John Della Bosca in 2006 on behalf of the Government. The New South Wales Chamber of Business today issued a statement headed "New South Wales has the most vexing OH&S system in terms of compliance, prosecutions and fines, and yet has, according to the ABS, injury rates worse than the Australian average".

If the member for Monaro were so concerned about workers in this State he would be concerned that New South Wales has the worst injury rate of any State in Australia. What is the Labor Party doing to protect the occupational health and safety of workers? It is abandoning its own legislation. It is not even proceeding with its own promise made in 2006. This demonstrates the gigantic hypocrisy of the Australian Labor Party that masquerades over and over again as a friend of the workers. Not one member of the Australian Labor Party present in this Chamber has been a genuine worker. When I look across the Chamber I ask myself: Where did any of them do manual work? When did any of them work in an ordinary job? Where were they when the ordinary jobs were being given out? Unlike the member for Monaro, I will not trawl through the telephone book mentioning branch members. When Monaro preselection time arrives he will say, "Jill, I mentioned you in *Hansard*", and, "Jack, you got a mention in *Hansard*. Remember?"

**Mr Steve Whan:** You think I will be opposed?

**Mr CHRIS HARTCHER:** Yes. I think you will be opposed.

**Mr Steve Whan:** Last time you were singing my praises. Go back to that.

**Mr CHRIS HARTCHER:** As the member for Monaro knows, I have been running a book on "Whan for Cabinet". I am his strongest supporter—but I am probably his only supporter! I am worried that, alone, I will wave the "Whan for Cabinet" sign across the Chamber. Where was he standing on the issue of occupational health and safety—one of the biggest issues facing workers across the State? New South Wales has the worst occupational health and safety laws and they are delivering the worst results for workers. The workplace injury rate and the death rate in New South Wales after 12 years of Labor government is the worst in Australia.

Workers are more unsafe in New South Wales than are workers in any other State. New South Wales has a Minister for Industrial Relations who promised last year to reorganise and reform occupational health and safety laws and who presented the draft exposure legislation—a Minister who acknowledged in the Legislative Council that occupational health and safety laws needed to be changed—but the laws have not been changed. The promised legislation has not proceeded. The words of the Minister for Industrial Relations ring hollow. The member for Monaro never mentions occupational health and safety in this House.

**Mr Steve Whan:** You're Terrigal!

**Mr CHRIS HARTCHER:** Yes, I am Terrigal, and the member for Monaro is Terrigal too! He would love to be a true Terrigal. In conclusion, I reiterate that Labor Party members do not represent the workers of New South Wales.

**Mr DAVID HARRIS** (Wyang) [12.08 p.m.]: It gives me great pleasure to speak in support of the motion moved by the member for Monaro. I recognise his ongoing fervent support of people in country and regional areas. Families in my seat of Wyong are working hard to pay for substantial mortgages and important family necessities such as health care, education, food, petrol and affordable child care. The Howard legacy in Wyong includes a 19 per cent youth unemployment rate. Many elderly people are concerned about the future of their children and grandchildren. It is a regional area that is currently experiencing more than 8 per cent unemployment generally. The people of Wyong, like other Australians, did not vote at the last Federal election for the extreme workplace laws introduced by the now ex-Howard Government—in fact, they were not even on the agenda.

The former Federal member for Dobell—that sounds so good that I will say it again—the former Federal member for Dobell, voted 12 times for the legislation. He was a passionate supporter of these unfair laws, which sought to end collective bargaining, remove working conditions and allow workers to be dismissed unfairly. In fact, as late as last Friday the former member said on ABC radio that he did not see WorkChoices as a major issue. He said that people were not mentioning WorkChoices to him. He should have got out a little more.

**Mr Steve Whan:** He needed to stop talking to the Young Liberals.

**Mr DAVID HARRIS:** Exactly. I can tell the former member that I saw firsthand during the State election campaign that the community was very uneasy about the direction of the industrial changes being implemented. People understood implicitly that only State Labor and a Federal Labor government could give them the industrial protections they wanted. The electorate demonstrated this last Saturday night, with an 8.9 per cent swing to Labor in Dobell. Craig Thomson, the former National Secretary of the Health Services Union, campaigned strongly on the effects of the industrial laws. He and his team did a fantastic job, and were rewarded appropriately. The public responded, and resoundingly installed a Rudd Labor Government in Canberra.

Most Australians believe in fair and reasonable industrial relations policy. That view was reinforced during the New South Wales election campaign, when the Iemma Government promised to protect workers on State awards. I doorknocked almost 10,000 houses during the campaign and people told me overwhelmingly that they wanted a fair industrial system. That view was reinforced last Saturday. Those opposite fail to understand—and the Howard Government failed to learn—that job security and employment conditions, keeping a roof over the family's heads, contribute greatly to people's stress levels. It also impacts on people's quality of life and the quality of family relationships.

That is particularly true in regional areas, where employment opportunities are more limited. Almost 35,000 people commute from the Central Coast to jobs in Sydney and Newcastle every day. This requires them to spend long hours away from home, which impacts on their families. Workers in private enterprise on the Central Coast are generally paid less than city workers in equivalent jobs. The people of the Central Coast know that employment security and collective bargaining are vital in attaining wage levels comparable to those in metropolitan areas. That is why the Howard Government lost so many regional seats in the Federal election. Its catchcry of "full employment" is admirable but this mantra fails to recognise quality of employment, which includes conditions and pay.

We now often hear the catchphrase "working poor". They are people in employment but who still find it impossible to make ends meet. Many regional families in my area are under mortgage and rental stress. They are doing it tough. They do not agree that they have never had it so good, as the thankfully former Howard Government would have them believe. They know that the Iemma Government continues to support their best interests and they voted in a Rudd Labor Government to improve support for working families at a Federal level.

The highest-ranked Coalition member in Australia now is the Lord Mayor of Brisbane. If Coalition members did not have the message before they should certainly have it now. Yet those opposite still do not understand what everyone else in Australia seems to: their policy direction is wrong. They just do not get it. As I said in debate recently, I am proud that the Iemma Government has been at the forefront of the defence of fair and productive workplaces—something that I was passionate about and fought very hard for during the State election campaign. We have ensured that workers cannot be dismissed unfairly and we have enabled employers and employees to enter into common law referral agreements, allowing them continued access to our fair and efficient industrial relations system. We now have a Rudd Labor Government in Canberra that will do the same. The people of Australia have delivered their verdict. Mr Howard is only the second serving Prime Minister in Australian history to have lost his seat at an election. The last Prime Minister to do so was Stanley Bruce, and the decisive issue then was industrial relations.

**Mr JOHN WILLIAMS** (Murray-Darling) [12.13 p.m.]: I support the amendment moved by the member for Terrigal. The mining industry faces many occupational health and safety problems. Representatives of mining companies in my town tell me continually that one of their biggest challenges is the draconian occupational health and safety laws that apply to the mining industry in New South Wales. The chain of responsibility is a particular problem. I will give an example from Perylia mine. A miner decided to celebrate his last shift in the mine by climbing the door of the cage and sticking his head out. He was decapitated: there was a fatal injury at the mine. But that was just the start of the process. Both the mining engineer and the underground manager were deemed to be responsible for that act of sheer stupidity. The cage door is at least six feet high and the man climbed the door and stuck his head over the top. How does management protect against such an act? All the workplace training and good management practices in the world will never protect against acts of stupidity.

Because of that incident a very good mine manager left the New South Wales industry to seek employment elsewhere. I know the stress that the underground manager, who is a personal friend, suffered. Whatever assets he had accumulated in his life—his home, investments and so on—are now unsecured because he had to challenge his culpability in relation to that incident, which occurred five years ago but the problems are ongoing. The Government has no solutions. It is crazy that in this day and age we cannot progress the mining industry in this State because of draconian laws and the attitude to occupational health and safety management.

**Mr Kerry Hickey:** What about other issues in the mines? What about when someone is seriously injured in the mines?

**Mr JOHN WILLIAMS:** I agree totally with safe practices. The member for Cessnock does not understand that the mines have been operating at Broken Hill for 127 years. Safety is a priority in the mining industry. Anyone who goes down a mine knows that. The member for Cessnock—

**Mr Kerry Hickey:** I've got no idea of mining, haven't I?

**Mr JOHN WILLIAMS:** The way the member for Cessnock is talking, he does not seem to. I come from a community in which Labor beliefs and values are embedded. I was brought up in that tradition and I was an employer of 40 people in the town at one point. I assure the House that I worked within the terms of our local

consent agreement, and I was perfectly happy to do so. But I guess things change. The member for Monaro told us some WorkChoices horror stories. Unfortunately, he cannot name names—and he will not do so because he made up most of it. The other day I heard Greg Combet on the radio being interviewed by John Laws. Mr Combet said that he had been approached by a motor mechanic, with a wife and two kids, who was on \$650 a week and who had been forced to sign a workplace agreement and accept a reduced wage of \$400 a week. What a load of rubbish!

Do they think the Australian people are stupid? That guy could go to a Centrelink office and get a job that paid \$32,000 a year, plus rental assistance. No current employer in this State would not value a motor mechanic. Those opposite do not understand that there is a skills shortage. I had to listen to that load of rubbish on the radio. Greg Combet also said that we will no longer negotiate in the historical manner and the employee will now negotiate as an individual. So collective bargaining is dead; it is all over. That is what Greg Combet said, and it is in the *Australian Financial Review*. So there is to be a change in industrial relations in this country. The system will move closer to WorkChoices than people think, and the State Government will adopt some of the Coalition's policies. [*Time expired.*]

**Mr ROBERT COOMBS** (Swansea) [12.18 p.m.]: It gives me great pleasure to speak on this very important issue. Unfortunately, the member for Terrigal has left the Chamber but he challenged us and said that not one of us had a working-class background. I did: for the first 10 years of my working life I went to sea as a merchant seafarer. I did very hot, hard and dirty work in the engine rooms on ships. I got plenty of grease and dirt under my fingernails and I am still prepared to do that work. I also remind all members that there is a bit of a history with WorkChoices and the Liberal-Nationals Coalition, which probably started back in 1997 with the Patricks dispute. I speak with authority on this issue because at the time I was the State Secretary of the Maritime Union of Australia. Members will recall a very important court case surrounded that activity and found quite clearly that about 2,000 workers were illegally sacked from their workplace. They were hunted out of their workplace by goons and vicious German shepherd dogs and basically set aside for no other reason than some conspiracy that existed at the time between the Prime Minister and Chris Corrigan, who headed up Patricks, in order to try to drive home a draconian set of industrial relations legislation.

The Coalition would have liked to put in WorkChoices at that time as it believed the Workplace Relations Act did not fully represent their ideological stance on this nation but, of course, the makeup of the Senate prevented their doing so. The Federal Government should have well realised the massive amount of Australian support and sentiments that the workers from Patricks had. Not only were the actions by Corrigan and Co. proved to be illegal; it was pretty clear they were not socially acceptable either. I recall times—I did not have to travel very far, just slightly south of Botany Bay, when there was much more shipping and maritime-related activity in Sydney Harbour—when there were thousands of people on the wharves demonstrating one particular point, that is, that the action was wrong, that was not the Australian way and that they had to do something to turn it around.

That message was completely ignored three years ago in the Federal election when there was a change in the makeup of the Senate and another abuse of power when basically the Conservative ideologues within the Government decided to push through a set of industrial relations standards that were not in any way acceptable to the Australian population, regardless of where they stand or what political party they normally support. John Howard will have nightmares about this issue for a very long time. The letter "W" will hardly be out of people's mouths when he will think to himself that they are going to say WorkChoices. When he sleeps Darth Vader will come over with "W" on his chest, standing for WorkChoices, and it will be a terrible nightmare. He will wake up in pain and shock and ask himself, "Why did I go there?"

WorkChoices is one of the reasons Labor has recently been so successful in both State and Federal elections. Those opposite should have realised that draconian conditions and laws will not be accepted by the Australian populus. I suppose if there is any enthusiasm from our side it is for the comments in the newspaper of late by Joe Hockey and others that "WorkChoices is dead". I can only come to the conclusion that finally the penny has dropped and they understand. The motion as it stands should be supported and members should vote accordingly.

**Mr FRANK TERENCE** (Maitland) [12.23 p.m.]: I notice that no-one else from the other side wants to speak in this debate: it must be a lonely place these days in opposition. We remember that one by one they lined up and said how good the WorkChoices legislation is and spoke about the growth of the economy. They said, "Go for growth" until Saturday 24 November when the people finally had their second opportunity this year to have their say and resoundingly said no. What did they say no to? They said no to signing Australian

workplace agreements, to giving away their working conditions and to a loss of bargaining power, bit by bit, in the workplaces with draconian industrial relations legislation.

When I knocked on doors in my election campaign in Maitland not a single person had anything positive to say about WorkChoices. They were worried not only about their own jobs but also about the jobs of their 16- or 18-year-old children who had to sign Australian workplace agreements not knowing what they were doing. What happened every time they signed an Australian workplace agreement? They lost a condition or an overtime or penalty rate. Five to eight years from now they would look back and think: Gee, we used to have four weeks holiday, time and a half and public holidays but all that has gone. Why would it have gone? Because John Howard had this great ideology of making sure that businesses have the power over the workers. Twice the people have had their say this year, and twice the Liberals have been resoundingly defeated. The tactic of the Coalition, including the member for Terrigal, is to put up an amendment on a completely different topic to avoid the issue. That is demonstrated by the fact that the Opposition does not have a second speaker.

Spotlight said WorkChoices was all too hard and the system should go back to the way it was before, with collective agreements. That says it all. Members of the Federal Liberal Government clearly thought they were on a winner. They talked about economic growth and did not have any idea about the social impacts of WorkChoices on young people, women workers and immigrant workers trying to get a job. Every time they would sign an AWA they would lose a part of their conditions. People spoke out against that at the recent election. Members opposite do not want to talk about it any more so they just change the subject.

The member for Terrigal asked who on this side had been in a real job? What does he call a real job? I have worked on the shop floor as a boilermaker and a motor mechanic. I have worked in places where I have had no protection from unions and from the strength of union power and collective bargaining. I have worked in conditions that were far from desirable, not because I had bad employers but simply because that is just the way it was. The protection of the worker is very important. I can remember working on weekends without pay because it was just expected. I can remember staying back until 8 o'clock at night working without getting paid because that is just the way it was. I did not have that protection. If members opposite have their way they would not worry about people going back to that situation. They are only interested in economic growth and not the social impact on the worker. No-one I met had anything good to say about the legislation. It did not take the Liberals long to say, "It's dead now." On Monday morning, following the election on Saturday, the Federal Liberals said, "WorkChoices is dead."

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Epping will cease injecting.

**Mr FRANK TERENCE:** The Liberals must have been thinking about it for a long time because it did not take them long to knock back WorkChoices. And so they should! I hope that WorkChoices stays dead; we do not want to see it again.

**Mr STEVE WHAN** (Monaro—Parliamentary Secretary) [12.28 p.m.], in reply: I thank Government members for their great contributions to this debate. I acknowledge the member for Terrigal, who gave a eulogy for the Howard Government that was moving in parts but a little dishonest in other parts. He continued to defend the Howard Government although Federal Liberals are running a mile from WorkChoices. Indeed, Joe Hockey, the Minister given responsibility of selling WorkChoices, now says, "That's gone. That's out of the way. I'm glad I got past that one." The member for Terrigal talked about 11 years of growth. He was wrong: we have had 17 years of growth since the reforms introduced by the Hawke-Keating governments.

Amazingly, the member tried to make out that members opposite have suddenly undergone a conversion and now they are workers' friends. Come off it! Members opposite still do not support collective agreements, and they still think we pay public servants too much and that workers should not have rights. That was obvious when the member for Epping interjected that "we should be able to sack malingerers." It is a demonisation of people. Indeed, the member for Epping might want to explain which Liberal Party faction was responsible for dirty tactics in the election campaign. We would like to know how close the member is to the Liberals who were stacking the numbers, such as those in the Federal seat of Lindsay.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Epping will cease injecting.

**Mr STEVE WHAN:** Clearly I have touched a raw nerve. The member for Epping must be held accountable for the dirty tactics during the election campaign.



**Mr Greg Smith:** Point of order: My point is relevance under Standing Order 129. The member's comments are outside the leave of the motion. He is talking about things that might have happened in some Federal seats.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! I am unsure how the member for Epping could have heard the member for Monaro as he was continually interjecting. However, I was listening to the member for Monaro and his remarks were relevant to the motion before the House. There is no point of order.

**Mr STEVE WHAN:** The member for Terrigal made a terrific contribution in which he, amongst other things, pointed out that the highest ranked Liberal in Australia at the moment is the mayor of Brisbane. Did members know that the highest ranked member of The Nationals in Australia is the mayor of Dubbo? That is interesting. The member for Swansea made a terrific contribution in which he referred to his experience in ship engine rooms. Of course, he is in the Government engine room now; it is an appropriate place for him and we welcome him. The member for Maitland showed his credentials; at one stage he was a mechanic. He is another member who brings working-class roots to this place, and that is terrific.

In my opening remarks I referred to the Federal election results, and I will continue with that. There was a huge swing to Labor in the Federal seat of Hume: Alby Schultz is likely to retire. The member for Burrinjuck and the member for Goulburn must be concerned about that. We fully expect them to fight over preselection for the Federal electorate of Hume, which, as they now know is not a safe Liberal seat. In the past week the member for Lane Cove has had a long face. We used to see him constantly and obediently following the Prime Minister. Indeed, he has a picture of John Howard on his wall. His plans for succeeding John Howard in the Federal seat of Bennelong were dealt a big blow in Saturday's election.

What do we see for the future of the Liberals and The Nationals? Under 10 years of the Howard Government we have seen a move to the far right, to the dominance of the member for Epping's faction. Robert Menzies would not recognise the Liberal Party now. Gone are any Liberal values; it is simply right wing conservative. Black Jack McEwen would roll over in his grave if he knew of the industrial relations reforms and that The Nationals had supported the sale of Telstra. They got their just desserts on the North Coast and in many rural seats in New South Wales. We must defend workers' rights because members opposite are not capable of doing so.

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

**The House divided.**

**Ayes, 49**

Mr Amery	Mr Harris	Mrs Paluzzano
Ms Andrews	Ms Hay	Mr Pearce
Mr Aquilina	Mr Hickey	Mrs Perry
Mr Borger	Ms Hornery	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
Mr Daley	Mr McLeay	Mr Whan
Ms D'Amore	Ms McMahon	
Ms Gadiel	Ms Meagher	<i>Tellers,</i>
Mr Gibson	Ms Megarrity	Mr Ashton
Mr Greene	Mr Morris	Mr Martin

**Noes, 36**

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

**Question resolved in the affirmative.**

**Amendment negatived.**

**Question—That the motion be agreed to—put and resolved in the affirmative.**

**Motion agreed to.**

### **GOULBURN WATER SUPPLY**

**Ms PRU GOWARD** (Goulburn) [12.44 p.m.]: On 9 May 2007 I gave notice of the following motion and I thank the House for the opportunity to debate it today. I move:

That this House:

- (1) notes that under current conditions the city of Goulburn's water supply is estimated to be 14 months;
- (2) commends the people of Goulburn for their strict adherence to level 5 water restrictions for the past two years;
- (3) notes the Government's election commitment to provide up to half of the funding for an emergency pipeline;
- (4) notes the financial difficulties anticipated by the Goulburn Mulwaree Shire Council; and
- (5) calls on the Government to fully fund this pipeline to ensure that Goulburn has a guaranteed minimum supply of water.

I will go through those paragraphs one at a time and update the House. It is very frustrating that a great deal has happened since I gave notice of the motion on 9 May 2007, such a long time ago. First, Goulburn has had excellent June and November rains and our two major dams are at above average capacity. Between Sooley Dam, the town's major dam, and Pejar Dam, further from town with more capacity but a less productive catchment, the town's water supply is now at 63.6 per cent. Sooley Dam is 90 per cent full, Pejar Dam is at 40 per cent and even the Rossi Weir is approximately 70 per cent full. On the basis of good June rains, we now have two years, not 14 months, supply. That has meant also that we could go from the dire and dreaded level 5 restrictions to level 3.

I have no doubt that this month's extraordinarily good rains will add to that time span, although it should be noted that Goulburn's wind-prone landscape means that a prolonged period of drought will cut back that time span quite rapidly. Some might now argue that Goulburn no longer needs a pipeline from the Wingecarribbee River, that two years supply is more than enough and that, like Mr Micawber, in the meantime, something might come up. I hate to think of the bean counters in the Treasurer's office looking for a way to take that \$20 million from the people of Goulburn and break yet another election promise. The Labor Party did not win the seat of Goulburn for all this, and the Independent candidate did not win the seat, but they are not reasons for breaking the promise.

Another broken promise, just like the broken promise to widen the Spit Bridge, cannot be tolerated because Labor did not get what it wanted. It cannot be tolerated for the very real reason that Goulburn's history demonstrates it could just as easily revert to the position it was in a year ago—an entire community on level 5

restrictions: dead gardens, business confidence at a record low and the town's self-esteem and pride also at record lows. With climate change, the already drought-prone region of Goulburn Mulwaree will remain at risk of low rainfall for the foreseeable future unless its water supply is permanently augmented by additional supply from elsewhere.

That is not to say there has not been considerable debate in the town about other ways in which the \$20 million could be spent: many believe that a pipeline between the two dams would save an enormous amount in water transfer losses down the creek, while others want to see more recycling and further improvement of our reticulation system to reduce losses. But the fact remains that the Government has committed \$20 million to this project and now the National Water Commission, courtesy of the former Howard Government, has also provided \$20 million. That leaves the ratepayers of Goulburn Mulwaree with least \$10 million to find. Ratepayers in the town have already been levied on a down payment. We are grateful that we are looking for only \$10 million, although \$10 million is enough of a burden.

The council claims that the amount needed is only \$10 million, which will not be confirmed until the specifications are finalised and the tender let, which I am told will be early next year. The reduced amount is the result of not having to complete the project in a hurry. There is no longer the anxious rush that forces up the prices of these projects. Members may recall that at one stage we believed we needed the pipeline by the end of November this year, when the summer kicks in—which is this week! The people of Goulburn Mulwaree have been stoic in their adherence to level 5 restrictions. Since the town has enjoyed the luxury of level 3 restrictions, which means one can hand water for two hours with a hose at night, it has not exceeded its water allocation on any day. In fact, on most days usage is well down on allocation. People still cart their bath water out to their gardens, wash their dishes in bowls, store their washing water in tubs for later use and time their showers.

The people have been vigilant; it is little wonder the town has received a number of awards. I will give one extraordinary figure: the Goulburn Mulwaree Council has spent \$1.3 million over four years providing subsidies for rainwater tanks, water efficient washing machines and plumbing fixtures—an extraordinary feat for 14,000 households. The penetration rate is extremely high and we can only hope that now the Iemma Government has matched the Coalition's promise to provide State Government subsidies for rainwater tanks outside the metropolitan area, and with the Federal Government also kicking in for rainwater subsidies, that the cost to households will further reduce and that the installation of rainwater tanks will increase.

Rainwater tanks are still a very expensive way of increasing our water supply, especially when the water they store cannot be used for cooking, drinking or washing. I urge the House to explore ways of reducing the cost of rainwater tanks and their installation through the use of new plastics and new production technologies. The development of the bladder tank, which can be installed under a house if it is on stilts or not on concrete, is one example of the potential to reduce costs and make tanks more suited to the average household and average residential block.

The stoicism and pragmatism of the people of Goulburn should not be the end of the story. They should not have to live differently from any other town. As a result of recent rain the town is now green and beautiful. It is a credit to its council and its citizens. Sadly, that is not reflected in business confidence. We enjoy the lowest house and land prices of anywhere along the Hume Highway and less interest in development opportunities. Even Yass, a town with fewer people than Goulburn and with similar water supply issues, enjoys higher prices and investment than Goulburn. It should be known that this great old city has enough water, and has a responsible and careful water usage culture, but it cannot grow unless the town is guaranteed a minimum supply of water.

What a great benefit it would be not only to the people of Goulburn, who at present lose their children to jobs elsewhere, but also to the Sydney metropolitan area, which is bursting at the seams, to improve business confidence and investment in Goulburn—two hours drive from Sydney and one hour from Canberra. It is perfectly placed as a dormitory suburb or as an investment opportunity to relieve pressure on the metropolitan area. Goulburn needs the Government to meet not only its commitment to \$20 million, as it pledged in the campaign, but also to meet the difference of \$10 million—it could be more—which is a lot of money for a small and elderly rate base of 14,000 people. Frankly, \$10 million is a tremendous impost that many will find unaffordable.

I conclude with a view to the future and a note of concern. The former Federal Government's commitment of \$20 million to the project earlier this year has kept the State Government honest. It was impossible for the Iemma Government to waltz on its promise when the former Federal Government was

prepared to match its funding, and did so. It is vital that the new Federal Labor Government does not break that commitment. If it does, I fear for Goulburn. I note that the Australian Labor Party has made no commitment to Goulburn's water supply or to honour the commitment made by the former Government.

**Mr Barry Collier:** They have only just got in!

**Ms PRU GOWARD:** The new Federal Labor Government had the whole election campaign, but it said not a word. It entirely ducked the issue throughout the campaign. Malcolm Turnbull was prepared to put his money where he had put his feet—in the empty Pejar Dam—but his Labor counterpart, Peter Garrett, was conspicuous by his absence. In the meantime the National Water Commission has committed to this pipeline. It is working well with council. The people of Goulburn do not deserve treachery. I call on both the Iemma and Rudd Labor Governments to fulfil their commitments. In addition, it is time the State Labor Government recognised the great burden it will be for the city to find the remaining \$10 million or more, to do the right thing and to give Goulburn the shortfall. It will be a reward for enormous sacrifice and it will set a wonderful example to communities around the State.

If communities, like Goulburn, meet their part of the bargain the State Government will reward them not only by honouring its commitment but also by surpassing it. The people of Goulburn should be rewarded for their effort and their patience, and for meeting their obligations to the environment of the rivers on which they live and which are enjoyed by the people of Sydney. Communities cannot put out their hands for help if they do not help themselves, which is exactly what the people of Goulburn have done. I commend this motion to the House. I expect that we shall hear from the Labor Government that it will honour its commitments, but it must work with its Federal counterpart to ensure that the incoming Federal Government will also honour the commitments that have been made.

**Mr KERRY HICKEY** (Cessnock) [12.53 p.m.]: I move:

That the motion be amended by leaving out paragraphs (3), (4) and (5) with a view to inserting instead:

- (3) notes the New South Wales Government's delivery on its election commitment to provide \$20 million for a pipeline to supply over 5 million litres a day, or 1.8 billion litres a year, of fresh drinking water; and
- (4) notes that the Federal Government and the Federal Minister for the Environment and Water, Malcolm Turnbull, ignored requests from the local council to assist in funding this project until fear of a poor election result forced their hand.

Goulburn will not be allowed to run out of water. In March 2007 the Premier announced financial assistance of \$20 million for the construction of an emergency supply pipeline from the Sydney Catchment Authority's Wingecarribee Reservoir to Goulburn. This \$20 million commitment was included in the State budget and the Premier has written to the council confirming the availability of funds. The planned pipeline will be able to supply the majority of the town's needs under current level 5 restrictions and plans are well underway for a pipeline, with the route before Goulburn Mulwaree Council. This will ensure the supply of drinking water for the town.

In addition, the Sooley Dam has been upgraded at a cost of \$13 million, including \$6.5 million from this Government, which has increased its storage capacity from 4,100 megalitres to 6,100 megalitres. These upgrade works were completed in December 2005. The State Government has also provided half of the \$4.4 million required for access to groundwater and surface water sources. The Copford Reach to Sooley Dam pipeline transfer system is operating and the Kingsdale Borefield is operational. Goulburn's water supply security will be greatly enhanced by the enlargement of Sooley Dam and the pipeline from Wingecarribee Reservoir. We will continue to work with the Goulburn Mulwaree Council to secure drinking water for the town. The funding agreement between this Government and the council for an emergency water pipeline is that we provide fifty-fifty funding, up to \$20 million. This agreement was reached on the basis that the pipeline is estimated to cost \$40 million.

Unfortunately, the former Federal Coalition Government initially rejected outright the council's request for financial assistance for the project. That is, of course, until the Federal election appeared on the horizon. It was indeed a shame that the member for Goulburn, who has been representing her constituents for many months, had not been able to pop down the road to Canberra to convince her former boss and political allies to contribute assistance for Goulburn. I am aware that the council has been doing the job of the local member and approached the former Commonwealth Government to reconsider its rejection of funding support for this important project. We welcome the former Commonwealth Government's belated funding offer towards this

project. Our funding offer has been on the table for quite sometime. The offer of the former Minister, Malcolm Turnbull, would be better late than never. It would have been better if the former Federal Government did not hedge its bets with conditions on funding, removing the much needed financial certainty that Goulburn Mulwaree Council requires for a project of this size.

I look forward to the long-term water security that the more innovative and responsive Labor Federal Government we have now will provide for the residents of Goulburn. During the election campaign the Liberal candidate for Goulburn made some outrageous comments regarding the emergency drought pipeline—even more outrageous in light of her demands on the subject. The flip-flopping on the issue is a sad indictment on the member for Goulburn's willingness to find a real solution for long-term water supply in her second choice local electorate, an electorate reluctantly taken on by her after her preferred seat Epping—and it is good to see the member for Epping in the House today—was taken by Greg Smith of the Liberal right. Let me put the facts about the pipeline before the House and correct the record: There will be no cost to the shire's ratepayers for the emergency drought pipeline to Goulburn.

This financial agreement between the State Government and the local water utility, Goulburn Mulwaree Council, will have no financial impact on the 46,000 residents of the shire. I note that the pipeline will not impact on the shire's water supply. The water going to Goulburn is from Sydney's share of the reservoir; it is not water that has been allocated to Wingecarribee shire residents. This emergency drought pipeline is very different from the plan canvassed back in the mid-1980s. Despite the lazy attempts of the member for Goulburn to strike a comparison regarding costs, our plan is for a five megalitre a day pipeline for emergency drought relief for the city of Goulburn from the reservoir.

**Pursuant to standing orders business interrupted and set down as an order of the day for a future day.**

*[Acting-Speaker (Ms Diane Beamer) left the chair at 1.00 p.m. The House resumed at 2.15 p.m.]*

#### **DISTINGUISHED VISITORS**

**The SPEAKER:** I acknowledge the presence in the gallery of members of the Kanagawa Prefectural Assembly led by Mr Yoshito Konomura, Vice-Speaker of the Assembly, and representatives of the Japan Local Government Centre. I welcome them to the New South Wales Parliament.

#### **ANTI-DISCRIMINATION AMENDMENT (EQUAL OPPORTUNITY IN PUBLIC EMPLOYMENT) BILL 2007**

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

#### **QUESTION TIME**

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#### **POLICE NUMBERS**

**Mr BARRY O'FARRELL:** My question is directed to the Premier. How is it possible that, despite all his promises about increasing police numbers, the number of Highway Patrol police is now at a lower level than when he became Premier and even lower than it was in 1984, as revealed by a leaked document?

**The SPEAKER:** Order! Members on the Government benches will remain silent. Opposition members will also remain silent. The Premier has the call.

**Mr Chris Hartcher:** There is the document.

**Mr MORRIS IEMMA:** That is right, there is the document. How many times have Opposition members wheeled in leaked memos and faxes? The master is the Deputy Leader of the Opposition. How many of them turned out to be accurate? None.

**The SPEAKER:** Order! Members of the Opposition will stop answering the question.

**Mr MORRIS IEMMA:** Not on last year's budget at Royal North Shore Hospital, not on this year's expenditure at Royal North Shore Hospital, not on bed numbers and not on nursing recruitment. Today the

Leader of the Opposition brings in his leaked police document. Police numbers? What is the authorised strength at the moment? It is about 15,200 with 750 new police over the next four years, including extra Highway Patrol officers. We have a new Commissioner of Police, tougher police powers and new police equipment so they can continue to do the job they have been doing.

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

**Mr MORRIS IEMMA:** What a great job they have been doing, and without any support from that lot over there. The Leader of the Opposition asks a question about police Highway Patrol numbers from another one of his leaked memos, his leaked documents. He might care to tell us: had they won the election where did they think those 20,000 public service workers would have come from? The police department!

**The SPEAKER:** Order! Members will stop calling out. I call the Leader of The Nationals to order. I call the member for Coffs Harbour to order.

**Mr MORRIS IEMMA:** What would that have done to police numbers? What would that have done to police morale? What would the removal of 20,000 police workers have done to law enforcement in New South Wales? We have 750 new police on the way.

**Mr Barry O'Farrell:** Point of order. My point of order is under Standing Order 129. I appreciate the Premier's comments about broader police numbers. The question was about the number of Highway Patrol police currently being fewer than in 1984. The police leaked the memo because they want more resources, Morris. They want your support.

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

**Mr MORRIS IEMMA:** We have taken delivery of the new Highway Patrol cars; they are mobile police stations. What was it the police said about those Highway Patrol cars? We have the most advanced technology in the world in our Highway Patrol cars. They will give the latest technology to the 50 extra police who are coming in as part of the 750. We now have the biggest Police Force in the history of New South Wales and under this Government it will get bigger.

**The SPEAKER:** Order! I ask members of the Opposition to remain silent.

#### **PORT BOTANY INVESTMENT AND TRADE**

**Mr MICHAEL DALEY:** My question without notice is to the Premier. Can the Premier update the House on the Government's plans to increase investment and trade at Port Botany?

**Mr Chris Hartcher:** Tell us about your next trip to China.

**Mr MORRIS IEMMA:** I am happy to. The member for Terrigal can tell us whether he has a port policy yet. How appropriate it is that the member for Terrigal and the member for Vacluse are sitting together after their performance on ports during the election campaign!

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

**Mr MORRIS IEMMA:** The only time there has been unity between those two was when they could not decide their ports policy. Remember the John Stanley interview with the member for Terrigal? It was a ripper—"We are going to stop east Darling Harbour closing. We are going to stop the cars moving from Glebe Island down to Port Kembla." Then the member for Vacluse, who was then the Leader of the Opposition, said, "No, we're not." Then he said, "Oh, I think we will." Then the member for Terrigal said, "No we're not, we're going to keep Glebe Island open." Oops, no! On the third day it was, "Oh, maybe we'll just have a review." Guess what? Port Kembla is operating. The cars have gone to Port Kembla and 1,000 jobs have been provided under a plan that the Opposition would not support.

**Mr Matt Brown:** Great jobs!

**Mr MORRIS IEMMA:** That is right. Fancy denying Port Kembla and Wollongong, one of our most important regional centres, a new industry. Those two could not work out what their position was; they could

not work out a policy between them. It was just total confusion and contradiction. Meanwhile, we just got on with the job of getting that car trade down to Port Kembla.

**Ms Noreen Hay:** Great trade.

**Mr MORRIS IEMMA:** That is right, great trade. I am happy for the member for Terrigal to be filled in on the Government's plans to expand our ports. Why? Because our plan expands the State's economic capacity. It delivers jobs and investments, makes the New South Wales economy stronger and ensures that families in this State will continue to have jobs. An expanded Port Botany means our farmers can get their produce out into their export markets more quickly and efficiently. The member for Terrigal might want to jump on board and support the State's economic growth and our farmers. We are expanding our port and doubling the capacity of Port Botany. Today it is an important milestone. Stay tuned.

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

**Mr MORRIS IEMMA:** Just relax over there. There are 3¼ years to go, so just relax.

**Mr Andrew Fraser:** Thanks for the concession.

**Mr MORRIS IEMMA:** Talk about concessions! The member for Coffs Harbour's leader was in here the other day saying "Shame on WorkChoices!" I agree with that. That was what a lot of Federal and State Liberal leaders have been doing in the past 48 hours: endorsing Kevin Rudd's policies.

**Mr Allan Shearan:** Why?

**Mr MORRIS IEMMA:** Because they are good policies. Perhaps the one true thing uttered by John Howard during the Federal election campaign was the words, "We're coming back". The Leader of the Opposition had better look out because his Federal party has just elected Brendan Nelson, a former member of the Australian Labor Party and a trade unionist.

**The SPEAKER:** Order! The House will come to order. The member for Terrigal will cease injecting.

**Mr MORRIS IEMMA:** And guess who was sighted at Sussex Street at the Labor Council building today, picking up some membership forms? The member for Manly! But back to trade and economic matters economic. Today New South Wales reached an important milestone with the announcement that the successful tenderer, Baulderstone Hornibrook, will construct the \$1 billion port expansion at Port Botany. The expansion will double the present capacity. It is a port expansion for the next 25 years.

**Mr Andrew Stoner:** Intermodal hubs, what about them?

**Mr MORRIS IEMMA:** There are two, but there would not have been two with the member for Terrigal and the member for Vacluse. The current trade delivered a record 1.26 million 20-foot containers. Trade is anticipated to grow at 7 per cent per annum for the next 20 years. It is essential for the State to have adequate infrastructure to be able to meet that rate of growth, and that is exactly what today's announcement of the successful tenderer represents. Construction will commence next year and the project is expected to be completed by 2011. This is just one aspect of the Government's port growth plan. The Port Kembla project has been completed, its new role is underway, and the car trade has been transferred. The Government is also undertaking an assessment of Port Newcastle. Those three ports are critical to the State's economic future. Today the Government announced the successful tenderer for the construction of the \$1 billion expansion of Port Botany. The port expansion project will deliver 9,000 jobs and \$1.6 billion in additional economic activity over the next two decades. The Government's investment in vital infrastructure is aimed at strengthening the State's economic future and increasing investment, jobs and prosperity for New South Wales.

## POLICE NUMBERS

### HIGHWAY PATROL POLICE DUTIES

**Mr ANDREW STONER:** My question is directed to the Minister for Police. Despite all his promises, how is it possible for police numbers to be so low that vital Highway Patrol police officers are being used for

juvenile escort duties in Grafton, contradicting a leaked directive from the deputy commissioner that Highway Patrol police should not be used for anything other than core traffic duties?

**Mr DAVID CAMPBELL:** Here we go again! All we ever get from the Opposition is talking down the hard work of the State's 15,206 police officers.

**The SPEAKER:** Order! I ask members of the House to refrain from their usual Thursday behaviour. It makes it difficult to hear what is being said and does not reflect well on the House. I ask members to state their questions and listen to the answers in silence.

**Mr DAVID CAMPBELL:** We know that through the efforts of the 15,206 authorised sworn officers in New South Wales, crime is decreasing. As recently as two days ago the Bureau of Crime Statistics and Research released its latest report, which stated that all 17 categories of crime are either falling or stable. That is the result of the Government recruiting police and increasing police numbers to an authorised strength of 15,206 earlier this year, as the Premier said. Another 750 officers were appointed this year, of whom 100 will be Highway Patrol officers. Of the further 750 officers who will be appointed, 50 will be Highway Patrol officers. Additional equipment also will be provided, including new vehicles for Highway Patrol officers. All Highway Patrol officers are out in the community with their automatic numberplate recognition equipment, catching crooks.

As all members know, time and time again the Opposition has talked down the hard work being done by the police. The member for Epping is legendary for doing so. I make the point that Highway Patrol and traffic policing is the core role of Highway Patrol officers. However, from time to time other priority tasks require the use of available resources, including the Highway Patrol, to get the job done. I do not believe there would be one member on the Government side of the House or one person in the public gallery who would say that it would not be appropriate for a Highway Patrol officer to respond to a domestic violence incident if the officer was patrolling traffic nearby.

**Mr Andrew Stoner:** Point of order: I refer to Standing Order 129. I think the Minister may have misunderstood the question. It referred specifically to Highway Patrol police being used to escort juvenile offenders in Grafton rather than complying with the direction regarding core traffic duties.

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

**Mr DAVID CAMPBELL:** As I was saying, I do not believe that one person on the Government side of the House or one person in the public gallery would object to what I have described, but it seems that the Leader of The Nationals thinks it is appropriate for Highway Patrol officers not to deal with a domestic violence incident, and perform Highway Patrol or traffic duties instead.

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

**Mr DAVID CAMPBELL:** I am confident that the community will back highway cops every time, even if the Opposition does not. Another point that is very important in this discussion, which the Opposition will seek to avoid, is my advice that the road toll this year is the lowest since 1938. I trust the road toll will stay that way with drivers obeying road laws, not speeding, making sure that they and their passengers are wearing seat belts, and making sure that they do not drink and drive. I assure the House that the road toll will also be driven down through the sheer hard work and gutsy effort of Highway Patrol officers and general duty patrol officers of the New South Wales Police Force. As I say, the Government will back them every time.

Earlier I said that the Government had increased Highway Patrol officer numbers by 100 this year and that an additional 50 will be appointed later. We also increased the number of motor vehicles available to the Highway Patrol. The Premier and the Director of Traffic Services recently brought into service a number of those vehicles. Against that background, let me inform the House of what the shadow Minister for Police had to say on 2GB on 17 October 2006. He said that we need to look at increasing Highway Patrol numbers. The former Leader of the Opposition made an election commitment, one of the \$10 billion worth, by saying:

I will also increase the number of highway patrol motor vehicles.



When it was announced that 50 new Highway Patrol cars would soon be delivered, the shadow Minister for Police said on 24 September 2007, when the Premier and I were in the western suburbs delivering those vehicles:

It's not just about cars.

The Opposition does not have a consistent view or policy, but the Government does.

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

**Mr DAVID CAMPBELL:** The Government's position is to recruit more police officers, allocate more police officers to the front line, give them equipment, and back them with new powers.

### ALCOHOL-RELATED CRIME

**Mr ALAN ASHTON:** My question is addressed to the Minister for Police. Will he inform the House of the Government's moves to crack down on alcohol-fuelled violence and antisocial behaviour?

**Mr DAVID CAMPBELL:** I thank the member for East Hills for his question, which illustrates Government members' support for the New South Wales Police Force. Alcohol-related crime is a serious issue that confronts the hardworking members of the New South Wales Police Force every day of the week. The message is loud and clear—especially over a hot summer when large numbers of people take to the streets and drink alcohol.

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

**Mr DAVID CAMPBELL:** I saw a number of those opposite drinking out of a brown bottle at lunchtime. Summer is a great time to enjoy a drink and celebrate with friends, but unfortunately some people take it too far, get drunk and end up either in an ambulance or in the back of a police truck. This happens all too often. That is why we always ask people to drink responsibly and not overdo it. When our police are confronted with groups of drunken louts it is a potentially volatile situation, and we want officers to have the power to disperse them to ensure that violence does not flare. That is why the Government went to the State election with a commitment to extend police move-on powers so that our officers have options at their disposal to deal with drunken, antisocial behaviour. This is another election commitment that the Iemma Government is delivering on in order to protect the law-abiding citizens of New South Wales.

When a group of three or more intoxicated people are gathered in one place New South Wales police will have the option of forcing them to disperse and not return until they have sobered up. This means that when police officers believe a person who is drunk or seriously affected by drugs is likely to cause injury to others, damage property or otherwise pose a risk to public safety they will have the power to move that person on and stop the trouble before it happens. The New South Wales Police Force has the complete backing of the Government for its summertime crackdown. Police are currently conducting a series of high-visibility operations targeting alcohol-fuelled violence and antisocial behaviour. These include Operation Vision 2, which since October has led to 185 arrests, more than 550 person searches and nearly 300 move-on directions; and Operation Summer Safe, which has so far led to 34 arrests, 64 person searches and 85 move-on directions.

This is part of a proactive, whole-of-government approach to preventing, predicting and punishing the antisocial behaviour and criminal activity that is too often associated with excessive drinking. The Iemma Government has rolled out new crime prevention partnerships to crack down on assaults. We have invested in the Alcohol Linking Program to give police tools to target the licensed premises that cause the most problems. We are also introducing the biggest shake-up of the State's liquor laws in a quarter of a century to give the community greater protection from alcohol-related crime, slash red tape and costs for industry, and increase access to the licensing system for councils and residents. The Iemma Government is committed to giving police the tough powers and resources they need to keep the community safe and to drive down crime, as outlined in the New South Wales State Plan. Under the State Plan, the Premier has set crime reduction targets, which include a commitment to reduce drunken, loutish and antisocial behaviour. I am confident that, backed with the tough powers given to them by this Government, the New South Wales Police Force will achieve these targets.

### PACIFIC HIGHWAY ROAD TOLL

**Mr ANDREW FRASER:** My question is directed to the Minister for Police. In view of the mounting Pacific Highway road toll, the fast-approaching holiday season and all the Minister's promises—

*[Interruption]*

**The SPEAKER:** Order! I call the member for Londonderry to order. The Minister for Planning will cease interjecting.

*[Interruption]*

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

**Mr ANDREW FRASER:** In view of the mounting Pacific Highway road toll, the fast-approaching holiday season and all the Minister's promises, how is it possible that police numbers are so low that Coffs Harbour Highway Patrol shifts on 31 August, 31 October and 17 November were cancelled, leaving one of the most dangerous sections of the Pacific Highway unpatrolled, as shown in these leaked direction to change duties notices?

**The SPEAKER:** Order! That was a lengthy question.

**Mr DAVID CAMPBELL:** It was a lengthy question, and it is an important issue. I know it is an emotional issue for the member for Coffs Harbour, as we have seen in this place previously. The facts remain: The Government has allocated the resources and the funding to have an authorised police strength in this State of 15,206 officers.

**The SPEAKER:** Order! I call the member for Clarence to order. The member for Coffs Harbour will cease interjecting.

**Mr DAVID CAMPBELL:** The Commissioner of Police is working to ensure that those resources are allocated to front-line policing. I am confident that the commissioner, his deputies and the regional commanders will continue to drive local area commanders to get the best out of those resources for the people of New South Wales. That will include ensuring that officers are available on duty over the busy summer period to do their best to support the lowest road toll since 1938 in New South Wales. Again, I make the point—

*[Interruption]*

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

**Mr DAVID CAMPBELL:** Strong partners in reducing the road toll are the operators of motor vehicles—the drivers—who need to drive to conditions, stick to the speed limit, ensure that their passengers wear seatbelts, and not drink and drive.

#### ROYAL NORTH SHORE HOSPITAL REDEVELOPMENT

**Ms NOREEN HAY:** My question is addressed to the Minister for Health. Will the Minister update the House on the status of the Royal North Shore Hospital redevelopment and related matters?

**Ms REBA MEAGHER:** It gives me great pleasure to advise the House of progress in the \$702 million redevelopment of Royal North Shore Hospital.

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

**Ms REBA MEAGHER:** This is the biggest health capital works project in the history of New South Wales. I can advise the House for the first time today that this massive investment will include a completely new main hospital building, with new operating theatres—

**The SPEAKER:** Order! I ask the Deputy Leader of the Opposition and the Leader of the Opposition to stop interjecting.

*[Interruption]*

**The SPEAKER:** Order! I call the Leader of the Opposition to order. I call the member for Coffs Harbour to order for the third time.

**Ms REBA MEAGHER:** The main hospital building—the brown building—will be demolished and rebuilt, with new operating theatres, new procedure rooms, a new emergency department and new day-stay and ward areas. There will also be new community health facilities on site. I am advised that the new hospital will provide 626 beds, including 46 critical care beds and 40 mental health beds, as part of a state-of-the-art facility that will deliver more convenient and better-integrated patient care across all disciplines. I am pleased to advise that all three consortia have submitted tenders.

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

**Ms REBA MEAGHER:** Therefore, they remain in contention to build the new Royal North Shore Hospital and community health services redevelopment public-private partnership project. Detailed bids have been received from Plenary Health, InfraShore Partnership and Pinnacle Health Care. While tender evaluation has just commenced, NSW Health is pleased to note that all three bids include a complete redevelopment, with new buildings. The old brown building will be demolished. Each of the bids allows appropriate capacity for expansion to ensure that what is built is able to meet the expansion needs of the health service in both the medium and the long term. On completion, the redeveloped Royal North Shore Hospital will offer a new acute services facility, a community health centre and refurbishment of some existing buildings. It will provide 462 acute beds to complement the 124 beds provided within the already completed Douglas Building, an additional 40 acute mental health beds, additional chemotherapy and renal dialysis chairs, enhanced diagnostic services and ambulatory care services, and a total of 29 procedure and operating rooms.

The tender evaluation is expected to be completed by the end of April next year, which will be followed by a short period of negotiation with the preferred proponent. An announcement of the successful bidder is expected in mid-2008. In the meantime construction of stages 1 and 2 of the education and research facility is well underway, with the building shell now completed and the internal fit-out underway. This construction is expected to be completed in the second half of 2008 and builds on the completion of the Douglas building, which was finished in 2003. I take this opportunity to update the House on the performance of Royal North Shore Hospital. The joint Select Committee into Royal North Shore Hospital has taken evidence and is now preparing its report, and the Government looks forward to receiving that report and considering the recommendations.

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

*[Interruption]*

**The SPEAKER:** Order! I place the Deputy Leader of the Opposition on three calls to order.

**Ms REBA MEAGHER:** I have said many times that whilst that committee considers evidence the Government will not wait around. It has put in place a new management team for North Sydney Central Coast Area Health Service that is getting on with the job of putting Royal North Shore Hospital back onto the right foot. Yesterday I had the opportunity to meet with my new chief executive to monitor the implementation of the new management plan and to evaluate the improvement in performance. Earlier this month the emergency department performance reference group commenced a trial of a new bed assessment register, which will provide improved information for staff about the anticipated bed availability.

I am pleased to say that the latest performance information provided by the hospital shows a strong upward trend across the key emergency department performance indicators. Triage category 3 performance continues to improve, and at 84 per cent is well above the national benchmark of 75 per cent of patients treated within 30 minutes. Similarly, triage category 4 performance continues to show very strong improvement, with the most recent result of 89 per cent being well above the national benchmark of 70 per cent of patients treated within one hour. Performance has also improved on the benchmarks for patients entering the emergency department from ambulance and moving from the emergency department to a ward bed, and all those results are a tribute to the hard work of our nurses and doctors who have continued to perform to the highest standards during difficult times. I congratulate them on their efforts.

They are pleasing results and the new management approach is delivering the tangible results that we expect. This is not the only development on the delivery of high-quality health services to the northern Sydney area. Earlier today in this place I told representatives from the northern beaches that approval has been given for the compulsory acquisition of the final seven properties for the new level 4-5 hospital at Frenchs Forest. This

will appear in the *Government Gazette* tomorrow. We are getting on with the job of delivering on this major addition to health services in the northern region. This project will cost more than \$400 million and will deliver more than 400 additional beds. I will have more to say on that project later.

### HIGHWAY PATROL POLICE NUMBERS

**Mr BARRY O'FARRELL:** My question is directed to the Premier. Despite all his promises, and with less than four weeks before the holiday season, will the Premier explain why he rejected the NSW Police Force proposal to put 400 extra Highway Patrol officers on New South Wales roads, including an extra 150 police for rural and regional New South Wales, as detailed in this leaked memo?

**Mr MORRIS IEMMA:** Just as well the photocopier broke down the day the Leader of the Opposition was going to produce the costings! The photocopier did not work for the Leader of the Opposition. Seven hundred and fifty extra police is a massive commitment.

**Mr Barry O'Farrell:** The Highway Patrol!

**Mr MORRIS IEMMA:** Yes, I will come to Highway Patrol. In addition to the 100, we have another 50. The point is that they are funded. The Leader of the Opposition can pluck whatever figures he likes out of thin air, just as he did at the election, when he had \$29 billion worth of promises, which were not funded. The Leader of the Opposition can say whatever he likes about numbers—whether they are police, nurses or any other State sector worker—but the fact is the Government has started a program of police recruitment during the next four years, which includes Highway Patrol officers. It also giving them the technology to be able to do their work and to keep our roads and streets safe. That is why the police say that the equipment and the technology in their cars are the best in the country and the world. That is why the Government is recruiting extra Highway Patrol officers.

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

**Mr MORRIS IEMMA:** We have taken delivery of the first super Highway Patrol cars. The cars and the equipment, the computers, and the officers that drive them are funded, unlike the voodoo economic policy that the Leader of the Opposition took to the election.

### PSYCHIATRIC EMERGENCY CARE CENTRES

**Mr KERRY HICKEY:** My question is addressed to the Minister Assisting the Minister for Health (Mental Health). Will the Minister report on the progress and achievements of psychiatric emergency care centres?

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

**Mr PAUL LYNCH:** I thank the member for his interest in this important topic. The Government is committed to support local emergency departments in delivering improved patient care. One strategy to achieve that is investing in mental health services. Investment in emergency mental health care programs across the State is one of the priorities. This ensures that people with mental health problems receive timely and appropriate care. It also ensures that the needs of mental health consumers, their families and carers are responded to when presenting to emergency departments.

The Government announced the psychiatric emergency care centres initiative in July 2005. This investment of \$45 million over four years has involved the establishment of nine specialist mental health inpatient units, psychiatric emergency care centres, known as PECCs, in metropolitan emergency departments. A psychiatric emergency care centre unit is a specialist mental health unit within a hospital emergency department. It provides a mix of inpatient and ambulatory activity involving urgent, round-the-clock access to specialised mental health assessment.

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

**Mr PAUL LYNCH:** It also involves the use of a small number of designated beds allowing observation and immediate mental health care for patients needing short-term inpatient care. Its introduction is a significant initiative in the area of emergency care. It is designed to improve the quality of care for people with

mental illnesses at emergency departments, to reduce delays in access to specialist mental health care and to develop a sustainable model for emergency mental health care. This model of care has been developed following extensive consultation with consumers, their families and carers. It reflects a patient-oriented focus. The Government has undertaken an evaluation of the first 12 months of operation of the psychiatric emergency care centres program.

After a successful initial pilot in Liverpool and Nepean hospitals the program was then implemented across a further five metropolitan hospitals: St Vincent's, St George, Wollongong Wyong and Hornsby. The seven sites were surveyed from February 2006 to February 2007. The preliminary evaluation shows the positive impact the program is having on both patients and service providers. Information was gathered on more than 8,200 presentations to those seven emergency departments and psychiatric emergency care centres. The vast majority of them were individuals who presented only once in that 12-month period. The seven centres have reduced delays in access to care. They have improved emergency access performance for people with mental illnesses. The evaluation measured the number of people seen, treated and discharged within eight hours of presenting.

Outcomes reported of particular significance include: emergency access performance at psychiatric emergency care centres sites improved on average by 30 per cent in the six months after the centres opened compared to prior performance; and short admissions to mental health inpatient units in those hospitals were reduced by approximately 24 per cent. The activity of the centres has resulted in significant reductions in the time taken to access emergency mental health care and significant outcomes in improving flows in the emergency department system. This means the more efficient management of people who have presented to emergency departments. They are contributing greatly to reducing the time taken to access appropriate care. It is already clear that thousands of people with mental health problems facing a crisis have been helped by these new emergency services. And it is early days. We expect things to continue to improve.

In addition to the above sites, a new four-bed psychiatric emergency care centre recently opened at Blacktown Hospital. A six-bed centre at Campbelltown Hospital will be operational early next year and, at the same time, the permanent six-bed new psychiatric emergency care facility at Nepean Hospital will be opened in the very near future. Indeed, the opening is imminent. The evaluation has shown that consumer and carer satisfaction is high, and indicates that the psychiatric emergency care centres have helped to enhance the quality of mental health care. Satisfaction from both psychiatric emergency care centre and emergency department staff is also high. Most staff feel that the services have had a positive impact on clinical care and on relationships between the services.

Reports to date also show that psychiatric emergency care centres provide a safe environment for mental health patients and staff while reducing avoidable admissions and speeding up access to specialist mental health care. These positive results have been echoed by some of the peak consumer groups in the mental health field. Ms Jenna Bateman is the Chief Executive Officer of the Mental Health Coordinating Council, which is the peak body for non-government organisations working for mental health throughout New South Wales. She said:

PECCs have been established to take pressure off the emergency departments and create better opportunities for people with mental health problems to get timely help by specialist staff in a purpose-built environment and should be part of every major hospital. When PECCs are in place ... we see people with acute mental illness triaged to inpatient care and we see people in ... crises referred to appropriate community services, accessing support needed to get back on track and avoiding hospital admission.

Dr Gillian Malins, who is Executive Officer of the New South Wales Consumer Advisory Group—Mental Health Incorporated, said:

... consumers report to us that they continue to be impressed with the services and care they receive at PECCs. People who have used PECCs report finding them a less stigmatising option, where they get strong support and understanding from staff. PECCs provide quick access to specialist mental health care and play an important role in providing adequate responses to people in need of emergency mental health care.

These services are proving to be a sustainable and effective model of care. They provide both short-term emergency inpatient care and a specialist mental health consultation service in emergency departments. They contribute to reaching targets—

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

[*Interruption*]

**The SPEAKER:** Order! I would have thought mental care emergency treatment would be of great interest to everyone in the Chamber.

**Mr PAUL LYNCH:** I echo that comment, and I note with concern the contempt displayed by some—not all—Opposition members in relation to these matters. This initiative is part of the record \$1 billion budget expenditure on mental health. It is a demonstration of our commitment in this area. That commitment is notably absent from members opposite who have ignored this issue. It is a demonstration of the historic redressing of mental health needs by this Government.

### **PUBLIC HEALTH FUNDING**

**Mr GREG PIPER:** My question is directed to the Premier. What are the Premier's plans to use the new opportunity for a cooperative approach with the Rudd Commonwealth Government to ensure an increased budget for health and an equitable distribution of health care facilities and services for growth areas in New South Wales such as Lake Macquarie?

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

**The SPEAKER:** Order! Members will cease interjecting.

**Mr MORRIS IEMMA:** For the benefit of the member for Hornsby, no-one minds constructive criticism. The Minister Assisting the Minister for Health (Mental Health) was making a point about the laughter coming from members opposite about psychiatric emergency care centres.

**Mr Barry O'Farrell:** Which require trained staff.

**Mr MORRIS IEMMA:** Yes, and these centres never existed under the Coalition Government and they never will exist under a Coalition government.

**Mr Barry O'Farrell:** You have had them sitting there unused since March.

**Mr MORRIS IEMMA:** The Leader of the Opposition should spend time counselling new members about appropriate behaviour in the Chamber, particularly when a Minister is talking about something as important as emergency psychiatric care.

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

**Mr MORRIS IEMMA:** That is the point we were making. The Leader of the Opposition should spend time counselling new members. Many Opposition members take a constructive approach to mental health, and they were not laughing. I return to the question asked by the member for Lake Macquarie. This Government welcomes the election of the Rudd Government and welcomes the unique opportunity this will present. The people resoundingly endorsed the reform plan on Saturday when they rejected the campaign of fear and instead accepted the unique opportunity of having Labor Governments in New South Wales and in the other States working in cooperation and in a spirit of goodwill to undertake national health reform. As for New South Wales, the Minister outlined the priority areas, which are growth centres such as Lake Macquarie.

**The SPEAKER:** Order! If the member for Murrumbidgee wants to ask a question he should seek the call.

**Mr MORRIS IEMMA:** The first point of contrast is that we particularly welcome the \$2-billion national health reform plan that Mr Rudd put on the table—it was endorsed by the people at the election—which involves an immediate injection of funding into our hospitals.

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

**Mr MORRIS IEMMA:** One priority area for us will be to continue to build the acute care bed base in New South Wales. We will add to the 1,800 beds we have opened over the past three years and will direct some of the additional Commonwealth money to priority areas where there is growth—the Central Coast, the Hunter and other great regions in this State.

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

**Mr MORRIS IEMMA:** Secondly, we welcome Mr Rudd's commitment to fund additional aged care beds so that hospitals on the Central Coast, such as Gosford and Wyong, and in the Hunter—

[Interruption]

**The SPEAKER:** Order! I warn the member for Terrigal for the last time.

**Mr MORRIS IEMMA:** I would have thought the member for Terrigal would support growth money going to the Central Coast, given that he represents the Central Coast. Mr Rudd made commitments in the area of aged care. He recognised 11 years of underfunding of nursing home beds, which has resulted in some public hospitals providing accommodation for patients who are not suffering illness but who are awaiting a nursing home place but cannot get one because there is a shortage. Central Coast is one region that has a shortage of aged care beds. In that important area we look forward to working with Mr Rudd to redress the imbalance in aged care beds and to free up acute care beds in our hospitals, particularly in Gosford and Wyong, so that we can treat more patients.

[Interruption]

**The SPEAKER:** Order! This is the last time I will warn the Leader of The Nationals.

**Mr MORRIS IEMMA:** Thirdly, we welcome Mr Rudd's commitment of an extra \$600,000 to continue to manage our elective surgery waiting lists. The elderly, who make up a big population on the Central Coast, are relying on that injection of money. We also welcome all these commitments of extra funding in important areas such as our hospitals, aged care, and elective surgery—

[Interruption]

It is funny that with the change of Federal Government members opposite now acknowledge that there is a GST imbalance. For 11 years we could not get the member for Murrumbidgee even to utter the letters "G-S-T".

**The SPEAKER:** Order! The member for Murrumbidgee will cease injecting. The member for Davidson will cease injecting. The member for Lismore will cease injecting.

**Mr MORRIS IEMMA:** The new Prime Minister has not been sworn in yet and the member for Murrumbidgee says, "There's a GST imbalance", after 11 years of denying there is a GST imbalance in New South Wales. We will be putting the case for New South Wales. We will be standing up for New South Wales; we would do that whether there were a Labor or Liberal government in Canberra. The fact is that not once did members opposite bother to defend New South Wales on the GST. When Tony Abbott was pinned about Commonwealth health funding on the *Today* program, did the member for Murrumbidgee raise here at the first opportunity the Parliament was sitting and condemn him for not standing up for New South Wales hospitals? When Tony Abbott was exposed on national television as having presided over a reduction in Commonwealth hospital funding over 11 years, from 50 per cent to 45 per cent, did the member for Murrumbidgee move a motion or make representations on behalf of his hospital? No, he did not; he sat in silence.

**The SPEAKER:** Order! Government members will cease interjecting.

**Mr MORRIS IEMMA:** If only Tony Abbott had sat in silence on the *Today* program. Instead, he just smiled. A big smirk of breathtaking cynicism came across his face. And what did he put on his website after that? He put, "I think it will settle at somewhere around 42 per cent". No wonder he told the nation's health Ministers two months ago, "Don't come here to renegotiate the health agreement; come back and see us after the election", because what the Coalition had planned after the election, had it been re-elected, was another cut to hospital funding.

Not satisfied with hospital funding going from 50 per cent to 45 per cent, Tony Abbott had plans for it to settle "somewhere around 42 per cent", in his words. When the National Institute for Health and Welfare pinned him, after 11 years of lies about the Federal Government's level of funding, Abbott's only response was to smile. He thought it was a joke. He thought it was funny. Not content with that, he then said, "I think it will settle at somewhere around 42 per cent." He took out another 3 per cent. What would that mean for hospitals that service the electorate of Lake Macquarie? It would mean fewer beds, less surgery done, fewer nurses—

**Mr Brad Hazzard:** Point of order—

**The SPEAKER:** Order! The member for Wakehurst will be heard in silence.

**Mr Brad Hazzard:** I refer to Standing Order 129. For the benefit of the member for Lake Macquarie, what he really means is no, no, no.

**The SPEAKER:** Order! For the information of the member for Wakehurst, it is late in the day.

**Mr MORRIS IEMMA:** The fourth area of priority with which Mr Rudd went to the election was a commitment of \$200 million for the health super clinics that complement our HealthOne clinics and our general practitioner after-hours centres. I note that the after-hours clinics are at Gosford and Wyong hospitals. What is there a shortage of? There is a shortage of general practitioners to work with our doctors to be able to provide a full service. Those are the priorities for the member for Lake Macquarie, and I thank him for his interest in health and for his support of his constituents.

#### INNOVATION STATEMENT AND SCIENCE AND MEDICAL RESEARCH AWARDS

**Ms LYLEA McMAHON:** My question is addressed to the Minister for Science and Medical Research. Will the Minister update the House on the Government's efforts to make New South Wales the world's leader in innovation and medical research?

**The SPEAKER:** Order! Before the Minister for Science and Medical Research answers that question, I advise the House that a number of members are on three calls. I now place all members who have been called to order on three calls. Question time will be concluded in the appropriate way.

**Ms VERITY FIRTH:** In November last year the Premier launched the New South Wales Innovation Statement. The statement was a visionary approach: it identifies the important sectors where we punch above our weight in manufacturing, finance, transport and logistics, resources and media entertainment and design. New South Wales businesses, through their efforts in research and development, are major contributors to innovation and knowledge. Indeed, in 2005-06 New South Wales businesses spent \$3.3 billion on research and development. And, importantly for the State, our research and design performance in our key sectors was particularly fantastic.

In manufacturing, businesses spent more than \$1 billion on research and design, with particularly strong performances in scientific and photographic equipment at 53 per cent of the national total, and industrial machinery at 37 per cent of the national total. New South Wales not only has a strong industry research and development; it also has 11 universities, more than any other State, and each of them leading research institutions. We want to make the connections between industry and academia stronger.

The New South Wales Innovation Statement presents a new understanding of the place of science within the responsibilities of government. It recognises that science is not something that happens at the sidelines of our economy or our environment or our health system. The statement positions science and research at the very core of the Government's work. The Innovation Statement puts at the heart of government a discussion about human capital and the knowledge economy. We want the world's top researchers to work here in New South Wales, helping us build a modern, knowledge economy.

I am pleased to be able to inform the House of some of the world's best researchers who will soon be winging their way to New South Wales as recipients of the latest round of the New South Wales Government Life Science Research Awards—world-class researchers choosing to relocate to New South Wales. Each New South Wales Life Science Research Awards winner will receive \$400,000 to support their research as a part of a \$5 million program to bring outstanding researchers to New South Wales. Among the new recipients is Dr Graham Hillis, a world leader in cardiovascular research, the number one killer today. Dr Hillis will relocate to the George Institute in Sydney from the United Kingdom.

Another new recipient is Professor Leslie Weston of Cornell University, one of the premier research universities in the United States of America. Professor Weston will be located at the Centre for Agricultural Innovation at Charles Sturt University. The program will bring to our shores also Dr Ian Anderson from the United Kingdom, one of the world's leading climate accounting scientists. Dr Anderson will be located at the University of Western Sydney.



I am also pleased to report that I have today announced a new award in our \$6.5 million Cancer Research Leaders program. The appointment will go to Professor Ariel Altaba, currently of the University of Geneva, who will become the inaugural Medical Foundation Chair of Cancer Biology at the Centenary Institute. World-class researchers are moving to New South Wales from the universities of Geneva, Aberdeen, and Cornell. I am sure the House will join me in welcoming those new researchers to our State. New South Wales is rolling out the red carpet this week, not just to David Beckham but also to those four world-class researchers. They are helping us build a modern, knowledge economy as a part of our innovation strategy.

**Question time concluded.**

## **ROYAL NORTH SHORE HOSPITAL BUDGET DOCUMENTS**

### **Personal Explanation**

**Mrs JILLIAN SKINNER**, by leave: I wish to make a personal explanation.

**The SPEAKER:** Order! Members on the Government benches will remain silent. Members are entitled to make personal explanations. I will hear the personal explanation.

**Mrs JILLIAN SKINNER:** During question time the Premier raised doubts about the accuracy of the Royal North Shore Hospital budget documents that were leaked to me. I point to the answer provided by the—

**The SPEAKER:** Order! I have not heard the whole of the personal explanation but I remind the Deputy Leader of the Opposition that in a personal explanation she must show how reflections have been made on her honour or her character.

**Mrs JILLIAN SKINNER:** If I could finish?

**The SPEAKER:** Please do.

**Mrs JILLIAN SKINNER:** I refer to the doubts raised about the accuracy of Royal North Shore Hospital documents leaked to me, casting aspersions on my character. I refer to the answer provided by the Minister for Health to a question on notice that concerned those figures.

## **STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS**

### **Report**

**Mr Paul Pearce**, as Chair, tabled report No. 39 "Review of the Draft Constitution (Disclosures by Members) Further Amendment Regulation 2007", dated November 2007.

**Ordered to be printed on motion by Mr Paul Pearce.**

## **PETITIONS**

### **CountryLink Pensioner Booking Fee**

Petition requesting the removal of booking fees charged to pensioners on CountryLink services, received from **Mr Greg Aplin**.

### **Pymont and Ultimo Bus Services**

Petition requesting improved and expanded bus services for Pymont and Ultimo, received from **Ms Clover Moore**.

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

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

### **The Rocks Market**

Petition opposing changes to the operation of The Rocks Market by the Sydney Harbour Foreshore Authority, received from **Mr Brad Hazzard**.

### **Public Library Funding**

Petitions requesting increased funding for public libraries, received from **Mr Craig Baumann**, **Ms Sonia Hornery**, **Mr Robert Oakeshott**, **Mr Paul Pearce**, **Mrs Jillian Skinner**, **Mr George Souris** and **Mr Richard Torbay**.

### **Tumut Renal Dialysis Service**

Petition praying that the House support the establishment of a satellite renal dialysis service in Tumut, received from **Mr Daryl Maguire**.

### **Morisset Hospital Services**

Petition requesting funding for a general public hospital to service the Morisset area, received from **Mr Greg Piper**.

### **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**.

### **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** and **Mr John Turner**.

### **Pet Sales**

Petition requesting a ban on the sale of pets from pet retail outlets, a ban on advertising using pictures or display of animals to promote impulse buying, and the restriction of such sales to qualified registered breeders and pounds, received from **Ms Clover Moore**.

### **Animals (Regulation of Sale) Bill 2007**

Petition supporting the right of pet shops to sell pets and opposing the Animals (Regulation of Sale) Bill 2007, received from **Mr Steve Whan**.

## **CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**

### **Climate Change**

**Mr MICHAEL DALEY** (Maroubra—Parliamentary Secretary) [3.22 p.m.]: The motion of which I gave notice earlier should be accorded priority because, as we in this House know—or we should—the environment is a key issue today not only for us, but for our children. The Howard Government had 11 long, but thankfully now terminated, years to demonstrate its environmental credentials and last Saturday the Australian people held it to account. The motion should be accorded priority because until July next year the former

Government retains control of the Senate and it has already indicated that it will take no notice of the mandate given to Kevin Rudd and his team. My motion should be accorded priority for those reasons.

### **Highway Patrol Police Numbers**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [3.23 p.m.]: The Premier in his last answer today was a bit touchy because the Opposition today released four leaked police memos, memos that were leaked because police do not believe that they are getting the support that they deserve from this State Government. Let me start with the figures from the police—not the figures from the Minister for Police, not the figures from the Premier, not the figures from the Opposition, but the figures from the police. The leaked memo indicates that in 1984 the number of Highway Patrol officers across New South Wales was 980. It reveals that in the year that Morris Iemma became Premier the number was 988. In answer to an estimates committee question the Minister for Police provided a response from Commissioner Scipione, which indicated that as at 26 October 2007 Highway Patrol strength was 970—980 in 1984 and 970 today. That is despite the fact that, as the submission argues, there has been an increase of 57 per cent or 1.46 million in the number of cars registered; an increase of 1.365 million or 46 per cent in the number of licensed drivers; and an increase in the population of 1.5 million or 30 per cent.

The second document we released is a memo from the assistant police commissioner which stated that hard-pressed Highway Patrol police should not be taken away from critical and vital patrols of our roads to do non-core traffic duties. Yet, as the member for Coffs Harbour and Leader of The Nationals indicated, they are being taken away from those vital duties in the lead-up to Christmas and presumably beyond because there are not enough police in our police stations. Despite the repeated claims of this State Government of record police numbers, our local police stations are so short of police that Highway Patrol officers are being used to do things as simple as escorting juvenile offenders and other routine general duties tasks. This is a disgrace and it flies in the face of repeated comments by those opposite about the number of police in New South Wales.

It is also clear from the other documents that the New South Wales Police, and in particular the Highway Patrol police, argued for 400 additional Highway Patrol officers across the State—150 in rural and regional areas. The Highway Patrol covers the whole State. The document helpfully indicates where the extra police should be allocated, so we know that they are after seven in the Blue Mountains, sixteen in Fairfield, thirteen in Flemington, nineteen in Macquarie Fields, five in Lake Macquarie, six in Port Macquarie and on the mid North Coast, four in Lake Illawarra, five in Monaro, three in Orana and three in Oxley. It lists by commands where those additional Highway Patrol officers would be required because, as the submission argued, with the increase in the population, the increasing number of cars on our roads, and the increase in the number of licensed drivers, we need to increase the Highway Patrol beyond the strength it was in 1984 and beyond where this Government continues to claim it is.

The Government is failing the people of New South Wales and this failure has a significant cost. Everyone in this place and the other place agrees that the way to drive down our road toll even further is by having high visibility policing. We can urge, we can run campaigns, and we can continue to tell people to be safe on our roads, but we know at the end of the day that the only thing that slows people down, particularly in the holiday season and particularly on the Princes Highway, the Pacific Highway, the Great Western Highway and the Hume Highway, is seeing regular marked police patrols. But when was the last time people in this Chamber saw regular police patrols on those roads? People are dying, families are losing loved ones, because people are speeding on our roads—despite what those opposite say.

We had an election on Saturday and the excuses have ended. Here is just further evidence of the details of how this Government has misled the public of New South Wales. It has repeatedly claimed record police numbers across the State. Then how is it that highway police patrol officers in New England and elsewhere have to be taken off vital patrol work in order to do general duties work? The Government rejected a claim for 400 additional Highway Patrol police, deciding to give us an additional 50—but only after 2011.

Despite everything that is said in this Chamber by the Minister for Police and the Premier about who in this House supports police, the reality is that, as these documents leaked by police show, they are not getting the support they deserve. Families across this State are losing people on roads in the south, the north and the west because the State Government, even in this area, does not get it. It is about producing better safety results; it is about allowing people to do the job they are trained to do; and it is about keeping people alive.

**Question—That the motion of the member for Maroubra be accorded priority—put.**

**The House divided.****Ayes, 50**

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

**Noes, 37**

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

**Question resolved in the affirmative.****STANDING ORDER 108 PROCEDURE**

**The SPEAKER:** Order! It has been brought to my attention that on Thursday 15 November 2007 there was some confusion as to what is the correct procedure at 4.15 p.m. on Thursdays when business is interrupted for the giving of general notices and private members' statements. Standing Order 108 clearly provides that on Thursdays the business before the House is interrupted at 4.15 p.m. unless a division is in progress or proceedings under the guillotine are in progress. When a division has been called for prior to 4.15 p.m. but is concluded after 4.15 p.m., the business before the House, if it is a motion accorded priority or a matter of public importance, will lapse. That will occur regardless of whether the question has been proposed on the substantive motion before the House. As noted on page 126 of *New South Wales Legislative Assembly Practice, Procedure and Privilege*:

If the debate on a motion accorded priority is interrupted pursuant to standing or sessional orders, such as at 4.15 p.m. on Thursdays for the giving of general business, general business notices and private members' statements, the motion lapses. If a division has occurred on an amendment to the motion and the division concludes after 4.15 p.m. there is no provision for the House to then express a view on the original motion.

The question being put on the original motion is not consequential upon the amendment being disposed of; it is a different proceeding. That is the approach that was taken by the Deputy-Speaker on 8 November 2007. The question on the original motion can only be put after 4.15 p.m. with the concurrence of the House or by suspending Standing Order 108. On Thursday 8 November 2007 the Deputy-Speaker sought the concurrence of

the House to put the question on the original motion and concurrence was not given. Accordingly, the motion lapsed.

I acknowledge that from time to time the House has put the question on the original motion after 4.15 p.m. on Thursdays, but to ensure that the standing order is applied correctly the practice set out in the *New South Wales Legislative Assembly Practice, Procedure and Privilege* will apply. However, should the House wish to express an opinion on the original motion the standing orders will need to be amended either permanently or by way of sessional order.

## CLIMATE CHANGE

### Motion Accorded Priority

**Mr MICHAEL DALEY** (Maroubra—Parliamentary Secretary) [3.39 p.m.]: I move:

That this House:

- (1) congratulates the new Federal Government for their commitment to the environment and their plan to ratify Kyoto at the earliest possibility; and
- (2) notes the New South Wales Government's commitment to the environment, especially in public transport.

The Howard Government had 11 long years in which to demonstrate its environmental credentials, but it simply wasted every opportunity to do so. It mortgaged the future of our children. Until the polls started showing that the Howard Government might lose the election, it simply did not care about environmental issues and pretended they did not exist. Suddenly the Howard Government was interested and almost overnight its members went from sceptics to believers. We on this side of the House did not buy the sudden change, nor did the Australian people. Mr Howard and his Government, including the failed leadership aspirant and former environment Minister, Mr Turnbull, have kept Australia in a group of two with Kazakhstan: countries that have signed Kyoto Protocol but not yet ratified the agreement. The Howard Government has kept Australia also in another group of two with the United States of America: countries that have a stated intention of not ratifying the agreement. Had Mr Howard won the election on Saturday, Australia's position on Kyoto would not have changed.

The Australian people saw through the charade. They knew Mr Howard was not serious about climate change and that he would do or say anything to win an election. The Australian people saw through his pretence and threw him out. They sent the new Nelson Opposition a message that it surely cannot ignore: the environment is important to Australians. The new Prime Minister, Kevin Rudd, has said he will ratify Kyoto as one of his first acts in office so that Australia can join the other 172 countries that have done so. Those countries have shown that they are serious about tackling climate change. Our friends in Europe saw the light and ratified the agreement. All countries in South America and South-East Asia have signed the protocol and ratified the agreement. The good people of Djibouti demonstrated their commitment to the environment and joined the Kyoto club in March 2002. Uganda and Mali also joined in the same month and Cuba the month after, in April 2002. These countries were happy to demonstrate that they understood the dire consequences of climate change and now are all part of a club that numbers 172 members. These countries were hardly world powers but they saw the overwhelming scientific evidence and took the correct action.

The Howard Coalition Government decided that Australia should not be a part of Kyoto, along with Kazakhstan and the United States of America. Mr Howard and his Cabinet believed that we should not acknowledge the real danger in continuing to ignore the warning signs of climate change. No doubt our low-lying Pacific neighbours—the Solomon Islands, Fiji and Micronesia to name just three, countries with economies far smaller than ours—were not pleased with our decision to not ratify. But the Howard Government's problems were not just related to Kyoto. Under Mr Turnbull's reign as environment Minister the Howard Government underspent its climate change budget by \$89 million. Instead of channelling that \$89 million into climate change programs, it left the kitty for some pork barrel or another. Their hearts just were not in it.

It is interesting to note that the former Federal Coalition Government and its environment Minister spent \$23 million on a taxpayer-funded advertising campaign on climate change. There is nothing like a convert, especially one on a deathbed. It is not as though Mr Turnbull had to fight his way in to show support for addressing climate change: he had a seat at the table. He was environment Minister while this was happening.

Inaction on climate change but action on advertising is bizarre. Fortunately, we have a new Government and a new Opposition. The Australian people and, in particular, the people of New South Wales saw through the rhetoric of the team now led by Brendan Nelson and threw it out of office. We have a new Government that will work with the States to achieve real change on environmental issues.

The world's leaders have taken no time in agreeing with the Rudd Labor Government's decision. Gordon Brown, the United Kingdom Prime Minister, welcomed Australia's new commitment to ratify Kyoto and said that Mr Rudd's binding targets would be significant in Bali. The Indonesian President said that Kevin Rudd's attendance in Bali would be symbolically significant and add momentum to the talks. Important though it is, it is not all about symbolism. Kevin Rudd will ratify Kyoto. He will travel to Bali to attend the United Nations climate change conference. The Rudd Government's support is not about symbols and talk. A \$500 million renewable energy fund will be set up to develop, commercialise and deploy renewable energy in Australia, a \$240 million clean business fund will be set up to help businesses and industries deliver energy and water efficiency projects, and a \$150 million energy innovation fund will be established. This money will keep our leading scientists in Australia and stop the brain drain that has gone unchecked during the 11 years of the former Coalition Government. The brain drain started under the Fraser and Gorton governments. Coalition governments let our best brains leave the nation; Labor governments bring them back.

The Rudd Government will invest in a \$500 million fund dedicated to developing clean coal technologies. The fund will be available also to provide support to clean energy researchers—again keeping talent in this country. Small ticket items, though no less important, include \$1,000 rebates for solar hot water systems, \$500 for water tanks and \$10,000 low-interest green loans for water and energy-saving measures. These are just some of the commitments of the Rudd Labor Government to the environment. Most importantly, the Labor governments right around the country—that sounded so good it bears repeating—are committed to the environment and to tackling the damaging effects of climate change. Interestingly, the most senior Liberal government in the country, the Brisbane City Council, also has set an aggressive plan to tackle climate change. The Labor Party welcomes that council on board. I hope the new leader of the National Coalition, Mr Nelson, will take the time to look at Prime Minister Rudd's policies and also those of his most senior colleague in Brisbane.

The New South Wales Government is absolutely committed to the environment and to implementing policies necessary to secure the future of the planet. We will work with the new Rudd Government to ensure better results on environmental issues for the people of New South Wales. There will be cooperation now, not endless blame shifting from Canberra that characterised the Howard Government. The Liberals have engaged in more blame shifting in the past few days, but as contenders to the Crown shifting the blame for their recent loss to their old failed regime. I would not like to be in the trenches with any members of the Liberal Party: they have no compunction in stabbing their leaders in the back at both State and Federal levels.

It is almost as if Mr Turnbull was not in the room whilst decisions were made about the environment. While Nero was fiddling in Canberra for the past 11 years we have not let New South Wales burn. We have taken appropriate steps across the State to address environmental issues. Nowhere is our commitment more evident than in public transport. In the past week the Iemma Government announced a plan to encourage big business to reduce its carbon footprint by using buses around the central business district. In buying tickets in bulk businesses will receive a carbon credit for every ticket. Just yesterday the Deputy Premier announced that the Government would allow taxi and car hire companies to use the environmentally friendly Toyota Prius.

The five-star eco-rated Prius has been on trial for almost two years and has been a hit with passengers and drivers, and it is a hit also with the environment. The Prius can travel 1,000 kilometres on one tank of petrol—enough to travel from Penrith to Eden-Monaro on the South Coast and back without refuelling, as the Deputy Premier explained so well during question time yesterday. Those announcements were just in the past couple of weeks. Our long-term commitment to the environment and transport is unrivalled. A greater proportion of commuters use public transport every day to travel into the central business district for work and play in Sydney than in any other capital city in Australia. During the peak period almost 73 per cent of people use the public transport system to get to the central business district. We are keeping those people out of their cars and on our environmentally friendly natural gas Euro5 diesel buses. More than one million people also travel daily on our trains and those numbers continue to grow.

Leaving aside the month when the Asia-Pacific Economic Cooperation conference was held in Sydney and people stayed away from the central business district, in July, August and October bus patronage increased by 5.5 per cent across Sydney and Newcastle, which is an extra 2 million people during that period. In the

12 months to September passengers took an extra 10 million CityRail journeys. The policies of this Government are coaxing people back to using public transport. Our policies continue to work because we have a plan for the environment and a plan for the future of public transport in Sydney. By contrast, and startlingly so, even eight months after the State election, the Coalition has no plan.

**Ms PRU GOWARD** (Goulburn) [3.49 p.m.]: On behalf of the Opposition I oppose the motion, primarily on the ground that the only member of the Rudd Labor Government who had a plan relating to Kyoto was Peter Garrett. His plan was to allow India and China to continue to pollute under Kyoto II and to reject Labor's Opposition policies after the election, for which he was sacked. Peter Garrett had a plan, but other than a stated intention to be a signatory to Kyoto, it cannot be said that the Rudd Government has a plan. I wonder if the Rudd Government thinks that signing an international protocol such as Kyoto is simply a matter of turning up, putting a biro to a piece of paper, having a photograph taken with a rock star, and coming back to Australia?

The Australian Government will be expected to make commitments, but that will not include a commitment to meet Australia's target because the former Howard Government already has dealt with that. But what about countries that, having ratified the protocol, have not met targets to which they committed? Will Australia be committed to provide financial assistance? Is it part of our plan, for example, to subsidise New Zealand, which faces a bill of \$500 million for not meeting its target? What about Denmark, which currently is 35 per cent above its target; Austria, which is 34 per cent above its target; Spain, which is 22 per cent above its target; Finland, which is 21 per cent above its target; and Italy, which is 19 per cent above its target? What will we do to ensure that Australia, as a good international neighbour and now a signatory to Kyoto, will not be left with a huge financial burden?

I mention in passing that the Kyoto protocol game has moved on. Everybody is now talking about Kyoto II; but I guess the Rudd Government will eventually work that out in Bali. What will Australia have to do to ensure that countries that are presently above target will meet their targets? That is part of the obligation attached to ratifying an agreement. I hear nothing about what the Rudd Government will do to ensure that countries that are above the target come back into line. Instead we hear a great deal about a target that is almost half a century away—a 60 per cent reduction in greenhouse gas emissions in Australia by 2050. That is an enormous reduction, but there is no plan to achieve that objective and there is no plan to explain how the cap and trade carbon scheme will work. There was one reference only in all the Rudd Government's campaign materials to a specific date, 2010, and it will be interesting to note whether that date is extended to 2011. It takes time to implement trading schemes of that magnitude.

There is no plan indicating whether this Government will withdraw its own greenhouse gas abatement scheme, as it should. The scheme is a disgrace: it has done nothing to reduce greenhouse gas emissions but rather has cost the New South Wales industry its competitive edge. What is even worse is that the State's greenhouse gas emissions have continued to increase. If this Government intends to have a plan, it must be constituted by more than a press release. The Government will have to decide what it will do. I note that Kevin Rudd has agreed that Australia should export uranium—supply Australia's competitors with uranium—which means he will assist other countries to develop nuclear power industries that will compete with Australia's coal industry. Apart from those competitors, Australia will have the added burden of a carbon tax that could be as high as \$20 or \$30 a tonne, thereby making an enormous section of Australian industry uncompetitive.

Kevin Rudd does have a plan—a plan to assist the world's nuclear power industry by providing other countries with Australia's exported uranium. The whole concept of the plan is to issue a press release, grab the kudos associated with the term Kyoto, and not to commit to anything else that may be necessary. Let us face it: Kyoto has failed. That is why the game has moved on. That is why other countries are blushing with embarrassment when countries such as Canada complain it will cost 0.5 per cent in growth a year to come anywhere near meeting its greenhouse gas emission commitments. European countries such as Denmark, Spain, Austria and Finland are well behind target. Where will our neighbouring country, New Zealand, find \$500 million to pay the debt it owes for not meeting its targets? I suppose Kevin Rudd will give it to them!

Peter Garrett has already said that Australia will not require developing countries, India and China in particular, to ratify Kyoto. Under those circumstances, Australia will approach Kyoto II with a proposition that the rest of the world increasingly thinks is untenable. Two of the top four or five economies in the world are not required to meet targets whereas countries such as Australia are preparing to do so. That is economic and social suicide for this country.

It is easy to point to Prius cars in a hire car fleet and say that New South Wales is doing its bit for the environment through public transport initiatives. The facts are that during the term of the Iemma Government, in

a single year, 2005, 416 daily rail services were cut, resulting in 200,000 additional cars coming back onto the roads. Overall there has been an increase of 640,000 cars on the road between 1992 and 2003, which is a much greater increase than the 10 per cent rate of population increase in Sydney over the same period. Those figures indicate that Sydney's dependence on the car has not decreased, because public transport is so appalling.

Passengers travelling in the central business district on a bus or in a taxi are going nowhere fast because of Labor Government mismanagement. There are 500 gas-powered buses under lock and key in depots because they are too heavy for the State's roads. So much for the Iemma Government's answer to the problem of providing green-friendly public transport! What a few Prius cars can do compared to 500 gas-powered buses that might have been able to make a significant improvement to the provision of public transport as well as to the environment is anyone's guess. Labor cut weekly bus services in September last year by 1,500, which immediately led to more overcrowding in peak travel times, more cars on our roads, more congestion, and a diminution in air quality. When the Liberal-Nationals were in government, the average Sydney bus was 10 years old, but currently buses are 12 years old. Everyone knows that the older the technology, the greater is the chance of finding buses that are bad polluters and contributors to greenhouse gas emissions.

The Premier claims that the green car benchmarks have played a part in the Government's commitment to the environment, but even with that statement the Premier played with words. The State's benchmarks are voluntary. It was the compulsory Green Vehicles Guide and the Fuel Consumption Labelling Scheme introduced by the Federal Government that led to further reductions in greenhouse gas emissions. We have a new Federal Government with an intention and a press release, but with no plan for what it will do when it turns up to sign Kyoto, no plan for what it will do to assist other countries, such as New Zealand, to meet financial commitments associated with the agreement, and no plans for what it will say about Kyoto II other than that India and China should be exempt—which might earn Mr Garrett a vote in India and China, but certainly not in Australia. That is certainly not the direction in which the rest of the world is heading.

Far from being the case that public transport in New South Wales has been a contributor to greenhouse gas reductions, it is absolutely clear that over the past 10 years dependence on road transport and private vehicles in Australia has increased, particularly in Sydney, at the rate of 150,000 additional cars relative to growth in population over the term of the Iemma Government. That reflects an appalling public transport system that continually suffers cuts and reduced services. The motion before the House can be moved only at this point in the Rudd Government's life cycle because in a year's time there will be no way the New South Wales Labor Government will be able to say with anything resembling confidence that it has made a commitment to the environment and will ratify Kyoto in a meaningful way. It is certainly increasingly clear that investment in public transport in this State is decreasing and that poor public transport management is contributing to a reduction in air quality rather than improving it. The Coalition opposes the motion.

**Ms SONIA HORNER** (Wallsend—Parliamentary Secretary) [3.59 p.m.]: The Iemma Government's commitment to the environment stands in stark contrast to the environmental policies of the recently defeated Howard Government. Nowhere is this commitment more apparent than in public transport and our innovative plans for that sector. There are many examples of positive initiatives in this area, and I will touch on a number of them today. The Minister for Transport recently launched a pilot scheme that offers "green" alternative bus travel for short trips within the Sydney central business district. This green ticket, called the Breathe Easy TravelTen, is an innovative initiative designed to save companies money while reducing their carbon footprint. For just a few extra cents per ticket it gives people who are going about their ordinary business a way of offsetting their day-to-day trips with carbon-neutral bus travel.

The cost of offsetting greenhouse gas emissions is likely to be less than 10¢ per trip. What a bargain! After walking, buses are the most environmentally friendly way to travel. Now, for less than the cost of a text message, businesses can make sure that short trips around the city are carbon neutral. The trial involves the use of TravelTen cards currently utilised by commuters for trips in and out of the city. Participating businesses will be asked to purchase a supply of Breathe Easy TravelTen bus tickets for use by employees when making short trips in the central business district. State Transit is talking to large companies that have identified aggressive greenhouse gas savings as part of their corporate plans about participating in the trial. State Transit will then buy New South Wales greenhouse gas abatement certificates on behalf of the participating companies, offsetting the greenhouse gas emissions from the travel.

Indisputably, the green ticket is another example of the Iemma Government meeting its commitment to the environment. It is a great example of business, government and commuters working together to help reduce our carbon footprint. Did the Howard Government take seriously the concerns of the business community about



Kyoto and greenhouse gas emissions? They are legitimate issues. Fortunately, the Iemma Government prefers to work in partnership with the business community to improve the environment, and the Breathe Easy TravelTen is a great example of a win-win partnership on the environment that benefits everybody.

I also draw to the attention of the House the research currently being conducted by the Ministry of Transport at the request of the Minister into hybrid diesel-electric trains. This emerging technology from Japan is potentially suitable for some regional routes, such as those in the Southern Highlands and the Hunter—where I live. This technology is worthy of investigation as it could contribute to State Plan priority E3, cleaner air and progress on greenhouse gas emissions. These investigations demonstrate further that the New South Wales Government is committed to keeping abreast of new technologies that improve environmental outcomes.

Earlier this week the Minister announced yet another public transport initiative designed to improve environmental outcomes. New South Wales Government regulations have been changed so that for the first time environmentally friendly Toyota Prius vehicles can be used both as taxis and as hire cars in this State. Is that not fantastic? The Toyota Prius is the only hybrid vehicle with a five-star rating under the Commonwealth Government's Green Vehicle Guide. It is anticipated that we will see more and more Prius vehicles on the road, as taxi operators and the hire car industry respond to community concerns about the environmental impact of transport choices. It is very clear that the Iemma Government is committed to green public transport. Time does not permit me to do more than mention other initiatives, such as the \$120 million allocated in the current budget for new green buses and environmental upgrades to existing buses.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [4.04 p.m.]: We must remember when debating climate change in this Parliament that the Treasurer of New South Wales is the biggest climate change sceptic of all. Every time the issue is raised in the upper House the Hon. Michael Costa rails against the idea of climate change. Forget about having to convince us or anyone else that climate change exists—Labor members must first convince the Treasurer of New South Wales. It does not matter whether a Coalition member, a Greens member or an Independent, questions him. The Treasurer simply says that global warming and climate change is a load of rubbish. He is the problem in New South Wales. That is why the Government has had so much difficulty introducing reforms such as green energy targets and the like. The Treasurer is a great climate change sceptic—and we know how much control Michael Costa has in the Labor Party and in New South Wales. Any control he had would be far too much, but he has full control. The biggest goose in this Parliament with respect to climate change is Michael Costa. He is a complete and utter sceptic.

When we discuss and debate climate change we must put the issues into perspective. The former Federal Coalition Government—which ran the country for 11 years—was trying to protect the economy of New South Wales while managing climate change. The Labor Party, very much in conjunction with the Greens, plans to junk the Australian economy to deal with climate change. Nobody these days would dispute the fact that the climate is changing. But if Labor junks the Australian economy to address climate change with some sort of religious zeal it will do Australia and its people a great injustice. We must deal with this issue, but it is not as simple as saying, "Let's sign Kyoto, close all the power stations, reject coal, nuclear energy and wind farms, but we want to be able to switch on the lights and have jobs." Labor members are always screaming that people should be paid more. They are dead right. But they cannot then say that there will be no coal-fired power stations, no nuclear energy—no nothing. The article by Steve Biddulph in today's edition of the *Sydney Morning Herald* is quite disgusting and offensive. I am shocked that the *Sydney Morning Herald* would print it. It expresses some extreme views. Mr Biddulph writes:

Perhaps a billion lives are at risk, let alone 2 to 3 billion refugees, as agriculture and water supplies collapse across southern Asia and elsewhere, and producer countries, like Australia, find they can barely feed themselves.

That is rubbish. Even the Greens do not claim that.

**Ms Virginia Judge:** Point of order: I refer to Standing Order 129—relevance. This is not the appropriate place to attack a journalist who is not here to defend his character. The member for Murrumbidgee should return to the leave of the motion before the House.

**The DEPUTY-SPEAKER:** Order! The member for Murrumbidgee may continue. There is no point of order.

**Mr ADRIAN PICCOLI:** If a person is prepared to publish his opinions in a newspaper he should be prepared to have them debated in Parliament. The article is about climate change. Not even the Greens propagate that sort of garbage; even they do not support those views. That kind of garbage does the debate no

favours. I respect Steve Biddulph—in fact, I have read one of his books—but I am absolutely disgusted by his article. He is trying to frighten people. Lunatics like him want that outcome to prove the ridiculous ideology. Twenty years ago we were told that overpopulation was going to be the end of the world. The same predictions were made about overpopulation. Those sorts of arguments lead the logical and sensible debate about climate change completely in the wrong direction.

**Mr PAUL PEARCE** (Coogee) [4.09 p.m.]: The Iemma Government has set ambitious targets for public transport in the State Plan. At the same time it has set a target under its greenhouse plan to reduce greenhouse gases by 60 per cent by 2050. Clearly, that is an enormous challenge and public transport reform is an integral part of that plan. These targets not only show the Government's commitment to ensuring an effective and efficient transport network, but its commitment to improving air quality and reducing greenhouse gas emissions. I am pleased that the Government's hardworking commitment is bearing fruit. It is resulting in record numbers of Sydneysiders ditching their cars and taking to public transport. I commend the motion to the House.

**Mr MICHAEL DALEY** (Maroubra—Parliamentary Secretary) [4.09 p.m.], in reply: I have moved my motion.

**Question—That the motion be agreed to—put and resolved in the affirmative.**

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**Mr JOHN AQUILINA:** I seek leave to give notices of motions for the introduction of three bills.

**Leave not granted.**

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing Orders: Notices of Motions**

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.11 p.m.]: I move:

That standing orders be suspended to permit the giving of notices of motions for Government business forthwith.

I am moving the suspension of standing orders to enable the giving of notices of motions of this legislation so the bills can be introduced this week rather than delay them until next week. That will enable the Opposition to have an increased amount of time to peruse the legislation and to have the benefit of reading the agreement in principle speeches over the weekend. As we say in government, we are here to help—even the Opposition. If there is an opportunity for the Government to bring legislation into this House as soon as possible to enable the Opposition, the Independents and members of the Government to peruse it in more detail, it is important and responsible to do just that. For those reasons I am now moving the suspension of standing orders to enable the giving of the notices of motion today so we can proceed with the agreement in principle speeches prior to the weekend adjournment.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [4.12 p.m.]: For clarification, is it suspension to allow notices of motion and the agreement in principle speech?

**Mr John Aquilina:** Suspension to allow notices of motion to be given today.

**Mr ADRIAN PICCOLI:** The Opposition does not give leave until it knows for what reason the Government seeks leave. The Opposition does not know the legislation that the Leader of the House has sought to introduce today; it gets no information from him. The Opposition believes in allowing members on both sides of the Chamber to be fully informed and briefed about legislation. Today before question time there was an opportunity to give notices of motion for Government bills. There was also an opportunity on Tuesday and Wednesday. I do not believe that the drafters have suddenly presented the legislation to be introduced at 4.15 p.m. today. A number of Government, Opposition and crossbenchers want to make private member's statements today, as provided for in the standing orders. That is the normal practice of the House. I assume that some of them have to catch planes this evening. I assume the notice is forthwith. I assume that some of those

members will either miss the opportunity to present issues that are important to their electorates by way of private member's statements because they have to go home to keep important appointments in their electorates. It is terrible for the Government to move this motion at 4.15 p.m. It further illustrates its lack of organisation.

**Mr John Williams:** Laziness.

**Mr ADRIAN PICCOLI:** As the member for Murray-Darling said, this Government is identified by the word "lazy"—lazy, lazy, lazy. It has had plenty of time to introduce this legislation. Last night Parliament got up at 8.30 p.m. when it was scheduled to sit until 10.30 p.m. It could have introduced this legislation in that time and the Opposition would have been more than willing to support it. There may have been a Government fundraiser last night and members had to scurry off like rats. Parliament is scheduled to sit on Wednesday until 10.30 p.m. until family friendly hours are introduced—and we know what some of the members on the other side of the Chamber think about family friendly hours.

**Mr Andrew Constance:** They are probably in peak-hour traffic as we speak.

**Mr ADRIAN PICCOLI:** That is right, they have probably left already to beat the peak-hour traffic, not like their poor constituents, who have to deal with it every day. Members should not have to put up with peak-hour traffic that their own Government has thrust upon them for the past 12 years! We know what it is like on Victoria Road, Parramatta Road or the Windsor Road. As a famous person once said, "Enough of these distractions." We will have five minutes of family friendly hours on another day. The Opposition will not support the suspension of standing orders because the standing orders provide that private members' statements should commence at 4.15 p.m. Members have made travel arrangements with that in mind. At 8.30 last night the Government had an opportunity to move this motion, but suddenly it wants to rush it to give members a chance to consider the legislation over the weekend. It is going to impinge upon private members' statements being given this afternoon. That is why the Opposition will not support the suspension of standing orders, given it is now 4.15 p.m.

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.15 p.m.], in reply: Sometimes I hope that the member for Murrumbidgee reads some of his speeches on the suspension of standing orders, because he might realise how ridiculous his arguments are. Had I been given leave to give these notices of motion I would have taken a total of 30 seconds. The member for Murrumbidgee has now wasted five minutes of the time set aside for private members' statements. The argument he used in relation to preventing members from being able to give their five-minute contributions because they may have to catch a plane somewhere is nonsensical. I will explain why in a minute. No doubt the Opposition will divide the House on this motion, which will take up another five minutes and will delay them even further. Presumably, even more members of the Opposition will miss out catching planes.

However, the whole issue about missing planes is itself a nonsense because tomorrow is a sitting day of this House. I would have thought that members of the Opposition would have remained so they could debate legislation tomorrow or make private members' statements. Again that shows that there is no real substance in the arguments of the Opposition, which is not honest or fair dinkum about what it proposes to do. It is all about parliamentary tactics, bluster and five-minute whinges because the Opposition does not want to get on with the job.

In relation to the drafting of legislation, I know the member for Murrumbidgee has never been a Minister or in government, but for his information the draftsmen work very hard to get legislation ready. They have been working through the weekends and around the clock for 24 hours. The claim by the member for Murrumbidgee that I want the Opposition to believe that the draftsmen have just brought up this legislation and that is why it was not presented before question time is precisely correct.

The legislation is here now. The drafting of the bills was not completed at the earlier stage and we were following it up. The Government held a legislation committee meeting just prior to this to enable me to bring forward these bills. I have attempted to bring this legislation forward as quickly as possible to give members more time to study the legislation in detail. That is why I am moving the suspension of standing orders now, and it is the reason I sought leave earlier to give notice of the legislation. If the Opposition had agreed to this earlier, we could have had this over and done with in 30 seconds.

**Mr Adrian Piccoli:** Point of order: It being 4.15 p.m. it is now time for notices of motions and private members' statements.

**The DEPUTY-SPEAKER:** Order! We are debating a motion to suspend standing orders, and it is appropriate for the Leader of the House to continue.

**Mr JOHN AQUILINA:** The manager of Opposition business needs to learn the standing orders. I am moving the suspension of standing orders, and the standing order will be suspended once we vote on the motion.

*[Interruption]*

The member for Murrumbidgee should learn the standing orders. I will clarify that point.

**The DEPUTY-SPEAKER:** Order! The member for Bega will remain silent.

**Mr Adrian Piccoli:** Point of order: Earlier the Speaker ruled that a division that begins before 4.15 p.m. will be held but a division called for after 4.15 p.m. will not be held. The standing orders will not be suspended until this motion is passed. It being after 4.15 p.m. I ask you to call for private members' statements.

**The DEPUTY-SPEAKER:** Order! I am pleased to seek advice from the Clerk, but the House is debating a motion to suspend standing orders and it is appropriate that the debate continue.

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

**The House divided.**

**Ayes, 47**

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

**Noes, 35**

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

**Question resolved in the affirmative.**

**Motion agreed to.**

**BUSINESS OF THE HOUSE****Notices of Motions**

**Government Business Notices of Motions (for Bills) given.**

**BUSINESS OF THE HOUSE****Notices of Motions**

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

**PRIVATE MEMBERS' STATEMENTS**

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**BURWOOD-CANADA BAY LIQUOR ACCORD LAUNCH**

**Ms VIRGINIA JUDGE** (Strathfield—Parliamentary Secretary) [4.33 p.m.]: I draw to the attention of the House a wonderful event held in the great electorate of Strathfield on Wednesday 21 November 2007 at Burwood RSL Club. The event, which was well supported and attended, was the official launch of the Burwood-Canada Bay Liquor Accord. The guests included the Hon. Graham West, the Minister for Gaming and Racing, and Minister for Sport and Recreation; my colleague Ms Angela D'Amore, the member for Drummoyne; Albert Gardner, the Director of Liquor and Gaming; and Superintendent Arthur Katsogiannis, Commander of the Burwood Local Area Command, and his great team of police officers, who have worked very hard on the accord. It has taken a lot of time, energy and attention to get the accord into shape. I commend them for their tremendous efforts.

Also in attendance were the Acting Assistant Commissioner Frank Minnilli, Superintendent Frank Hansen, Inspector John Green, the Mayor of Burwood, John Faker, council's Senior Environmental Health Officer, Alex Kiss, and the very hardworking Burwood Chamber of Commerce President Doug Sutherland, who has done much great work in supporting small businesses in the Strathfield electorate, particularly in Burwood. The board members of the Burwood RSL Club turned up in force, with their hardworking General Manager Andrew Anderson.

This initiative is welcome. Many of us enjoy a drink with friends in a safe sociable setting in licensed premises and, of course, licensees and their hardworking staff want to serve people who are friendly and sociable. That is what makes our wonderful clubs and hotels so inviting to all of us, and that is the aim of the liquor accords: to preserve that safe, friendly and sociable setting for responsible drinking. Liquor accords are established with the voluntary support of local licensees and community groups. A total of 45 local businesses signed up to the accord and all have taken proactive steps to reducing excessive alcohol consumption that sometimes fuels violence and disgusting and unruly behaviour. I will not tolerate that behaviour in my electorate, nor would any of my colleagues in the Chamber. I commend them all for taking this step.

When I was elected to Parliament in 2003 a liquor accord was signed with the Ashfield Local Area Command. I am thrilled that Burwood Local Area Command is now part of a liquor accord. I especially thank the organising committee, including the chairperson, Richard Saliba, from P. J. Gallagher's at Drummoyne, whose employees were there in force, and the deputy chairperson, Mark Duggan, and his beautiful wife, from Duggan Family Hotels. Mark Duggan is a hands-on licensee who is always there to keep an eye on what is happening in his hotels and makes sure that they are well run. I know he personally had a hands-on role in launching the liquor accord.

I thank also the secretary of the organising committee, Deb Dalaney, who is the Senior Manager at Burwood RSL Club and has received tremendous support from the management, including Andrew Anderson. I also thank the recently promoted Sergeant Vince Azzopardi from the Burwood Local Area Command. I thank each and every one of them for their great efforts and for the energy they put into the Burwood liquor accord. The concept of drinking has changed over the years. It has changed from the 6 o'clock swill to the terrible binge drinking competitions of past decades, but now there is a place where alcohol can be served in a family friendly atmosphere. We all actively encourage establishing a safe, friendly atmosphere where alcohol can be served and where everyone can leave with fond memories of the camaraderie and fellowship they have shared in a safe environment. This has been a whole-of-community event and it has the full support of the organisations I have

referred to, for which I commend them. I look forward to the success of the liquor accord and I am pleased it is in my electorate.

### **PRINCES HIGHWAY FATAL ACCIDENT SITES**

**Mr ANDREW CONSTANCE** (Bega) [4.38 p.m.]: Last time I made a private member's statement I referred to a tragedy that had occurred on the Princes Highway involving Darren and Vicki Peterson. Darren was killed tragically on the highway at Victoria's Creek earlier this year. In the past couple of weeks his mother died in another accident on the Princes Highway 10 kilometres south of Dignams Creek. Last Thursday I spent an hour on the phone to Les Peterson, the husband and father who has been tragically affected by these two accidents. He has taken the brave step to speak out publicly at a time when he is grieving and doing it very tough in terms of his life and the tragic loss that has occurred to his family. It is fine for politicians to argue in this place numbers, funding, and bits and bolts, but here is a salt-of-the-earth fellow who has lost his wife and son in two separate accidents. I also spoke to Vicki Peterson's parents who live at Bodalla. They have lost their daughter and grandson in two tragic accidents on this highway.

Last week a young journalist named Brooklyn Hulands from commercial radio 2EC approached Les about doing a story. Les agreed, and Brooklyn put together a very telling and confronting human piece on the Princes Highway. I would urge the Minister for Roads to get a copy of the tape. I am happy to try to get a copy and send it to him. Maybe then he will start to take note of the true effect on local communities of the state of this highway. I recognise Les and Brooklyn for their efforts. In response to the public statements the Roads and Traffic Authority issued a media statement via email to 2EC. It spells out that the State Government has allocated \$500,000 towards preliminary investigations into the realignment of the Princes Highway at Victoria Creek and that the Roads and Traffic Authority is currently conducting environmental and geotechnical studies to determine a preferred route.

The statement goes on to say that the authority is also developing a proposal for the realignment of the Princes Highway at Dignams Creek. There is no point in the authority going ahead with this work unless the Minister for Roads is prepared to invest what could be in the order of \$40 million to fix these sections of highway. It is key that the bureaucracy knows that the funding will be provided by the State and Federal governments in relation to fixing this section of highway. For goodness sake, if not to appease me as a local member and the communities, do it for Les. He has lost his wife and son within six months on a section of highway built to 1950s standard.

I could take the Minister for Roads to sections of the highway and indicate where men using picks and shovels formed the road cutting during World War II. It remains the same in 2007. This is a very difficult time for Les, his family and their friends. I would hope that the Minister, with respect for those who have suffered, comes forward with the necessary funding commitment. We have documents from the Roads and Traffic Authority saying that this work will be undertaken. But time and again the Roads and Traffic Authority plans are prepared, the geotechnical work is done, and nothing further is done.

I have a map of the section of road at Dignams Creek that was drawn by the Roads and Traffic Authority in 1984. It purchased the land from a farmer and no work has been done on widening this section of highway since 1984. Why did it not get on with doing the work? These are the types of questions in relation to the Princes Highway that will be asked in a State coronial inquest commencing in April. I just hope that the Government will pay due respect to Les for the tragic loss of members of his family and that funding will come through for these vital projects.

**Ms NOREEN HAY** (Wollongong—Parliamentary Secretary) [4.43 p.m.]: I acknowledge the contribution of the member for Bega on behalf of Mr Les Peterson, who clearly has suffered great loss. I also acknowledge that parents have lost their daughter and their grandson in two tragic accidents. I do not intend to take this opportunity to talk about the rights and wrongs of who funds what. Having lost a granddaughter myself and experienced loss in the family personally, as the Parliamentary Secretary I join with the member for Bega in offering sincere condolences to this family on the tragedy they are suffering.

### **REFUGEE AND HUMANITARIAN INTAKE**

**Mr PAUL GIBSON** (Blacktown) [4.44 p.m.]: Since 1945 Australia has welcomed more than 6.6 million people from all over the world, including around 675,000 refugees and humanitarian arrivals. In a country of 21 million people, 40 per cent of our population are either first-generation migrants or their children.

Our great achievement in this nation has been to balance diversity and integration. There are an estimated 20 million refugees globally and, apart from America, Australia takes more refugees than any country—and on a per capita basis we take far more than the United States.

This leads me to talk about the situation of Africans, particularly in my electorate. We have 3,000-odd Sudanese in Blacktown, and more are coming. In early October the then Minister for Immigration and Citizenship, Kevin Andrews, faced renewed accusations of racism over cuts to the African refugee intake after he published a list of concerns about African migrants, including concerns about race-based gangs, alcohol abuse, fights at nightclubs, and family infighting. Mr Andrews linked his concerns about an alleged failure by Africans to integrate and poor education to a reduction in the proportion of African humanitarian migrants from 70 per cent in 2004-05 to 30 per cent. He said that refugees, particularly those from war-torn Sudan, posed a problem and a challenge, and he had based his list on community reports prepared by his department.

I have found some other reports of his department saying simply that data on the pre-migration experiences of humanitarian entrants indicated that there was a significant increase in the levels of disadvantage. For example, of people arriving in 2005-06, average schooling was 4.3 years compared with 7 years in 2002-03; 40 per cent had spent time in a refugee camp compared with 15 per cent in 2002-03; 11 per cent rated their reading ability as good or very good compared with 27 per cent in 2002-03; 80 per cent required an interpreter compared with 64 per cent in 2002-03; and 67 per cent were aged under 25 compared with 58 per cent in 2002-03.

That document from Mr Andrews' department really told the story. He played the racism card prior to the election in the hope that more refugees from other nations, including Asia, would come to this country. One of the electorates with the largest Asian vote is Bennelong. I suppose the Coalition was looking to get an unfair advantage by people thinking that cutting back on African refugees would mean that more Asians would be accepted.

I spoke in this Chamber recently about a group of Sudanese people in my electorate who asked me to write to the then Prime Minister, John Howard, which I did. Some months down the track I still have not received an answer. These Sudanese put to the Prime Minister that the Australian Government should send them back to Sudan because they were better off in Africa than with what they had found here. When these Africans arrive we give them a tax file number, we put them on the dole, we send them to an agency, and if they have not found accommodation within four weeks they are on their own. We need workshops. We need special care. I have talked about a transitional school until I am black in the face.

Some of these refugees who have never been to school might experience their first day of school only when they are 10, 11 or 12 years old. In some cases their academic ability is equal only to the academic ability of children in kindergarten. We cannot retain these children at school and something must be done about it. We must assess their ability, and after 12 or 18 months put them into classes based on their ability and not their age. If we do not do something about it we will have a major problem in the Blacktown area in 10 years time. I will write to the new Prime Minister, Kevin Rudd, and again express my concerns. The Sudanese people that I have met in Blacktown are lovely family people who have become good Australians.

**Ms NOREEN HAY** (Wollongong—Parliamentary Secretary) [4.49 p.m.]: I congratulate the member for Blacktown on his tireless campaign on behalf of refugees and migrants in general but, in particular, the Sudanese, a relatively new group of refugees to this country who, as he said, have particular needs. The member for Blacktown fought hard to establish workshops and transitional schools. I support what he said about the needs of Sudanese refugees. As a migrant to this country I know that not all migrants have similar needs and that some require more assistance than others. These Sudanese refugees are facing many difficulties and require much assistance.

## **PACIFIC HIGHWAY UPGRADE**

### **EWINGSDALE SPEED CAMERA**

**Mr DONALD PAGE** (Ballina) [4.50 p.m.]: I bring to the attention of the House two ongoing problems relating to the Pacific Highway that constituents in the Ballina electorate are facing. I have previously referred in this place to the road noise created by the Brunswick Heads to Yelgun section of the Pacific Highway and also to the Ewingsdale speed camera but, as yet, I have not received a satisfactory response from the Minister for Roads. Since the opening on 11 July this year of the Brunswick Heads to Yelgun section of the upgraded

Pacific Highway residents of Ocean Shores have been living with increased noise levels and are suffering from sleep deprivation and stress. Many of the residents are retirees who went to Ocean Shores for the peaceful lifestyle that it offered.

Of particular concern to Ocean Shores residents is the placement of ripple strips on the upgraded highway, and the noise generated by trucks and cars running on those ripple strips, especially at night. The noise coming from those ripple strips has caused the greatest concern. I have written to the Minister for Roads on three occasions requesting a meeting with residents in Ocean Shores or, alternatively, a delegation to meet with the Minister in Sydney to discuss the issues. Those letters were sent on 16 and 29 August and 3 September this year, but to date I have not received a response to my requests. In the meantime the people of Ocean Shores continue to deal with noise on a nightly basis.

Residents have become so frustrated with the lack of action by the Minister for Roads and the Roads and Traffic Authority that they commissioned their own independent noise assessment by Greg Alderson and Associates Pty Ltd, chartered professional engineers and scientists. The results of those tests showed that the peak noise level was 113.9 decibels and the average reading was 83.8 decibels. The results included the following noise levels: a single car, 85 decibels; a single truck, 95 decibels; a single car on a ripple strip, 95 decibels; and a single truck on a ripple strip, 105 decibels. Those readings clearly indicate that a vehicle driving on a ripple strip increases the noise level by 10 decibels.

Under the Environment Protection Authority guidelines outlined in the environmental impact statement for this project the Roads and Traffic Authority has an obligation to deliver no increase in noise levels above 60 decibels. On the information provided to me all the noise levels detected by the independent testing exceeded those levels. Prima facie this indicates that Ocean Shores residents are experiencing excessive noise levels. The Minister must urgently address this matter. One way is to take away the ripple strips and to build noise mitigation walls in appropriate places. I received a letter from the Minister dated 2 November 2007 and, although it did not address the concerns I raised in my letter to him or my request for a meeting, it stated:

The RTA will be undertaking monitoring of surveys of operational noise levels and traffic volumes in mid October.

Since these tests were done prior to the Minister's letter to me, I ask the Minister urgently to inform the community and me of these test results. I am more than happy to provide the Minister with a copy of the report commissioned by Ocean Shores residents, who are suffering nightly. I believe that the Government has an obligation to address urgently this important issue and to reduce the sleep deprivation residents are suffering. Referring to the ongoing issue of the Ewingsdale speed camera, yesterday I received answers from the Minister for Roads to questions I tabled in the House regarding the dramatic increase in the average number of infringements between 28 March and mid-July this year, and evidence provided by constituents that indicates there was a fault with the camera.

I also requested a three-month moratorium on the collection and issuing of any more infringement notices for the period in question. The Minister's answers in no way address the concerns that I raised about the statistics that I obtained under freedom of information. The Minister's continual refusal to acknowledge the concerns of my constituents is causing much anger and frustration in the community towards this State Labor Government. People have also seen reports in the newspapers that reveal that the Ewingsdale speed camera is one of the top revenue earners in the State. Motorists know that that is at their expense and they are not impressed.

I believe my constituents. I do not believe that 581 of them are lying when they state in writing to me that they believe the camera to be incorrect during that period or that they were not speeding. I have spoken to an independent consultant who believes that the Ewingsdale camera does not conform to the guidelines of the Roads and Traffic Authority. He made that assertion based on the camera being located at the bottom of a hill, which is the case. The criterion involves a gradient test: whether the car will gather speed without throttle. Many constituents who received fines are planning to fight their penalties in court, as the Minister does not appear to be interested in getting to the truth. I call on the Minister to address these two issues and to provide my constituents with some sort of satisfactory response along the lines that I have requested.

#### **MARY BROOKSBANK SCHOOL**

**Mr PHILLIP COSTA** (Wollondilly) [4.55 p.m.]: Tonight I refer to an important institution in my electorate, that is, Mary Brooksbank School, which is affectionately referred to in my community as MBS. Mary



Brooksbank School, a special purpose school that was established in my electorate in 1987, recently celebrated its tenth birthday. Mary Brooksbank School is a magnificent facility that caters for the special needs of children that have moderate to severe degrees of disability. At present 56 students ranging in age from 4 to 18 are enrolled at the school. Highly trained and professional teachers at Mary Brooksbank School provide exceptional services for students with special needs. The school offers excellent facilities and well-planned programs that are designed specifically for individual students and that cater for their specific needs.

Principal Diane Robertson, along with her team of teachers and support staff, are outstanding professionals, and the Department of Education and Training offers quality programs to students at the school. These men and women are to be commended for their compassion, professionalism and dedication. There are eight classrooms at the school—the students are grouped by ability rather than age so that the needs of every student are met—and there are 10 teachers and additional ancillary staff. The school grounds and buildings have been designed to meet the specific needs of each child and they are superbly maintained. Many fun programs involve physical activities for therapy and physical development and classroom activities that offer real life skill development.

In 1999 a new hydrotherapy swimming pool was opened and it is used to provide therapy and swimming programs for students and members of the local community—a very welcome resource. The school took part in a skills clinic entitled "Rugby in the Park" which was run by coaches and mentors from neighbouring Airds High School. The coaching team conducted a 1½-hour clinic that involved students from kindergarten through to year 12—students from varying backgrounds and with different abilities. Coach mentors led the students in a fun and challenging set of activities that involved all students in physical activity and developed their gross motor skills. The coach mentors showed high levels of leadership and were praised very highly by the staff at Mary Brooksbank School on the manner in which they presented the activities.

Students can attend Mary Brooksbank School from the age of four years and are appropriately placed for all their school life from early primary school to year 12. Integration programs also are available so that students can access and move easily between other services if required. The school aims to prepare students for the transition from school to a post-school program with a community organisation. All education and therapy services are individualised, as I have mentioned, to meet the needs of all students, with a varied range of ability levels. I had the pleasure of attending lessons during an open day at the school and experienced firsthand the professionalism, compassion and commitment of the staff to deliver practical and meaningful programs to the children at Mary Brooksbank School.

Individual programs are designed to focus on student achievement in order to promote individual development and success for an independent future in the wider community. The school aims to give pupils with intellectual disabilities many educational opportunities and to support students to participate in the many great activities and challenges offered to all children across New South Wales. Mary Brooksbank School could not deliver such great success without the wonderful support of its families and friends. Serving the needs of our children is a partnership, and without a positive support network the great achievements at Mary Brooksbank School could not be realised. The school has supported many children over the past decade of service to my community. On behalf of that community I thank all who have given so much support for our children in most need. I extend to Mary Brooksbank School a very happy tenth birthday.

**Ms NOREEN HAY** (Wollongong—Parliamentary Secretary) [5.00 p.m.]: I acknowledge the contribution by the member for Wollondilly, who is a relatively new member of Parliament representing a relatively new electorate. I congratulate him on bringing to our attention the achievements of Mary Brooksbank School and, of course, congratulate the school on its tenth birthday. We recognise the benefits, dedication and hard work of coaches, mentors, teachers and education providers in the special needs areas, particularly for the 4 years to 18 years age group. It was enlightening to hear from the member for Wollondilly about the school's integration programs and the good work and dedication of the families and friends of the school. Again I congratulate the member and, of course, the school's principal, Diane Robertson, on the great achievements to date. I look forward to hearing more great things in the future.

### **SOUTH COAST RAIL SERVICES**

**Mrs SHELLEY HANCOCK** (South Coast) [5.02 p.m.]: I speak about South Coast electorate rail services and indicate my support for a bill to be proposed by the shadow Minister for Transport, the member for Willoughby, that will seek to abolish the unfair booking fee imposed on pensioners who seek to use their free travel vouchers—an issue about which I will have much to say in that debate. Today, however, I focus on a

number of other issues related to South Coast rail services. For the last 4½ years I have continued to raise a number of issues and problems relating specifically to rail services from Sydney to Bomaderry. In most cases I have not received appropriate responses from the various Ministers to whom I have written, and in every case the problems have not been resolved. Rail services continue to decline on the South Coast.

The passenger rail service from Bomaderry to Sydney is a vital link for those wishing to travel to Wollongong or Sydney for vital medical appointments, for everyday rail commuters or for students travelling to Wollongong university. However, for South Coast rail commuters over the last 11½ years the conditions could not have become worse. The only response my constituents receive is an apology but without the hope of any improvement whatsoever. I highlight only a few of the issues that have been raised as time does not permit a more comprehensive discussion. The problems began following the 2003 State election when services were cut despite a protest rally in Bomaderry and petitions signed by thousands of people objecting to the cuts. Following the cuts rail carriages were reduced on most trips, resulting in shocking overcrowding. Without air conditioning passengers had a long, hot and uncomfortable trip to Sydney.

Commuters had to endure trips of three hours without toilet facilities. This has resulted in distress, especially among the elderly. One male commuter from Sanctuary Point had to be medicated for pain following a gruelling trip to Sydney without toilet facilities. Only last week an 80-year-old woman from Bomaderry came to my office complaining that when she inquired about a toilet on the train she was told that the next carriage had a toilet; however, the door between the carriages was locked. She had to wait for the train to stop at Helensburgh, run out on to the platform to access the next carriage, go to the toilet and then run back to her seat—all at 80 years of age!

The problems regarding the lack of toilet facilities on South Coast trains have not been resolved despite assurances from the Minister, who is asleep at the wheel most of the time on this issue. On another occasion an elderly lady trying to get off the train endured agony and subsequent serious bruising to her leg when the faulty carriage door closed on her as she left the train. Carriages are frequently dirty and clearly have not been maintained to an acceptable level. My constituents have also reported unruly, intimidating behaviour from louts on trains. Security guards are rarely seen and people remain frightened by their experiences. In another case a commuter had to endure five train changes between Sydney and Bomaderry. In another case the normal three-hour trip to Sydney took 7½ hours. It would be quicker to fly to Shanghai! I refer now to a letter I received this week from a constituent that I believe says it all. She writes regarding the 2.27 p.m. train service from Central to Bomaderry:

I was unfortunate enough to have travelled on the above service yesterday having boarded a train at Martin Place the nearest station to Macquarie Street where so many doctors have their rooms. As the Bondi Junction train was so very hot and stuffy I chose to get off at Central and to then get the country train to, as I thought, Kiama/Bomaderry. It was a very long walk indeed from the underground station to the country trains but I felt it would be worth it to get some Fresh air.

She then talks about the passengers being asked to disembark at Wollongong, not Kiama, and change platforms. She was not quite sure where to go or where platform 2 was. She was not given any instructions, but followed a crowd and got into a lift. The letter states:

... we could see the train heading south was about to take off—which it did, leaving three lift-loads of people stranded. The Station Master did his best to get a coach for us but was informed that by the time one was organised the next train would be due in.

The next train was due in at 4.53 pm and went to Dapto only and another train went from there to Kiama and another to Bomaderry arriving at 6.19. I arrived home in Jervis Bay at 7 p.m. having travelled from Macquarie Street. It took five hours five trains and a 25 minute car ride and for an 84 year old widow who had just had an eye operation that was not funny.

I came to the area in 1978 and there was an excellent rail service. One got in the train at Bomaderry and got out at Central and in the same time as it takes today. Whatever is happening to the rail service in New South Wales!

That is the question she asks in concluding her letter to me. I ask the same of the Minister: What is happening to the South Coast rail service when every day and every week my office receives continual complaints generally about late trains, overcrowded trains, stuffy trains, dirty trains, trains without security guards, trains without toilets, trains that do not turn up, changing stations and coaches replacing trains? The complaints go on and on. The Minister does not seem to be able to address the problems of the South Coast rail line in any way, shape or form.

### WOY WOY PENINSULA CATHOLIC CHURCH

**Ms MARIE ANDREWS** (Gosford) [5.07 p.m.]: The Catholic parish of the Woy Woy peninsula has a beautiful new church that was solemnly dedicated by the Bishop of Broken Bay, the most Reverend David

Walker, DD, on Sunday 18 November 2007. St John the Baptist Church is situated on a prominent site on the corner of Blackwall and Victoria roads, Woy Woy. The site formerly accommodated a presbytery; a wooden building originally used as a classroom by St John the Baptist Catholic School and later used by the parish and community organisations for a multitude of purposes; the convent for the Sisters of St Joseph; and the original MacKillop Centre, a residence acquired by the parish and utilised for many years as a meeting place and to provide meals for the homeless and needy in the area.

Much of the credit for the new church must go to members of the parish building committee, which comprised: parish priest Father John Hill; Patrick Donnellan, chairman; Phillip Clarkson; Lynette Dwyer; Cathy Cavanagh; Arthur Gapps; and Father John Wakeling, the assistant parish priest. Congratulations to all of them on their sheer hard work and determination in seeing this major construction project completed. Congratulations also to all the clergy and members of the parish who contributed to the project in the past.

Members of the parish council, comprising Father Hill and Father Wakeling, chairperson Mary Dolan, Louise Degeling, Lyn Dwyer, Mary McCumstie, Bernard Edwards, Frank Cohen, Nancy Savetta, Ben French and Rhonda Goodwin, are acknowledged for their contribution to the parish's massive building program that has been ongoing for several years and has culminated in the completion of the new church. Worthy of special mention is the church's architect, Randall Lindstrom; the builders, Kingston, and in particular Bruce Holland and Peter Black; the sanctuary furniture carver, Andrew Patience; the stained glass designer, Jan Aspinall; and the organ builder, Darren Pitchford. Hundreds of parishioners attended the solemn dedication, which commenced with a procession transferring the sacred relics from the old church for incorporation into the new altar.

The procession paused at the gate of the new church for a Welcome to Country by the Mingaletta community. Ray McMinn, an Aboriginal elder who is revered in both the Aboriginal and European communities, and his children, Stuart, Justin, Rachael, Gerard and Meggan, and grandson Rheece, represented the traditional owners of the land. They performed the smoking ceremony of greeting and cleansing followed by two dances, a welcome dance, Jalamar, and a spiritual dance, Bulyar. Ray explained the significance of the ceremonies. It was good to see the McMinn family participating in the offertory procession during the mass that followed later.

Parishioners were delighted to see in attendance at the solemn dedication Bishop Michael Malone, Bishop of Maitland-Newcastle and a former parish priest of East Gosford, as well as former assistant priests of the Woy Woy parish who assisted the Bishop in anointing the walls of the church, Father Michael McCarthy, Father John O'Connor, MSC, Father Brian Moloney and Father Geoff Bugden. In the spirit of ecumenism, representatives of other Christian denominations in the area also attended: Bishop Graeme Rutherford, suffragan Bishop for the Central Coast in the Anglican Diocese of Newcastle; Anglican Rector Reverend Penny Jones and her husband, the Reverend Jonathan Inkipin, general secretary of the New South Wales Council of Churches; Pastor Bob Hooper, formerly of Ettalong Baptist Church; and the Reverend Narelle Penman, the new minister in Broken Bay at the Umina-Ettalong Uniting Church parish.

The new church is a far cry from the original St John the Baptist Church that was officially opened by Archbishop Kelly of Sydney on 23 August 1914. The design of the new St John the Baptist Church is very striking and the church is certainly a new landmark on the Woy Woy Peninsula. Parishioners will long remember the dedication ceremony. I pay tribute to the many persons who made the occasion such a memorable one: Father Hill and Father Wakeling; the master of ceremonies, Father Robert Borg; readers Sophie Stratton and Dorothy Fulton; psalmist Lyn Dwyer, sacristans Joan Kelleher and Rae Garske; organists Paul Edgar and Pauline Regan; members of the choir and the conductor, Phillip Rees; school student Leyla Day, who led in dance the lectionary and the chrism into the church; the marshals, and everyone else who was involved. I extend my congratulations to the Catholic Parish of the Woy Woy Peninsula on the opening of the new church, St John the Baptist. May the parish continue to grow and prosper well into the future.

**Ms NOREEN HAY** (Wollongong—Parliamentary Secretary) [5.12 p.m.]: I, too, congratulate the Catholic community in the parish of Woy Woy on the dedication of the new St John the Baptist Church. I also congratulate the member for Gosford on drawing to the attention of the House the work of volunteers associated with the dedication of the new church, particularly those involved in the building program, and participants at the dedication ceremony as well as on commending many of those involved by name. Considering that so many people were involved in the project, reference by the member for Gosford to people by name as well as by deed is acknowledged and appreciated. The member for Gosford also commended members of other Christian denominations for their attendance at the dedication ceremony. As a Catholic, I congratulate the community and wish them all the best for the new church.

**TUMUT VISY PULP AND PAPER MILL****BURRINJUCK ELECTORATE FREIGHT TRANSPORT**

**Ms KATRINA HODGKINSON** (Burrinjuck) [5.13 p.m.]: Economic development and employment in the south-eastern part of New South Wales was significantly boosted when the pine kraft pulp and paper mill was completed in 2000. I strongly supported the contribution of the mill to the region's economy when the mill was located in part of the Burrinjuck electorate. Subsequently the mill became the Visy Pulp and Paper Mill and it is now situated in the Wagga Wagga electorate. Tonight I will outline the changed conditions of roads surrounding the mill that traverse the Burrinjuck electorate. In 2000 I strongly supported the contribution of the mill to the economy of the entire south-eastern region, and I still do—although the same may not be said for the Labor Government.

Although in 2000 Premier Carr was only too happy to participate in photo opportunities that Visy offered, he failed to increase the rural infrastructure supporting the mill. I remind the House of Premier Carr's 1997 promise of an additional \$6 million a year for 10 years for roads in the area of operation of the Visy mill. That promise, as with so many promises made by the Carr Labor Government, was subsequently rewritten into a commitment to maintain the existing level of road funding for 10 years. But the Visy mill, in common with other mills, lives by transport. Raw material from local plantation timber sawmill residues, pulp wood materials from softwood plantations, and domestic and commercial wastepaper from the eastern States of Australia all make their way to the mill. Visy mill produces up to 320,000 tonnes of unbleached kraft paper each year. That product is destined for domestic and export use.

All of the raw materials destined for the Visy mill and the finished product are transported on local and regional roads to the Hume Highway and then to their eventual destination. Members would be aware that Visy is in the process of upgrading its Tumut mill with a \$450 million investment that will result in an additional 50 direct and 350 indirect jobs being created in the region, which is fantastic for the economy of the entire region. The Visy stage two upgrade project will increase the annual output of the mill to 700,000 tonnes of paper. The increased freight will place a significant strain on the region's roads. It is necessary for innovative solutions to be found to ensure that local and regional roads are able to cope with the increased freight traffic.

Both the Carr and the Iemma Labor governments have failed to pursue the reopening of the Tumut to Cootamundra rail line. Even if work started today, the line would not be usable until well after Visy's stage two expansion is completed in 2009. However, only 105 kilometres away from the Tumut mill, the main north-south rail line passes through the town of Cootamundra. I am aware of a proposal to meet the additional freight requirements of the Visy stage two expansion by operating single combination trucks between the Tumut mill and a proposed intermodal freight terminal connected to the Cootamundra railway line. Empty containers could be brought by rail to Cootamundra and driven to the mill. Loaded containers could make the reverse journey to Cootamundra for transportation by rail to Sydney or Melbourne. The additional freight requirements could be met by the use of 12 single combination trucks undertaking a four-hour return trip via the Gocup road.

The Gocup road lies between Gundagai and Tumut and has been the focus of much local concern about heavy traffic volume and loads for many years. Under the proposal, the number and size of heavy vehicles on the Gocup and other regional roads will be significantly limited. It will have the effect of taking up to 20,204 containers off the Hume Highway and onto the Main Southern Rail Line. I draw the attention of the House to a study dated 25 May 2006 by CRA International comparing the cost of road and rail freight on two freight routes in Australia: between Sydney and Brisbane, and Penola in South Australia and Portland in Victoria. The study found that rail costs are generally half that of road transport, stating that rail has a decisive advantage with respect to usage costs associated with line haul. These costs include the wear and tear on roads from frequent heavy traffic.

There are significant benefits to the region to be gained from greater utilisation of rail freight. Realistically Cootamundra could expect to see an additional 60 direct jobs and an estimated flow-on of up to 200 associated jobs if the Cootamundra intermodal freight terminal is developed. The use of rail freight also will contribute to a reduction in the congestion of the local road system around the ports of Sydney and Melbourne. I have written to the Minister for Transport, the Minister for Regional Development, the Minister for Roads and the Minister for Ports and Waterways strongly urging them to support the greater use of rail to meet the additional freight requirements of the Visy stage two development. The New South Wales Labor Government has allowed the State's rail infrastructure to deteriorate for too long, particularly in rural areas. The Government must support the greater use of rail freight to ease the burden on the State's crumbling road system and in the

interests of road safety right across the board for all residents of New South Wales and people beyond our great State's borders.

**Ms NOREEN HAY** (Wollongong—Parliamentary Secretary) [5.18 p.m.]: I acknowledge the contribution by the member for Burrinjuck, particularly her comments about the Visy mill and transport. I will ensure that her remarks are referred to the relevant Minister.

#### **WALLSEND ELECTORATE RELAY FOR LIFE**

**Ms SONIA HORNERY** (Wallsend—Parliamentary Secretary) [5.18 p.m.]: I recently had the pleasure of participating in a very special event in my electorate of Wallsend. The venue for the event was chosen wisely. It was an ideal meeting place, amply able to accommodate the many kind, caring and worthy citizens who attended the activities. This extraordinary occasion occurred over the weekend of 3 and 4 November 2007, and was attended by people from all over the Hunter region. Those who are young and fleet of foot came along, and those who are older but just as enthusiastic joined in the proceedings. What was so wonderful about these goings-on in the Hunter? It was the Cancer Council Relay for Life weekend at the Hunter Sports Centre, which is situated in Glendale at what is commonly known as the "crossroads" because of its neat position at the intersection of the roads connecting the west, the east and the Lake Macquarie region. Because of its centrality it was a very sensible choice of venue.

I am sure that all members know that the Relay for Life is an event in which teams of 10 to 15 people take turns walking or running around the local oval to raise funds for cancer research, education, support services and advocacy. A festival-style atmosphere was happily created around the event, with participants encouraged to pitch a tent, camp overnight and get involved in and enjoy the harmonious ambience. All participants were fortunate to be entertained with music, food and lots of fun. To assist the theme of the event teams who entered the relay were encouraged to raise \$100 each, and most did.

The member for The Entrance may ask: What is the rationale for the relay? He will be pleased to learn that its purpose is to honour those whose lives have been touched by cancer. That is the main reason why so many people desire to be involved. A community initiative, the Relay for Life raises money for the Cancer Council New South Wales. The Cancer Council plays a unique and important role in the fight against cancer by undertaking high-quality research, advocating on cancer issues and providing information and services to cancer patients and the public. Do members know that during 2007 the Cancer Council will spend \$11 million on cancer research? Is that not fantastic?

A generous part of this sum will be spent on research projects based in my electorate of Wallsend at the Calvary Mater Hospital in Waratah West, the Centre for Health Research and Psycho-Oncology based in Wallsend, and the University of Newcastle in Callaghan. More than 1,000 Newcastle residents each year get in touch with an experienced nurse via the council helpline. Some 3,500 support and information packs have been distributed to newly diagnosed cancer patients in the Hunter. It is vital that we make available as much information as possible to people in need. Speaking of communication, 24 cancer support groups are held across the Hunter and are assisted in various ways by the Cancer Council.

But back to the Relay for Life weekend at Glendale. The Hunter Sports Centre proudly hosted 72 teams and a fantastic 800 participants. Would members believe more than 1,200 people attended this worthy function? Barbara Whitcher, the Chairperson of the Newcastle-Lake Macquarie Relay for Life Committee, deserves acclamation for her incredibly hard work in putting the event together. Rhonda Scruton and Warren Smith, the 2007 Relay for Life patrons, also deserve much praise for their efforts. In 2006 the Hunter Relay for Life event raised \$115,000. The goal this year was to beat that hefty sum, and this was achieved. The organisers must be very pleased with the \$124,000 that has been raised—and there is still more money to count. Every year the Newcastle-Lake Macquarie Relay for Life Committee endeavours to make the replay motivating, memorable and different from the year before. The committee deserves hearty congratulations on being the fastest-growing relay in terms of numbers and funds raised. I congratulate the organisers of this very successful event, the volunteers and all participants.

#### **WOOLLOOWARE, DENMAN AVENUE, NOISE BARRIERS**

**Mr MALCOLM KERR** (Cronulla) [5.23 p.m.]: In August 2007 residents of Denman Avenue, Woollooware, approached me with concerns that noise barriers connected with the duplication of the Cronulla railway line would be placed directly on their property boundaries. This is despite the fact that the review of

environmental factors for the project said that the noise wall should be located at least two metres from boundary fences. The proposed positioning of the barriers would have an adverse effect on the properties concerned—one can imagine the effect of a three-metre high steel fence on residential amenity. After the matter was raised publicly in the *St George and Sutherland Shire Leader*, the Minister for Transport wrote to the newspaper's editor advising that the barriers would be built no closer than four metres from the nearest property boundaries.

This generous announcement was gratefully received until the matter was raised at a meeting of the community liaison group attended by the Transport Infrastructure Development Corporation and John Holland. They said that they considered the Minister had made a mistake and planned to ignore his undertaking. The Minister for Transport bowed to pressure from the Transport Infrastructure Development Corporation and John Holland, and admitted that he had made a mistake. He explained that the rail track and not the noise wall would be built no closer to property boundaries and the noise wall would be constructed between the track and the boundaries. To the residents' horror, the original proposal to place the barriers on or adjacent to property boundaries is now back on the agenda.

The Minister has made three big errors. First, he was wrong about the original proposal to place the noise wall directly on the property boundaries; second, he was wrong about the placement of the wall four metres from the boundaries; and, third, he was wrong about the reversal of the original proposal to place the wall on the boundaries. It is time those residents were given the care and consideration to which they are entitled. I wrote in good faith to the editor of the *St George and Sutherland Shire Leader* in response to the Minister's letter, welcoming the news and stressing that his undertaking should be honoured. But that undertaking has been dishonoured. The Minister must, first, explain how the series of events occurred; and, second, honour his undertaking and give the residents of Denman Avenue, Woollooware, the care and consideration they deserve.

#### **LAKE ILLAWARRA FORESHORE CLEAN-UP**

**Ms LYLEA McMAHON** (Shellharbour) [5.28 p.m.]: On Sunday 4 November 2007 I joined more than 200 local residents, including St George Illawarra star Jason Ryles and local iron man Ben Allen, who donated some of their time to help clean up the Lake Illawarra foreshore. Since 1995 the New South Wales Government has invested \$14.75 million in improving and restoring Lake Illawarra. Working together with both Wollongong and Shellharbour city councils, the New South Wales Government helped to fund the recently completed \$5.75 million lake's entrance works project, creating a permanent opening at the mouth of the lake. This initiative will build upon the successful outcomes achieved by the Lake Illawarra Authority over the past few years.

The completed dredging activities were part of the largest coastal lake works undertaken in New South Wales for some years. The Lake Illawarra Authority, Wollongong City Council and Shellharbour City Council collaborated to organise a clean-up of the lake foreshore perimeter in what is hoped will become an annual event. The lake clean-up was an opportunity to assist the great work of the Lake Illawarra Authority in beautifying and enhancing our local environment, making it a more enjoyable place to live and participate in leisure activities. It was great to see the local residents working passionately to help improve not only the visual appearance of the lake but also to reduce the negative impacts on its ecosystem caused by litter and rubbish making its way into the lake system. This initiative will build upon the successful outcomes achieved by the authority over the past few years.

The large-scale lake's entrance project included using 80,000 tonnes of rock to form breakwaters at the lake's entrance and the subsequent removal of 200,000 cubic meters of sand from the lake channel, which has been used to replenish nearby Warilla Beach. Thus, the lake's entrance works have made enormous improvements to the lake itself, enriched the surrounding environment and helped to create an enhanced setting for local families to enjoy the beautiful Shellharbour coastline. The breakwater construction was completed on schedule in mid-April 2007. Storms and big seas along the New South Wales coast in May and June 2007 have tested the breakwaters, but caused little damage.

Recently the Government allocated \$962,000 to the Lake Illawarra Authority under the Estuary Management Program for the Lake Illawarra restoration project, with funding to be matched by the authority. Projects in the coming year will aim to further improve water quality and ecological habitats in the lake while also improving public amenities and foreshore access. The funds will facilitate a number of projects including new stormwater controls on drains discharging into the swimming lagoon area near the entrance to the lake, a

major stormwater control device at Koonawarra to treat discharge from Brooks Creek, a new boat launching facility at Yallah Bay, strategic monitoring of key health indicators for the lake such as water quality and seagrasses, and continued maintenance of foreshore areas, including the removal of algae and decomposing seagrass wrack.

Efforts to restore the lake thus far have created many benefits for natural ecosystems through community participation in projects such as cleaning up the lake foreshore, which will provide recreational opportunities for local families and visitors as well as generate employment opportunities in the emerging Shellharbour tourism industry. Lake Illawarra, with its wide variety of plant and animal species, is an important component in the local region's economy in supporting local fishing and tourism. In late September I had the pleasure of inviting the Minister for Climate Change, Environment and Water, Phil Koperberg, to visit the Shellharbour electorate and inspect the completed Lake Illawarra entrance works. During his visit the Minister announced the appointment of the 10-member Lake Illawarra Authority, which comprises five community members and five members representing State and local government.

The community representatives are Doug Prosser, Sue Chapman, Professor John Morrison, Ron Hales and Robert Rawlinson. Representatives from State and local government are Chris Page, Pam Green, Dr Trevor Daly, John Leedham and Kiril Jonovski. I also express my gratitude to former Lake Illawarra Authority member, May Hudson, for her tireless service to the Lake Illawarra Authority and her commitment to improving the lake environment over a number of years. There is still more work to be done to improve Lake Illawarra and the surrounding environment, but throughout recent years we have been making excellent progress in ensuring its rejuvenation and its future prosperity.

### **THE FAMILY CENTRE, TWEED ELECTORATE**

**Mr GEOFF PROVEST** (Tweed) [5.33 p.m.]: Once again I am 100 per cent committed to the Tweed. I inform the House of the terrific work being carried out by the Family Centre in my electorate of Tweed. The Family Centre is a non-profit community organisation that was founded in 1988. The aim of the organisation is to provide families and individuals living in the Tweed shire with services that help to strengthen relationships, support families and build communities. By doing this, the Family Centre seeks to create a fair, safe and vibrant community that offers opportunities to all—children, young people and families.

Over the past year, the Family Centre has hosted a number of excellent events in the Tweed, including, Child Protection Week, Teddy Bear's Picnic, the Tweed Shire Youth Network Re-Ignition Forum, and the National Aboriginal and Torres Strait Islander Day of Recognition Celebration, otherwise known as NAIDOC. Some of the services the centre provides for the community include the family support service, which is designed to strengthen family relationships and increase child safety; the volunteer home visiting service, whereby trained volunteers provide in-home support to families to help them develop their parenting skills, and the REALskills program, which works within the school environment to improve the relationship and communication between school communities and service providers.

Some other major programs also carried out by the Family Centre include the Family Centre Playgroup Program, the Community Worker Program, the Men and Family Relationships Program, the Family Relationship Education Program and the Aboriginal and Torres Strait Islander Youth Support and Activities Worker Program. The goals of these programs and services are to instil in clients an understanding of their role in relationships, to help clients make informed decisions on matters that affect their life, to foster mutual respect between people, to encourage family wellbeing and also to foster supportive connections within the community.

The achievements of the Family Centre in running these programs are outstanding. During the past year, the Family Centre Playgroups hosted 117 playgroup sessions, with an average attendance of between six to eight children at each session. These playgroups were utilised by a number of new faces from a variety of different backgrounds, including Argentineans, Pilipino and Dutch participants. The Family Relationship Education Program was also in high demand during the year, and provided services to more than 300 clients. Additionally, the Community Worker Parenting Program held six parenting education workshops, covering such important issues as the challenges of raising children and putting the fun back into parenting, while the volunteer home visiting service coordinated support for 72 families and gained 15 new volunteers as well as retaining the existing 21 volunteers.

The Family Centre has a large and diverse clientele from across my electorate. Its clientele includes children, young adults, parents, carers, teachers, and whole families who are seeking to make changes to the

ways in which they carry out their relationships with other people in the community. The Family Centre has an important role in the Tweed community. One of the most distinct aspects of my electorate is its strong family values and the importance that my constituents place on community relationships. Through the programs and support that the Family Centre provides to the community, it is fostering the continued development and enhancement of family and community relationships.

I commend the financial supporters who have provided funding to the Family Centre. These generous financial backers include the Twin Towns Services Club, the Coolangatta and Tweed Heads Golf Club, the Seagulls Leagues Club, South Coast Automotive and also the NRMA. Their support of this organisation is greatly appreciated by the organisation and the community as a whole. Finally, I commend the dedicated Family Centre team for their wonderful work in the Tweed shire. I especially congratulate the Family Centre's large group of volunteers for generously giving up their time to work for this organisation. Services currently available simply could not be provided to the Tweed community if not for them.

I take this opportunity to encourage my constituents to volunteer their services for this most worthwhile organisation. I acknowledge David Boutkan, chief executive officer; David Neilly, chairperson; Jim McDermott, the Aboriginal and Torres Islander youth worker; Colleen Dowd, REALskills worker and team leader, community projects; Ken Golding, men and family relationship worker; and Jessica Walker, a youth worker. The Family Centre is a home-grown organisation that tries its hardest and achieves enormous positive results in that great place called the electorate of the Tweed. I am very proud to be 100 per cent for the Tweed.

### **LITHGOW SMALL ARMS FACTORY MUSEUM**

**Mr GERARD MARTIN** (Bathurst) [5.38 p.m.]: I refer members to the Small Arms Factory Museum in Lithgow. The Lithgow small arms factory was built prior to the First World War, and is entirely responsible for the manufacture of Australian small arms to this day. Some years ago the Federal Government privatised Australian defence industries. During the late 1980s the Lithgow factory employed 1,000 workers, but today, under the private ownership of Thales, it employs about 150 workers. It still relies heavily on contracts with the Australian defence forces.

At the time of its privatisation I was mayor and I led a campaign to ensure that the factory's extensive collection of small arms, built up over almost 90 years, was kept as a unique collection in Lithgow. The Government of the day agreed, and provided one of the multitude of buildings on the site to be the repository for this unique collection that not only contains fire arms but also many other items such as Pinnock sewing machines, Sunbeam mix masters, shearers' handsets, handcuffs and other objects that were manufactured under licence by the small arms factory. The factory played a major role during the First and Second World War, and at its peak during the Second World War it employed 6,000 men and women. It was central to providing rifles for the Australian armed forces. Its most famous product was the Lee Enfield 303, which was later replaced by the FN 762 rifle and finally by the current Australian rifle, the Steyr. It also made a range of machineguns, including the Bren gun and the Owen submachine gun.

A local committee was formed to run the museum, and people like John Wray, the late Colonel Southall and Graham Dixon put an enormous effort into setting up a first-class management system and making the museum a focal point for tourism in Lithgow. In recent years the museum received a donation of a private collection of more than 1,000 small arms. A Queensland collector wanted to ensure that his collection stayed on public display, and believed that the small arms factory in Lithgow was the appropriate place for that to happen. With the addition of these firearms, there is no doubt that the Lithgow small arms factory is the pre-eminent firearms museum in Australia and would rank with the best in the world.

In recent years the museum has been negotiating with the firearms registry to have some of the firearms displayed in such a way as to allow visitors to the museum to handle the weapons. The pistols and rifles would be tethered on a steel cable; visitors would then be able to handle the weapons that had been disabled under instructions from a qualified museum staff member. Despite long negotiations, the museum is still awaiting confirmation from the firearms registry that it will agree to this alteration. I am pleased that the Minister for Police has supported the museum's case to the firearms registry and is recommending that the registry consider issuing a permit allowing the handling of certain firearms appropriately tethered and supervised.

Another problem the museum is facing is the cost of registering the private collection donated from Queensland. Initially the firearms registry was to charge \$30 per weapon for the 1,400 weapons in the collection. For a not-for-profit museum run by volunteers, this is a serious financial commitment of \$42,000 and



it is beyond the museum's resources. To its credit, the firearms registry has agreed to drop the figure to \$10 per weapon. Given the unique status of the firearms collection and its value to New South Wales, I am endeavouring to have some arm of government contribute the \$10,000 plus needed to help the museum fund this administrative act. Today I thank the Minister for Police and his staff for their cooperation, and I look forward to their ongoing support. The museum will continue to make financial commitments in displaying this large and unique range of weapons and other items that hold an important place in both war and Australian history.

One outstanding feature of the Lithgow Small Arms Museum is the innovative methods of displaying the weapons. The museum members have gone to great lengths and expense to display the weapons innovatively, so it is not just a stroll through another musty museum. The weapons are set up in displays that are reminiscent of their use during battle. Also, display of the items I mentioned earlier—the mix masters, sewing machines and film projectors from the first half of the twentieth century, which were all made in Lithgow—evokes a poignant picture of domestic life in Australia during the twentieth century. It is a unique small arms collection. The factory located in Methven Street, Lithgow, will continue to look after this valuable collection, but it needs support from government.

### WILLOUGHBY MEALS ON WHEELS

**Ms GLADYS BEREJIKLIAN** (Willoughby) [5.43 p.m.]: Today I pay tribute to the wonderful staff and volunteers of Willoughby Meals on Wheels. Particularly at this time of the year it is worth mentioning the enormous contribution that both the staff and volunteers make to providing such an important service to the community. As many members know, Meals on Wheels assists residents who are temporarily or permanently unable to shop, prepare or cook for themselves. It is also a service available for carers. We cannot underestimate the wonderful service this provides for many people in our community. Meals are delivered to those in need at home by Meals on Wheels volunteers. Tonight I pay tribute to a number of constituents in the Willoughby electorate who have devoted many years to being Meals on Wheels volunteers. I shall list them individually and note the number of years they have contributed.

I pay tribute to Judy Brady, who has been a volunteer for Willoughby Meals on Wheels for 43 years; Mariette Moolenburgh, 43 years; Kay Bulgin, 42 years; Marie Raynor, 38 years; Alica Katz, 37 years; Pam Wilder, 37 years; Phil White, 37 years; Barbara Elliott, 36 years; Margaret Guest, 36 years; Gwen Cordner, 33 years; Anne Moorhouse, 33 years; Margaret Cliff, 27 years; Elizabeth Gray, 25 years; Barry Gray, 25 years; Jenny Hill, 24 years; Dianne May, 20 years; and Doug Thompson, 20 years. I am sure all members of the House will concur that so many years of contributing to such a worthwhile community cause is simply an outstanding achievement. I have listed only those volunteers who have 20 years or more continuous service to Willoughby Meals on Wheels. If I had asked for more volunteers I am sure I would not have enough time to list them all.

I pay tribute to all those who have given so unstintingly of their time over a lengthy period. Josie Kennedy is the Willoughby Meals on Wheels administrative assistant. She does an outstanding job and keeps all the volunteers in line. I acknowledge all the work she does; she puts her heart and soul into providing this important service. I acknowledge also the great work of Annemarie Lock. Compared to some of the other volunteers, she is a relative newcomer as a Meals on Wheels coordinator. I put on the record her enormous contribution. As we know, the service is provided for frail, aged people, people with disabilities and carers living in the Willoughby local government area.

Meals are provided through Willoughby City Council in conjunction with the Home and Community Care Program, and are delivered by volunteers. I commend the council for the role it has played in ensuring that this vital service is strong and continues in our local community. Meals on Wheels also liaises with other service providers, such as home care, nursing services, aged care and assessment teams to assist clients of Meals on Wheels to access other services they might need. Often a visit from a Meals on Wheels volunteer might be the only physical contact for some people confined to their homes, especially at this time of the year. At Christmas time many local residents rely on Meals on Wheels to provide them with their Christmas dinner.

Last year Wheels on Wheels provided a pudding and a gift, which means so much to so many people. No matter where one lives, there are people in our communities who need that support and assistance. Without the support of volunteers, without people like those whom I have mentioned this evening, without great administrative support, without council support and without people to provide access to other services that people confined to their homes might need, we cannot underestimate the importance of this service. Meals on Wheels moves with the times. It supplies a range of different foods and many different cooking styles, concentrates on the nutritional needs of the clients and follows stringent Australian dietary guidelines. For

example, there are meals suitable for diabetics and people on low-fat diets. Modified meals, such as no red meat, vegetarian, et cetera, are also available. Meals on Wheels also pays attention to addressing the multicultural needs of clients who have specific dietary requirements. Again, I congratulate Willoughby Meals on Wheels.

**Ms LINDA BURNEY** (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [5.48 p.m.]: I join with the member for Willoughby in acknowledging the amazing Meals on Wheels volunteers in her electorate. As the Minister for Volunteering I appreciate the importance of recognising and celebrating the work of volunteers. It is astounding that some Meals on Wheels volunteers have contributed for more than 40 years. I commend the member for Willoughby for bringing such an important matter to the attention of the House.

## **EARLY CHILDHOOD INTERVENTION**

### **SISTERS OF CHARITY OUTREACH PARENT SUPPORT GROUP**

**Dr ANDREW McDONALD** (Macquarie Fields) [5.49 p.m.]: Tonight I will speak about two recent developments relating to my electorate of Macquarie Fields. The electorate of Macquarie Fields has a large number of children, many of whom are disadvantaged, and early intervention—that is, before the commencement of school—has much to offer those children. On 8 November 2007 I attended a meeting organised at Parliament House by the Minister for Youth, Linda Burney, with Professor Deborah Phillips, a Professor of Psychology and Public Policy from Georgetown University, Washington, DC. Her views deserve a wide audience. Professor Phillips spoke of strategies for early intervention in childhood.

Early development unfolds from the beginning of pregnancy until the first day of school. Intervention at this time is known to be cost effective, for each \$1 spent between \$7 and \$14 is saved from future government expenditure. Most of that money is saved from prevention of criminality and the cost of jails. Early childhood experiences create a weak or sturdy foundation on which subsequent efforts can build. Brains are built over time. Like an enormous computer, brain circuits are wired in early childhood. A sturdy early foundation leads to a well-functioning, efficient brain; a weak foundation leads to a fragile over-reactive or under-reactive neural system. Skills beget skills. Early mastery of foundation skills makes learning at later ages more efficient. It is for that reason that early intervention lowers the cost of later investment. Quality early childhood education is essential for a productive twenty-first century workforce.

From birth to age three, the brain also lays down the stress response system. For that reason, exposure to toxic stress is a concern. That may be prolonged exposure to traumatising events such as domestic violence, abuse or neglect. There are now four decades of research as to the benefits of universal home visiting. What works best is a tiered approach, with more intense and continued visiting for the most at-risk families, ideally using a screening tool with sophisticated screeners to identify those families most at risk. Other worthwhile interventions include targeted programs for maternal depression.

The more troubled the family, the more skilled, supported and supervised the staff need to be. Families need to be engaged for the duration of any program. The most high-risk families may need as many as 50 visits in the first two years of a child's life. Children's centres work best as two generational models of support, prevention, screening and high-quality child care. They are cost effective. An example of that is the excellent service set up by the Salvation Army at Macquarie Fields, for which Captain Michelle White recently received a Premier's Award. The most attractive thing about the Macquarie Fields service is that it stresses the importance of the holistic approach. Addressing the physical needs without meeting psychosocial and emotional needs has the potential to create a breakdown in any intervention at a later point.

When the focus is on caring for the essential humanity of the person the impact is much more profound and longer lasting. For instance, if a single mother walks through the doors at the Macquarie Fields service struggling to cope and has another baby on the way, the Salvation Army is able to establish a link with the midwives' service for a consistency of care with a single midwife on site providing prenatal, delivery and postnatal care. They can offer support through welfare with food and bills. They can provide for childcare needs, or older children's needs with after-school drop-in, whilst also being able to establish the mother within a network of other local women through the various women's groups and church groups.

At the Order of Liverpool Awards on 15 November 2007, the Sisters of Charity Outreach Parent Support Group was given an Officer of the Order of Liverpool Award. The Sisters visit families in the greater Liverpool area. That volunteer service offers early intervention and prevention programs, home visits and

transport assistance. The program commenced in 1994 and was originally based in Liverpool before moving to Casula and then to Miller. That program has worked with over 1,500 families. The Sisters have helped generations of children to grow up in happy and nurturing environments. Their willingness to be involved in the long term is an example of what is most important in any intervention in socioeconomic disadvantage, continuity of care. I was most honoured to meet those fine people. I congratulate both those excellent programs on their fine work and commend them to the House.

**Ms LINDA BURNEY** (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [5.54 p.m.]: I thank the member for Macquarie Fields for sharing with the House the fantastic couple of hours he and I had with Dr Deborah Phillips from the United States of America, and for drawing attention to the important issue of the intervention that is so crucial for young people from birth to five years. At that workshop I learned that it did not matter where children were born—whether the child came from a high socioeconomic or low socioeconomic country—the most important thing is to give a child a good start in life. Toxic stress was a new concept to me, but it will stay with me. I thank the member for Macquarie Fields for sharing information about the programs at Macquarie Fields and for raising this very important subject.

### THORNLEIGH SQUASH CENTRE

**Mrs JUDY HOPWOOD** (Hornsby) [5.55 p.m.]: I support the administration of New South Wales Squash and the Thornleigh Squash Centre in my electorate of Hornsby. I pay tribute to Carin Clonda, the chief executive of New South Wales Squash and manager of the Thornleigh Squash Centre, for the hard work she has relentlessly put in over many years. Carin is a squash champion. She has certainly been involved in the history of squash in Australia and wants to be involved with its future. On behalf of Carin I express my extreme disappointment that her submission to the Department of Sport and Recreation for a grant under the Regional Sports Facility Program has been knocked back at stage two. Carin was very disappointed with that decision because she has great aspirations for the Thornleigh Squash Centre. Today a wonderful article by Steven Deare appeared in the *Hornsby Advocate* entitled "Squash centre in need of upgrade". The article, which outlined some of the issues, stated:

Warped floorboards, crumbling concrete, leaky bathrooms and windows lined with fungus—that's what Thornleigh Squash Centre might present to world squash stars next year if government funding isn't forthcoming.

The centre will next year host early rounds of the inaugural Australian International Squash Classic.

NSW Squash wants the tournament to attract overseas stars, with plans for finals to be played in a glass court in Circular Quay.

I have seen photographs of the proposed glass court positioned in Campbell Cove with views of the Opera House, and it is absolutely magnificent. I have seen glass squash courts outside Cairo near the pyramids. That was a wonderful spectacle. The article continued:

However NSW Squash chief executive Carin Clonda said a government grant was needed if the tournament was to be a premier world event.

"It's about having world-class players in your back yard," she said. "This was meant to be our showpiece facility," she said of the nine-court Thornleigh complex, the home of NSW Squash.

"But over the years it's been run down. We want to modernise it."

Built in 1979, the facility has steadily deteriorated.

The roof of the centre has recently been replaced but Clonda lists many other problems, such as faulty plumbing.

There are other issues related to the court. Recently I visited Carin at the squash centre. I was given a tour and had a thorough discussion about what is required. Squash is played by more than 20 million people worldwide in 147 countries. Squash has been played in New South Wales since the early 1900s. The men's association was first formed in 1932 and the women's association in the 1960s. New South Wales Squash Limited, the amalgamated governing body of this sport, was formed in 1992. In the 1980s squash was the largest participant sport in Australia with more than one million people enjoying the sport, a squash centre in practically every suburb of every major city and at least two centres in every major regional town. Squash courts were everywhere—universities, residential properties, corporate properties, et cetera. New South Wales has produced many champions since the 1960s: sport legend Heather McKay, Ken Hiscoe, Sue Newman, Rodney Martin, Michelle Martin, Peter Nance, Carin Clonda, current world champion David Palmer, Sydney-grown Anthony Ricketts, as well as many other world ranked players. New South Wales Squash was the leading and most progressive organisation in Australia and New South Wales was the leading squash player-producing State.

It is absolutely essential that the Government reconsider the provision of funding to this particular complex. It is owned by New South Wales Squash and the premises are valuable. Squash is a tremendously enjoyable game and many people are increasing the number of times they play. If the squash world circuit is coming to Australia it is essential that we entertain them in a centre of excellence. I thoroughly support Carin Clonda in her tireless efforts to increase knowledge of squash, enable the sport to grow, and establish Thornleigh as the centre of squash in Australia.

### SYDNEY HARBOUR PUBLIC ACCESS

**Ms CLOVER MOORE** (Sydney) [6.00 p.m.]: Tonight I wish to speak about the Sydney electorate, which spans a very large section of the harbour from Rushcutters Bay to Blackwattle Bay. Sydney's harbour is our city's greatest asset, its defining feature, and I call upon the Government to protect this extraordinary and wonderful asset. When former Premier Bob Carr announced in late 2003 that Sydney would cease to be a working port he overturned his own policy of 2000 enshrined in the document, *Sharing Sydney Harbour*. He also signalled the end of more than 200 years of Sydney being one of the world's great seaports. There was a public outcry over the decision because Sydneysiders have a strong connection with the harbour. There were no environmental, strategic, economic or social impact assessments for closing Sydney's working port and there was no coordinated plan for freight and infrastructure.

At least 80 per cent of the cargo that had come into Sydney Harbour travelled no further than 40 kilometres from the wharves. Sending it to Port Kembla has not only added to freight costs—at least \$160 per container—it has also increased heavy truck movements and, therefore, greenhouse gas emissions. For the vehicle trade alone it meant 150,000 truck movements to Sydney each year, producing an extra 15,000 tonnes of greenhouse gases. In this day and age of global warming it would have been cheaper and certainly more environmentally responsible to reactivate the rail corridor to White Bay and Glebe Island rather than expand vehicular traffic to Port Kembla and Newcastle. The harbour has been progressively landlocked with private development, the latest proposal called Barangaroo being at East Darling Harbour.

It is vital for the State to work with the city, the Millers Point community, and other interested stakeholders on the future of this very important site. Integration with the city, effective transport and pedestrian links, the ratio of commercial to residential development, the built form, which must include design excellence as well as sustainability, and access to the harbour foreshore recreational areas for all citizens of Sydney are just some of the important public considerations. There is real concern that the great waterway itself, Sydney Harbour—one of the world's finest deep-water harbours—will one day be reduced to little more than a private pond for pleasure cruisers.

Recently New South Wales Maritime released "Obtaining Permission to Lodge a Development Application", which replaced the landowners' consent policy. Controls that limited the extent of foreshore development and promoted public access, maritime industries and environmentally sensitive development were dumped and New South Wales Maritime's role, and subsequently the Government's role, as the responsible custodian of the harbour has been reduced. The future of the harbour is supermarinas like those that were proposed for Rose Bay and Point Piper that would have accommodated three-storey vessels, blocked public harbour and water views from beaches and open space, and risked damage to the local environment. I congratulate Woollahra council for refusing the proposals. I hope the councillors uphold the decisions, but I am concerned that there will be many more similar proposals.

In 2001 the Olympic Co-ordination Authority proposed making the large temporary marina used during the games at Rushcutters Bay permanent. The temporary marina crowded the bay with large vessels, blocking views and angering locals. I took the then Premier Carr to Rushcutters Bay to view the marina and that visit helped convince him to put a stop to excessive cluttering of the harbour and foreshores with marinas and associated paraphernalia, which he appropriately dubbed "gin palaces".

Foreshore access along Rushcutters Bay still remains an issue though where, notwithstanding lease requirements to provide public foreshore access, the Cruising Yacht Club continues to block access. A response from the Minister for Lands to my written question last year denied that this access was blocked, even though my staff have visited the site and confirmed the problem and, of course, this has been confirmed by locals as well. Foreshore amenity is also being compromised by the increase in jet power boats travelling at high speeds, doing fast spins and power brake stops, as well as by party boats which play loud music. The noise from these activities is increasingly encroaching on the public's enjoyment of surrounding parklands.

The City of Sydney is improving public access to the harbour and foreshore amenity with park upgrades of Rushcutters Bay Park, Beare Park in Elizabeth Bay, and the former Water Police site at Pyrmont, which will provide a new link in our stunning foreshore walk from Glebe to the city. The State Government must protect Sydney Harbour for the whole community rather than regard it as yet another cash cow. Harbour policy must focus on the best location for the right uses and not provide a free-for-all through lax regulation. Incremental privatisation of the harbour must stop and I call on the Government to audit all publicly owned foreshore assets—industrial and port land, parklands, islands and wharves—as a basis for a comprehensive strategic plan that promotes public access and public ownership of our very important harbour.

### MORISSET PUBLIC HOSPITAL PROPOSAL

**Mr GREG PIPER** (Lake Macquarie) [6.05 p.m.]: I wish to bring to the attention of the House the community demand for improved health facilities in southern Lake Macquarie. Today I lodged a petition of over 4,000 signatures calling for a new general public hospital at Morisset. This is the second instalment and it brings to over 8,000 the number of signatories who have petitioned this House to expedite the building and staffing of a hospital. A statement that the area lacks any form of public hospital, forcing residents to travel between 40 and 60 kilometres to Wyong, Gosford or John Hunter hospitals, supports the petition's request. The petition was circulated and managed by the Sunshine Progress Association, and I commend that effort, particularly the personal contribution of Mr John Quinlan.

The 2006 census shows the population in the five postcode areas surrounding Morisset as 23,038. The planned population increase for Lake Macquarie City Council's Morisset planning district is 14,360 on land already zoned, being rezoned or under the Morisset structure plan. Development at Wyee under the Lower Hunter regional strategy will add a further 4,500 people. Thus the population for which hospital services need to be planned is just under 42,000. There may be additional demand from developments not predicted in the Lower Hunter regional strategy, but occurring under its sustainability criteria.

I propose a hospital with services such as outpatients, chemotherapy, dialysis, x-ray, pathology, midwifery, mental health services, dental treatment, drug and alcohol counselling, physiotherapy, dietician and social worker. I have obtained professional advice that these services are viable in a community the size of Morisset. I held a public meeting at Morisset on 23 September this year and outlined to a packed hall my plans for a hospital which will provide a range of basic services for current residents and expand as the population increases. Mr John Quinlan spoke of the existing and forecast populations, pointing to current developments planned by Coles and Woolworths as an indicator of the certainty of growth. Mr Bob Jaye, representing the local branch of the Senior Citizens and Combined Pensioners Association of New South Wales, spoke about the existing demand for services. Ms Rosmairi Okeno, representing the Southlake Business Chamber and Community Alliance, described access to health care as being not a luxury but a right that is paid for in taxes. She emphasised that the hospital being asked for is not a luxury but a right of access to timely health care.

The meeting unanimously passed a resolution calling for the State Government to recognise the medical needs of the substantial existing and planned population of western and southern Lake Macquarie, and that immediate steps be taken towards the planning and establishment of a public community hospital in Morisset. Since that meeting, a steering committee has been established by the Southlakes Business Chamber and Community Alliance to pursue the issue and monitor progress. That committee intends to report back to the community before mid-2008. On 23 October 2007 the *Newcastle Herald* reported comments from two senior Hunter New England Health Service bureaucrats that the State Government must consider building a hospital at Morisset, the Department of Health is committed to providing appropriate services, and although there are no current plans for new facilities the situation would be reviewed. On 30 August 2007 the *Newcastle Herald* quoted Mr Greg Combet—and I congratulate the new member for Charlton—as saying:

My priorities include addressing the shortage of doctors and supporting the campaign for a new hospital at Morisset.

Mr Combet attended the public meeting that I mentioned earlier and his support for the local community on this issue is welcome. Two days ago members in this House agreed to a motion by the member for Wollongong seeking a cooperative approach between the New South Wales and Commonwealth governments to increase funding for public hospitals. In the context of the same cooperative approach called for in the motion to which I have referred, now is the time for the New South Wales Government to make a commitment to an equitable provision for the growth area of Morisset and surrounds. I call on the Minister, the Department of Health and the Government to suitably acknowledge and respond to the concerns of the 8,000 people who signed the petitions that I have presented.

**Private members' statements noted.**

**AGRICULTURAL INDUSTRY SERVICES AMENDMENT BILL 2007**

**RICE MARKETING AMENDMENT BILL 2007**

**WINE GRAPES MARKETING BOARD (RECONSTITUTION) AMENDMENT BILL 2007**

**CRIMES (DOMESTIC AND PERSONAL VIOLENCE) BILL 2007**

**PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (PROSECUTIONS) BILL 2007**

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

**The House adjourned at 6.11 p.m. until Friday 30 November 2007 at 10.00 a.m.**

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