

LEGISLATIVE ASSEMBLY

Tuesday, 22 November 1994

Mr Speaker (The Hon. Kevin Richard Rozzoli) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

PETITIONS

Newcastle Rail Services

Petition praying that the rail line between Civic railway station and Newcastle railway station not be closed, received from **Mr Mills**.

Railway Station Safety

Petition praying that a pedestrian overbridge be built at all railway stations that do not have one, and that station staffing levels be maintained or improved in order to ensure the safety and security of passengers, received from **Mr Knowles**.

Coffs Harbour and Clarence Valley Water Supply

Petition praying that a strategy be developed to supply water to the Coffs Harbour and Clarence Valley communities, and to protect local rivers, received from **Ms Allan**.

Marijuana Prohibition

Petition praying that legislation be enacted to give effect to the Law Society's recommendations on reform of marijuana prohibition laws relating to the use, possession and cultivation of marijuana for personal use, received from **Mr Mills**.

Warilla Police Station

Petition praying that more police be allocated to Warilla Police Station, received from **Mr Rumble**.

Ingleburn Fire Station

Petition praying that Ingleburn Fire Station not be closed, received from **Mr Knowles**.

Bulli, Coledale and Port Kembla District Hospitals

Petition praying that the present level of services be retained at Coledale, Bulli and Port Kembla district hospitals, received from **Mr Sullivan**.

Shellharbour Public Hospital Children's Ward

Petition praying that the children's ward of Shellharbour Public Hospital be reopened, received from **Mr Rumble**.

Wyong Hospital

Petition praying that Wyong Hospital be provided with a fully functioning obstetric and childbirthing facility, received from **Mr Crittenden**.

Armidale and New England Hospital

Petition praying that the 1988 plan for the rehabilitation of the Armidale and New England Hospital be implemented as a matter of urgency, received from **Mr Chappell**.

Building and Construction Industry Safety

Petition praying that the number of WorkCover inspectors be increased, that the WorkCover construction and asbestos industry safety units and inspectors be re-established, that scaffolding and rigging requirements be tightened, and that AC asbestos sheeting be included in asbestos licensing regulations, received from **Ms Harrison**.

BUSINESS OF THE HOUSE

Bill Restored

Lapsed Pay-roll Tax (Country Industries Exemption) Amendment Bill (No. 2) restored on motion by **Mr Windsor**.

JOINT STANDING COMMITTEE UPON ROAD SAFETY

Twenty-sixth Report

Mr HAZZARD (Wakehurst) [2.20]: I bring up and lay upon the table of the House the twenty-sixth report of the Joint Standing Committee upon Road Safety entitled, "Pedestrian Safety. 1. School Children Around Buses". I also bring up and lay upon the table the minutes of evidence taken before the committee, and submissions received by the committee.

Report ordered to be printed.

MINISTRY

Mr FAHEY: I wish to advise the House that during the absence of the Hon. George Souris, Minister for Land and Water Conservation, the Deputy Premier will answer questions on behalf of the Minister.

QUESTIONS WITHOUT NOTICE

DEFIANCE FINE FOODS PROPRIETARY LIMITED

Mr CARR: My question is directed to the Minister for Industrial Relations and Employment, and Minister for the Status of Women. Two months ago did a WorkCover inspector visit Defiance Fine Foods Proprietary Limited, where there have been safety breaches and sexual harassment of women workers? Page 5534

Did this include the women being told to "use a bucket when seeking a toilet break" and when menstruating being abused for going to the toilet for a "nappy change"? What action did the Minister take?

Mrs CHIKAROVSKI: The Leader of the Opposition is clearly getting desperate when he starts to refer to matters in that way in this House.

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

Mrs CHIKAROVSKI: We have seen the shroud raising of the Deputy Leader of the Opposition and so now we are starting to put occupational health and safety at risk in this State. The Leader of the Opposition has decided that because he cannot get an issue up in relation to health, because he cannot get an issue up in relation to transport - he could not get the State Bank up nor economic development - he will try to raise the issue of occupational health and safety. I know that the Leader of the Opposition is getting particularly desperate about this because we have seen a little trick today. Honourable members may be aware of a very poor little pamphlet which was handed out to honourable members as they approached the House today. This pamphlet refers to occupational health and safety, and it is a complete and bloody - excuse me, Mr Speaker.

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

Mrs CHIKAROVSKI: Mr Speaker, I apologise, but obviously this pamphlet got me so enraged that I lost control. This pamphlet is a complete lie.

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

Mrs CHIKAROVSKI: It is a ploy by the Leader of the Opposition and the Labor Council to show that occupational health and safety in this State is somehow being undermined. Let me go through what the little pamphlet claims. It refers to the safety penalties in this State as being inadequate. The fact is that this Government in 1991 actually increased the maximum penalties for breaches of occupational health and safety by 200 per cent.

Mr Whelan: On a point of order: the Minister's answer has to be relevant to the question asked. It is not right for the Minister to be berating anyone else. She has been asked a specific question about sexual harassment and safety breaches on a specific location, not about any brochure or about any other pamphlet. Mr Speaker, I ask that you bring her back to the question.

Mr SPEAKER: Order! It is a little early in the Minister's answer to make a judgment on the matters raised by the honourable member for Ashfield. If the Minister strays too far, I will direct her to return to the leave of the question.

Mrs CHIKAROVSKI: I am clearly talking about occupational health and safety, which is within the scope of the question asked by the Leader of the Opposition. This particular pamphlet refers to the fact that the Government has not provided penalties in relation to occupational health and safety.

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

Mrs CHIKAROVSKI: Penalties of \$250,000 are prescribed for occupational health and safety in this State, which are the highest penalties in the country. This particular little pamphlet goes on to lie No. 2, stating that the Government has not been prosecuting employers who have been breaching the

occupational health and safety laws. What complete and absolute rubbish! Since the Government has been in office the number of prosecutions in this State under the occupational health and safety laws has increased. That should be compared to the increase under the former Labor Government. The Government has increased the number of prosecutions by 525 per cent since the discredited days of the former Labor Government. The Government has ensured that occupational health and safety laws in this State are well-policed and are enforced. The Opposition seems to be taking the view that the Government has not taken occupational health and safety seriously.

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

Mrs CHIKAROVSKI: I assure honourable members that since I have been the Minister for Industrial Relations -

Dr Refshauge: On a point of order: the Minister has now been speaking for almost five minutes. The question was very specific about safety breaches and sexual harassment of workers at Defiance Fine Foods, whether there was an inspection and what was done about that inspection. It has nothing to do with past history and whether the Government is ignoring occupational health and safety. It has nothing to do with pamphlets. It is about a very specific issue of sexual harassment and safety breaches at Defiance Fine Foods. Mr Speaker, the Minister has been attempting to filibuster for five minutes and I would ask that you bring her back to answering the question or sit her down.

Mr SPEAKER: Order! I am sure the Minister for Industrial Relations and Employment was about to address the subject matter of the question.

Mrs CHIKAROVSKI: Since I have had the administration of the industrial relations portfolio and have been responsible for WorkCover, a decision was made to increase the number of inspectors. There are now almost 240 WorkCover inspectors in this State - more than we have ever had in this State. A number of those inspectors are specifically trained to be available for the building and construction industry, which was the focus of this grubby little pamphlet. This is nothing more than an electioneering pamphlet. It has a very bad photograph of Bob Carr.

Mr Jeffery: All photographs of Bob Carr are bad!

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Mr SPEAKER: Order! I call the honourable member for Oxley to order. I call the honourable member for Ku-ring-gai to order. I call the honourable member for Davidson to order.

Mrs CHIKAROVSKI: My colleague reminds me of a comment not made on this side of politics but made by Senator Gareth Evans, to my recollection; he said that Bob Carr had a good face for radio. The WorkCover inspectors in this State have a brief to be pro-active in the investigation of occupational health and safety. They are working with employers to ensure that employee working environments are safe. In fact, the inspectors are involved in very pro-active investigations into a number of industries, including the clothing industry. I am the first Minister in a number of years - this never happened under a Labor government - to establish a task force to investigate the clothing industry. The task force has been examining and prosecuting employers in that industry who have not been doing the right thing for their employees. If the Leader of the Opposition has a concern about a particular matter, he should bring it to my notice and I will ensure that an investigation takes place as a matter of urgency.

SYDNEY AIRPORT THIRD RUNWAY NOISE

Mr KERR: My question is addressed to the Premier, and Minister for Economic Development. Will he raise with the Prime Minister the issue of numerous complaints about noise from the third runway at

Sydney airport?

Mr SPEAKER: Order! I call the honourable member for Ashfield to order. I have told the House on many occasions that question time cannot proceed in an orderly fashion if members continue to interject. Nor can the Chair rule on a point of order if it cannot hear the argument.

Mr FAHEY: Like many members of this House, he has been inundated with telephone calls and expressions of outrage by constituents regarding what is now happening over our skies and the damage it is causing to the peace of so many people.

Mr SPEAKER: Order! I call the honourable member for Smithfield to order. I call the honourable member for Port Jackson to order.

Mr FAHEY: I hoped that the honourable member for Drummoyne might have a constructive question like this, but Labor members never ask such constructive questions. Significant concerns have arisen regarding the handling and commissioning of the third runway by the Federal Government.

Mr SPEAKER: Order! I call the Leader of the Opposition to order. I call the honourable member for Bulli to order. I call the honourable member for Burrinjuck to order for the second time. I call the member for Illawarra to order. I call the honourable member for Hurstville to order.

Mr FAHEY: The people of Sydney are being literally bombarded by aircraft noise as a result of the Federal Government's inept handling of the third runway. It is a fact that planes using the runway are not sticking to their set flight paths. Therefore, houses in the inner western suburbs are being pounded by noise from aircraft of all sizes. People living in Kurnell, Drummoyne, Five Dock, Concord, Ashfield, Canterbury, Gladesville and many other suburbs are finding out just what it means to live in a flight path, despite the promises of the Federal Government that this would not happen. Many people in these areas were not supposed to be under the flight path. People in those areas were told by the Federal Government that they would not be affected by noise. Of course, that was before the Federal Government opened the third runway. Clearly, these people have been misled. They were told by the Federal Government that they would not be affected by noise, but they are being affected.

Dr Refshauge: On a point of order: Mr Speaker, many times you have ruled that speeches should be more spontaneous, and not read. Obviously the Premier has a prepared speech, which I am sure will indicate his support -

Mr SPEAKER: Order! The Deputy Leader of the Opposition is trifling with the House. I place him on three calls to order for what he knows to be a totally spurious point of order.

Mr FAHEY: One would have hoped that the Deputy Leader of the Opposition - the honourable member for Marrickville - might have been interested in the response on this matter regarding what his colleagues in Canberra are doing to people in his electorate who he represents.

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

Mr FAHEY: One would have hoped that he would be outspoken on this issue, and that he might have stood up to the Federal Government and what it is doing to his constituents. But no, we hear nothing from him. The people of Sydney have been told by the Federal Government that they would not be affected by noise, but they are being affected. It would seem that the Federal Government has performed a sleight of hand, and it has changed its plans. Of course, real concern has arisen about protecting the community from noise and the impact noise has on the quality of life.

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

Mr FAHEY: The Federal Government's noise insulation program for residents affected by the new flight paths has proved to be a dismal failure. Do honourable members remember the triumphant publicity after the Australian Labor Party conference in Hobart? Do honourable members remember the deal to spend hundreds of millions of dollars to

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insulate homes from the noise; however, that was before Laurie Brereton got hold of the proposal and watered it down. No wonder the people of Sydney are angry about the third runway. No wonder they are feeling that they have been misled by the Federal Government regarding the impact of this noise on their lives. My Government has always maintained that proper community standards should apply to the operations of the third runway.

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

Mr FAHEY: In October the Minister for Planning wrote to the Federal Minister for Transport, who is also the Federal Minister for air safety these days - and we all know how good he is at handling that portfolio. The New South Wales Government, through the Minister for Planning, outlined its support for positive action to redress the impact on communities subjected to the greatest noise levels. The Minister spelt out our support for the polluter-pays principle. Also, he underlined our concern that the Federal Government's restrictions on noise insulation would disadvantage thousands of residents.

The Minister proposed two key initiatives which the Federal Government should put into action. First, monitoring of noise levels should be carried out on a regular basis to determine actual noise levels, and to allow noise exposure maps to be adjusted accordingly. Second, a new joint committee, comprising Commonwealth, State and local government and community representation, should be formed to provide comment and guidance on noise insulation needs. Laurie "fly-by-night" Brereton has not even responded to that letter, and the reasons for that are pretty clear. If we had ongoing monitoring of noise levels, the Federal Government would be forced to act on planes straying from their flight paths, or Laurie Brereton would have to explain why he has misled the public.

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

Mr FAHEY: If community input was made regarding the needs for noise insulation, Laurie Brereton would have to face the hundreds of thousands of people who have been misled - that is the last thing he wants. My Government is very concerned that the Federal Government is ignoring these very real issues for the people of Sydney. Today I have written to the Prime Minister expressing the outrage of the people of Sydney regarding the handling of the third runway by his Government. I told the Prime Minister that I am dismayed at the handling of the issue by his Government, particularly by Minister Brereton.

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

Mr FAHEY: The people of Sydney rightly feel that they have been misled, and the Prime Minister must step in and provide better management of these concerns. Mr Brereton's handling of this issue is at best puzzling. He has either not understood the full ramifications of the third runway or he is working to an agenda separate from the rest of the people of this city. Either way, my Government will place pressure on the Federal Government to live up to its responsibilities regarding the third runway at Sydney airport.

WORKCOVER AUTHORITY

Mr WHELAN: My question is directed to the Minister for Industrial Relations and Employment, and Minister for the Status of Women. In 1992 did a building worker sustain permanent brain damage following a five-metre fall at a Miranda building site? Did the WorkCover Authority bring a case under the

Occupational Health and Safety Act against the company concerned? Was this case dismissed last week because WorkCover named the wrong company and allowed the two-year statute of limitations to expire?

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

Mrs CHIKAROVSKI: As I have already indicated to the House, in the last 12 months the WorkCover Authority has undertaken a number of prosecutions.

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

Mrs CHIKAROVSKI: In fact, it has increased its prosecution record compared with that under the previous Labor Government by a massive 525 per cent. We are taking very seriously enforcement of occupational health and safety laws. When we came into government it was said by independent commentators that the occupational health and safety laws, as they had been administered by the Labor Party, were in complete disarray. They were considered to be a complete and absolute farce. This Government has taken into account the concerns of employees in relation to occupational health and safety and has introduced a system of occupational health and safety which is leading the nation. As I said, we have increased prosecutions by a massive 525 per cent. We have ensured that the occupational health and safety regulations are taken seriously.

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

Mr Knight: On a point of order: Standing Order 157 provides a procedure for dealing with members who engage in tedious repetition. The Minister for Industrial Relations is engaging in tedious repetition by giving the same non-answer which she gave to the question by the Leader of the Opposition, rather than dealing with the question that she has been asked: specifically, about a matter concerning a wrongful naming of the respondent by the WorkCover Authority in a prosecution and the matter therefore being struck out by the court.

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

Mrs CHIKAROVSKI: Given the number of prosecutions that the WorkCover Authority is now undertaking, because it takes its responsibility in relation to prosecutions far more seriously than it was taken under the Labor Government, I am not at this stage able to give details of the prosecutions. However, I will get the details requested by the honourable member for him.

SYDNEY AIRPORT THIRD RUNWAY NOISE

Mr ZAMMIT: My question is addressed to the Minister for the Environment. Has the Environment Protection Authority received complaints about escalation of aircraft noise since the Federal Government opened the new runway at Sydney Airport? What action will the department take?

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

Mr HARTCHER: I acknowledge the ongoing interest of the honourable member for Strathfield in this very important issue to the people of the inner west of Sydney. Before 1 November the EPA was receiving only one phone call per fortnight on aircraft noise pollution. It is now receiving over 80 per fortnight and the number is growing. Accordingly, I have instructed the EPA to closely monitor aircraft noise and to cooperate with the inquiry which is to be established to investigate the insufferable

conditions being imposed upon the people of the inner west of Sydney. I will inform the House about this inquiry later in my answer. There is growing evidence of a secret deal between Labor politicians to protect some seats from increased noise pollution at the expense of others.

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

Mr HARTCHER: There is evidence that the Labor Party has made a deal to sacrifice the seat of Drummoyne to protect the seat of Maroubra.

Mr SPEAKER: Order! I call the Leader of the Opposition to order for the second time. There is far too much interjection in the Chamber. I do not wish to keep repeating myself but I will if I have to. I ask all members for their cooperation to allow question time to proceed in an orderly and decorous fashion. The Minister is the only member with the call.

Mr HARTCHER: I will deal with that significant point a little later in the answer, and I am sure I will have the rapt attention of members opposite, especially the member for Maroubra. The capacity of the EPA in this matter is somewhat limited because of the Federal Government's actions which reduce the role of the New South Wales Government in enforcing noise reduction programs on Mascot airport.

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

Mr HARTCHER: The Federal Government continues to refuse to abide by the same environmental standards that apply to everyone else in this State. The New South Wales EPA is limited by Federal Labor's refusal to allow environmental laws to apply. But I and the Government will not let Labor's arrogance stop the EPA from protecting the environment and the people of New South Wales. I encourage people to continue lodging protest calls with the EPA pollution line. I encourage people who have been lied to by the Federal Airports Corporation, the Civil Aviation Authority, Laurie Brereton and the Federal Labor Government to lodge their protest by registering calls with the EPA pollution line telling the EPA when and where they are being subject to excessive noise from aircraft. I will instruct the EPA to make a detailed submission to the inquiry that will be launched today by the Standing Committee on State Development into the impact of noise from the third runway. The committee, chaired by the Hon. Patricia Forsythe, is having its terms of reference expanded to, among other things, examine the impact of noise on the environment and amenity of areas under or near the flight paths or potential flight paths. The New South Wales Government will take what action it can to stop the Federal authorities subjecting people to excessive noise. I will further ask the EPA to ensure that the committee is given the most up-to-date information possible on the effects of the third runway. What is not specifically in the committee's terms of reference but what will inevitably come out of the inquiry is the nature of the deal that has been made about aircraft pathways over Sydney to protect the seat held by Laurie Brereton, Kingsford-Smith, and to protect the seats of Maroubra and Heffron, held by Mr Carr and Mrs Grusovin.

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

Mr HARTCHER: It is obvious that two politicians have benefited from the opening of the third runway at the expense of the members for Drummoyne, Ashfield and Port Jackson. The aircraft flight maps for the period before the third runway opened on 1 November show a heavy concentration of aircraft over the seat of the member for Maroubra. But what do we see -

Mr Whelan: On a point of order: this is a very important matter, not one that the Minister should attempt to trivialise. We would gladly give him permission to table any maps but if he holds up a piece of paper -

Mr SPEAKER: Order! The Chair generally does not approve of members displaying material in the House; mainly because there is no way in which the visual element of what is being shown can be recorded in *Hansard*. I am sure, however, that the general text of what the Minister said will be

intelligible in *Hansard*. The Minister for the Environment should not use material that obviously cannot be recorded in *Hansard*. If he wishes to table documents, he may.

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Mr HARTCHER: The map for the period after 8 November shows that the aircraft flight patterns no longer cross Maroubra. I can understand that the honourable member for Ashfield would object to these maps being shown to the House. What does Labor have to hide? Why would Labor not wish maps to be produced to this Parliament? Why would Labor not want the flight paths shown? The reason it does not want the maps shown is because the flight paths no longer go over the State electorate of Maroubra or the Federal electorate of Kingsford-Smith as they did prior to 1 November. The flight paths now pass directly north-south, over the electorates of the honourable member for Drummoyne, the honourable member for Port Jackson and the honourable member for Ashfield. The flight path concentration has been radically altered by the opening of the third runway. Two politicians have benefited from the opening of the new runway: Laurie Brereton and the Leader of the Opposition. One might well ask the Leader of the Opposition why he will not look up when questions are being put; why he will not speak up on this vital issue; why he has had nothing to say about the issue; and why he has been dead silent about the impact of aircraft noise which is tearing apart the inner west of Sydney.

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

Mr HARTCHER: Yet there has not been a word from the Leader of the Opposition. He has not a single comment to make, for the reason that he and his right-wing mate, Laurie Brereton, are the two biggest beneficiaries. The maps show that. The Leader of the Opposition and Laurie Brereton, old mates of the New South Wales Right, have engineered a situation where the Leader of the Opposition can be protected from the swing against Labor that they will experience in the electorates near the airport at the March election. Airport noise means Labor, and Labor means airport noise. Graham Richardson, a mate of the Leader of the Opposition, in his book, *Whatever it Takes*, wrote about aircraft noise:

The government had originally intended to pay for the homes of those badly affected to be insulated and their windows double glazed to cut down the noise problem; that idea was scrapped when we found out how many millions it would cost.

Further in his book Graham Richardson - that wonderful man - wrote:

I was suspicious of the studies suggesting that relatively low numbers of people would be affected; more recent research put those numbers very much higher than the original estimates.

This book, by Graham Richardson, was published before the third runway was opened. It acknowledges that the Labor Party knew that larger numbers of people were going to be affected than it owned up to it at the time. It is there in black and white. The Prime Minister, when he opened the third runway, uttered those immortal words: this is an act of courage by the Federal Government.

Mrs Grusovin: Brucie thought it was a good idea.

Mr HARTCHER: The honourable member for Heffron said that Laurie Brereton thought it was a good idea.

Mrs Grusovin: No, I said Bruce.

Mr HARTCHER: Of course Laurie Brereton thought it was a good idea, he was going to be a beneficiary of it. He and the Leader of the Opposition were the only two people to benefit.

Mr SPEAKER: Order! The House will come to order. The Minister will conclude his answer

sooner if there are no interjections.

Mr HARTCHER: What else does that superb figure, Graham Richardson, say - not about honesty, but about what the Labor Party planned for the people of Sydney. He wrote:

And many of the figures quoted in Cabinet from the Department of Transport were rubbery. Every estimate for Badgery's Creek was put at its utmost top edge, every one for the third runway shaved for effect.

Mr SPEAKER: Order! I call the Chief Secretary to order.

Mr HARTCHER: The Labor Party and the right-wing mates knew exactly what the situation would be for the people of western Sydney and the inner west of Sydney.

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

Mr HARTCHER: The only way they could escape the consequences that would befall Laurie Brereton and the Leader of the Opposition was to sacrifice the honourable member for Drummoyne, the little sacrificial lamb, who awaits the wrath of the electors on 25 March. The evidence is clear that the Leader of the Opposition has let John Murray - the honourable member for Drummoyne - and Drummoyne go. First the honourable member was demoted from his position on the front bench.

Mr Knight: On a point of order: the Minister for the Environment just cannot seem to help himself. He gets a question -

Mr SPEAKER: Order! The honourable member for Campbelltown will resume his seat. Without debating the matter he will give me the benefit of his point of order.

Mr Knight: Although it is quite permissible for the Minister to make passing reference to other members of Parliament in answering the question, it is not permissible for him, without moving a substantive motion under Standing Order 151, to engage in a prolonged attack on any member of this House.

Mr SPEAKER: Order! What the Minister for the Environment said does not amount to a prolonged attack on a member which would require the Minister to proceed by way of substantive motion. I am concerned, however, about the length of the Minister's answer. He has strayed somewhat from the leave of the question, and I ask him to resume his answer.

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Mr HARTCHER: I am moving to a close, Mr Speaker. I am sure the Leader of the Opposition is relieved to know that. The honourable member for Drummoyne has been demoted. For the last three months the Leader of the Opposition has not even bothered to visit his electorate. The Leader of the Opposition has visited every other marginal seat each second week but Drummoyne has been ignored for the last three months.

Mr SPEAKER: Order! I call the honourable member for Eastwood to order for the third time.

Mr HARTCHER: The Drummoyne electorate has been sacrificed by the Leader of the Opposition. The information coming to light since the opening of the third runway on 1 November clearly suggests that the people of Sydney were misled and deliberately misled by the Federal Labor Government about its effect.

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

Mr HARTCHER: There are also suggestions that the Federal Labor Government ignored advice from the Federal Airports Corporation about the effects of the third runway. This insufferable imposition upon the people of Sydney must be addressed. The Environment Protection Authority will assist the people of Sydney by keeping track of concerns about noise pollution and by submitting information to the standing committee inquiry. The third runway has not benefited Sydney: it has benefited Laurie Brereton and the Leader of the Opposition.

POLICE MONITORING OF PICKET LINE

Mr NAGLE: I direct my question without notice to the Minister for Police, and Minister for Emergency Services. Did 50 New South Wales police spend 5 hours monitoring a picket line of 30 Defiance Fine Foods Proprietary Limited employees on 12 November? Who approached the Government for this generous allocation of police resources? Is former Premier, Nick Greiner, a director of the company that owns Defiance Fine Foods Proprietary Limited?

Mr WEST: I would not know if Mr Greiner was a member of the board of Defiance. I am aware that the honourable member has claimed there was a waste of taxpayers' money in relation to this dispute. The honourable member constantly alleges that 40 police officers were present and sat around for most of the day. Let me state the facts. The facts are that the picketing numbers during the day ranged from 30 to 100. I also indicate, from advice I have received from the inspector involved in that operation, that 26 police officers - not 40 - were present from 6.00 a.m. until 2.20 p.m. that day.

BUSINESS AND ECONOMIC GROWTH

Mrs SKINNER: My question without notice is addressed to the Treasurer, and Minister for the Arts. Has the Minister been advised of the latest report by Price Waterhouse and the University of New South Wales on the economic performance and prospects for Australian States? What does this report say about the performance and future prospects for business and economic growth in New South Wales?

Mr COLLINS: The report released today by Price Waterhouse and the University of New South Wales is the product of a survey of 35 economists who were asked to assess the economic performance, prospects, economic management and business conditions of each State. The report is produced every six months, and this is the sixth in the series. The report concludes that New South Wales is "expected to perform at an above average level in the current year and over the next five years". The major reason given for these improved prospects is improving business confidence.

Further, the report states that employment and economic growth are expected to be particularly strong for New South Wales when population growth is taken into account. The report is very positive about the State Government's policies on regional potential, communications, and energy availability and cost. New South Wales is expected to record above average economic growth for 1994-95 and over the next five years. Further, the economic prospects of New South Wales have less downside than those for the other States, with a much smaller gap between the highest and lowest estimates.

This relatively more stable growth prospect explains the State's attractiveness for business investment. Queensland and Western Australia are the only States expected to grow more strongly than New South Wales this financial year, but both of those States are seen to have more downsides than New South Wales. The figures for New South Wales, Queensland and Western Australia are almost identical once population growth is taken into account. In other words, there is little difference in per capita economic growth prospects.

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

Mr COLLINS: The report also indicates that the major factors in the growth rate of Queensland relate to population growth. New South Wales also recorded an improvement in employment growth prospects, with a 2.8 per cent increase expected this financial year, in line with the national average. New South Wales scored particularly well in expected productivity growth, which is anticipated to be the second highest of any State during the next five years. Inflation forecasts for New South Wales this financial year are 2.6 per cent, the lowest of any State. New South Wales is also expected to record the highest growth in building approvals this financial year, at 2 per cent. The panel also rated the States on the effect of State government policies on business conditions. New South Wales rated well in regional, or own State, potential; transport system and costs; communications; and energy availability and cost.

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The report also notes "some States have indeed come from a low base" in the policy area. That is the central point about economic policy: this coalition Government has been initiating reform for longer than any other State government in Australia. This report clearly shows that New South Wales continues to go forward - we are not simply standing still - with policy development from a very strong and reliable position. After six years of reform, this Government continues to take the tough but necessary economic decisions - the sorts of decisions the Leader of the Opposition does not like to face.

This House made a tough economic decision yesterday, and the Leader of the Opposition did not show up for that debate; he did not front at all. Yesterday the Parliament made the most important financial decision it will ever make and the Leader of the Opposition - who purports to be an alternative premier and treasurer - was nowhere to be found. He was absent from this Chamber for the whole of the debate. That is Labor's leadership alternative.

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

Mr COLLINS: The Opposition, through its repeated backflips, has shown itself to be a circus of third-rate magicians and fumbling jugglers. As of yesterday, it has a disappearing leader, plus a badly burnt fire-eater in another place. As the Price Waterhouse report shows, the coalition Government continues to steer a steady economic course for this State. We will confidently emerge from the recession. For the last six years the Government has shown its leadership skills to the other States, as it will well into the future. After 25 March next year we will continue to do the right thing by the people of New South Wales so that these statistics, based on our performance to date, will become the reality over the next few years.

SYDNEY AIRPORT THIRD RUNWAY NOISE

Dr REFSHAUGE: Did the Premier, and Minister for Economic Development on 18 January 1993 call for the lifting of the curfew at Sydney airport to allow aircraft take-offs and landings 24 hours a day? Why did his Cabinet instruct the Environment Protection Authority and the Department of School Education not to make submissions on the third runway noise management plan? Why has he ignored the needs of the people affected by Sydney airport?

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

Mr FAHEY: The submissions that were made by the Government in respect of noise to be generated by the third runway were collated, as the Government does on all matters. It puts forward a Government position, not the position of individual agencies.

Mr SPEAKER: Order! I call the honourable member for Mount Druitt to order. I call the Leader of

the Opposition to order for the third time.

Mr FAHEY: The man from Maroubra got his mate to fix up the noise over Maroubra. He is in the House today - for a change. He continues to try to talk down the issue, but he cannot and he will not.

Mr SPEAKER: Order! I call the honourable member for Heffron to order for the second time. I call the honourable member for Blacktown to order. I call the honourable member for Mount Druitt to order for the second time.

Mr FAHEY: I have referred to a letter written by the Minister for Planning that makes the Government's position on noise levels in relation to the third runway abundantly clear. That submission has gone to Canberra, but it has not been answered.

Mr SPEAKER: Order! I call the honourable member for Rockdale to order. I call the honourable member for Heffron to order for the third time. I call the honourable member for Port Jackson to order for the third time.

Mr FAHEY: Today it was necessary for me - due to the silence of the Leader of the Opposition, the Deputy Leader of the Opposition, and many others - to write to the Prime Minister expressing the concern of the people of inner Sydney that, unfortunately, was not expressed by the honourable member for Port Jackson. She has been silent on this issue. She has not come forward to express the concerns of her constituents in this regard, despite the fact that they are under enormous pressure and their lives have been ruined at the present time.

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber. I call the honourable member for Blacktown to order for the second time.

Mr FAHEY: That submission shows the responsible approach taken by the Government on this issue, which it will continue to take.

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

STATE SUPER OPERATIONS

Mr MORRIS: Can the Minister for Industrial Relations and Employment, and Minister for the Status of Women inform the House of improvements in the performance of State Super?

Mr SPEAKER: Order! I ask all members to cooperate for the remainder of question time. A considerable number of members are already on from one call to order to three calls to order. I have also made many general calls to order. Should there be further interjection, I will not hesitate to place on three calls to order those members who have been previously called to order.

Mrs CHIKAROVSKI: I thank the honourable member for Blue Mountains for his question.

Mr SPEAKER: Order! I call the honourable member for Londonderry to order for the third time.

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Mrs CHIKAROVSKI: I inform the House of a remarkable turnaround in the performance of State Super during the past 15 months, a turnaround that proves yet again that when it comes to delivering on microeconomic reform, this Government has the runs on the board. The news is good, not only for the 862,000 men and women who are members of State Super but - equally important - for the taxpayers of

New South Wales. I can advise the House that State Super has posted a net investment return to members of nearly 12 per cent for the 15 months to the end of June. This is in line with investment returns made by other comparable superannuation funds, and it compares very favourably with the 6.7 per cent return for State Super recorded in the previous 12 months and the 00.1 per cent posted in the 1991-92 financial year.

That is not all. I can also inform the House that for the first time in at least 50 years, the funded liabilities of State Super now outstrip its unfunded liabilities. At this stage State Super has accumulated assets worth nearly \$14 billion, which is in excess of the scheme's unfunded liability of \$13.42 billion. The investment income from State Super's pool fund has also increased from just under \$800 million in 1992-93 to more than \$1.5 billion in the 15 months to the end of June. This remarkable turnaround has been accomplished while at the same time administration expenses have been reduced from \$45.1 million to just over \$40 million. This means that administration expenses as a proportion of net assets have been reduced from 0.038 per cent to 0.30 per cent.

After years of poor results and upheavals due to the incompetent management of the previous Labor Government and the downturn in the property market in Sydney, State Super has finally turned the corner. This is good news, not only for the members of the scheme but also for the taxpayers. This turnaround in the performance of State Super is one of which this Government is very proud, because it is due to the legislative and management reforms introduced by the Premier two years ago. When those change were first introduced, the New South Wales Labor Party and sections of the trade union movement in this State predicted doom and gloom. They were wrong; they normally are. The decision by the Government to close off the very generous but unfunded State Authorities Superannuation scheme has been vindicated by the extraordinary results I am announcing today. The decision to restructure the scheme to bring in commercial management and to set up two separate boards has turned out to be one of the most important and financially responsible decisions taken by any State Government in New South Wales in many, many years.

State Super has been transformed into an organisation that is more commercially astute, more cost efficient and more responsive to the needs of its members. The members of State Super are now reaping the benefits, but unfortunately there is a cloud over its horizon. That cloud is the Leader of the Opposition. I am concerned that the substantial gains made by State Super in the past two years would disappear almost overnight in the unlikely event of the New South Wales Labor Party being elected to office next year. The Leader of the Opposition, Achtung Fuhrer opposite, will turn back the clock to the bad old days of the 1970s and early 1980s when the unfunded liabilities of State Super were growing at the rate of \$1.2 billion a year. It is now public knowledge that the Leader of the Opposition has agreed to a demand from the New South Wales Labor Council to reopen the old SAS scheme if elected on 25 March. It is there in black and white, in the Labor Party's industrial policy - released, I might add, not by the Leader of the Opposition, not by the Opposition spokesman on industrial relations, but by Peter Sams, secretary of the Labor Council.

In that policy Labor promises to reopen that scheme. That is an extraordinary promise. I have had some figures prepared on what that incredible promise by Bob Carr would cost, and they are frightening, to say the least. I am advised by my department that the reopening of the old State Authorities Superannuation scheme, which is what the Leader of the Opposition has promised to do, will cost this State \$7 billion - which equates to \$1,200 for every man, woman and child in this State. This is the election promise to end all election promises.

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

Mrs CHIKAROVSKI: This is the most financially irresponsible election promise every made by an Opposition leader anywhere in this country. It would be an absolute and total disaster for the people of New South Wales. It would be a disaster for the members of State Super, and it is one that the taxpayers in this State will not fund. I seek leave to table the annual report of State Super.

Leave not granted.

SYDNEY AIRPORT THIRD RUNWAY NOISE

Ms MOORE: My question is directed to the Premier, and Minister for Economic Development. As his Government strongly advocated and supported the construction of the third runway and ignored opposition to it, does he still support the third runway?

Mr FAHEY: What this Government does not support is the fact that the people of Sydney have been misled on the use of the east-west runway. The people of Sydney have been held to ransom for far too long in respect of the noise that has affected them, and we were given the ultimate plan by Labor. The Labor Party ran it in Hobart; it indicated that there will be money to insulate houses that are affected. Since the opening of the third runway, honourable members have seen planes flying all over Sydney, bombarding people, and destroying their sleep, destroying their quality of life; and it is all through the deceit of Labor.

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A meeting was held last night at Kurnell at which the people were told quite clearly that their lifestyle in the future is to be destroyed forever because of the manner in which planes are coming in and going out over their houses. There is a real safety concern in that area, particularly about the refinery. The difficulties that the people of Sydney are experiencing are due to the incapacity of Labor to deliver what it promised. It must get this right; it cannot continue to hold the people of Sydney to ransom.

SYDNEY AIRPORT THIRD RUNWAY NOISE

Ms MOORE: I ask a supplementary question. Is it not a fact that irrespective of which flight paths were chosen, thousands more homes would suffer excessive noise?

Mr FAHEY: It is very, very clear that the people in the electorates of Maroubra and Heffron and the Federal electorate of Kingsford-Smith have been spared from any noise by the approach taken by Labor.

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

Mr FAHEY: Labor cannot ignore the fact that certain people have been inconvenienced, such as those living in Drummoyne in particular and in so many other inner Sydney suburbs, such as Ashfield. The people in Kurnell have been put in a position which makes it very difficult for them to have a quality of life; and others who for many, many years were in the flight path have been taken out of the flight path because of the east-west runway not being used.

BUSINESS OF THE HOUSE

Consideration of Urgent Motion: Suspension of Standing and Sessional Orders

Motion by Mr Carr agreed to:

That Standing and Sessional Orders be suspended to allow consideration of the following motion forthwith:

(1) That due to his gross maladministration of the planning, investigation, determination and awarding of the M2 North West Transport Link contracts, the Minister for Transport, and Minister for Roads no longer possesses the confidence of this House;

(2) As a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by Tuesday, 29 November, 1994; and

(3) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:

- (a) whether the contracts are legally binding;
 - (b) whether variations in the contracts may be made; and
 - (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and acceptable public policy.
- (4) That the following speaking times apply to the debate:

Mover	unspecified
Minister subject of the motion	unspecified
All other speakers	20 minutes
Minister in response	unspecified
Mover in reply	unspecified

MINISTER FOR TRANSPORT, AND MINISTER FOR ROADS

Motion of No Confidence

Mr CARR (Maroubra - Leader of the Opposition) [3.17]: I move:

(1) That due to his gross maladministration of the planning, investigation, determination and awarding of the M2 North West Transport Link contracts, the Minister for Transport no longer possesses the confidence of this House;

(2) As a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by Tuesday, 29 November, 1994; and

(3) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:

- (a) whether the contracts are legally binding;
- (b) whether variations in the contracts may be made; and
- (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and acceptable public policy.

If ever there was a lame duck government in the history of the State, this is it; the Fahey Government is it. The commitments and concessions made in the M2 deals are reprehensible enough, but for a

disintegrating government like this, they are outrageously reprehensible. On the Premier's own admission, he actually boasted about it, he has had to sack Minister after Minister, "because they were not up to the job". That is what he said on the weekend. To the Opposition it was hardly a revelation. He has had to sack them because members of his team were, in his own words, "not up to it".

In the run-up to the election only months off, the voters have twice resoundingly repudiated this Government at the ballot box. Beside the Premier sit a ministry preoccupied with their post-election plans, plots and private arrangements - none more than the Minister for Transport, who is hawking his curriculum vitae around all the placement agencies. When he gets caught out, his one defence is that his job change plans have really been misunderstood; he wants a change from the transport ministry to a different shadow portfolio after the election. That is what he is about.

[Interruption]

The honourable member for Ku-ring-gai interjects. Let me tell honourable members a story about him in relation to a transport issue. A few years ago he sent his details to a lonely hearts club, and the club sent them back and said it was not that

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lonely! Behind the Minister sits a backbench riven with recrimination or, often enough, self-incrimination. The Government, of course, is without a majority or the vestige of a mandate. Yet the same doomed Government, a Government in its death throes, has sought to force its policy in the fundamental area of transport upon the taxpayers and future governments of New South Wales for a generation or more. On the threshold of an election campaign, the Government is entering an arrangement that says that whatever happens in this region of Sydney where a million people will live, there cannot be public transport.

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

Mr CARR: That is what this debate is about. How dare the Minister, who used to work for an oil company and is now hawking his career details to every business he has ever done work with as Minister, lock us into that deal! That is a disgrace!

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

Mr O'Doherty: On a point of order: it is grossly discourteous to the House for the Leader of the Opposition not to direct his remarks to the Chair.

Mr Knight: On the point of order: it is extremely difficult for the Leader of the Opposition to direct his remarks to the Chair when the Minister for Transport is persistently interjecting rather than waiting for his opportunity to participate in the debate.

Mr SPEAKER: Order! The Leader of the Opposition has been a member of this House long enough to know its forms and that remarks should generally be addressed to the Chair. I suggest that he ignore interjections and address the Chair.

Mr CARR: Dive-bomber O'Doherty! What he did to those ratings at 2GB! No wonder they call him "Dive-bomber".

Mr SPEAKER: Order! I call the honourable member for Ku-ring-gai to order. I can well understand that tempers may be frayed and emotions heightened when a motion of no confidence is moved in a Minister. However, the level of interjection does not enhance the dignity of the House. I hope that the member for Ku-ring-gai heard that he was called to order during the most recent exchange. The cooperation of all members is required if debate is to proceed in an orderly fashion. I will not hesitate to call to order members who continue to interject. Members wishing to remain in the House to vote on the

motion should heed that advice.

Mr CARR: The honourable member for Ku-ring-gai was unfailingly courteous at 2GB when he interviewed me. What a change came over him upon his election to this House! The full ramifications of this Government's deal over the M2 project have only been revealed through the release of the prospectus. Before I come to the prospectus, let me deal with the anguished, confused and muddle-headed defences we heard from the Minister when this matter broke yesterday. In the House yesterday the Minister claimed that if an impact on the investor can be attributed to action of the Government, the contract can be renegotiated. Yet the prospectus explicitly states at page 62:

The Minister must consult with the Company and the Trustee in good faith in respect of any proposed development, or granting of a concession in respect of, any public transport infrastructure (including public or private passenger or freight train services) servicing . . . northwestern Sydney which could reasonably be expected to have a Material Adverse Effect on the Project.

That is now in the hands of the lawyers for the tollway company. With that in their hands, they will be able to mount a furious legal case against a bid by any government over the next 45 years to provide public transport to service one million people in this medium-term growth region in the Sydney basin. Honourable members should bear that quote in mind. The onus is clearly on the Government to consult with the M2 operators, not the other way around, as the Minister claims. He claims the onus is the reverse of what it is in this contract.

Let me come to the Minister's second defensive line. Yesterday he argued that it is ridiculous to say public transport options are overruled by the contract; it does not overrule a Parramatta to Hornsby rail link and it does not overrule work on the Pacific Highway. For goodness' sake, we are talking about Sydney's north-west! If the Minister's only defence is that notwithstanding this contract, work can be done on the Pacific Highway, he might as well claim, as a rebuttal of our argument, that roadworks on the central coast are in the Illawarra. If his only defence is that work can be done on public transport options east of Parramatta, he has really lost it. It is no defence, it is no argument to say that public transport is still on the agenda as servicing this region by invoking, for goodness' sake, work on the Pacific Highway or the Parramatta to Hornsby rail link. What an extraordinary position it would have been if they had been ruled out. Next he will be saying that an upgrading of rail to Broken Hill can still proceed, notwithstanding this contract. This argument is the same for roads. Page 61 of the prospectus states:

The RTA undertakes to manage the Sydney metropolitan traffic system so as to recognise:

- the position of the M2 Motorway as the principle arterial road servicing specified regions of northwestern Sydney;

Again the onus is on the Government to devise policy in planning a road system for all of Sydney to maintain the profitability of the private M2 tollway. That is where the onus is under this contract.

Mr Baird: That is rubbish!

Mr CARR: Don't get excited.

Mr SPEAKER: Order! I call the Minister for Transport to order.

Mr CARR: The Minister should not shift ground, because we are going to dwell a little longer on his defences. Let me come to the third defence.

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After we revealed this matter in the House yesterday, the Minister claimed the M2 is a good thing because it provides two bus lanes that could be converted to light rail. This light rail chimera has been with him for many years. Do honourable members remember schemes that remain dreams? There

have been about a dozen light rail prospects since he has been the Minister over these seven long years.

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

Mr CARR: How many light rail projects in these seven long years have been conjured out of the clouds, only to fade and not be revealed? Again the Minister invokes light rail. First, if light rail is successful and takes toll-paying patronage away from the M2, the Government will still have to compensate the M2 investors. So if light rail is successful and if the company is able with the best lawyers in the land to go to the courts and say, "This light rail takes patronage off the M2", the Government has to compensate for the impact of the light rail. Second, in relation to the bus lanes between Seven Hills and Epping with limited stops in between, one can already use the CityRail system to get from Seven Hills to the city. The time difference between an Epping-city train journey and a Seven Hills-city train journey is only five minutes.

Third, how easy would it be to convert to light rail two bus lanes running down the middle of a busy motorway? To work effectively, light rail systems need to stop frequently. How could this be possible in the circumstances? The honourable member for Eastwood has just informed the Minister that it could not be down the middle; it has to be on the sides. How extraordinary! What a revelation! The Minister claimed it is down the middle of the road, and the local member scrambled up to contradict him. The Minister is really in trouble when the honourable member for Eastwood has to save his bacon. I want the three non-aligned Independents to weigh these arguments carefully because these are the defensive arguments raised by the Minister since this matter broke in the House yesterday. I shall deal with each of them because I do not want it to be said that in this motion the Opposition overlooked any defensive line the Minister mounted. I want the House to weigh up every defence. Honourable members opposite have reached for the maps.

I do not want it to be said that we have been unfair to the Minister in any way. Fairness is our business - fairness in particular to ailing Ministers who are carting around their curriculum vitae in their inside pockets. It must be very tiring going from one placement agency to the next. He is wearing the new suits to impress potential employers. The Minister claims that the M2 monopoly of transport provision in the contract excludes - and we have to dwell on this - the Parramatta-Hornsby link and the Pacific Highway. Well, thank goodness it does. It needs to be pointed out that if the north-west sector grows as predicted, it will need much more public transport than that rail link could provide. Castle Hill, Cherrybrook, Baulkham Hills, Rouse Hill and Kellyville are not on the proposed Parramatta-Hornsby rail link. They are not serviced by that proposed rail link, but honourable members can bet those areas are in the M2 contracts public transport exclusion zone.

[Interruption]

The honourable member for The Hills should not interrupt. He won his preselection in a lucky door prize. Any attempt to exclude public transport to those areas will trigger the legal challenge of which the Opposition has given warning. Early on in my speech, before I referred to any other material, I wanted to examine in this House each of the Minister's defensive arguments. I wanted to be fair to him. I wanted to see his defences tested. They just have been and they have failed. The Minister has not done his homework, and he is obviously in deep trouble if he has to rely on Andrew Tink telling him what is on the maps and what is not. I rather suspect the transport Minister's career change job value is diminishing by the minute.

The full ramifications of this Government's deal over the M2 project have only been revealed through the release of this prospectus. They have been hidden from public scrutiny - kept from this Parliament. But the prospectus is enough to provide a damning indictment of the contract that the Minister for Transport has signed on behalf of the Government. It reveals the extent of the provisions of the contract between the Minister for Transport, the Roads and Traffic Authority and the private companies involved in the M2 project. It reveals that the Minister for Transport has effectively condemned the north-west

Sydney region to dependency on private vehicles for the next two generations. It certainly reveals why this House should have no confidence in the honourable member for Northcott as the Minister for Transport.

This Minister has signed away the rights of a whole region of Sydney for decades to come. He has signed away their access to public transport, regardless of what data may come to light in the next 20 or 30 years about the greenhouse effect, pollution in the Sydney basin, and the damaging health impact of a Los Angeles style dependency on private motor vehicle use. We are condemned to this dependence, this monopoly servicing a region that will have one million people living in it. That is why this is a major debate in the Parliament.

It will not be able to be said of the Opposition that it stayed silent while material such as this, binding this Parliament for 45 years, came to light. What right has the Minister to sign away the right of future generations to plan a proper transport system, environmentally responsible and health conscious for the Sydney basin? How can this Parliament, the guardian not only of its own rights but the rights of future parliaments, have confidence in a Minister who signed away the right of any future democratically elected parliament and government to determine transport planning and policy for the north-west sector? If the contract follows the prospectus -

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

Mr CARR: He is the genius who ran the Government's campaign in Parramatta.

Mr E. T. Page: The marginal seat director.

Mr CARR: Marginal Seat Director Tink.

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

Mr CARR: Colonel Tink, Jubilation T Cornpone.

Mr SPEAKER: Order! I call the honourable member for Eastwood to order for the third time.

Mr CARR: If the contract follows the prospectus, this Minister and the RTA have given a guarantee that competing public transport will never be built in the region serviced by the M2, or if it is built, the tollway company and trustee will be compensated according to their own profit projections. What a disgrace! We should take these matters seriously and at face value. The Minister got excited a moment ago, but no other interpretation can be given to the prospectus, which states on page 62:

The Minister must consult with the Company and the Trustee in good faith in respect of any proposed development, or granting of a concession in respect of, any public transport infrastructure . . . servicing the specified regions of northwestern Sydney which could reasonably be expected to have a Material Adverse Effect on the Project.

Where is the onus in that? The prospectus further states:

The Minister must have regard to the effect on the M2 Motorway (and its traffic usage), and the fact that the M2 Motorway is the principal passenger and freight arterial route servicing the North West Region of Sydney.

Would not the attorneys for the M2 partners be thrilled with that! They must not be able to believe that a

sovereign government has put a signature to such a contract. They are probably saying, "Go up to Macquarie Street and buy yourself a monopoly". In other words, the contract between the Minister, the RTA and the private consortium building and financing the M2, guarantees that competing public transport will not be built. Let there be no doubt about the purpose of this contract. For all its impenetrable pros and jargon, the prospectus spells it out line by line. Its overriding purpose is to exclude public transport from the north-west region forever, to lock it out.

Mr Baird: Rubbish!

Mr CARR: The Minister says that is wrong, so I shall return the prospectus and quote from page 26 "Competing Transport Systems". It states:

The traffic projections for the M2 Motorway assume that it will be the primary transport link to north western Sydney. If the New South Wales Government deals with transport in specified regions of north western Sydney in a way which discriminates against the Company in the running of the M2 Motorway or which prejudices the M2 Motorway's operational results (and which the Trustee and the Company reasonably consider has a material adverse effect on the Project), then the parties to the Project Deed are required to negotiate in good faith with a view to enabling the Trustee to have a substantially similar (but not materially lessened) ability to repay Project Debt within 3 months after the time for repayment of the Project Debt under the debt documentation, and to give a hypothetical "initial" Investor the same IRR it would have received if the event had not occurred or the Base Case Equity return if lower.

This is on page 26 of the document.

[*Interruption*]

The Minister speaks of a standard. Where is the standard?

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

Mr CARR: Where is the standard? Brazil? The public takes all the risk and are denied public transport. If there is any deviation from the arrangement by the Government, the public faces a huge compensation claim.

Mr SPEAKER: Order! I call the Minister for Transport to order for the second time.

Mr CARR: The prospectus lists the changes affecting the project for which the taxpayer will have to compensate the contractors. If any of these changes are made, we will hear the ring of cash registers as we enter compensation territory. Lawyers will enter court, and New South Wales taxpayers will suffer because of Bruce, who by that stage, I presume, will be in retirement after a short working career as corporate relations manager for some tollway company or infrastructure firm. The first change in the prospectus outlined that if the New South Wales Government developed, or permitted the development or substantial upgrading of Epping Road, or any other road which provides access to specified regions in north-west Sydney, compensation would have to be paid. Therefore, any roadworks of that description over a 45-year period will result in the ring of the cash register; people will say, "Thank you taxpayers." Such a contract might be accepted in the Third World. Another change which will trigger the process is outlined as follows:

An increase in the cost of the performance of the Company's and Trustee's obligations under the Project Deed and the various leases, which was not reasonably foreseeable when the Project Deed was signed, because of changes in New South Wales legislation or its judicial interpretation or the requirements of any NSW Authority -

That is on page 62 of the document. Government members fought hard, did they not? They are heroes of first line defence! Imagine, the interests of generations of people in this State have been heroically protected by Bruiser Bruce, as the honourable member for Hurstville describes him. The third change which will render the taxpayer liable for compensation reads:

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The RTA has agreed to reimburse the Company for any excess in Council and Water Rates over a specific minimum level indexed to the CPI and/or any new or additional levies which discriminate against the Company or the Operator in respect to the M2 Motorway imposed by the New South Wales Government.

That is outlined on page 27 of the report. The fourth change is as follows:

The increase in the cost to the performance of the company to the Trustee's obligations under the Project Deed and various leases which was not reasonably foreseeable when the Project Deed was signed because of changes in Commonwealth legislation or its judicial interpretation or its requirements or any Commonwealth Authority, except in respect of income tax.

That is from page 61 of the document. It is marvellous out there in the risk taking, entrepreneurial sector! Take chances as they come. This is not like the welfare mothers against whom they campaign; these boys out in the front line of rip-roaring capitalism are prepared to be buffeted by fortune in the marketplace. But along comes Bruce, who says, "We'll look after you". I am glad that the Minister feather-bedded the State Rail Authority. All those lazy workers were lying around thinking they had a guaranteed income! I am glad he was tough with them. Would it not be interesting if the same cold winds of market forces were allowed into this little anteroom?

The Minister has signed a contract which provides that should the M2 motorway be damaged or destroyed as a result of uninsurable risk - for example, subsidence - the RTA has agreed to enter into good faith negotiations with the company and the trustee. That agreement is outlined on page 26 of the document. The Minister for Transport has given an undertaking - members should bear this in mind - that will bind the next two generations and at least 12 governments! The taxpayers will guarantee a private investor's rate of return on the M2 motorway. Who has ever had that sort of security? This Parliament must question the Minister's right to make such an arrangement. What right does the Government have, four months before an election, following three big bi-election rebuffs, to wrap up this deal? How can the Government bed down this deal on the eve of the election?

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

Mr CARR: The Minister for Transport has given binding undertakings which will determine public policy for the next two generations. He has done this just before he will walk out of the Parliament into what he hopes is a lucrative career in the private sector. We will be carefully watching where the Minister goes in the private sector - if it will have him. The Minister's largesse at the expense of future taxpayers and governments is boundless. For example, he has guaranteed that in the event of a natural disaster, such as sabotage, radioactive or dangerous chemical contamination, or industrial disputes - and not just between the company and the trustee, but also their contractors and employees - any event that is not insurable and could not have been prevented or remedied by the company, again the taxpayer will come to the rescue. This investment is a sure thing, as it is, in effect, fully indemnified by taxpayers of today and by taxpayers for two generations to come. Despite future governments allowing competing roads to run down and refusing to invest in competing public transport, if the investors have not made in excess of a 16 per cent internal rate of return after inflation and tax, the toll concession period will be extended from 36 years up to 45 years.

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

member for Smithfield to order.

Mr CARR: The Minister should be Minister for Transport in Brazzaville or somewhere. This extraordinary protection is afforded the private company against future elected governments and the citizens of this State. Citizens' rights are to be bulldozed. The exercise of their rights - such as the right of access to the corridor - are to be regarded as risks which are to be indemnified by the taxpayer. Members opposite have shifted ground on this issue; they cannot defend the matter before the House and they have given up on it. The Minister's defences have been shot to pieces, but I will continue to debate the issue.

Mr SPEAKER: Order! There is far too much interjection from both sides of the Chamber.

Mr CARR: We will debate the issue of the harbour tunnel on another occasion. Unfortunately, however, for the Government, this debate is not about the tunnel; it is about the M2 motorway, Bruce.

Mr SPEAKER: Order! I remind the Leader of the Opposition that members should be addressed by their correct titles or electorates. The Leader of the Opposition should have referred to the Minister for Transport.

Mr CARR: I support your ruling, Mr Speaker. However, the Minister for the Environment referred to me as "Carr" on about sixteen occasions during question time today.

Mr SPEAKER: Order! The Leader of the Opposition can always draw such a matter to my attention if it seems that I have not noted it at the time.

Mr CARR: Pages 25 and 28 of the prospectus contain a list of project risks. I have been through the changes which may be involved. The list indicates that the RTA bears the risk of being unable to provide access to the M2 motorway corridor in accordance with the agreed schedule. That is fair enough. However, any astute Minister with any sense of responsibility and good management would have ensured access before entering into a binding contract. The Minister was well aware that a native title claim was being lodged in respect of the M2 motorway route and he should not have entered taxpayers into a binding agreement before this issue was resolved. Second, in the clear knowledge that his actions in

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forcing car dependency on the north-west sector would result in public outrage, the Minister has ensured that "the RTA has a contractual obligation to promptly take action to remove any road blockage or other form of civil disobedience which hinders or prevents unfettered access to the M2 tollway".

Third, "the RTA indemnifies the company and the trust for any loss which they suffer as a result of being required to stop work on the project as a result of a legal challenge to the validity of the EID [environmental impact determination] unless the challenge is in respect of a breach by the company or the trustee". Again, that is fair enough, but how well have the Minister and the RTA ensured that their proposal will conform with the EID? We may judge this Minister's concern for the environment by page 59 of the prospectus, which refers to drainage basins and related watercourses. It states:

The Company and the Trustee must ensure that if possible, drainage basins and related watercourse alterations take place on the Land. If that is not possible, the Company and the Trustee must use their best endeavours (with the RTA's reasonable assistance) to site them on Land which is adjacent to the Land or owned by the NSW government or one of its authorities.

In other words, if drainage basins and watercourse alterations cannot be provided on the actual road reservation they will be provided in the land adjacent, which for at least part of the route is the Lane Cove National Park. Where do the basins discharge to? All water from the road and these basins would drain into tributaries of the Lane Cove River and the Lane Cove River itself. The Minister for the Environment

was not himself at question time today. He seemed to have been in possession of an extraterrestrial force. What has he had to say about this? Did he dare raise an objection, a hint of a doubt even, when this was dumped on the Cabinet? And where does the Minister for Health stand on a project which locks the whole of the north-west region - one of the fastest growing regions in Sydney, to have a population ultimately of one million - into car dependency for the next two generations?

Mr Chappell: What sort of car?

Mr CARR: The Minister interjects. He has discovered - wait for the joke - that I said "car dependency" and that my name, ha, ha, ha, is Carr. He is a wit. He is the stand-up comic in the Government's ranks. I was waiting for one Government member to say that. I thought that if I used the expression "car dependency" I would hear the sound of a coin rolling over on the Government side of the House, and then I would hear it finally drop and either the member for Coffs Harbour or the member for Ku-ring-gai -

Mr O'Doherty: On a point of order: I raise two matters: first, the remarks of the Leader of the Opposition have hardly any relevance to the motion; second - and this is my substantive point of order - what other Ministers may or may not have done is hardly germane to a motion of no confidence in the Minister for Transport.

Mr Langton: On the point of order: this is a motion of no confidence in this Minister.

Mr O'Doherty: Do not debate it; what do you have to say on the point of order?

Mr SPEAKER: Order! The honourable member for Kogarah will give me the benefit of his point of order.

Mr Langton: We are dealing with a motion of no confidence. It is therefore a motion of no confidence in this whole Government. All Ministers who took part in the discussion of this matter in Cabinet are as responsible as the Minister for Transport, and peripherally the Leader of the Opposition is entitled to raise their roles in this matter.

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

Mr CARR: What does the Minister for Health say about this? He has his own problems, having been the major reason behind the 10 per cent swing to Labor in Parramatta. And he will be the major reason behind the healthy swing to Labor that we are headed for on 25 March. What had the Treasurer to say? At question time today he referred to the Price Waterhouse report which lavishes praise on Victoria for fiscal management. It praises Queensland. It says, "If you have money to invest go to Western Australia because it has a 5 per cent growth rate". New South Wales does not get a look in. The Treasurer said that those States came from lower base levels and such figures are to be expected. The fact is that that is hardly the glowing report we got about the New South Wales economy back before 1988 or even - let me give credit where it is due - back when Nick Greiner was Premier. I have got to say it: we did not get reports that slighted New South Wales in that way in the good old days.

The Treasurer this week will introduce the phoney bill about balanced budgets. What does he have to say about a contract which locks in taxpayers of the future to an open-ended commitment? Where is his advice on the fiscal implications? It is an historical characteristic of dying regimes that they seek to mortgage the future at the death knell. Political death is knocking at the Government's door. It was knocking at the Cabinet door when Cabinet was debating the M2. Make no mistake: this is no ordinary contract and it is no ordinary project. It is an attempt to impose an ideologically driven concept, not only on the north-west but on the whole State. The same mentality is driving the fire sale of the State Bank and the privatisation by stealth of the public hospital system.

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

Mr CARR: The entire Government, and not just the transport Minister, must be condemned for its contempt for democracy and the right of the public

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and the Parliament to know what is in the contract, its contempt for public health and its contempt for social equity. However, in this case there is the pivotal and personal role of the Minister for Transport. His qualification for his tenure as Minister for Transport seems to be that he was once chief lobbyist for a major oil company. His appointments to senior positions on transport authorities reflect this background. The word is around the town that he has already lined up for himself a plum job with - you guessed it - an oil company.

How appropriate that is, with the grave yawning before this Government, that his career path should follow the words of the burial service, "From whence we cometh thence shall we return". There can be no confidence in a transport Minister who is prepared to sacrifice the right to public health of New South Wales citizens for the next two generations. There can be no confidence in a transport Minister who has put the benefit of a few private investors above the benefit of the public for the next two generations, with potential impact beyond those generations. There can be no confidence in a Minister who deliberately seeks to advantage one form of transport above all others with gross disregard for public health, safety, amenity and equity.

Mr BAIRD (Northcott - Minister for Transport, and Minister for Roads) [3.59]: What a pathetic performance! The Leader of the Opposition missed his calling. He wanted to be an actor. He came into the House with all his "knock, knocks" and with his hands held up. The reality is that he is 100 per cent fraud. The mock outrage he showed on these issues is total hypocrisy. The Leader of the Opposition, as the Minister for Planning and the Environment, was a member of Cabinet when the tunnel project was debated in this House. Did he open his mouth on that issue? Not once, I am sure.

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

Mr BAIRD: I am sure the honourable member for Kogarah would like the Government not to mention the tunnel project. If ever there was something on which the Opposition will be found wanting, it would be the tunnel project.

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

Mr BAIRD: The Leader of the Opposition, as Minister for Planning and the Environment, had every opportunity to raise publicly, and in the Parliament, whatever issue he wanted about the tunnel project, yet he did not open his mouth once during the whole exercise. He knew what was going on. The M2 project has no comparison with the tunnel project. Many attempts have been made to stop this project. Today there are people in the gallery representing part of the lobby against this project. They have done their utmost to stop it. My office has received all kinds of threats about what would happen to us if this project went ahead. No threats that come to my office from any lobby group and no abuse from the public or motion in this House will stop the project. The people of the north-west want the M2 tollway. It is what they have demanded. The Government is certainly assisting them to get it. I make no apologies for that.

People who spend 1½ hours each day travelling by car to the city from the north-west, from the electorate of The Hills and other areas, will benefit from the tollway. This motion is a huge furphy. The honourable member for Kogarah is excited. All session he has been trying to get something up. He cannot succeed with questions, but it is finally his turn. The press gallery has indicated that it is not

interested in this matter. The Leader of the Opposition tried to get a story out of it last night and he failed. He did not mention it on the radio this morning. The press gallery felt it was demeaning the significance of no confidence motions which should be motions of last resort. It is, after all, a significant motion.

The Government has acted responsibly in handling this project. It has been reviewed by experts. There is no better way to carry out this project. It is a far cry from the types of shonky deals that the previous Labor Government entered into. When speaking on radio this morning the Leader of the Opposition did not mention this project. So grave was it that not one question was raised about it during question time; it must be terribly urgent! This morning, on the Alan Jones radio program, the Leader of the Opposition was interviewed at length, and he did not mention it; he did not say he had a concern.

Mrs Skinner: It was a political stunt.

Mr BAIRD: It was a political stunt and what was the reason for it? The Leader of the Opposition was trying to cover up his embarrassment following the State Bank debate. It was a fiasco. He had egg all over his face. He did not appear in the Chamber; he did not debate the issue; he did not speak on it. He let the lightweights of the party speak on it. The Leader of the Opposition was totally embarrassed, desperately trying to find an issue to hide behind. His record as a wrecker is well-known. What has been his role in relation to projects put forward by this Government? When the redevelopment contract for Walsh Bay was about to be signed, the Leader of the Opposition held a press conference alleging corruption. The allegations were subsequently cleared by the Independent Commission Against Corruption. The project was stopped and the wharves are rotting at Walsh Bay because of the Leader of the Opposition.

With reference to the Sydney casino project, the Leader of the Opposition said, "Don't worry about the Sydney casino project because I have the details you need. Don't worry about the budget when it comes in, I have more interesting details than you would ever want to know about that budget". The Leader of the Opposition promised a lot. He managed to stop the project, and as we await the review we also await

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the details that the Leader of the Opposition said he would bring to the House. He has made claims about a number of projects, for example, the airport rail link. The Leader of the Opposition is always talking about public transport but when the Government proposed an airport rail link he knocked it and said it was a bad deal that we should not have. As for the tilt train, the honourable member for Kogarah said the Opposition would take it off the run, take it off the tracks.

Mr Langton: Don't lie, I never said that.

Mr BAIRD: It is in black and white.

Mr SPEAKER: Order! I call the honourable member for Kogarah to order for the third time.

Mr BAIRD: The honourable member for Kogarah said he would take it off -

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

Mr BAIRD: The missing section of the M4 which was built for several hundred million dollars was totally opposed by the Opposition. The Opposition opposed the building of the M5 and the M2. The Leader of the Opposition played an interesting role in the Olympic Games bid. We could go into that because many people have brought to me the details of the role of the Leader of the Opposition. This is not the place to talk about the real roles and the constructive issues, such as what is being built, and what is happening in the State. In every single case the Leader of the Opposition is out to destroy - he is a wrecker, a destroyer, and a knocker. It is difficult to find him supporting any project, except, of course,

the tunnel. With the tunnel project the Leader of the Opposition was in there right up to his neck. No expressions of interest were called; no tenders were called. The then Minister for Roads awarded the contract. That contract was introduced into Parliament at midnight for debate, and an urgency issue raised by this side of the House was denied. We were not allowed to debate urgency then and we were not shown the contract.

No other companies had an opportunity to bid for the contract. Some amazing stories have been told about the tunnel project. One day those stories will be told in all their gory details. However, the M2 project is different from the tunnel project because all the risk is with the Government. We have talked about writing contracts before an election. The Labor Party signed the tunnel deal in June 1987, nine months before an election, and bound future governments until the year 2022. What does the Auditor-General say about the tunnel project? He was appalled in many ways. He said it was an appalling deal that saddled the taxpayers of New South Wales with a debt of \$4 billion. It was the Opposition's mates that did it. There was no consideration of the impact, yet the impact is evident every day of the week.

If it rains and people decide not to come into the city, the contract is still underwritten by the Government. There is a projected stream of revenue calculated by reference to traffic flow. If that is affected on any single day, the underwriting is carried by this Government. For the tunnel project \$18 million is involved in underwriting, with no call back provisions. The people of New South Wales will be underwriting this project until the year 2022. How different that is when compared with the terms of the M2 project. Comments were made about the M2 deal and how it was proposed. Today I received a letter from Blake, Dawson Waldron, the solicitors who put together this contract. The letter states:

M2 MOTORWAY PROJECT DEED

We confirm that, in our view, the M2 Motorway Project Deed does not preclude the Government of the day from:

- providing public transport to the northwestern regions of Sydney; or
- upgrading Epping Road or any other roads to the northwest regions of Sydney.

The letter outlines the basis on which we should reopen negotiations if there is any impact on the project.

Mr Langton: On a point of order: I request that that letter be tabled.

Mr BAIRD: Absolutely. I would be delighted. The honourable member can have his own copy.

Mr SPEAKER: Order! No point of order is involved.

Mr BAIRD: That letter makes it very clear. Time and time again the Leader of the Opposition and the honourable member for Kogarah have said that this contract does not allow public transport to be built in the north-west - untrue, untrue, untrue. Members opposite have two strategies to win government. First, they denounce policy or attack and denigrate Ministers one after another - they use character assassination. Second, they lie, and they lie, and they lie. Today we have seen a progression of liars in this House. The principal liar, the Leader of the Opposition, rides supreme in his cockiness, in his arrogance. Talk about Herr Carr!

Mr SPEAKER: Order! I ask the Minister for Transport, and Minister for Roads to refer to members by their electorate.

Mr BAIRD: We have heard a litany of lies. The Leader of the Opposition has paraded himself in his normal theatrical mode - he models himself on Neville. He plays to the gallery like a failed B-grade

actor. The Leader of the Opposition has not made it outside. He has been the Leader of the Opposition for seven years - and he will have a lot longer to appreciate that role. He is fumbling along with one of the lowest levels of support any Leader of the Opposition in this State has had. He is a very unpopular leader. Members speak of their dislike of the Leader of the Opposition. This contract has excited the Leader of the Opposition. He is searching

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for an issue to debate. The contract does not exclude public transport - Blake, Dawson Waldron make that clear. This is the first road project in Australia that specifically provides for public transport. Two public transport lanes are provided at a cost of \$100 million. The public transport lanes will be heavily used by the people of the north-west.

Contrary to the lies of the Leader of the Opposition, this contract provides for conversion to light rail. The Leader of the Opposition said that there would be compensation if it were converted. That is absolutely untrue. The contract spells it out. If we introduce light rail or buses, there will be no compensation; there will be no requirement to renegotiate. The contract says that. An amount of \$100 million has been allocated to this major public transport route. That is more than the Labor Party ever did for the north-west. We are proud to provide one of the main transport links to the north-west.

It is important to analyse how this project relates to overall work in that area. It is a major transport link. If we were to build a major road or public transport linkage, the proponents would have to prove that it directly impacted on the operation of that road. There is a base case. If we were to build a freeway directly alongside the road or we were to build a major rail project which competed with the road, and if the proponents could prove that that had a material impact on the base case, the proponents could go to the government and ask for the contract to be renegotiated. They can extend the life of the contract.

All the risk is being taken by the private sector. That is quite different from what occurred with the harbour tunnel project, where all the risk was taken by the Government. In this case, they can extend the life of the contract or increase the toll. The Labor Party is supposed to be in favour of public transport. It promised to remove the tolls on the M4 and the M5. The Roads and Traffic Authority has had this independently assessed and the result would be a 20 per cent increase in the patronage on those roads. On the one hand the Labor Party says that it is in favour of public transport; on the other hand it says that it will remove the tolls. Never mind the \$120 million a year cost; it would also have a direct impact on the patronage levels of those roads. The current usage of the M4 is significant - it is of the order of 65,000 vehicles a day, and we think there would be an additional 13,000 vehicles a day if the toll were removed. We believe that an additional 9,000 cars a day would use the M5 if the toll were removed. The Labor Party has talked about removing the tolls, the direct impact of which would be that more people would use those roads.

If the proponents can prove that there has been a material impact with respect to a competing road or rail project, they can ask to renegotiate and extend the life of the contract. If the toll or the life of the toll were increased, people would be encouraged to use public transport. There would be no cost to the public purse; rather, the toll would be continued. That is a direct incentive for people to use public transport. This project provides, for the first time, two public transport lanes at a cost of \$100 million. For the first time there are opportunities for light rail to the north-west. The Leader of the Opposition has made snide comments about light rail. He has ignored the fact that the Government has signed a contract for light rail at Pyrmont. That is the first light rail system to be proposed in a long time - there were no such projects when the Labor Party was in government.

The Government is boosting public transport. Since coming to office, it has spent over \$3 billion on capital infrastructure for public transport - more than twice the combined total of every other rail system around Australia. That money has been spent in this State, much of it in Sydney. When Labor was in government it let public transport run down. We are saving \$485 million a year in the running costs of public transport. That is why we are able to put money into other public transport projects. That is why we are building the southern line.

The honourable member for Kogarah and the Leader of the Opposition have not opened their mouths in support of the southern line project. That major project would serve the 18,000 people who work at the airport and some 15 million people who go through it every year. By the year 2010 that number is expected to increase to 25 million. There are few cities in the world that do not have a public transport link to their airport. We are providing that link for Sydney. The Federal Government has offered \$150 million to pull down a railway and has offered \$185 million to provide soundproofing for people who live near the airport, but it has not given a cent to provide a rail link to the airport.

This Government has committed the funds to make that happen, is working hard to make it happen and hopes to be able to start that project very soon. Members of the Opposition will all run to the press, as the Leader of the Opposition did, and say, "This is a bad project. We should not have this". Whenever the Government announces a public transport project, the Opposition is nowhere to be seen. All the Opposition does is knock it; when the Government announces a road project, the Opposition knocks it. The Opposition are knockers from beginning to end. As well as the southern rail line the Government is also building the Parramatta to Hornsby rail link, which will be an important ingredient in this whole project.

The contract clearly excludes the Parramatta to Hornsby line - specifically excludes it. The interchange for the M2 will also be at Epping, where the Parramatta to Hornsby line will interchange with the western line. People can travel down the public transport lane from the north-west by bus, or alternatively by light rail in the longer term, and interchange at Epping. The Government is spending a considerable amount of money on a major interchange station at Epping that will be a major public transport focus. Blacktown also integrates with the north-west and with the M2 and Blacktown will

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receive a great benefit of \$14 million. I am sure honourable members on this side of the House would appreciate \$14 million being spent in their electorates.

The Government is committed to public transport and has been rebuilding public transport from the bottom to the top - new services, new rail lines and new infrastructure right across the State. The Government is proud of what it has done. It has made some tough decisions and has reduced costs; it has expanded the network and provided real benefits and real alternatives for the people of New South Wales. In respect of the bus priority measures that have been introduced, travellers on the M2 will have 28 kilometres of uninterrupted travel on the M2 and on the bus priority lanes going on to the harbour bridge. The situation now is one of current traffic jams out in the north-west with timetables varying by up to 30 minutes because of those traffic jams. Honourable members opposite want that situation to continue; they do not care what the impact is and would not know about the traffic jams out there - would not know and would not care - but the people in the north-west know and they care.

The letter from the solicitors to which I referred earlier agrees that the type of approach the Government has entered into is standard for similar contracts, both in Australia and internationally. Without that type of approach there would not have been a contract. Honourable members behind me who represent electorates in the north-west know how long the people of the north-west have waited for this road, to avoid traffic congestions, the traffic lights, the pollution and the bumper-to-bumper delays that have occurred. Other initiatives that will be provided on the M2 will include buses every two minutes during peak hour periods - unknown under the current arrangement. There will be cross-regional buses from Kellyville, Blacktown and Castle Hill, timetable improvements and work on the new interchanges right across the board. There will be huge benefits from this road. By any criteria it is an excellent road.

The Government expects that 20 to 25 minutes will be slashed off travel time to the north-west; approximately 35 traffic lights eliminated; and the number of accidents reduced to about 10 per cent of the current level. Those who travel into the city daily know what the reality is. There has been a lot of carry-on from the honourable member for Kogarah but it was he who got it so wrong in respect of his allegations about the person who did the financial analysis, and he had to publicly apologise in the

Sydney Morning Herald. The honourable member had to stand up and say, "I got it wrong. I got it wrong again, as I have got it wrong many times before". Wrong, wrong, wrong. The honourable member had to say, "I apologise" for any hurt or embarrassment this error of fact may have caused IDC, Mr Perry and E. A. Perry and Associates.

Mr SPEAKER: Order! I call the Minister for Multicultural and Ethnic Affairs to order.

Mr BAIRD: The honourable member is always getting it wrong. He is always getting it wrong because he does not know anything else; he goes on rhetoric and does not think through the issues. All he can say is "no". He makes wild promises all over the State, but he was caught out and had to make a public apology. How often honourable members have seen this happen from those opposite. The Government is proud of its major achievements in public transport.

Mr Moss: When are you going to extend the M5?

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

Mr BAIRD: I am sure that the honourable member opposite would be one of those who, when the Government extends the M5, would say, as the honourable member for Rockdale has said, "We are opposed to it. We do not like the ramps that go past Arncliffe".

Mr Moss: I thought you were going to put in tunnels up there.

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

Mr BAIRD: It is the honourable member and his mates who have been very quiet about that. The cost of those tunnels was \$100 million, which has obviously been ignored. The Government has a proud tradition in respect of roads and has spent 38 per cent more than its predecessors. That has been translated right across the network and is reflected in the ease with which motorists can get around the city. The Government has introduced the 3 X 3 program by which 6.5¢ a litre is channelled back into the roads. That has resulted in lives being saved, and the Government does not apologise for that either. Last year New South Wales had its lowest road toll for more than 40 years. That has not happened by accident; it has happened by the introduction of safety measures, by promotion and as a result of better roads.

The Government has done things on a prudential basis and probity auditors have supervised the contract from the beginning. There has been supervision by major groups of accountants, and by merchants bankers who oversee and make sure that this is the best deal possible. Newspaper reports about this project make it very clear how the business community views it. The reports say that it sets the new vanguard in types of projects. A major article on the project in the *Australian Financial Review* says:

The innovative \$485 million financial structure which underpins Sydney's new \$650 million M2 motorway provides a blueprint for future privately-funded infrastructure developments.

It sets out the way in which it is provided. Funding is provided by three means: by debt, by long-term debentures, and by equity. The M2 motorway prospectus for the first major infrastructure project has been put out amongst stockbrokers, and that is the document to which the Opposition has referred. The Opposition is surprised at the commercial sector wanting some degree of assurance in respect of the commercial investment it makes. Any investor in any

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project would want some assurance about an alternative. For example, if you bought the local store, you would want some assurance about the person who sold it to you not setting up in competition across the road.

Clearly this project has been well regarded. The Leader of the Opposition takes two approaches. First, he runs around the private sector and tells the boardrooms, "Yes, of course we will continue with the same types of programs, we will have the big programs, the build-and-operate programs and the private sector will be there". If I have heard correctly, everyone at Labor Party fund-raisers is told that the Leader of the Opposition will continue the programs; and the honourable member for Kogarah provides the same assurance. The Labor Party's opposition to this contract demonstrates the poverty of its economic understanding, and confirms major concerns that exist within the business community about the Opposition. It also sounds the death knell of any future trust that may be established between the business community and a possible future Labor Government. The M2 tollway group is seeking funds in the market to provide roads to service the people of the north-west to enable them to do basic things like getting in to work, visiting friends, travelling to the beach, and going on excursions. Convenience is a dreadful thing! The Opposition wants to take the Eastern Bloc approach of not giving them that convenience, hoping they will never notice; and giving them traffic jams instead, hoping they will enjoy it. The Labor Party says, "Look at what we have done for public transport in the north-west. We have provided wonderful transport links. You can see them everywhere, from one side of the north-west to the other". It has not provided one, and the honourable member for Kogarah well knows it.

The Government delivers on its projects. It is not pro roads or pro public transport. The Government believes in a balanced program. That is why so much has been spent on capital investment in public transport. The Government holds every record for the amount of money spent on public transport in this State. On a six-year to six-year basis, this Government has increased the amount spent on public transport by the former Labor Government by more than 60 per cent. The Government has performed well on every aspect of public transport. The Opposition has taken a totally hypocritical approach. The tunnel project was the last major project negotiated by the former Labor Government, and one would have thought that it was not a private sector project. Everything in the tunnel project was underwritten. All of the risks will be taken by successive governments to the year 2002 - \$250 million interest free! Honourable members know that side of the equation.

With the M2 the Government has provided no guarantees, no underwriting and no assurances. If the operators go bust, that is their problem. If people do not use the tollway, that is the operators' problem. If the Government wants to build a north-west public transport link, it can build it. The Government insisted that special public transport lanes be included in this project. Renegotiation is a normal commercial approach, and in this instance it relates only to the base case. If a major public transport lane is built alongside the tollway - and I do not know why one would want to do that because there is a light rail link within the tollway itself - and if the company can prove that has a material impact on its base case revenue stream and wants to extend the life of the project, the consideration can only be brought up to the base case - no additional profit, only the base case.

This project is not about looking after mates in business. The Labor Party knows all about looking after its mates in business. No matter how hard the Opposition tried, it could never find one commercial deal in which I was involved that was done with a wink and a nod. It would be interesting to know how the tunnel deal was done. The M2 project has been above reproach. It involved a probity auditor, major legal and commercial firms and merchant banks. It is structured the way previous deals have been structured and it is structured the way deals are done internationally. The Government has, and will continue to have, a proud record on public transport in the north-west. Members opposite know that public transport and roads have been a big success for this Government. They may move motions at the eleventh hour to denigrate me, as they have done in relation to many of my ministerial colleagues, they may hurl insults and the theatrical actor might hurl invective at members of the Government backbench, but the wheel comes around.

I have been the Minister for 6½ years and in that time the Government has achieved 10 times more than the former Labor Party achieved in 12 years. Honourable members will remember how the honourable member for Lakemba lamented the passing of the good old days of public transport when

whoever applied for a job was employed, when the workers had a smoke with their mates, when a night's work was sociable and when they played cricket at the Eveleigh workshops. The reforms implemented by the Government have provided better public transport. They have achieved the best on-time running ever recorded in State Rail. There is less graffiti. The Government has replaced the old red rattlers with a modern fleet. The last of the old diesel units will shortly disappear. There are XPT sleeper trains, Xplorer trains, Endeavour trains, JetCats, RiverCats, video cameras, new concrete sleepers and a new \$600 million signalling system.

More than \$160 million has been spent on refurbishing railway stations, \$80 million has been spent on public transport access and, at the same time, costs in State Rail have been reduced by \$485 million and in the State Transit Authority by \$75 million. The Roads and Traffic Authority is doing 40 per cent more work with 30 per cent less staff, and the productivity is impressive. The costs of the Department of Motor Transport have been reduced by \$20 million, and waiting times have been reduced by more than 30 per cent. That is a proud record for the Government in public transport and roads. The
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Government has taken the tough decisions. Honourable members will recall that Neville Wran claimed that the system had been fixed when he rolled out the XPT. That was a facade. When Barrie Unsworth was Premier he wanted to spend half a million dollars to fit plastic noses to the front of trains. This Government has carried out real reforms and significantly reduced costs, rebuilt State Rail and the State Transit Authority, increased funding on roads by 38 per cent, introduced tollways, and has a 3 x 3 program in place across the board.

The other States envy New South Wales its Passenger Transport Act, which affects buses and sets minimum standards for weekend and after-hours services. Queensland has modelled its transport Act on our Act and Victoria is in the process of introducing its own Act. South Australia and Western Australia are all modelling their legislation on ours. The other States envy the reforms carried out in New South Wales. Honourable members all know that this motion is a furphy put up by a tired and discredited, arrogant leader and liar. He comes into this House desperate to cover up his tracks about the debacle with the State Bank.

I am pleased at any stage to compare this contract blow by blow, line by line, with the tunnel project. One of the things I would have enjoyed most during the past 6½ years was if the people who brought me all the stories about the tunnel project had been able to actually appear before an inquiry. Mr Temby chose not to hold that inquiry, but one of these days we will have it. I am happy to compare this Government's record and this project with the tunnel project. Honourable members opposite introduced that legislation in the dead of night because they had a great deal to hide. The Government has nothing to hide. It is merely trying to provide easier access, a better road from the north-west, less congestion and less travel time for people who live in the north-west.

It is clear from recent polls that 74 per cent to 75 per cent of local people support this road. There is no bigger issue for the people in the north-west. That is why 5,000 people marched through the streets of Epping calling out, "What do we want? The M2. When do we want it? Now". This was the silent majority, not necessarily the trendies - although there were some very trendy people there; people who have to put up with inconvenience every day of the week. They were not saying, "Give us roads and only give us roads". They want a better rail system, and rightly should they demand it, because we need a balanced program. We need to continue to build more public transport and put more money into a more balanced program across the board.

The people of the north-west were saying, "Give us a break. We want this road". That is simply what the Government is doing. If this contract had not been written this way, there would not have been a contract. The Government is going to provide an easier existence for the people of the north-west, and it is proud of that. My colleagues and I stand rock solid on that contract; we are proud of our achievements in transport. When the book is written on what has been achieved in New South Wales during the past 6½ years, transport and roads will certainly feature prominently.

Mr LANGTON (Kogarah) [4.43]: On 26 June 1993 in his column in the *Sydney Morning Herald* Jim McClelland wrote -

[*Interruption*]

I have got all day. Honourable members opposite can talk as much as they like.

Mr SPEAKER: Order! I call the honourable member for Baulkham Hills to order for the second time. There is far too much interjection. The suggestion by the member for Kogarah that he has unlimited time to speak seemed to excite some Government members. I inform him that he is limited to 20 minutes.

Mr LANGTON: Plus an extension of time.

Mr SPEAKER: Order! The motion provides a limit of 20 minutes. There is no provision for an extension of time.

Mr LANGTON: On 26 June 1993 -

[*Interruption*]

Mr SPEAKER: During this debate considerable latitude has been extended to all members. Had the Chair been less tolerant, there would be few members still in the Chamber. I seek the cooperation of all members to allow the debate to proceed in an orderly fashion. A number of members on the Government side of the House are on three calls to order. I suggest that if they cannot contain themselves, they leave the Chamber immediately.

Mr LANGTON: On 26 June 1993 in the *Sydney Morning Herald* Jim McClelland wrote:

Long before he proved he was a political idiot I had written John Hewson off.

Why? Because he is a car buff. How can anyone who worships cars be considered a mature human being?

I have to say that long before he proved that he was a car buff I had written this Minister off as a political idiot. When I read the prospectus for the M2, I knew that I was right. The Opposition expresses - and this House should express - that it has no confidence in the Minister for Transport because of the gross maladministration of his portfolio, especially in regard to his handling first of the decision to build the M2 and, second, his handling of the M2 contract. The Leader of the Opposition has already explained how the contract provides conditions precluding the development of public transport to serve the north-west and precluding the upgrading of non-tolled roads serving the north-west without compensation. Yesterday this House heard the Minister attempt to defend that provision by claiming that it was ordinary, and was provided for in the M5 contract. If it was ordinary and provided for in the M5, why was it not also in the M4 contract? If it is, this motion is all the more important, all the more serious, because it

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shows that the Minister has been signing contracts without parliamentary or public scrutiny, and committing future generations of taxpayers and the people of this State.

[*Interruption*]

Honourable members opposite think it is a great joke; they think it is funny. You will live to regret this, Bruce.

Mr SPEAKER: Order! I remind the member for Kogarah that he should use the correct title of Minister for Transport.

Mr LANGTON: What does that really mean in respect of the Minister's publicly claimed objectives for transport development? His own integrated transport strategy, released just over a year ago, illustrates that the north-west sector is in need of a public transport corridor. It also claims:

New investment should not, however, lead to a diversion of effort away from continued improvements to the existing system and a sustained sense of what makes a public transport system work really well. Mass passenger transport must be able to compete with the private car.

How will public transport be able to compete with cars in the north-west sector when the Minister has signed a contract that will add to the cost of public transport hundreds of millions of dollars in compensation to the M2 investor? The Minister for Transport is incompetent, if not corrupt. He produced a report in 1993 that insisted that Sydney needs to reduce car dependency, and in 1994 he is busy stitching up a deal that imposes upon the north-west sector car dependency for the next 50 years - and not just car dependency, but dependency on the M2 tollway. Who knows how much petrol will cost in 50 years? Who knows what the oil reserves will be in 50 years? The Minister does not care. The only people he serves as a member of Parliament are the same people that he served before he was elected, and that is the oil companies.

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

Mr LANGTON: Alan Kennedy wrote in the *Sydney Morning Herald* on 22 June 1994 as follows:

The State Government appears to have an ideological objection to public transport and a love of toll roads as an answer to our traffic prayers. [It won't be] until governments realise that solutions to pollution and road congestion lie in ignoring the car lobby and listening to the public transport lobby that progress will be made.

The Minister consciously signed a binding contract for the M2 tollway that has long-term ramifications for many areas of social and public policy, including energy consumption, travel choice, State revenue, the environment, public health, air quality, urban amenity and social dislocation. Let us firstly consider public health. The whole of the Sydney basin will be choking on the fumes created by a car-dependent city. This Minister's reckless disregard for public health, and the inability or unwillingness of his colleagues to stop him, condemns the entire Government. A headline in the *Daily Telegraph Mirror* on 26 July 1994 was "West hit by smog surge". The article read:

The north-west region of Sydney is the city's worst air pollution zone, with high levels recorded on 32 days since April of last year . . . Ozone levels in the west have reached dangerously high levels, with Campbelltown recording four days above the national health limit in January.

Do the Minister for Health and the Minister for the Environment honestly believe that smog will improve if people are forced to rely on cars for the next 50 years? The Parliamentary Select Committee Upon Motor Vehicle Emissions received a submission from the Department of Health that read:

. . . there is continuing concern about the more subtle effects of pollutants on health. Most of this focus has been on asthma. Australia has one of the highest prevalence rates for asthma in the world . . . The consensus . . . is that air pollutants may precipitate attacks of asthma in susceptible individuals.

. . . The best long term gains in reducing motor vehicle emissions will come from integrating land use and transport planning.

The Department of Health advocates integrating land use and transport planning, as does, allegedly, the

Department of Transport, yet the Minister for Transport violates it. In case any members have failed to understand the grave consequences of pollution, I now quote from an article in the *New Scientist* that explains the matter so simply that the dunderheads opposite may be able to understand it. It reads, "The bottom line is that photochemical smogs kill". Have the thickheads opposite got that? Do they understand what they are doing? They do not; they sit with glazed eyes with no idea of what is going on. The Minister for Transport wants more smog; he thinks it is great. However, the Opposition is on to him. No-one in the Government has tried to stop the Minister. The Ministers for health, the environment and community services - who had a policy document called "Better Communities through social impact assessment" - have been ignoring the M2 motorway project. A social impact study was conducted for the north-west transport link by consultants Phillips Fox. Their report concluded:

In terms of social impact criteria established for the evaluation of options . . . the overall social impact is equally adverse. There are relatively few mitigative measures which may be employed to ameliorate adverse impacts.

As the Minister knows, those few mitigative measures - such as handling the home acquisition program sensitively and fairly - have been grossly mismanaged. My office has been inundated with complaints from people affected by the M2 motorway and its land acquisition program. To a person they have complained that they receive help from neither the Roads and Traffic Authority nor their local members. The members for Eastwood and Baulkham Hills and Mr Who, the member for The Hills, have not helped their constituents. The maladministration of the Minister reflects on all members of the Government.

The Premier has admitted that he has no vision, so why should Government members have a vision? The Minister has claimed that the M2 motorway is

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wonderful because it provides two dedicated bus lanes and a cycleway. The prospectus says that a bus route will service the area between Seven Hills and Epping, with limited stops. It is possible to get from Seven Hills to the city by train; it takes only five minutes longer than a trip from Epping to the city. Few people will be able to make use of this facility, and unless the Government can improve the capacity of peak hour services from Epping to the city, the patronage will necessarily have an upper limit. The Minister claims that this service can be converted to light rail. How? The lanes run up the centre of the motorway. The Minister thought that they went along the side of the motorway, but they do not. How can a light rail system operate with frequent stops when it is surrounded by lanes of speeding cars? Where will the commuter car parks be located? Perhaps they will be in Lane Cove National Park, where the drainage basins are located.

Even if these apparently insurmountable obstacles were overcome and a light rail system installed, and if it were such a success that it resulted in a decline in private vehicle use on the tollway, the taxpayer would still be obliged to compensate the tollway investors. Contrary to what the Minister told the House a few minutes ago, the contract explicitly states if that traffic projections are not met because people are using public transport, they will be compensated. Where in the contract does it say that investors will not be compensated if a light rail system is built and it attracts patronage? The Minister's rhetoric cannot disguise the evil nature of this contract. In his seven years as Minister for Transport his only achievement is tollways; he boasts about it. In 1989 he told the *Sydney Morning Herald* the following:

We are a road building government. The emphasis needs to be on freeways and tollways.

The only advisers to whom he listens on transport matters are the road building zealots at the RTA. His only transport solution is more roads. The latest report of the British Royal Commission on Environmental Pollution found that building roads generates traffic. How many times have we tried to tell this to the Minister and the RTA, and for how long can they ignore commonsense? Judging by the M2 tollway contract, the Minister and the RTA have imposed their ignorance of this fact on the next two generations of people of this city. The British royal commission recommended increasing public transport patronage, increasing rail freight, reducing the number of car journeys and improving air quality.

If the House votes confidence in a Minister for Transport who compels Sydney to car dependency for the next 50 years, it says that the British royal commission had it wrong in its target for a sustainable future. Such a vote of confidence in the Minister would indicate that he got it right with his targets of increased oil consumption, increased air pollution, increased respiratory disease and increased social dislocation. The Minister did not get it right. The parts of the contract we have been able to see in the prospectus indicate that the M2 tollway is nothing but a money spinner for a few private investors. The talk of light rail running on the tollway is another of the Minister's schemes that will remain a dream.

Let us consider the wonderful environmental initiatives of the so-called cycleway. The prospectus indicates that a breakdown lane-cycleway will be constructed with the same pavement structure as the car lanes, in order to provide flexibility with future traffic movement. "Flexibility" is a new euphemism for road expansion. As cyclists are not expected to pay a toll, one does not need to be a genius to work out that this will not be a dedicated cycleway for long. Why was the cycleway mentioned in the prospectus unless it had some bearing on the profitability of the project? The prospectus shows that investment in the M2 tollway is not likely to be a good thing; it is a sure thing! The only risk to the private investors is in construction, and even that stage involves a number of safeguards. The project by no stretch of the imagination qualifies as a private sector project with private sector risk; all the risk is borne by the RTA - in other words, the taxpayers. In his haste to get the project up the Minister signed the contracts before some critical issues were resolved. The prospectus states:

If successful application were made for native title along the route of the M2 motorway, the RTA would have to compulsorily acquire the affected land and would be responsible for the payment of compensation for any native title owners.

In signing the contract before the native title issue was resolved, the Minister displayed total negligence in his duties to the taxpayer. A week before the contract was signed the Minister's spokesman was reported in the *Daily Telegraph Mirror* as saying, "I am not sure what would happen if native title applications were lodged". The Minister signed a contract for 50 years for \$644 million with a major matter outstanding, and the comment is, "I'm not sure". How could the House have confidence in a Minister with such extraordinary reckless disregard for the Parliament and the people of this State over the next 50 years? We will all pay for the Minister's haste. Even if the matter of native title is eventually determined by way of compensation, this episode indicates the Government's contempt for Aboriginal heritage, as it is prepared to destroy rare Aboriginal cultural artefacts to build the road.

What else has the Minister for Transport guaranteed on behalf of and without the consent of this and future generations of New South Wales taxpayers? We have not seen the contract because the Minister will not show it to us. He referred today to a letter from Blake Dawson Waldron giving the contract the big tick, but he will not let us look at the contract. If he is so confident that it will get the big tick from the taxpayers of New South Wales, he should let us all have a look at it. In addition to all the guarantees that we have already mentioned, the RTA has undertaken to pay for any additional noise barriers that will be required if a new RTA traffic noise policy requires them. The RTA will allow the M2 operators to levy a toll on vehicles coming in from any other road. The agreement states:

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No untolled use of the M2 Motorway will result from connecting roads - the Company may levy tolls on vehicles from connecting roads which are calculated to yield an economic rate of return to the Company and not merely calculated on a cost recovery basis.

This is obviously foreshadowing the building of the B3 option, a motorway connecting the F3 and the M2 through Lane Cove Valley. The Minister must think that we are extraordinarily naive if he thinks we believe otherwise. The RTA must also consult with the company in good faith in respect of any proposed extension of the M2 as a toll road or a toll-free road. The Minister's pathetic claim that somehow the

contract provided for the Government to get on with business as usual, that somehow the contractors had to prove that they had been disadvantaged, just does not ring true.

The Minister must be condemned. When I look at the summary of the contract and the prospectus I see a very powerful private road builder, a very acquiescent RTA and a very inept - or corrupt - Minister for Transport. I see policy set in concrete for the next half century by a Minister who could not care less about Sydney's future. There is nothing in the M2 for anyone but the Minister and the private investors. He must be condemned and the House must express no confidence in the Minister, who has duped not only today's taxpayers but taxpayers for decades to come. We and our children bear all the real risk for the M2; we and our children gain none of the profit. We and our children will pay the price in monetary terms, in poor public health, damage to the environment and social inequality. The Minister for Transport has signed a contract on behalf of the next two generations of New South Wales citizens without their knowledge and without their consent. For condemning our future the Minister himself must be condemned.

Let this Parliament show the people of New South Wales that we are prepared to take difficult decisions today. Let the Parliament show the people of New South Wales that we do care; that we are not about to wait 50 years before we do something about our urban environment; that we heed the warning. Let this Parliament show the people of New South Wales that we have no confidence in a Minister who refuses to heed that warning. Let the Parliament show the people of New South Wales that we respect democracy and we have no confidence in a Minister who has taken away the democratic rights of future generations and future parliaments to make transport policy fit for the twenty-first century. The House must show that it has no confidence that a car dependent city is a good one to live in. It must show that it has no confidence in the Minister who has signed a contract binding Sydney's future to car dependency.

Mr FAHEY (Southern Highlands - Premier, and Minister for Economic Development) [5.03]: The motion before the House is one of only a few such motions in the life of this Parliament. It is the most serious of all motions and it must be taken seriously. I assure you, Mr Speaker, that the Government does take it seriously, although from the subject matter of the motion and the circumstances it is very difficult to believe that the Opposition is serious in seeking to have the House express no confidence in the Minister for Transport. One could be excused for believing that in this instance the motion is about disrupting Government business because there is no substance whatsoever in the motion or behind it. Nothing said by the Leader of the Opposition or the honourable member for Kogarah today would make anyone believe the substance of the matters that they have raised.

The motion should be changed to express confidence in the Minister for the outstanding job that he has done in the past six and a half years as Minister for Transport. When the annals of history of this State are ultimately recorded the massive progress in transport in this State in the last six and a half years - road and rail - will be to the forefront, to the credit of the Minister for Transport. By any criteria it has been an outstanding effort. That is recognised across the country and across the world. We should consider some of the success stories to see the totality of what has occurred. When we came to government in 1988 trains were run down. The State Rail Authority had no choice but to cannibalise trains for parts to keep trains running. A carriage had not been put together for country rail for 35 years! As trains got down to their most dilapidated state in the last 12 years under the Labor Government the people in the country were disregarded and country services were neglected.

There was a \$3 million a day loss on rail services. The honourable member for Lakemba honestly stated that this was the result of feather bedding of the work force. Unionists were kept in jobs so that they could keep paying dues to the Labor Council and the Labor Party through the Labor Council. The rail losses in this State amounted to \$1.2 billion a year. Now \$485 million a year goes to consolidated revenue because of the administration of this outstanding Minister, who has reduced the loss. That sum has gone to pay for teachers, schools, hospitals and police right around the State. We have a much better State from the infrastructure provided through the savings brought about by the outstanding

administration of this Minister. As I said, by any criteria his efforts have been rewarded with a much better State and he deserves the praise of this House. This farcical motion seeks to delay the real business affecting the people of this State.

The rail system was run down, and about \$3 billion has been put into the system in the past six and a half years. The rails were not safe. They were not capable of keeping the trains on them with certainty - certainly not with safety. The signalling system was from the days of Wells Fargo last century in the United States. People who sat in little boxes ran out to pull big levers backwards and forwards to move trains on to the appropriate track. The signalling system has had an increase of \$600 million under this Minister. This Minister has brought about a catch-up in signalling by introducing new technology. Because

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of the run-down state of bridges a large amount was required. Tunnels had to be improved. We saw what happened a few years ago on the south coast line. The line had been let go to the stage where ultimately there was a tragic landslide. There was concern about coal trains going through tunnels. There was a collapse near Stanwell Park because nothing had been done to improve the lines for the best part of the century, including the previous 12 years under Labor.

It was not just a case of getting new carriages and engines, which are now coming out of the workshop at the rate of one every two weeks to haul freight, be it coal or rural products. We had to make sure that the system could transport freight on rail in an environmentally sensitive way. The honourable member for Kogarah talked about smog and health. He tried to accuse the Minister of increasing the number of cars on the road. In the past 6½ years \$9.6 billion has been put into the road system. Everywhere I go I am complimented on behalf of the Minister and the Government for what the Government has done to improve the road system in this city and across the State. When the coalition came to government priority was given to roads. The Minister for Transport argued successfully and got things done. As a result the roads are so much better today, both in the city and in the country.

Literally thousands of New South Wales residents have been saved from hospitalisation, injury and even death because of the way this Minister has discharged his responsibilities with regard to the administration of transport in this State. That is to his credit, and it will be recognised long after members of this House have moved to some other career, whether that be after the election, in the case of many Labor members, or in 10 or 15 years time by choice, in the case of members on this side of the House. It is farcical for members of the Opposition to talk today about a system that is in a state of disrepair and to suggest that the M2 tollway has not been put together in a manner that will stand probity.

Mr Langton: Bring the contract in and let us look at it.

Mr FAHEY: The honourable member for Kogarah had his chance to contribute to the debate, and he made an absolute mess of it. About five years ago the honourable member for Kogarah embarked upon a delaying, spoiling process to try to prevent the provision of transport for the north-west of this city. Throughout that five-year period he has done all in his power to halt progress. Contracts entered into by this Government are entered into after the receipt of the best of advice from legal, accounting and probity experts. Appropriately, the *Australian Financial Review* was lavish in its praise of the way in which the transport portfolio was being administered and recognised this innovative proposal as the pathfinder for other infrastructure processes.

But the Labor Party does not want infrastructure in this State; it is not the slightest bit interested in anything progressive. Time and again it has attempted to prevent progress. I instance the Sydney casino. This Government did not argue against the casino. Financial experts from overseas said that the politics of Labor in this State simply do not give anyone confidence to invest in Australia. The Labor Party is constantly stifling job creation and preventing the provision of infrastructure. People want to live in the north-west of this city - and why not. It is a most desirable place to live. They want to travel to the city in some degree of comfort, and this 22 kilometre private sector infrastructure will cut 20-odd minutes

off their journey.

In that corridor there is provision for a bus or light rail system to link with an interchange at Epping and to the CityRail system. Passengers will be transported to the city, to the south of the city and to the central coast via the most modern interchange system that the Government has been involved in. This is another part of the ongoing success story. The Government is conscious of the need to give people choices in transport modes. The Government has provided not only a road but also a rail line that is complementary. This is the first government since Premier Askin's time to move towards the provision of a new rail line from Hornsby to Parramatta. Furthermore, the Government is providing rail infrastructure to the south, to the airport and beyond. The Government is proud of this complementary transport system. To suggest that the Government is not interested in the air -

Mr SPEAKER: Order! It being 5.15 p.m., pursuant to sessional orders the debate is interrupted.

PRIVATE MEMBERS' STATEMENTS _____

NAMBUCCA COUNCIL

Mr JEFFERY (Oxley) [5.15]: I speak in support of constituents and councillors of the Nambucca Shire Council who were referred to in a "Summary of evidence and grounds for proposed adverse comment", prepared by the Assistant Ombudsman, dealing with the gravel extraction industry in the Nambucca area. That initial report was made public through the council. Many people are deeply upset by these reflections on their character. Gravel extraction is a highly emotive and controversial issue in the Nambucca Valley, which is in the Oxley electorate. I did not intend to speak about this matter in Parliament until the Ombudsman had tabled his final report. However, Australian Democrat the Hon. R. S. L. Jones, MLC, and the Hon. B. H. Vaughan, MLC, and the Deputy Leader of the Opposition in the upper House, raised the matter in the Legislative Council last week prior to the final report being tabled.

As my constituents cannot defend themselves I feel I must put the record straight. They are all naturally extremely upset about the allegations. The council, in its defence, maintains that it acted within the law in approving gravel extraction works on an existing rights basis. In his interim report the Ombudsman referred to the long history of gravel

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extraction in the Nambucca area. Further, the Ombudsman recognised the difficulty faced by operators in gathering evidence of gravel extraction over time. It was these very difficulties that resulted in the council adopting a policy of accepting statutory declarations as evidence of existing use. State environmental planning policy No. 37 recognised those mines and extractive industries which have expanded or intensified without development consent.

The Ombudsman stated that it is fundamental that an accurate survey plan and records by way of royalty sheets or sales records of annual gravel output be submitted for recognition under existing use. But, SEPP 37 guidelines published by the Department of Planning do not insist upon lodgment of such survey plans for registration. Also, in the past, the Ombudsman has conceded the difficulty facing council to determine the exact status of all gravel extraction operations. The council felt it was correct in approving gravel extraction, and the farmers involved are shocked and angry about the aspersions being cast on their character. Extraction of gravel in Nambucca predates the Ombudsman and planning laws.

Farmers traditionally have applied to extract gravel from key areas because the buildup of gravel has caused huge losses of high quality topsoil. They now find it outrageous that they should be implicated in a decision, according to the Assistant Ombudsman, which was "improperly discriminatory, unreasonable, and contrary to law". Councillors have been accused of contempt for the law, which has implicated everyone involved. In summing up, the Assistant Ombudsman, despite finding no direct evidence of

corruption or personal gain on the part of councillors stated:

It is difficult, however, to posit motives other than corrupt ones for this extended and consistent course of conduct.

I can well understand that the community is shocked and concerned about such words. Though landholders were never consulted, they were named in the preliminary report. This has been the cause of great anguish; they were never given the opportunity to defend themselves. I condemn the attack on people of high integrity by Australian Democrat the Hon. R. S. L. Jones and his willing cohort, the Deputy Leader of the Labor Opposition in the upper House. In accordance with the Ombudsman's determination, the Minister for Local Government and Co-operatives has, as evidenced by his answer, been furnished with a copy of the draft report. The Ombudsman currently awaits the Minister's response. Following a consultation phase the Ombudsman will prepare his final report. On 15 November the Hon. R. S. L. Jones stated in the upper House:

Whilst I understand that the Ombudsman's final report is yet to be tabled, I believe that nothing has been put to him to alter his general conclusion.

This would suggest that he may be privy to privileged information. Given the council implicated is not privy to the contents of the draft final report, how was the Hon. R. S. L. Jones able to obtain such sensitive information? One might well ask: how did Mr Jones come by the information which caused him to believe that nothing had been put to the Ombudsman to alter the Ombudsman's general conclusion, especially as the Ombudsman's final report has not been published? The Nambucca Shire Council has expressed to me its grave concerns, as has the New South Wales Farmers Association, about this apparent leak of information to the privileged few. This issue is of great importance to the constituents of Oxley, especially to the people who live in the Nambucca Valley. My constituents do not have the opportunity to defend themselves against the scurrilous remarks made by the Hon. R. S. L. Jones in the upper House - in coward's castle. He did not have the final report. Everyone in this State should now realise what the Hon. R. S. L. Jones is up to.

Mr WEST (Orange - Minister for Police, and Minister for Emergency Services) [5.20]: I commend the honourable member for Oxley for raising this issue, which is obviously of concern to a number of people within the Nambucca Council area. It is proper to raise the matter in this way. As has been indicated by the Minister for Energy, and Minister for Local Government and Co-operatives in another place, the Ombudsman's report has recently been received in draft form and it is currently being examined by the Department of Local Government and Co-operatives.

It is normal for reports from the Ombudsman's office to be received in draft form before they are finalised. It is not appropriate that they be discussed publicly. Due to the nature of the report and its recommendations, consultation with the Department of Planning will be required. Therefore, I do not believe it is appropriate for further comment to be made in this House or anywhere else until that review has been completed. The honourable member for Oxley can be assured that I will raise his concerns with my colleague in another place.

CARDIFF SCHOOL TRANSPORT FACILITIES

Mr MILLS (Wallsend) [5.21]: I draw the attention of the House to concerns of parents of about 40 students who travel from Cardiff and Glendale to St Paul's Catholic High School in Booragul. The students currently catch a bus, then a train, and then walk for 15-odd minutes. These arrangements are not working. There are frequent failures of the system. There is the potential threat to the safety of students - both from waiting in an unmanned railway station at Booragul and from trudging home, especially during winter when it is dark and cold - because the train frequently arrives too late for the students to catch the only bus connection. A further concern is that the students lose up to an hour and

a quarter of the time they would normally give to homework and family contact.

In mid-August I wrote to the Minister for Transport, and Minister for Roads on behalf of these concerned parents, requesting a direct bus service. I received a petition in this regard with 102 signatures. The service was to collect students from Cardiff and

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Glendale and go directly to the school, with a return service in the afternoon. From January 1995 there will be enough students to fill a bus. The parents of St Kevin's Catholic Primary School at Cardiff drew this problem to my attention. The secretary, Mrs Anna Bojkowski, and others came to see me. The Catholic education office in the Hunter region has decided to rezone St Kevin's primary students to go only to St Paul's high school, Booragul - that is, in a westerly direction - from the commencement of the first term of 1995, starting with next year's year 7 students.

At present former students of St Kevin's have the option of going to St Paul's or to St Pius X high school - which is in an easterly direction. It has very good transport arrangements. Currently 11 students from Cardiff go to St Paul's high school. In six years time 120 students will be going to St Paul's from Cardiff. The parents advised me of their serious dissatisfaction with the present bus and train transport to St Paul's. Route 758, a government bus, leaves Myall Road at 7.37 a.m. and reaches Cardiff railway station at 7.56 a.m. to enable the students to catch the 8.05 a.m. train from Cardiff to Booragul station, which is unmanned. The students then have a 15-minute to 20-minute walk to the high school from Booragul railway station. The government bus does not always connect on time with the train at Cardiff, so students who need to wait for the next train arrive very late at school. Just this week I had complaints about students arriving late at school.

The afternoon return train from Booragul is undependable. It is an all-stops train from Gosford. Parents claim it is always late, sometimes by as much as 40 minutes. The train should leave Booragul at 3.38 p.m. and arrive at Cardiff at 3.48 p.m. to connect with government school bus route 758, which departs Cardiff station at 3.56 p.m. going to Macquarie Hills, Cardiff South and Myall Road. I am advised that on most afternoons the children have to walk home from Cardiff station because the train misses the connection with the bus. Parents have expressed to me their concerns that already some incidents of harassment of students have occurred, particularly in the afternoon, at the unmanned Booragul station and while walking the long distances home from Cardiff station. I quote from a letter received from a parent, Mrs Pat Jennings, of Macquarie Hills. It states:

This arrangement is not working as the bus often runs late and parents are still taking children to the railway station.

...

During the next month the train will not be departing Booragul Station until 4.08 p.m.

I am told by CityRail of Newcastle that that train arrives on time at Newcastle 80 per cent of the time. When the train is late, there is no rearrangement of the school bus. The letter continues:

This means the children are waiting at an unmanned station for one hour and the train does not arrive at Cardiff until around 4.30 p.m. Therefore the bus has already left and children are once again stranded. The present situation is totally unacceptable!!

Mrs Panek of Cardiff wrote to me in the following terms:

I feel very strongly about the need for a Bus to take my children to and from school.

Constant delays on the railways, I do realise this work needs to be done. But do our children have to be put at risk?

The Parliamentary Secretary for Transport, Mr Merton, replied to my letter. He said:

The existing arrangements are appropriate in the circumstances.

The provision of direct bus services for school students is a commercial decision for the contract holder. In this case, the contract holder is the State Transit Authority and that operator has declined to supply a direct service on a commercial basis.

The Government has thrown out this commonsense request. It has ignored it. By doing so, the Government allows danger and the potential for crime to grow. The Government expresses policies to reduce risk and threat to school students, but this decision throws out the policy book and says no on the basis of a supposed commercial decision. We owe it to these students to get their school transport right, to remove any threats to their safety. [*Time expired.*]

PRIVATE HEALTH INSURANCE

Mr BLACKMORE (Maitland) [5.26]: I address this House on a very serious matter. The declining rate of private health insurance is creating an alarming burden on the State's ability to provide hospital care for all. Mismanagement and a distinct disinterest by the Commonwealth Government have resulted in a situation that demands immediate attention. Last week in my electorate I saw the big Labor lie technique being trotted out for political expediency. The Federal member for Paterson made a number of factually incorrect statements in a lame attempt to deflect responsibility from his Government to this State. He claimed that it was mismanagement of Medicare at a State level that had led to problems with the uptake of private health insurance and that too many patients with private cover were being treated in public hospitals. He made these statements in light of changes planned by the Commonwealth Government, which has largely ignored the huge burden being shouldered by State hospital systems, which pick the thousands of people who desert private health insurance each week.

I shall clarify the facts of the matter. I am advised that leading experts in the New South Wales health system have described the allegations of the member for Paterson as nonsense. They go further and state, "He doesn't know what he is talking about". I have certainly known that for a long time, but it helps to have an expert health opinion on the matter. The House will be appalled to learn that since 1988 the Commonwealth has continued to slash funding to New South Wales public hospitals. Funding from the Commonwealth has fallen from 39 per cent to 33 per cent, costing the State budget about \$300 million per annum. The Commonwealth budget

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papers show that by 1997 funding will have been slashed further to 29 per cent. The Commonwealth now funds the New South Wales hospital system for only 16 weeks a year! The Federal member for Paterson has the audacity to conveniently overlook such budget slashing and underfunding by his Government.

Due to Commonwealth inaction on the issue of private health insurance, New South Wales subsidises private patients in public hospitals by some \$300 million a year. This adds to the pressure on New South Wales to provide services, and forms yet another avenue whereby the Commonwealth shifts costs to the State health system. Further, States bore the full additional costs for falling private health insurance for the five-year period leading up to the Medicare negotiations. On a cumulative basis, by 1992-93 New South Wales was \$240 million worse off as a result of falls in private health insurance since 1988. In the first year of the new Medicare agreement, New South Wales is \$124 million worse off due to a further decline in private health insurance and the subsequent Commonwealth Government inaction.

In 1993 the Prices Surveillance Authority - a Commonwealth authority - released a discussion paper in relation to increasing insurance premiums. The PSA found that increases to premiums over the past

decade have been caused by cost factors within the private hospital system and Commonwealth policy rather than any State management issue. The PSA identified changes in the Commonwealth Government policy as attributing to about 26 per cent of the price increase in private health insurance between 1986 and 1993. The member for the Federal seat of Paterson claims that too many private patients are being treated in public hospitals.

It is a matter of some concern that a member of the Federal Government does not have the faintest idea how Medicare works. Under the Medicare agreement, the States are obliged to accept all patients, both public and private, without discrimination. The States have no choice in the matter. The Medicare agreement specifically recognises the right of a patient to elect to be treated as a public or a private patient in a public hospital. In the case of a private patient, this allows for doctor of choice. What is alarming, and a fact that contradicts the scant knowledge of the member for Paterson on the subject, is that recent estimates by the Commonwealth indicate that the New South Wales public hospital system subsidises the private health insurance system to the sum of \$300 million per year.

That is another \$300 million the Commonwealth has shifted on to the States through its policies and inaction. It is galling that a member of that Government has attempted to pass the blame to the State. Is the member for Paterson indicating a change of Federal Government policy despite its signing of the Medicare agreement? I would suggest that the member for Paterson should take up these issues with the responsible level of government - the Federal Keating Government, and Carmen Lawrence, the Minister responsible for health issues. The Commonwealth took the opportunity to remove its subsidy for private patients with the removal of the private hospital subsidy in 1986. I am surprised at the suggestion that it is the State Government's mismanagement of Medicare that has resulted in an increasing burden on the public system due to the large number of people dropping out of private health insurance.

It is outrageous that the member for Paterson - which covers the area of my electorate - has attempted to pass the buck to the State. The people of the electorate of Maitland can see through such weak blame shifting. They know that the State Government has spent a record \$5.75 billion compared with Labor's last budget of \$3 billion. They know, also, that the Fahey Government has built or has under construction 33 major hospital developments compared with Labor's five in 12 years. The people of Maitland know that this Government is giving them a \$30 million development at Maitland Hospital, which is a big boost to health care in that electorate. [*Time expired.*]

Mr PHILLIPS (Miranda - Minister for Health) [5.31]: I want to thank the honourable member for Maitland for drawing this important issue to the attention of the House. He certainly demonstrated a clear understanding of the real funding problems that confront the States, and demonstrated that New South Wales is fulfilling its responsibilities in respect of health care, despite a lack of support from the Commonwealth. The point that he has clearly made is that what is impacting on the health system across the board is that 3,000 people per week are abandoning private health insurance. That is a loss of income to the State public hospital system and the Government has to pick up the cost for the treatment of those patients. On the Commonwealth's own figures, its funding of the New South Wales health system has fallen from 39 per cent to 33 per cent. It funds the New South Wales health system for a mere 16 weeks of the year and its budget papers - public documents - indicate that that amount will fall to 29 per cent, which means that the burden of caring for hospital patients in this State will fall more and more on the State Government.

The Commonwealth is not fulfilling its requirements. It is interesting that former Senator Graham Richardson, who began the national health summit, made a definite commitment to end this stupid blame game that was going on between the Commonwealth and the State, and the cost-push game that everyone knows goes on. His attempts to introduce reforms in health lasted 12 months. Unfortunately, he left politics and we are now left with Carmen Lawrence as health Minister. She has walked away from every major issue of reform that is necessary in the health system. Every Minister around Australia, Labor and Liberal, knows that and those in the health profession know that she has walked away from the health care of the people of this country.

CRICKETERS ARMS HOTEL, ALEXANDRIA

Mr FACE (Charlestown) [5.33]: I refer to the Cricketers' Arms Hotel in Alexandria. I became involved in this issue on behalf of a constituent who is in the unfortunate situation of having a relative living in Alexandria where the Cricketers Arms Hotel operates. I might say that the police are frustrated, but they ought to be commended for the action they took on Thursday, 17 November to close down the Cricketers Arms Hotel. Why would they not, after the 14 complaints that I have in my possession - one of them, as I said, from a relative of my constituent. The police researched the complaints over a period of time leading up to the closure of the hotel. The police are convinced that there is no licensee at the hotel, yet a person continues to purport to be the licensee. To add insult to injury, he has even chalked his name up on the front of the hotel, and has said on several occasions, "I am the licensee".

The police consider the action taken by the Liquor Administration Board to overturn their actions and give the licence back to be beyond belief. The hotel operates from about 11 o'clock at night until five o'clock in the morning - I would not call those gentlemen's hours. The fact is that what is going on makes a mockery of the law. Some of the complaints mentioned in the statutory declarations from local residents about the behaviour of individuals and groups in Regent Street include shouting; hitting; breaking of shop windows, signs, and awnings; urinating in doorways; verbal abuse of bystanders; break and enters of numerous shops; pilfering from cars; arguments between various people; and individuals being assaulted.

The day after the liquor was removed from the premises - this is beyond belief, and a senior police officer I know who is involved in the licensing area said it has never been heard of - the Licensing Court of New South Wales returned the situation to what it had been. The fact is that the Cricketers Arms Hotel has had scant regard for the law. The residents lodged with the court some statutory declarations about the apparent breaches of the Liquor Act committed on the premises, and they lodged more on Monday. The latest breaches concern a statement chalked up on the hotel late in the week to the effect that John David Owen is the licensee. On 15 August, on the admission of the Liquor Administration Board, that person was denied the transfer of the application from a shelf company, Taouk, the owner in possession.

The Parliament should know that the court records indicate that the most recent transfer application was refused in court on 15 August. On 18 November the Principal Registrar of the Licensing Court of New South Wales purported to restrain the officer in charge of the State Licensing Investigation Command from maintaining the closure of the hotel which had been closed the previous evening for contravening the Licensing Act by its failure to provide a licensee. These matters had been subject to court orders issued previous on Monday, 14 November. The Cricketers Arms Hotel, Botany Road, Alexandria has been a source of criminality in the area for some two years at least. The residents have recently formed themselves into a committee to deal with the problems it causes, along with other issues of concern in the area.

The registrar's advice on 18 November states that Mr Armati, the Chairman of the Liquor Administration Board, took the view that the premises were able to remain trading. There is no licensee of the premises. The residents are shocked and deeply concerned about the chairman's views and the basis on which the chairman formed his view. They wonder whether any person was consulted in the process, whether there is any precedent for major police operations to be followed by a decision of this nature, whether the real and genuine concerns of the residents of the above premises were taken into account, and now the papers are lost at the LAB.

This is an absolute disgrace. I have been involved in the licensing area for the last 25 years. Quite frankly, having been out into the area, I just cannot understand why the situation has been let go on for so long. However, within a day of the police finally taking proper action after in-depth research, this person

is flouting the law. I might say that the Australian Hotels Association, a responsible employer organisation, has completely condemned this situation. It is the type of thing that brings hoteliers into disrepute. In this instance, appropriate action was taken by responsible police. As I said, one of them, a former prosecutor with a long association with licensing, cannot understand how the Licensing Court could take such action. Members of the committee made representations here in Parliament House yesterday. They are just appalled at what has taken place and I ask the Chief Secretary, and the Minister for Police, and Minister for Emergency Services to take a look at this matter. [*Time expired.*]

DEATH OF THOMAS THOMPSON

Mr HAZZARD (Wakehurst) [5.38]: I draw the attention of the House to the death of a gentleman who lived in my electorate named Thomas, or Tommy, Thompson. When I became the member for Wakehurst 3½ years ago I met Tommy Thompson at a bushfire service exhibition day at Frenchs Forest, in the electorate of my colleague the honourable member for Davidson. Tommy said hello to me and welcomed me warmly. With a great deal of pride he showed me the various bushfire units on exhibition that day. Since that time I had quite a deal to do with Tommy and came to regard him as a wonderful person who gave freely of his time to the local community. It was, therefore, with great sadness that I heard that he had died on 5 November at his home in Beacon Hill. Tommy was aged 67. In the past 30-odd years he had given a great amount of time, freely and without reservation, to train bushfire service personnel. He was so highly regarded in the local community that I regard it as fitting to say something about him in the House and to have his

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service recorded in *Hansard* for all time. In doing so, I obviously record my deep sympathy for his wife and son. They should be comforted by the knowledge that many people regarded Tommy as a wonderful person and as a great volunteer within the Manly-Warringah community.

Today I received information of which I was not aware from Bill Herbison, who is the fire control officer for Warringah-Pittwater Bush Fire Service. Until today I did not realise that Tommy served in Australia's military forces in the Second World War. He volunteered for military service and was at the famous Cowra breakout during the war. I am sure he brought the same level of compassion and concern to his endeavours during the war as he did to his endeavours in more recent times. In his capacity as the district training officer for what was originally the Warringah Bush Fire Brigade but is now the Warringah-Pittwater bushfire service, he formed bonds with many of the younger people who have come through the bushfire service. All honourable members are aware of that great and noble service, particularly because of the terrible bushfires in January of this year.

Tommy encouraged and nurtured those young people and gave something of himself to them. Largely as a result of his endeavours, the largest and most successful bushfire training course was held recently, and 129 new firefighters graduated into the service. The graduation ceremony took place in the presence of many dignitaries, including Phil Koperberg, whom we have all come to know and respect during the course of this year. I ask the House to take note of this wonderful Australian and to give him appropriate recognition for the time, energy and enthusiasm he brought to so many tasks put before him. I am pleased to have the opportunity to say these few words on behalf of Tommy before the Parliament of New South Wales: Tommy, we will all miss you. You were a great bloke. Thank you for all your hard work.

KIAMA ELECTORATE B-DOUBLE VEHICLE USAGE

Mr HARRISON (Kiama) [5.43]: I draw the attention of the House to the use of B-double vehicles on the Princes Highway south of Yallah, and particularly through my electorate of Kiama. It is intended that these vehicles traverse a deficient piece of road, the Princes Highway, which is, indeed, in a poor state of repair. A number of black spots on the highway are well known and have been identified by the local

community and by the Roads and Traffic Authority. I refer specifically to the area of the Minnamurra bends, Bombo Hill and the main street of Berry. I will mention others shortly.

The road in the bends area at Minnamurra is in limbo because of the reluctance, indeed the refusal, of the Minister for Planning to call in and determine that section of road. It has been identified in the reports of three consultants, undertaken at great cost to the New South Wales community, but it is impossible to get the Minister for Planning to call in and determine that section of road. It involves an area of wetlands, and that necessitates the input of the Minister for Planning. The Foxground bend is immediately south of the Kiama municipality, and is notorious. Over the past couple of years to my knowledge there have been two deaths on that part of the road. Once again no action has been taken by the Roads and Traffic Authority. Four years ago I attended a public meeting in Gerringong where the Roads and Traffic Authority pulled its usual stunt of presenting five options for upgrading of the Princes Highway between Toolijooa and Berry. One of the options was to eliminate the Foxground bend.

Although one section of the community was adeptly played off against the other during the meeting, everyone in the room agreed that the Foxground bend was a hazard that should be eliminated. However four years later not one cent has been allocated in any budget and not one scratch has been made on the ground to bring an end to this deathtrap in my electorate. The trial of B-double vehicles from the Parramatta Shell Oil Company terminal to HMAS *Albatross*, south of Nowra, was designed to establish the principle of B-double vehicles using that section of road. They have not been allowed to use it to this point of time. Everyone thinks highly of the navy, and realises that the navy will defend us in a time of conflict. But the use of these B-double vehicles will not stop with the navy.

If the trial passes off without incident, an armada of B-double vehicles will traverse this road, and sooner or later deaths will inevitably occur. The possibility of a B-double vehicle overturning at the Beinda Street roundabout, which is just north of Bolong traffic lights, is a terrifying prospect. The Kiama local government area has no hospital and Shoalhaven has only a substandard health facility. I can well understand what would result in the event of a major mishap. One trial has taken place. Everyone was on their best behaviour. No-one in his or her wildest imagination thought any sort of incident would occur, because incidents never occur during trials. In a trial the best drivers are selected and everyone is at pains to make sure nothing goes wrong. When people get tired and start to make mistakes, that is when accidents happen.

I have written to the New South Wales Minister for Transport. I have told him that if this practice is established in my electorate, it will be against my express wishes. I have told him also that if deaths, terrible injuries or mishaps of any sort occur, the buck stops with him. I will not hesitate to remind him of that. I know that the Minister, like everyone else, does not want carnage on the roads, but I prevail upon him to resist the type of pressure he is under from certain sources to inflict this practice on the people of my electorate.

HOLIDAY EXCHANGE PROGRAM

Mr D. L. PAGE (Ballina) [5.48]: I would like to take this opportunity to advise the House of progress on an innovative scheme being undertaken in my electorate. This scheme is to assist drought-

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stricken families in New South Wales. As honourable members would be aware, 93 per cent of New South Wales is in the grip of the worst drought in living memory. It occurred to me a couple of months ago that people in coastal areas could provide holidays for children who are victims of this terrible drought. Many families cannot afford to feed their stock, let alone themselves, so the prospect of the children or the family having a holiday this year would be remote.

It would be wonderful if people living in coastal areas, such as Ballina, Byron Bay and Lennox Head, were in a position to host a child from the age of, perhaps, 10 to 14. Of course, a few people laughed at

the idea and said that it would be too difficult to organise. However, I am pleased to report that, having consulted with the North Coast Federation of Parents and Citizens Associations and its President, Mrs Jackie May, it was agreed that the idea was sound and it was approved in principle. The association contacted a number of its members, particularly those in the Ballina cluster. I am pleased to advise that numerous schools so far have indicated a willingness to participate and several have identified parents who are able to host a child from a drought-stricken area.

I put on the record that 17 parents from Lennox Head primary school are prepared to host a child during the January period. This will not include the Christmas period as obviously young children wish to be with their families. Other schools that have indicated a willingness to participate are Teven-Tintenbar, Southern Cross, Alstonville, Coorabell, Ballina, Bangalow, Byron Bay, Coraki, Goonengerry, South Lismore and Wardell primary schools. At Newrybar primary school, where two of my children attend, 25 parents, including myself, have indicated that willingness to host a child from a drought-stricken area. Also, Mr Acting-Speaker, you may be interested to know that Jiggi primary school and Evans Head primary school, coordinated by Susie Arthur, have also indicated that they will take part in the scheme. It is very encouraging that these schools are interested in participating in this embryonic scheme. If the scheme can be organised successfully for the January period, it may become a regular occurrence and may include a broader range of areas than my own electorate.

The Department of School Education has indicated its willingness to offer some limited assistance. The best utilisation of that assistance would be by way of transport. It is anticipated that school buses will meet at a particular school in the west, such as Inverell, pick up all the children who are coming to the Newrybar school and take them all to their destination by 2 or 3 January. A week later they would return by bus to the school. That seems the best way of utilising the assistance offered by the Department of School Education.

I congratulate everyone who has been involved in promoting the scheme - the parents and citizens associations, particularly the parents who have indicated their preparedness to participate in the scheme, the Department of School Education, and many others. It reflects how Australians are keen to help their fellow Australians in times of need. Sometimes people say that Australia has an identity crisis, that we need a new identity, and that we will not have a new identity until we change the way we govern ourselves, have a new flag, a new national anthem or something similar. Our great strength, the cornerstone of this country's identity, is our preparedness to assist each other, and the concept of mateship, not just man to man but man to woman, our true mates. Every time we have a flood, cyclone or a bushfire this comes to the fore, and this scheme is a further demonstration of that great Australian quality.

F6 MOTORWAY SAFETY

Mr MARKHAM (Keira) [5.53]: I should like honourable members to visualise a hypothetical story I shall put to the House before I refer to a letter from a constituent, Mrs Jennifer King. Imagine a divided road, two lanes going north and south, with a four-foot median strip, which is heavily shrubbed so one cannot see what is going on from one side of the road to the other. All of a sudden appearing out of that shrub is a truck weighing 45 tonnes, because it has 35 or 38 tonnes payload of coal, doing 90 kilometres an hour - and that is allowed on the northern distributor in the electorate of Keira. Just imagine what would happen to cars travelling in the opposite direction to that truck.

A couple of months ago something similar did happen. The driver of a car lost control, came through the barrier of trees and crashed head-on into a car going in the opposite direction, killing two people instantly. Some few weeks later a similar incident occurred, however an accident was averted and no-one was killed. Mrs King, a young mother, and her two children were travelling along the same stretch of road when all of a sudden out of nowhere came a car. Fortunately, the offending car missed Mrs King's car by inches. Mrs King wrote to me indicating her deep concern about what had happened

to her and that no action had been taken to protect people travelling along that particular stretch of roadway.

Constantly trucks travel that road at speeds of 90 kilometres an hour carting coal from South Bulli colliery to the port of Port Kembla. The speed limit on other sections of the road is 80 kilometres an hour. On a number of occasions I have made representations to the Minister, in particular on the day when the two people were killed, to investigate the possibility of putting better safety infrastructure on that median strip. I referred to infrastructure in the area of South Dowling Street, where steel wire has been erected to prevent cars from colliding. The police reported that when they inspected the car involved in the incident I referred to, it had four tyres that had blow-outs. I have no doubt that the blow-outs occurred because the car hit the kerb after losing control. To my knowledge the police have not provided a report to the Government or to the Minister.

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When I raised this issue with the Roads and Traffic Authority in Wollongong I was informed that it will cost \$400,000 to \$500,000 to implement a prevention strategy. I was asked about priorities and whether I wished funds to be allocated from the Minnamurra bends, referred to by the honourable member for Kiama, and did I wish to forgo funds for black spots within my electorate. I said that those particular areas were also dangerous and required funding. However, I ask the Minister and the Government to ensure that \$400,000 to \$500,000 is made available for proper infrastructure to be erected on the median strip to prevent further accidents, in particular, fatal accidents.

A number of years ago a similar accident occurred further along the F6 when a coal truck and a car collided. The young lady in the car was killed and within a short time the Minister provided sufficient funds to construct a jersey barrier the length of the highway from the Keiraville turn-off past the Mount Keira overhead bridge. I ask the Minister to ensure funding is available for the infrastructure to be put in place on the northern distributor so that we do not have to mourn another fatality on that road.

SYDNEY CHURCH OF ENGLAND GRAMMAR SCHOOL AUDITORIUM

Mrs SKINNER (North Shore) [5.58]: Many fine schools are located within the electorate of North Shore, and they all reflect the best in modern education, with facilities to match. Substantial and long-needed work has recently been undertaken to upgrade government schools in the area. This has included extensive work on upgrading buildings and constructing new facilities at Mosman High School, Mosman Primary School, Neutral Bay Primary School and North Sydney Demonstration School. This work includes a new and completely remodelled home for North Sydney Girls High School and the new and unique school-TAFE facility at Bradfield College.

I draw attention also to a recent construction at one of the excellent independent schools within my electorate: the new auditorium at Sydney Church of England Grammar School, known as Shore. This construction is an example of the outstanding work of which Australian companies are capable. In fact, Shore's auditorium earned the construction firm, Phillip Lipman Pty Ltd, the Master Builders Association's award for excellence in construction in the public building of below \$15 million category, and the top award for best overall project chosen from all categories. In presenting the award to the firm at the Master Builders Association awards dinner last Friday the Deputy Premier, Mr Ian Armstrong, noted the ingenuity and world-class design capabilities possessed by Australian construction companies.

Those words were well chosen, as the challenge to the builders of this auditorium were great. The design of the auditorium, with its curved seating rows with each seat facing centre stage, and its curved roof, posed unusual construction problems. The constraint of working amidst the school without disturbing existing buildings and trees presented other problems. Technical innovations used in constructing the auditorium included the use of fibreglass capping pieces shotblasted with coarse sand to

obtain the required sandstone finish appearance, instead of heavyweight precast concrete on the perimeter of the roof. Light, precast aerated concrete planks were laid over a curved structural steel frame, allowing a single sheet of specially made insulated metal roofing to be laid over the top for the curved roof. This was the first time that this method had been used in Australia.

Architects P. D. Mayoh Pty Ltd liaised with school neighbours during the design period and ensured that the new structure complemented the school's other buildings. To ensure the new building blended with the existing buildings, which comprise a mix of styles dating from the late nineteenth century, different coloured bricks were used in a mottled pattern and laid with a variety of ornate finishes.

The 500-seat auditorium was opened earlier this year and it is as well equipped as any modern theatre. It has been said that it has the best acoustics of a venue of its size and type anywhere in Australia. New technology was used to allow the acoustics to be altered for different types of performances; that is, the alteration is achieved by raising or lowering a metal smoke curtain - which isolates the stage in case of fire - and changing the size of the opening between the stage and the auditorium. The auditorium features an 18-metre high fly tower, which allows backdrops and sets to be hoisted out of sight, and a fully equipped control room. Part of the stage can be mechanically lowered to create an orchestra pit.

Not surprisingly, Shore school's headmaster, Mr Bob Grant, said the entire school community is delighted with the new building. He described the quality of construction as being of a very high standard, and said that the interiors were beautifully done. I am sure that the Treasurer will be interested to know that the auditorium is within Shore's music and drama school, which also includes two large rehearsal rooms, a choir room, six class and ensemble rooms, 18 tutorial and practice rooms, and a drama theatre. The basement has parking for 100 cars, as well as a photographic darkroom and an automotive engineering, teaching area and workshop. These are the kinds of facilities that will encourage our young people to strive to achieve their best; I speak with some experience in this regard as my daughter has embarked on a rigorous course of this kind. I can think of nothing more inspiring for an aspiring young thespian or musician than the opportunity to learn and perform in such a space. [*Time expired.*]

MARKED POLICE VEHICLES

Mr GIBSON (Londonderry) [6.03]: I wish to refer to police and police safety in Mount Druitt and New South Wales generally. I am pleased that the Minister for Police is in the Chamber, as he indicated last week that we have enough police officers in this State, and that the public has full confidence in them. I do not know whether the Minister is right on both of those points - they are probably both debatable. The

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Opposition spokesman on police matters, the member for Ashfield, has asked in this House for documentation detailing police strength and the other types of services provided. That information was supposed to be provided on Monday, but we are still waiting today.

I am aware that the police and the Police Association of New South Wales are crying out, and justifiably so, for more officers in this State. The allocation of officers for the Mount Druitt police station is 131 officers, yet the number of police on duty yesterday - covering the full roster of officers, including detectives and even educational staff - was only 75 officers. These officers work under Keith Thombs, who does a wonderful job. That understaffing is indicative of the problem with police numbers. The problem is not necessarily with the number of police allocated around the State, but with the number of officers on duty at any one time. We are hurting in western Sydney as a result of insufficient police on duty. Two very senior handlers in the dog squad recently came to see me. They were concerned about the policy of Commander Bruce Gibson earlier this year that all police vehicles had to be marked with police insignia. I do not know the reasons for this policy, but I could suggest that the Government

wanted to make it appear that we have more police in New South Wales than we have in reality.

This is a cosmetic public relations policy. Officers working in covert situations, such as detectives and members of the dog and drug squads, would not want the police insignia on their cars. These officers have put their concerns to their regional officers, but unfortunately they did not go beyond those officers. When the policy change went through, Commander Gibson said that if officers were concerned about their safety he would have another look at the policy. I assure the House that a very senior officer in the dog squad was threatened from the dock by an offender he was charging. He threatened to kill the officer, his wife and their family. The prisoner told the officer that he knew where he lived because he had seen the dog squad vehicle outside his home. The police markings on the vehicle allowed identification of the officer's home.

It would be a shame if police officers in this State, who do a wonderful job in very difficult covert situations, were forced to drive marked police vehicles simply so that it appears that the Government has suddenly delivered more police officers to service the people of New South Wales. If that is to be the policy, the lives of police officers and their families will be put at risk for no reason. I ask the Minister to examine this policy. A few weeks ago I wrote to the Minister on this matter, and I still have not received a reply. It is very important that the lives of police officers and their families are not put at risk simply because of the Government's desire to create the impression that more police officers have been allocated and that a police car is to be found on every street corner in New South Wales. This is a very sorry indictment of the Government of New South Wales.

Private members' statements noted.

POLICE NUMBERS

Standing Order 54: Suspension of Standing and Sessional Orders

Mr WHELAN (Ashfield) [6.09], by leave: I move:

That Standing and Sessional Orders be suspended to allow the Minister for Police, and Minister for Emergency Services to comply with the resolution of the House agreed to on 17 November 1994, regarding the tabling of papers on police numbers under Standing Order 54, by requiring only the provision of a certified list of numbers, not names, in respect of the information sought in paragraphs 1(b) to (k) and 3(l).

Members might recall that on 17 November I moved a lengthy motion relating to police numbers, the terms of which members are familiar with. The effect of the motion was that the Police Service had to provide information as to the authorised and actual strength of each patrol, including the numbers of officers who are assigned to beat police, on sick leave, on leave without pay, on part-time leave without pay, on extended leave, on maternity leave, undergoing rehabilitation, on inquiry restricted duties, on other restricted duties, suspended or seconded. *Hansard* correctly interpreted what I was after; the motion referred specifically to numbers.

That is all that is involved, but it would appear that the words "all documents" have led the Police Service to believe - and only the Police Service could possibly believe this - that the House wanted those documents to include the following when undergoing rehabilitation: sick leave applications, medical certificates, employee assistance branch records, rehabilitation files, police medical officer files, workers compensation files, PSSAC files, psychologists files, welfare files, from the patrol, district, region or branch correspondence. In relation to restricted duties the documents would include: sick leave applications, medical certificates, service registers, employee assistance branch records and the other documents I mentioned.

In respect of those on maternity leave the Police Service has asked all and sundry stations in the

State to provide the information. I repeat, no-one in his right mind, after reading the motion, would understand that this is what the House would want. The Police Service has asked for service registers and personnel records. I am grateful that the Government has enabled me to seek to amend the resolution that the House passed the other day so that we have a certified list of numbers that will enable compliance with 1(b) to (k) and 3(l). I understand and admit that police officers working with the Independent Commission Against Corruption should not have their names made known to those who deserve to have criminal sanctions against them.

For that reason I have made appropriate provision. In my view the Police Service has attempted to frustrate what the House has asked for. In all other respects, paragraphs (2), (3) and (4) of the resolution remain unaltered. The proposed change applies to sick leave, maternity leave and part-time

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leave. Mr Speaker, you will recall that the resolution provided that the documents become public. It was never the intention of the Australian Labor Party, and I do not think it was the Government's intention, that any personal details or medical records of police officers should become the subject of public record or debate. For those reasons I move the amendment and hope the Government will support it.

Mr SPEAKER: Order! I ask the member for Ashfield to give the Chair a signed copy of the amendment.

Mr WEST (Orange - Minister for Police, and Minister for Emergency Services) [6.14]: The Government granted leave to allow the amendment to be moved. As I told the House last Thursday, this exercise is not only a waste of resources; it is a political stunt. I told the House that the information sought would have to be requested from 400-odd police stations throughout the State. I estimated that it would take three weeks rather than three days to gather the information. The reality of what the honourable member for Ashfield required in his motion has now become apparent to him. I said that the motion would result in a real diversion of police officers from their work in solving and preventing crime and helping the public. We are now finding that that is the case. The honourable member for Ashfield has been caught out. It is nonsense for members opposite, particularly the honourable member for Ashfield, to talk about computers providing the information. He has to learn plain English and understand what the standing orders of this House provide. Standing Order 54, under which he requested the information, provides:

Accounts and Papers may be ordered to be laid before the House; and the Clerk shall communicate to the Premier all orders for Papers made by the House; and such Papers shall be laid on the Table by any Member of the House, being also a Member of the Government.

The relevant word is "papers" - not computer print-outs but papers in existence. If the Government, in response to previous motions under Standing Order 54, had provided certified statements, Opposition members would have attacked us and said, "You have doctored the documents. You have not provided the full information". The Police Service and I are adhering to the letter of the motion moved by the honourable member for Ashfield, which was carried by a majority of the House. The motion was not moved by the Government; it was moved by the honourable member for Ashfield. The honourable member now says that all he wanted was a statistical summary. He could have used other available forms of the House; the use of Standing Order 54 was not appropriate in the circumstances.

In his private member's statement this afternoon the honourable member for Londonderry continued to attack the Government, alleging that we do not have enough police on the streets and that the Police Service is not up to its authorised strength. The honourable member for Liverpool knows a little more about the operation of the Police Service than the honourable member for Ashfield. He would understand that the numbers on a particular day do not give an accurate reflection because there are changes month by month and day by day. At 30 June the numbers will be different from those at 1 November. They are different as of 20 November because on Monday this week an extra 235, I think it was, probationary constables were sworn in.

Mr Whelan: Yes.

Mr WEST: What is the honourable member's problem with probationary constables? If the honourable member walked out of the Parliament and committed an offence that required action by a police officer, a probationary constable could apply the requirements of the law in exactly the same way as any other officer up to the rank of commissioner. The honourable member for Ashfield and those advising him have failed to grasp the circumstances. The honourable member has gone through the charade of requiring figures patrol by patrol. There is an instruction within the Police Service that provides that numbers can be allocated within districts to meet policing needs. The number of officers in a particular patrol on Monday might vary on Tuesday because the district commander, on advice within the district, decides to reallocate staff. The honourable member for Ashfield has realised that he got it badly wrong, that he has received the wrong advice. He is being carefully advised by the Police Association, whose fingerprints are all over this grubby exercise. He said that he was worried about having to provide all these forms.

How could I certify that on a particular day certain people were on maternity leave or rehabilitation, or seconded to another law enforcement office, without providing the documents required by the motion? The honourable member for Ashfield also caught himself by moving that the information be made public without restricted access. Personal privacy could have been protected if the information had been sought through the Clerk's office and on the basis of restricted access. But no, the honourable member wanted it without restricted access. Again the honourable member was caught out in making sure that officers had all of their affairs broadcast. It is appropriate to draw to the attention of the House a letter I received from Assistant Commissioner Nixon, the Executive Director of the human resources section of the Police Service. In her submission to me Assistant Commissioner Nixon said:

I am informed that your office has sought clarification on the service's concern over the release of confidential personal information from the employee assistance branch relating to the medical condition of officers experiencing periods of ill health.

At the outset, I would like to mention that the information retained by the employee assistance branch relates to personal and confidential information on the medical and psychological conditions of a significant number of members of this service.

In most circumstances, members of the service have sought voluntary assistance from the branch on the understanding that any personal information that they divulge will remain strictly confidential. They are given a

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commitment to this effect by the professional staff of the branch, be they psychologists, social workers, drug and alcohol counsellors, medical practitioners or rehabilitation counsellors.

It is generally considered against professional ethics to release any information about individual cases from files which are created within the branch without the written consent of the member concerned. Specifically, the Psychologists Registration Act prevents our psychologists from releasing any information without consent. Medical ethics also place similar bars on the actions of police medical officers.

If the branch were required to comply with the request to produce all files relating to each officer, it would involve photocopying well in excess of 100,000 pages of confidential file material, disclosing extremely personal details of officers which would infringe upon their legitimate right to privacy.

In view of the foregoing circumstances, I hold great concerns over the ongoing ability of the branch to maintain a professional relationship, based on integrity, with its client base. However, I would, of course, comply with your direction, if required.

It is, of course, not my direction; it is a direction of this House upon a motion under Standing Order 54 moved by the honourable member for Ashfield. Assistant Commissioner Nixon quite rightly used the words "ethics", "confidentiality" and "legitimate right to privacy". This is where the honourable member for Ashfield has now realised the folly of his ways. As a result of a number of protests from members of the Police Service and the Police Association who have rightly drawn their concerns to his attention, he now seeks to make changes.

It is appropriate that the privacy of officers be protected but it also must be remembered that relevant information on any given day will give a base, but will not provide all of the information. Part of the motion referred to the monthly casualty list. I already have one page of that, and it divulges names. Does the honourable member want the names as well? When the honourable member asked for the monthly casualty list since May 1991 did he want me to detail month by month officers who took optional retirement in each region, officers who have been discharged medically unfit in each region, officers who have resigned from each region, and officers who were dismissed or had their services terminated? Does he want their names? He also talked about confidentiality and concern for the rights of individuals.

At this stage it is clear that the honourable member for Ashfield again has done only half the job. He ought to realise what he has done; he has used an archaic form of this House, a standing order introduced into Parliament in 1922, that was not designed for the purpose for which it is now being used and abused by the Australian Labor Party. In future the honourable member for Ashfield and all honourable members opposite should consider the severity and grave nature of the way in which they are using these forms, because they are denigrating the people who work in the Police Service. That includes thousands of sworn police officers and all of their support teams, who really would rather spend their time protecting the community than responding to these stupid political follies and stunts pursued in this State by the honourable member for Ashfield and his team of supporters.

Mr SPEAKER: Order! The Chair is somewhat troubled by the motion. The House has resolved, pursuant to Standing Order 54, that certain papers be produced. The correct interpretation of that resolution is that papers in existence at the date of the resolution be produced. It in no way contemplates the production of papers brought into existence subsequent to the resolution. Therefore, I suggest to the honourable member for Ashfield, in the interests of procedural clarity, and I understand that the Government accepts the spirit of the motion, that his motion be reworded to state, "That this House rescinds its direction under Standing Order 54" - because Standing Order 54 requires the production of papers in existence prior to the dates indicated - "pursuant to resolution of 17 November", and then set out the details identified by the honourable member for Ashfield and the date by which the papers are to be produced. That will not change the intention of the member. There is clear conflict between the motion and the resolution of the House. A new motion cannot be added to the resolution as it stands. If the honourable member for Ashfield would like to discuss the matter with me, I would be happy to do so. I make the suggestion for the sake of procedural clarity, as a dangerous precedent would be set if the House were to accept the motion in its present form, which is without basis.

Mr Whelan: Mr Speaker, I am afraid I could not agree with that because the very essence of the Standing Order 54 notice was the subject of a wide-ranging debate. I do not intend to change that part of the resolution dealing with paragraphs (2), (3), and (4), and paragraph (3) in only a minor matter. I do not intend to depart from the obligation under Standing Order 54 for the Police Service to provide all necessary information that the House has sought. I am suggesting that a certified list in respect of paragraphs 1(b) to (k) be sufficient compliance.

Mr SPEAKER: I am suggesting that the member for Ashfield rescind that part of the resolution. I am not sure whether he understands that there is an absolute dichotomy between the request for production of papers and the resolution of the House.

Mr Whelan: If there is a procedural difficulty, perhaps the matter should be adjourned and worked

through, but I will not withdraw the resolution. The Government has the numbers and if it wants to do something about it, it can. I have no difficulty obtaining information on police numbers; in fact I have a computer list of district strengths. I have every piece of information. Why can the Minister for Police not get it? Mr Speaker, in view of your advice, perhaps we should adjourn the matter and consider it again at a later hour.

Debate adjourned on motion by Mr Kerr.

[Mr Speaker left the chair at 6.29 p.m. The House resumed at 7.30 p.m.]

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MINISTER FOR TRANSPORT, AND MINISTER FOR ROADS

Motion of No Confidence

Debate resumed from an earlier hour.

Mr FAHEY (Southern Highlands - Premier, and Minister for Economic Development) [7.30]: Prior to the dinner break, I was referring to the fact that the honourable member for Kogarah had spent some considerable time suggesting that the M2 motorway proposal was being put together because the Minister for Transport, and Minister for Roads was about polluting the air and playing up to the oil companies. The record shows that this Government was the first to move to decrease lead in petrol at a time when the Commonwealth Government was not prepared, after much discussion, to abolish lead in petrol within a time frame. The New South Wales Government said, "There has to be an end to lead in petrol". The Government moved unilaterally on the issue, which reflected its concern for the environment and the atmosphere.

The honourable member for Kogarah has indicated to me that he will play up for the remaining eight minutes of my contribution because members of his local branch are in the public gallery. He is welcome to do that if he so wishes. It is a shame, however, that they were not present in the public gallery to hear his pitiful contribution to the debate. The honourable member has no idea what the motion is about; he certainly did not address any of the issues which may have given substance to the motion. There is no substance to the motion whatsoever.

As I said earlier, this motion is not about the M2 motorway; it is about preventing job creation in this State and stopping progress. That is the approach Labor takes in relation to all matters in this State. At every opportunity it seeks to pull back progress. The job factor in relation to this project alone ought to be supported by all members of the House, particularly those who purport to look after the worker. The Labor Party has abandoned the workers. It has done nothing to support employment programs that this Government has established - ahead of any other State - particularly in the last 12 months.

The record of the Minister for Transport is outstanding. In debate on a motion such as this - which claims that the Minister is no longer competent to hold a position in the ministry - one must examine the relevant Minister's record. The Minister for Transport has served the ministry well; his performance has been excellent over the past 6½ years across his entire portfolio. The establishment of parking stations at railway stations allows commuters to park their cars, to get on trains, and to get around the city conveniently on a rail system which has improved out of sight. The record shows that on-time running of services has reached 90 per cent. That has been achieved by the State Rail Authority under the control and leadership of this Minister.

I refer to the operation of motor registry offices in this State. All motorists must register their vehicles and obtain licences on a regular basis. In the past there has been considerable discontent about the manner in which that service was delivered in motor registry offices. That is not the case any

more. Surveys show that the service delivered in motor registry offices has improved out of sight. As a result of reforms initiated by the Minister in that area the customer satisfaction rate is of the order of 75 per cent.

People in the private bus industry of this State will tell honourable members, as they have told the honourable member for Kogarah time and time again, that they have seen progress in the industry that they could only have dreamed about under Labor. That progress has been accomplished by this Minister. Bus services have been brought up to standard in relation to safety - they are second to none. More than anything else the Minister deserves credit for what he has done with respect to public transport and road safety. As I said earlier, many people of this State are alive today because of this competent, outstanding Minister. He has addressed the issues and initiated progress in a way the community respects.

It seems that every time this Government wants to progress a contract for infrastructure that will benefit the community, the Labor Party tries to stop it. We have seen the advent of a new rail line to the airport. That project is about urban renewal. The Government is saying to the people who live in that area and the thousands who go to that area that they do not need to have a car and that they will be able to travel conveniently from those suburbs. It is a sensible investment, given the congestion that occurs in the region between 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m., when everyone wants to be in the city circle on that rail line. There will be additional lines and flexibilities. Nowhere in Australia have we seen such progress in roads. Nowhere in Australia, possibly in the western world, have we seen such progress in transport generally than we have seen over the past 6½ years in this State under this Minister. He has carried out his responsibilities in an impeccable fashion and in a manner the whole community recognises.

I refer again to the M2. The excuse for this motion - and it is no more than an excuse to disrupt this Parliament, to stop the progress of the Government and its agenda - comes down to this: the Opposition claims that the M2 contract prohibits competition from public transport. That is absolutely incorrect. The contract does not guarantee that there will be no competition from public transport, nor does it guarantee that the M2 proponent will automatically receive compensation from the Government if an alternative public transport link is built. The Minister for Transport has referred to the harbour tunnel. We know that year in year out, whatever happens, there will be a taxpayer contribution in that regard.

This State knows that no true competitive approach was taken in relation to that project. It was rushed through the House in the stealth of the night by the previous Government. The project did not go out

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to competitive tender. That is a disgraceful contract. No such contracts are entered into by this Government. We are an accountable government; we are transparent in what we do. We get the advice of the experts. They come in and support us. We are open to scrutiny on any matter. The Auditor-General will look at this issue in due course. He will give it his seal of approval, just as he gave the State Bank sale his seal of approval only in the last few days.

The M2 tollway will not prevent the development of public transport in this region; in fact, its dedicated busway will enhance public transport and allow for the future development of light rail along the corridor. As the demand arises, other public transport projects will go ahead, such as the Parramatta-Hornsby link, and any works extending north to Hornsby will also be covered. The Parliament should treat the motion by the Opposition with the contempt that it deserves: it should be thrown out. If members of the Opposition have any brains, they will abandon it pretty quickly and not cause the House to sit late into the night going through this farce. It does not warrant the time that this Parliament is giving to it and it is a waste of taxpayers' money, requiring the staff of the Parliament to deal with the business of this motion when they ought to be dealing with matters of substance - that is, the Government's program, which is for the benefit of the people of this State. We should not waste any further time on this motion; it should be overwhelmingly rejected.

Mr SPEAKER: Order! I warn members that they retain the calls to order imposed at the time debate was interrupted for private members' statements.

Mr J. J. AQUILINA (Riverstone) [7.38]: One of the more intelligible interjections from members of the Government during the recent contribution by the Premier was the interjection about wasting time. That is precisely what the Premier was doing; he was wasting time. Approximately 2½ of the 20 minutes he spent addressing this Chamber was directed to the question of the M2 tollway. Indeed, as the honourable member for Kogarah said, the Premier cannot answer the issue raised by the Leader of the Opposition in moving this motion, which quite clearly and quite rightfully says that this Minister does not any longer deserve to have the confidence of this House.

It was rather embarrassing to hear the Premier wafting through his contribution, padding it as he did in an attempt to fill up his 20 minutes so as to somehow appear supportive of the Minister for Transport. The Premier clearly had nothing to say about this Minister which was in any way relevant or directed towards improving his stocks so far as the Parliament is concerned. That is not surprising given the open animosity that has existed between the individuals ever since the Premier assumed that office. Why would the Premier want to save this bloke? After all, the rivalry that exists between them is so obvious. Indeed, in a 20-minute speech the Premier spent 2½ minutes trying to defend his own Minister for Transport, and Minister for Roads, and he was probably only reluctantly doing so to offset the embarrassment to his Government when this Minister loses the confidence of this House.

The House has reason to condemn this Minister and to express its lack of confidence in him. One of the issues the Premier raised at the conclusion of his contribution was the conflict the M2 will cause in the provision of public transport with regard to the condition in the contract that, should public transport be upgraded, the State will need to compensate those constructing the M2 because it will be taking business away from the M2. The Premier tried to say there was no conflict; but the prospectus clearly states on page 62:

The Minister must consult with the Company and the Trustee in good faith in respect of any proposed development -

and I take it that includes public transport development -

or granting of a concession in respect of any public transport infrastructure (including public or private passenger or freight train services) servicing the specified regions of northwestern Sydney which could reasonably be expected to have a Material Adverse Effect on the Project.

If for some reason the Government goes ahead and constructs a duplication of the railway line between Blacktown and Riverstone - something which I know is very dear to you, Mr Speaker, because of what it means in respect of the provision of public transport for people in the north-west sector and in the electorate of Hawkesbury - it could well be that the taxpayers of New South Wales will have to fork out millions of dollars in compensation.

Mr Baird: That is absolute rubbish.

Mr J. J. AQUILINA: The Minister knows it is a fact because the M2 will not finish at Old Windsor Road, as is the current situation; it will continue past Quakers Hill direct to the Phillip Parkway. Unfortunately, the Minister for Transport, and Minister for Roads has locked us into a contract which will now be used as a precedent in the future whenever the Government negotiates to construct parts of the tollway. Quite frankly, it is an absolute disgrace. This Minister has already revealed himself as an environmental vandal by what he has done in relation to the M2, and I will make some comments in relation to that in a few minutes.

The Minister has shown by this contract that he is also an economic ignoramus because he has bound the people of New South Wales to a contract for 45 years. Our sons and daughters for two generations are going to have to pay for the M2, and the taxpayers of New South Wales are going to have to dig into their pockets to provide funds for compensation for 45 years for the construction of the M2.

Mr Baird: Tell us about the harbour tunnel.

Mr J. J. AQUILINA: He cries, "Tell us about the harbour tunnel". I can tell you, Mr Minister, that you are known as the Minister with schemes that remain dreams. I just wish that this was one of those schemes that had remained a dream.

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Mr Baird: You are criticising us. We signed the contract. What are you talking about?

Mr J. J. AQUILINA: And the Premier was the one who opened it. He did not wriggle away from it, either. He delivered a mealy-mouthed speech, but he did not run away from the limelight of opening it. The detail of this contract on the M2 has now been revealed. No wonder the Government was so secretive about the entire proposal. Perhaps I will take the Minister step by step through the whole process of just how this contract came about. When one looks back on it now, one can see quite clearly what the Government had to hide. It had a lot to hide, because the details were never revealed.

I would like to take the Minister back to 14 November last year, just over 12 months ago, to an article in the *Sunday Telegraph*. The headline stated: "RTA Probed on tollway tender". What was the issue then? I will tell the Minister what the issue was, in case his mind needs refreshing. The issue was that the Independent Commission Against Corruption was considering two allegations of malpractice against the Roads and Traffic Authority over its handling of the proposed M2 tollway. The Minister for Transport is leaving the Chamber. It is a pity he does not stay, because it is about time he learned from the people of New South Wales precisely what the issues are in relation to this matter and about how he has treated the taxpayers of New South Wales with contempt - in the same way as he has just treated this Parliament with contempt by walking out of the Chamber.

In November 1993 the opponents of the highway accused the Roads and Traffic Authority of misleading private companies by asking them to compete for the contract to build a road, without supplying up-to-date traffic figures. Even a year ago the issue was about conflicting figures and incorrect material being made available to the public, and the real facts not being made public. On 12 February this year my colleague the honourable member for Kogarah quite rightfully urged the release of more details, more documents, so that the Parliament of this State could make an accurate and assessed judgment. On 12 February, under the heading, "ALP urges inquiry into M2 funding" an article in the *Sydney Morning Herald* stated:

Mr Langton said: "In last year's (1993) Estimates Committee hearings, Mr Baird refused to answer any questions on what level of public contribution would be sought for the M2 project.

It is not news that the Minister refused to make the figures public; it goes back a long way. Whenever the Opposition raised the issue about the financial dealings the Government was entering into, it was always clouded under the comment that the figures were too delicate to release because of their commercial viability and commercial confidentiality.

The only reason the Government would not make the information public was that it knew it intended to rot the system and dud the taxpayers of this State - not for one year or five years, but for 45 years. It is an absolute disgrace! What happened then? On 9 March the honourable member for Kogarah moved that a select committee be formed. One would have thought that a select committee of members

of Parliament from both sides of this House would have been competent to investigate this issue. The honourable member for Kogarah moved that a select committee be appointed to inquire into and report on the conduct and activities of the Roads and Traffic Authority and the Department of Planning in relation to the planning, proposal and determination of the M2 Castlereagh Tollway, with regard to certain matters.

The terms of reference in the motion for the establishment of the select committee provided for an investigation of the costs and benefits of the project, the planning forecasts used to justify the project, the impact upon government finances of a subsidy to private investors in the M2, and a host of other matters. The crucial matters so far as this debate is concerned were the economic factors. If the Government had nothing to hide, it would have welcomed a select committee of the Parliament comprising members from both sides of the House to scrutinise, as should be the right of all members, the details of the contractual arrangements in relation to the M2. But the Government opposed the motion. Not only that, the Government managed to convince the Independents to oppose the motion. The motion was defeated, and I know only too well that to this day the Independents rue the fact that they were duded by the Government so far as this matter is concerned. By voting against the motion for the appointment of a select committee, members of Parliament lost their only opportunity to scrutinise the contractual arrangements of the Government.

I took part in the debate on 9 March. I felt strongly about this matter, and I still do, because of the impact it will have on my electorate and on your electorate, Mr Speaker. On that occasion I said that the whole issue of the M2 needed to be looked at in terms of where the traffic will end up and who will bear the brunt of the cost. Indirectly the brunt of the cost will be borne by the taxpayers of New South Wales for the next 45 years but, specifically, it will be borne by the taxpayers living in my electorate of Riverstone and the electorate of the honourable member for The Hills, who is sitting in the Chamber glum-faced and remaining quiet on this issue. He knows only too well the impact that the M2 will have on his electorate, as well as a host of other electorates represented by Government members. On 9 March I said:

The interests of the people who live in the electorates of Riverstone and Hawkesbury will be most grossly affected by the imposition of the M2.

The people of those electorates will not receive any substantial benefits from the construction of the M2. Their lives will be jeopardised because vehicles will come along a superbly constructed road and end up in limbo. They will end up in nowhere land.

That is still precisely the case. Earlier I said that the Minister had already revealed himself to be an environmental vandal. They are not only my words,

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they are the words of anyone involved in the environment movement in this State. The environment movement is outraged by the secretive nature under which this contract has been entered into, by the total disregard for environmental concerns that the contract reveals and by future financial implications. I should like to quote from statements appearing in the *Northern Herald* on 17 February this year as part of the debate that was taking place at that time in the media, which was being ably led by the honourable member for Kogarah. The Director of the Total Environment Centre, Mr Jeff Angel, said that any inquiry should be expanded to cover wider transport alternatives for the area. He was signalling that any inquiry into the M2 should also look at the surrounding district because of the impact of the M2 on local neighbourhoods and residents, and because of the need for further roads.

The president of the Coalition of Transport Action Groups, Ms Jennifer Lewis, said that all activity on the M2 should stop until the outcome of an urgent, full and open inquiry was known. The dogs were barking. Everyone was saying, "Let's go a little slower, let's have a full and open inquiry, let's look into the environmental and economic details of this project". The Government refused. It continued to shroud this matter in secrecy, and it refused to open the contractual documents to the scrutiny of this Parliament.

It continued on its messy way to dud the taxpayers of New South Wales and carry through this process in the most despicable manner possible, that is, by negating totally the authority of this Parliament over what was being done.

I hope that the Independents remember the debate that took place in this Chamber on 9 March in relation to the formation of the select committee and realise that a golden opportunity was lost to prevent the nonsensical types of contractual arrangements that have now been entered into. I sincerely hope the horse has not bolted, and that as a result of the successful carriage of this motion the Auditor-General will be able to have another look at this matter, report back to the Parliament by next Tuesday, and give the aye or nay in relation to the financial arrangements and the morality of the Government entering into contractual arrangements that will last for 45 years. That period of time constitutes the terms of office of 12 parliaments of New South Wales. It is absolutely horrendous.

In the time that I have remaining to speak, I want to challenge the Minister in relation to the issues involving roads. I am concerned about the aspect of this contract that provides that if the New South Wales Government were to build a road that is regarded as in some way competing with the M2 tollway, the issue of compensation comes very much to the fore. The taxpayers of New South Wales may be required to fork out compensation to the builders of the M2 because the competing road would be regarded as depriving the operators of the M2 of business from their roadway. In the north-western sector, the fastest growing part of the State, much of which is in my electorate and the electorates of Mr Speaker and the honourable member for The Hills, many roads need upgrading, for example, the Great Northern Road and Old Windsor Road. Epping Road, which passes through the electorate of the honourable member for Eastwood, needs to be substantially upgraded. The construction costs of all the other roads that will be necessary because of traffic being generated by the M2 will fall upon the shoulders of local councils.

These are all worthy considerations and matters of grave concern. My concern, and the concern of all New South Wales taxpayers, is that if a future government dares to build an alternative roadway to the M2 to divert some of the traffic, that government will have to worry about compensating the operators of the M2 because business will be taken away from them. What a fine state New South Wales has reached when the provision of an essential service such as a road is regarded as a major business! If a competing roadway is built, compensation must be paid. In closing I must refer to public transport. The great concern of the Opposition is that because of the compensation issues that will arise, the contractual arrangement in relation to the M2 will prevent the State providing public transport that will somehow rival the M2.

I am concerned about the third-rate electric train service going through my electorate and into the electorate of the honourable member for Hawkesbury. People are experiencing third world rail services with services more frequently breaking down than operating. However, with the construction of the M2 tollway if we dare to upgrade or improve that service and provide for the duplication of the railway line, we will have to fork out money for compensation to the operators of the M2 tollway. It is an absolute disgrace and it should not be allowed to happen. The Minister does not deserve the confidence of the House. He should be soundly condemned for what he has done to the State and the secretive way he has negotiated these contractual arrangements. He has duded the people of New South Wales, who have to find compensation for as much as 45 years.

Mr ARMSTRONG (Lachlan - Deputy Premier, Minister for Public Works, and Minister for Ports) [7.58]: After listening to the honourable member for Riverstone speaking for the Opposition, one realises how long 20 minutes is. If ever there was an example of utter hypocrisy it would have to come from the Opposition, and particularly the honourable member for Riverstone. He spoke about third world rail services in his electorate but he did not tell the House, for the benefit of *Hansard*, about the third world rail system that the Government inherited in 1988 following 12 years of Labor Government. He did not tell the House that the consultants Booz Allen and Hamilton had indicated that the signalling equipment used for the New South Wales rail system was third world and at that stage was only in use in Egypt and

China.

The honourable member for Riverstone did not mention the kerosene lights on signals down on the southern line where in 1988 at night someone had to shinny up the pole and put kerosene in the lamp to
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make the signals work. Yet he has the gall to come into the House tonight and talk about third world railways. He obviously has no respect for the truth, no comprehension of the progress that has been made, nor does he acknowledge the run-down condition of the railway and transport systems that the Government inherited 6½ years ago. As a matter of fact, I shall outline how the Opposition handled contractual matters of management. Opposition members have criticised the Government and Ministers on their financial management and I wish to make a few pertinent points in that regard.

In the 12 years of Labor administration the total loans of the then Department of Main Roads - the Roads and Traffic Authority as we now know it - increased from \$160 million in 1976 to \$1,078 million. That represents an increase of 573 per cent. Labor's philosophy is: do it, but do not pay for it; leave it as a debt for the people. It is not paid but left on the account. The Opposition cannot pay the accounts on its own buildings, and the bank is going to call them in. Yet Opposition members have the gall and the temerity to tell the House that they have the economic answers on how to manage the transport system in New South Wales.

Honourable members opposite did not mention the tunnel or the fish markets. In that regard they left the debt for someone else, the taxpayers of New South Wales. The former Labor Government ran this State into the highest debt State in the country. The Government has reversed that totally, with the cooperation of the good citizens of New South Wales and I am proud - as I am sure the citizens of this State are - of the extraordinary recovery that has occurred in business, commerce, transport, and investment, and in reducing the debt from \$1.3 billion to under \$400 million this year. That is an achievement by any standards.

This motion is frivolous, irresponsible, and is aimed to potentially damage a Minister, a ministry, and staff in the department, who have done an excellent job in bringing about a realistic transport system for this State. Our road and transport systems in New South Wales were a major factor in Sydney's bid when we bid against the world's best for the year 2000 Olympics. We took on the world and we won because we were able to demonstrate that the infrastructure in Sydney, New South Wales, Australia, was better. We had changed from the days of the red rattlers in the 1960s, 1970s and 1980s.

Under the former Labor administration the New South Wales State rail system was losing \$3 million a day. The Government cut that down to half - though it is still too big a loss. The world has said that the Liberal Party-National Party Government has succeeded in developing infrastructure that will be the best in the world. That is not a bad recommendation by any benchmark. The Labor Party has always been known for its duplicity. It is astounding that it can so obviously abuse the procedures of this House with such a transparent motion designed to do nothing more than catch the evening news. The Leader of the Opposition, that Machiavellian character, wafts in and out of here like some shadow. Half of his own members talk behind his back repeatedly; they literally verbally assassinate him in the lifts, in the corridors, wherever they go.

Mr Harrison: Name them.

Mr ARMSTRONG: I will start with you, Bob. You are certainly one of them.

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

Mr ARMSTRONG: The Leader of the Opposition does not possess the confidence of his own people. Yesterday during the special sitting of the Parliament to discuss the State Bank bill he certainly had the opportunity to demonstrate whether he had any interest in economic matters or any contribution

to make on the economic management of New South Wales. Where was the Leader of the Opposition? He was not here. Who did he put up? He pulled out the honourable member for Drummoyne, the shadow spokesman he had recently dropped to the bottom end of a pile, and what a low pile that was. The Opposition's stunts in this Parliament to try to belittle a successful Minister and a successful department can be given no credibility.

The Government has salvaged the remnants of Labor's road building program, as inadequate as it was. The former Labor administration was hatching plans to construct and widen the M4 motorway because it knew, as the Government well knew when it came to office, that there was not enough money in the kitty to maintain existing roads, let alone build new ones. Honourable members might recall, as I am sure members of the public do, those wonderful monuments to Labor with its building plans down at Darling Harbour. Remember the expressway that went nowhere, yet Labor has the temerity and gall to try to argue on a point of logic, common sense and practicality that it can do better. All it could do was build a few roads that went nowhere, and then not pay for them. It left the bill for the public to pick up. It broke the State.

I wish to refer to the transport methods of those who have spoken to this motion. The shadow transport spokesman catches the train to work from his seat of Kogarah in Sydney's south, a seat he probably will not be holding much longer because the Liberal candidate has identified what a weak local member he has been. Kogarah is serviced by an excellent railway system, and the honourable member for Kogarah has obviously found that it is preferable to travel to work by train and easier to get home by train after a few libations, as happens from time to time. The Leader of the Opposition cannot even drive, yet he talks about economics. He wants to become an expert on roads and he is still learning to drive. I should add that he should put his "L" plates up for politics as well as driving a car. He is lucky enough to have a driver, paid for by the State, to bring him in to work. Maroubra - the electorate of the Leader of the Opposition - has one of the best bus

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services in Sydney and an excellent road system, thanks to his Labor mate and former neighbouring member, Laurie Brereton, who poured hundreds of millions of dollars into improving roads in the area.

The two city non-aligned Independent members have access to a diverse range of forms of public transport, such as rail, bus and ferry. Therefore, it is appropriate for them to consider how they travel around Sydney and how they arrived at Parliament House today before they give this motion any further consideration. Did the honourable member for Manly, who is busy, as other people are, drive into the city today, or did he exercise the more environmentally and socially aware choice of catching a bus or ferry into the city? I would hedge my bets and suggest that he drove to Parliament and parked his car downstairs so that he could be in the comfort and privacy of his car as he knew we would finish late tonight. Even though his public transport options are good, it is more convenient for him to drive.

This Government is making public transport more convenient. However, as good as it is, it will not suit all people at all times. More people are riding by bus to work from the north shore than in the past, because if they drive to work and look across the approaches to the harbour bridge they see bus commuters flying past in the bus lane. They realise it is far more efficient and convenient to catch the bus. However, no matter how attractive public transport is made, it will not suit all people at all times. It ill behoves the Opposition to argue against the M2 contract. Members opposite refer to leaving a 45-year non-competitive clause within the contract, but they do not understand investment or how to be constructive. Members opposite do not understand the contractual process, the demographics of population increase, and the changing demands of society over the next 50 years. Above all, they have no vision of planning for tomorrow, and that is why Labor governments have always been in trouble in this country, particularly in New South Wales. They have no capacity to think beyond next week's pay cheque; they have always been dependent on receiving that pay cheque every fortnight as none of them has been in business and earned a bob.

Members opposite do not understand contracts; the movement and management of money; forward

business planning; how to take into account the wishes of the people of New South Wales and business; or how the character of this wonderful city will develop over the next 50 to 100 years. The Government does not have to demonstrate that it has vision for the future because the members of the Olympic movement said last year that we had that vision. They gave us the credit that in the year 2000 - in six years' time - ours will be the most desirable city in the world as all aspects of infrastructure will be available to support the most brilliant and famous games in the history of the Olympic movement; namely, the 2000, turn-of-the-millennium games. The Government can rest on its laurels; it can say: We don't have to produce the references because the world has done it for us through the Olympic movement.

The private sector needs to know that it is making a secure investment, as does the State. The Labor Party does not understand the notion of secure investment as it built Darling Harbour with a 248 per cent cost blow-out; it left a \$37 million-odd debt at the fish markets; and it left a billion dollar debt with the Roads and Traffic Authority under the former Department of Main Roads. The Labor Party does not understand these matters. If private enterprise is not confident of making a profit, it will not invest in the facility and the people of the north-west of the city will not receive a motorway to reduce travelling time by up to 1½ hours. Government cannot afford this type of investment any more. The contract does not rule out improvements to the railway system. Significantly, the motorway will be a major part of the improvement to the public transport system with the construction of two bus lanes on the route. The environment will be a major winner.

The construction of the M2 motorway will lead to the removal of through traffic from local streets, and 21 sets of traffic lights will be bypassed. Members opposite may not like the truth - they probably do not understand it. Regarding the openness of the contract, it is the first major public listing of an infrastructure project in Australia. This is one of the few publicly-listed road projects in the world. The Opposition may not want the progress and development that the people desire. It may not want to see this city prosper in the future. It may not want environmental improvements, and the standard of life improved, but, by crikey, the Government does!

The Government intends to continue with the reforms introduced during the last six years. The reforms made in the transport portfolio in the State Rail Authority, State Transit Authority and the Department of Transport have saved the people of New South Wales over \$1.53 billion, or \$766 per New South Wales household since this Government came to office. More than \$4.6 billion, including the 1994-95 allocation, has been invested in revitalising the State's public transport system. Capital expenditure on public transport is at record levels, and has increased by 71 per cent since 1988, when the fellows opposite left government and we came to office.

The total operating cost of the agencies within the transport portfolio has fallen 19 per cent in real terms, from \$2.66 billion in 1987-88 to \$2.16 billion in 1993-94. These savings have been passed on to the New South Wales taxpayers and the customers of transport services in the State. Since 1987-88, Freight Rail's wheat rates have been reduced by 10 per cent and coal rates by 25 per cent. Never in the history of Labor governments in this State has a reduction occurred in the rail cartage rate of coal and wheat. Nevertheless, Labor has the temerity to claim in this debate that it knows more about managing transport than Minister Baird and his department. What an insult! Why did members opposite, when in government, not reduce the cost of the cartage of wheat and coal? Why did they not have a go if they are so good? They do not know how as they have never done it!

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The State Rail Authority staff numbers have reduced by 15,447 since 1 July 1988; that is, from 36,717 employees in 1987-88 to 22,270 at June 1994. Productivity improvements in the SRA have been substantial since 1987-88: Freight Rail productivity is up by 124 per cent, CityRail by 43 per cent and CountryLink by 26 per cent. For every CityRail staff member in 1993-94, 23,800 passengers were carried. This compares with only 16,619 passengers in 1988. Those are only some of the indicators of how the policies of this Minister and this Government are working in the interests of the people of New South

Wales. These policies also benefit primary industry, such as the coal and wheat industries, and secondary industry in manufacturing. The transport system covers a variety of means of transport from bus and coach to airline, rail and private transport. For instance, in my electorate of Lachlan, a conservative seat in the centre of New South Wales, some 3,475 -

Mr Langton: On a point of order: the motion specifically relates to the M2 contract relating to the north-west transit link. It does not relate to country trains, and certainly not to the electorate represented by the Deputy Premier. It is a specific motion.

Mr SPEAKER: Order! Unfortunately, as the member for Kogarah has no doubt noted, various speakers have sought to widen the debate beyond reference to the M2 motorway contract. Accordingly, the Deputy Premier is in order. However, I ask the Deputy Premier, and those who will contribute to the debate, not to stray too far from the leave of the motion.

Mr ARMSTRONG: I was endeavouring to broaden the knowledge of the Parliament regarding the efficiency and effectiveness of the policies of the Minister and his department in recent years. I was indicating that rural New South Wales has a massive number of public transport seats available every day of every week. The total in my electorate every week is 11,471 seats that are filled on inward journeys, and 11,531 seats on outward journeys, representing a total of 22,900 seats a week for a population of 70,000 people. That is not too bad for a country area, is it?

The choices now available were not there under Labor. The 1940s and 1950s rolling stock on those services was not patronised because it was unsafe and uncomfortable. Freight Rail was so inefficient that no-one would use it. It ran out of customers and it took this Government months to overcome the dreadful public relations image that the State Rail Authority had when we came to office in 1988. Bruce Baird is doing an outstanding and sterling job. It is a disgrace that the Opposition has singled him out for a mickey mouse, very penny-ante exercise to try to score a couple of cheap headlines for a leader of a party who does not have the confidence of his members and who is treated behind his back as a joke by his frontbenchers and backbenchers.

Mr MOSS (Canterbury) [8.18]: Only yesterday in this Chamber we sold the State Bank for a pittance. Yesterday we handed the State Bank over to the private sector at a give-away price. That should have been bad enough for one week under this Government but today's special allows for the private sector to build a road at no risk whatsoever to the company constructing the road or its investors. The contract specifies that the State Government will accept almost all liability for any changes which may affect the road in the next 45 years. This is a disgraceful situation. The Minister for Transport, and Minister for Roads has locked future governments for the next 45 years - as the honourable member for Riverstone has pointed out, the next two generations - into a road contract that is weighted very heavily against the taxpayers of this State.

The contract will also virtually prevent the installation of any substantial public transport systems for the north-west by future governments for the next 45 to 50 years. The finer points of the contract that the Minister agreed to prevent the upgrading of existing roads or the building of new roads adjacent to the motorway. That is why the House is considering a no confidence motion in regard to the Minister. The motion suggests ways in which the situation can be retrieved. It calls on the Auditor-General to inquire into the matter and to see how legally binding the contract is. It is a shame that the first part of the motion has to express no confidence in the Minister. If the Minister had been more honest in answering questions in the House yesterday the Opposition may have been a little more lenient towards him. In reply to a question from the Leader of the Opposition whether the M2 tollway banned the Government from providing public transport to the north-west sector for the next 50 years all the Minister for Transport could tell us was that the M2 would provide a couple of bus lanes.

He knows full well that the Opposition wanted to know how the road will affect the wider area of the west for the next 45 years. If the Minister for Transport thinks that one bus lane will service the public

transport needs of the north-west for the next 45 years he has a lot to learn. The contract mentions that the population in the area will grow to an astronomical level within just a few years. The Minister was also asked whether the contract precluded the Government from upgrading Epping Road or other roads to specified regions in the north-west for the next 50 years. All he could say was that there was nothing in the way the project was structured or financed that prevented alternative action from being taken. I suppose that is the case but the contract locks future governments in and any changes would be at tremendous cost.

The Minister admitted in his speech today that if the contract is breached in any way the government of the day will run the risk of having the toll increased or the contract period extended. He virtually threatened that we had to behave ourselves in relation to the contract that he drafted which is weighted heavily in favour of developers and future owners of the road. He was also asked whether the contract for the M2 tollway provided for the Roads and Traffic Authority to reimburse the company involved for council or water rates above a specified level. After

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a lot of waffle he eventually answered the question by saying, "The contract follows the normal commercial approach and we do not apologise for it". That is utter nonsense. There is no normal commercial approach; in fact there is no commercial approach whatsoever to roads contractors with respect to the provision for council rates or water rates.

The Minister knows that the issue of rating surfaced only very recently when a number of councils through which the M5 travels were successful in achieving a measure of rates for a certain period simply because the M5, although it is an RTA corridor, is a private road running through a number of local government areas. The company building the road, the Hills Motorway Limited, and the Hills Motorway Trust, are aware of the recent decision. They are worried that they might be up for local government or water rates in the future. They have seen to it that the Government will pay the rates. It is not normal commercial practice; it is a new commercial approach. It is the approach that has been enunciated by the Minister for Transport. The Government has virtually handed over responsibility for any future rates imposed on the land to future governments, not to the persons who have leased the land for 45 years.

It does not matter what sort of property you lease, you pay your water rates and your land rates. If a landlord does not bill you directly he charges you for those rates through your rent. But the owners of this road will get off scot-free. The Minister has argued that there will be provision for public transport in the north-west in the future in addition to this road. He has hung his hat on the contract allowing for one public transport artery along the road, as I mentioned before - a bus lane. Page 14 of the prospectus contains a diagram of the bus lane. The bus way will run along only a portion of the road. The tollway will run from Windsor Road to Epping Road. The bus lane is from Beecroft Road to Epping Road, so it will not even travel the full length of the road. The Government knows why the Opposition is concerned about future public transport links in the area, because we know that while it may be possible to provide additional public transport in future it can be done only at substantial cost to the taxpayers of the State. The prospectus also points out on page 12:

An important element in the development of the M2 Motorway corridor is the residential growth in Rouse Hill . . . to date land has been rezoned for 20,000 homesites out of a total of about 70,000 potential lots.

The Government's answer to the future public transport needs of that area is a lousy bus lane along a portion of the M2. The Government is locking us into that; it will cost a small fortune to do otherwise. How dare this Government lock future governments into that for the next 45 years! When the Minister spoke on this motion he largely avoided that, because of his embarrassment about this prospectus. He tried to convince the House of all the wonderful things he has done in public transport over the past seven years. He spoke at length about increased rail services in metropolitan Sydney and throughout the State. In my electorate there are four railway stations, and at each of them the toilets are closed, there is no disabled access, there has been no platform realignment to cater for the newer trains, and trains do

not run to them after midnight. So much for increased public transport in metropolitan Sydney.

Buses are no better. I have seen one bus service abolished entirely, a number of others reduced substantially over the last 7½ years, and a bus depot in my electorate closed in 1991. The Government talks about increased public transport services. That is not the case in the Canterbury electorate. The Government talks about all the savings that have been achieved in public transport. The Canterbury region is contributing towards those savings in no small way. The Minister said the Government would extend the M5 through a tunnel under Wolli Creek. I am glad he mentioned that and I hope that message gets across to the Liberal candidate who is running against me at the next election, because he is at variance with Government policy.

He said that as far as he is concerned the road should not be built and he is opposed to it. My Liberal opponent is also supporting the retention of Canterbury Hospital. I am glad I have been endorsed as the Labor candidate in this seat; otherwise he might be asked to take my place. He is sprouting Labor policy all over the place. The Minister has made it clear that the Government wants to run the road through a tunnel under Wolli Creek, and I hope he tells that to my counterpart, who is obviously breaching Liberal Party policy. One area where a deal has been stitched up between the Government and the company building the M2 tollway is the toll charge. The toll is fixed at \$2.50 until the year 2000. After that it will be increased by 4 per cent per annum. Of course, if the consumer price index increases by more than 4 per cent the toll can also be increased by more than that percentage.

However, if the CPI does not rise within any given year, there is nothing to stop the operator - from the year 2000 - increasing the toll up by 4 per cent a year. The shareholders in this company are guaranteed increased profits every year, even if the CPI does not increase. In fact, the prospectus points that out. In periods of low inflation the toll agreement, as drawn up, is tantamount to the Government issuing a blank cheque to the company that is building the motorway. The road also provides for a combined breakdown and bicycle lane. The prospectus again, very boldly, says that this breakdown and bicycle lane will be constructed with the same pavement structure as the road itself in order to provide flexibility with future traffic movements.

In other words, in years to come when public transport is lacking in the north-west as a result of this proposed contract, the only area where one will be able to expand motor transport will be along the M2. The road will be constructed with a cycleway and a breakdown lane in such a manner that they can be used as an extra lane for vehicles. The road is being constructed to provide flexibility for future traffic movements. In other words, eventually it will not be a four-lane motorway, it will be a six-lane motorway. That is a sweetheart deal stitched up by this Government. Under the heading "Material Changes affecting the Project", the prospectus says:

The parties agree that the following matters are capable of materially adversely affecting the Project.

Section 5 states:

If the New South Wales Government deals with transport in specified regions of north western Sydney in a way which discriminates against the Company in the running of the M2 Motorway or which prejudices the M2 Motorway's operational results . . .

The fine print in this prospectus appears to state that any upgrading of any road or any increase in public transport services, even a bus service, could be construed as having an effect on the M2 road. If that is the case the taxpayers will be liable for compensation. Finally, one of the most despicable statements in the prospectus points out:

The Minister must have regard to the effect on the M2 Motorway (and its traffic usage), and the

fact that the M2 Motorway is the principal passenger and freight arterial route servicing the North West region of Sydney.

How dare the Minister lock future governments into agreeing that the principal mode of passenger and freight transport in the greater north-western area of Sydney, for the next 45 years, should be a private road - thus stifling future governments from providing adequate public transport systems in the area. For that reason the Minister for Transport, and Minister for Roads should be condemned and a vote of no confidence in him should be carried.

Mr TINK (Eastwood) [8.38]: The contribution by the honourable member for Canterbury started with a proposition that there was no risk to private sector investment. It is plain that the private sector assumes the major risk of the project, including traffic risk, design risk and construction risk. That is made clear from the risks set out in the draft prospectus. The accuracy and relevance of the speech of the honourable member for Canterbury went downhill from there. There is no need for me to traverse any further the issues he raised. The first part of the motion is extremely serious. Honourable members who have spoken in this debate from the Government side made it abundantly clear that the Minister is an outstanding Minister, one of the great public transport and road Ministers in the history of New South Wales.

There is no need for me to traverse the issues that relate to the no confidence motion. Suffice it to say that the matters raised by the Opposition in that regard are a complete and utter joke and should be treated with contempt. Privately, I have some time for the honourable member for Canterbury, and I acknowledge that he intimated in his speech that he was a little embarrassed about that part of the motion. Well he might be. It would be nice if some other members opposite had the decency to admit that that part of the motion, dealing with the Minister's record, is an embarrassment.

In wondering what is behind this motion, one does not have to go much further than yesterday's question time. The honourable member for Kogarah is the Opposition spokesperson for transport, and yesterday his first question related to the widening of Epping Road. His great concern with respect to this draft prospectus was that, according to him, the tollway documents might preclude the upgrading of Epping Road for 50 years. The honourable member has been obsessed with the widening of Epping Road for as long as I can recall. In fact, in the past he has called the M2 a "yuppie way". He was strongly supportive of Commissioner Woodward's proposals to upgrade Epping Road a few years ago, and the first question he asked yesterday highlighted his fixation and obsession in this regard. He wishes to ensure that there is no impediment in any contract to the widening of Epping Road. He wants to see Epping Road and Carlingford Road widened as a substitute for this proposed road.

That would be a disaster for the people in the electorates of Eastwood and Gladesville; ever-increasing volumes of through traffic would use the roads in those electorates. If honourable members think I am exaggerating, they have only to refer to the original submission of the National Roads and Motorists Association. In a document entitled "F2 Castlereagh Freeway: NRMA Submission to the Commission of Inquiry: October 1989", one can see - by way of a number of diagrams - the dramatic effect and the disastrous impact the road widening proposals of the honourable member for Kogarah would have for the Eastwood, Ryde and Gladesville areas. He is still championing that proposal, as was highlighted in his speech today. I am sure that come the election next March a lot of people will hold him accountable for that position.

As the Minister for Transport, and Minister for Roads said, the honourable member for Kogarah had to make a grovelling apology to people involved in the private consortium to build this road. He misrepresented a number of matters relating to an alleged conflict of interest, and, rather than cop a writ, he had to pull his head in quick smart and withdraw his remarks. The contribution of the honourable member for Kogarah today, and his contribution during question time yesterday, are of the same flavour. His agenda to widen roads that were never meant to be widened and to flood the area with through traffic is alive and well.

I turn to the motion and to the allegations of gross maladministration, which centre around the M2 north-west transport link contract. The motion highlights four points: the planning, investigating, determining and awarding of the M2 north-west transport link; and it calls for the involvement of the Auditor-General. Let us look at each of these allegations in turn. The planning reality is that in large part the M2 corridor has been there for 40 years. This is not a flash-in-the-pan planning effort; the corridor has been in existence for 40 years.

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Detailed investigations have been going on for at least the past six years with respect to the plan for a current, contemporary proposal to deal with transport issues in the north-west. As honourable members would be aware, a commission of inquiry looked into the issue. A proposal was made to alternatively widen Epping Road and Carlingford Road. People were not consulted. It has been accepted by most, with the exception of the honourable member for Kogarah, that the option of widening Epping Road and Carlingford Road is not acceptable on the basis of social justice and traffic management. Commissioner Woodward said that it was important to create extra traffic capacity, and said that the M2 corridor should be retained for another 10 years to see what the impact of that road widening would be.

Those proposals were comprehensively rejected by the community at large. As the Minister said today, we have had the most extraordinary demonstrations and scenes throughout the north-west in support of the M2 tollway. I have a petition in my hand, containing literally thousands of signatures, that seeks support for the construction of the F2. It is an indication of the support for the proposal, arising out of 40 years of planning and planning certainty. It is very important to get planning certainty in these projects. That can be seen most recently in relation to the airport debate. I refer to the incredible dislocation and disaster that occurs in people's lives when plans which have been advertised, which people have built their lives around, are suddenly put into doubt and jeopardy.

That was the outcome of the Woodward inquiry. That is why there is such strong support for using this corridor for a substantially road-based solution. That is why literally thousands of people have signed a petition and have turned up to meetings. Following comprehensive rejection of this inquiry by the community - with the community voting with its feet, and thousands of people marching down Carlingford Road to demand the building of the M2 - a further exhaustive environmental process was undertaken. That process was completely independent and involved extensive public consultation. It was never successfully challenged in the Independent Commission Against Corruption, was never successfully taken before the Ombudsman, was never a matter that in any way came to the attention of the Auditor-General and, above all, was never a matter that was taken to the Land and Environment Court.

That process provided a forum at which people could voice genuine concerns about the environmental planning process. There was nothing to take to the ICAC, the Auditor-General, the Ombudsman or the Land and Environment Court because this Minister - the Minister the Opposition seeks to censure - ensured that under his stewardship all the processes were carried out in an exemplary fashion, in a precedent-making fashion when it came to setting the scene for getting these processes up without any problems. That is why nobody took action in the Land and Environment Court or anywhere else. No action was reasonably capable of being taken. There was no case that could be put.

The next step was the environmental determination. That matter was determined according to law. It also could have been taken to the Land and Environment Court, to the ICAC, to the Ombudsman and to the Auditor-General; but it was taken to none of those bodies. I believe that the honourable member for Kogarah raised a couple of matter that I think were raised after the environmental determination had been made. The ICAC dealt with them in very short order and sent the honourable member packing. The result was his grovelling apology to the people in the private sector that he embarrassed with his public

comments.

The determination was the point at which there could have been a separate challenge by any of those bodies, but there was none. That forms the basis of the draft prospectus, about which so much has been made. The Leader of the Opposition referred to page 26 of the draft and to competing transport systems. The very words that the Leader of the Opposition read summarise the outcome of the environmental impact determination. They reflect the outcome of six years of public consultation, six years of public demonstration, six years of overwhelming support for the proposal that is now in these documents, and 40 years of planning for the corridor to be set aside.

There can be no attack on the material set out concerning competing transport systems because it emerged from the public consultation process and the environmental impact determination; and it has gone unchallenged in the Land and Environment Court. Earlier in the year there was debate in this House on a motion to refer the matter to a parliamentary committee and this Chamber opposed that motion and fully and comprehensively considered all the issues up to the environmental impact determination stage. Those matters have already been considered by this Chamber and it is upon that basis, apart from anything else, that this document has been drawn up and those assumptions have been made.

The other assumptions about which so much has been made involve the base case and matters stemming from the base case. The starting point in all of this is that the private sector is assuming all of the traffic risk, which of course is the key risk in this type of contract - and the construction risk, which I suppose is the other one - in the context of that base case. That case was subject to an environmental determination; it was not challenged in any court, or by any statutory body or statutory officer; and it received the green light through this Parliament with the support of the honourable member for Manly, the honourable member for Bligh and the honourable member for South Coast. It is upon that basis that this document has been brought forward and the private sector involvement became apparent. There is no suggestion anywhere in the contract of any locking out of the public sector from further developing public transport options; none whatever.

All that is said in this context is that if those developments alter the base case there can be renegotiations. But, what of that? What are we getting out of this contract? We are getting a major

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infrastructure project for which the private sector is carrying the risk and the lion's share of the financing; we are getting an outcome where the public purse has been saved something in the vicinity of \$500 million and, accordingly, that money is available for all sorts of public transport projects elsewhere in this State - including, I dare say, in the electorates of many honourable members who will support this motion.

If the motion, in whole or in part, succeeds, the private sector investment in this project will be in grave jeopardy, private sector investment in other public transport projects will be in the gravest jeopardy and the Government will have to fall back on consolidated revenue resources to get those projects under way. If that happens, the timetable for a number of public transport projects, including light and heavy rail projects, will be thrown into complete chaos. The outcome here is that the private sector is taking the lion's share of the risk and is providing the lion's share of the finance. It is an excellent outcome in that context, and is seen as an outstanding precedent in other States and overseas. If it is thrown into chaos as a result of this motion, New South Wales will lose the benefit of all that and we will not see private sector investment in these types of projects again in this State.

That is something that has to be borne in mind in respect of the eastern distributor and any of the possibilities that might come on line as a result of the section 22 deliberations in the Manly-Warringah area; and it has to be borne in mind in relation to other projects elsewhere in the city involving private sector investment or possible private sector investment. The key public transport initiatives in the north-west remain intact. The Government has announced its intention to establish the northern line, down through Epping and across to Carlingford and Parramatta - a crucially important public transport

project to ease traffic congestion in the region and create better links between growth areas on the central coast and the Parramatta region and the booming western suburbs.

That is something that is not involved in the limitations arising out of this contract. The integrated transport link is an import part of this project, and that is yet another element that has been placed in jeopardy by this motion and by the private sector being put off the pace if this motion gets up. The first integrated transport link in this State will be speared if this proposal gets up, and I think that that would be an absolute tragedy and a disgrace. The fact is that busways do work, and that busways converted into light rail do work, and there are ample precedents of that in other States, particularly in Western Australia. As the local member I welcome the concept of a busway, moving to light rail, being hooked into the main northern line at Epping. I regard it as a real ground-breaking precedent.

The idea that the Minister for Transport, and Minister for Roads could be subject to a motion of no confidence for achieving such a ground-breaking project in this State is absolutely obscene. Whatever the Opposition may do, I would ask the Independents to contemplate the extraordinary degree of public interest and involvement in this process from the time the first steps were taken by the Government in 1988 to get started on the M2, and the extraordinary public support for the M2 in the north-west of Sydney. That is why all the members who represent electorates in the north-west want the M2 to proceed. It is not some little frolic that we are on about personally; it is something that a couple of hundred thousand of our constituents have been demanding, and about which they have been put off, for 40 years.

We are getting close to an outcome on this; we are within a hair's breadth of achieving an outcome that our constituents have been waiting for for 40 years. If this motion gets up, that is all back in the melting pot. The Independents supported the Government on this issue in March and this document is based on their support. A couple of hundred thousand of our constituents are going to have the legs cut out from under them if the Independents support the Opposition on this motion. It will be playing into the hands of the Opposition; it will be playing into the hands of the honourable member for Kogarah; it will be sending out a signal supporting the widening of Carlingford and Epping roads, throwing local roads throughout Gladesville, Ryde and Eastwood into chaos and completely ruining the development of the north-west sector in any way that involves an integrated transport link. It would be an absolute tragedy to go back to square one on this and, if the Opposition blocks this project, it will pursue its other pet projects, and all of our other private-public projects, all of which will save a lot of public money, will not get off the ground.

Mr IEMMA (Hurstville) [8.58]: I start my contribution by addressing one or two of the issues mentioned by the honourable member for Eastwood. He said that if this motion is carried any chance of private sector involvement in future public infrastructure projects would be destroyed and that the confidence of the private sector would be dashed. Obviously he has not looked at the recent Auditor-General's report on private sector participation in the provision of infrastructure. The Auditor-General expressed strong concerns about the conditions contained in the contract for the M5. The prospectus for the M2 contains similar conditions. For the benefit of the honourable member for Eastwood and the Minister I should like to quote from what the Auditor-General had to say about the types of clauses that appear in the prospectus for the M2. At page 387 of his report, referring to the M5, he said:

If such maintenance and repair involves an upgrading of such roads, the RTA must have regard to the fact that the Tollroad -

that is the M5 -

is a principal arterial road of the road system of New South Wales.

The Auditor-General also expressed concern that he had not had sufficient time to examine the clause.

On page 62, when dealing with maintenance of other roads, the prospectus reads:

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The RTA may maintain and repair other roads, including alternative roads. If that involves an upgrading of those roads that compete with the M2 Motorway, the RTA must have regard to the fact that the M2 Motorway is the principal arterial road servicing the specified regions of northwestern Sydney.

That is identical to the clause about which the Auditor-General expressed concern in the contract for the M5. One of the reasons for his concern was that when the time came to extend the M5, the western link, no tenders were called before the contract was awarded to Leightons. The Auditor-General believed that the appearance of the principal arterial road clause in the M5 contract in some way acted to influence the RTA to award the western link contract to Leightons. He said that those types of clauses may act against the public interest because a proper tendering process is not undertaken. He could not scrutinise the documents to protect the public interest. At the end of the day, protection of the public interest is what we are all about.

Yesterday the House debated the sale of the State Bank. The Auditor-General examined the terms of sale of the State Bank and concluded that the price was fair and reasonable. The Government hung its hat on that conclusion when seeking approval of the agreement for sale. The Auditor-General did not get a run in the contribution of any Government speaker, including the Minister. The Minister knows of the existence of the earlier report and of the Auditor-General's reservations about the conditions contained in the M5 documentation. It is now convenient for the Government to ignore the Auditor-General. If the Auditor-General produces a report that supports the Government's arguments, the report is paraded around. However, if the Auditor-General draws the attention of the public to concerns he may have about private sector involvement in the provision of public infrastructure, the Government chooses to ignore those concerns.

For that reason the second part of the motion is important. The contract for the M2 should be referred to the Auditor-General so that he can examine the deal with a fine toothcomb, something he was not able to do in relation to the M5. The Auditor-General will then be able to give the Parliament and the public the benefit of his advice, as he did in relation to the State Bank. The honourable member for Eastwood said that no future government project could be excluded from the terms of this deal, and that the deal protected the public and did not exclude the provision of future public infrastructure, public transport initiatives or other road initiatives. He must have been looking at a different document. What triggers compensation?

The development of new road links materially affecting the M2 triggers compensation. Any project or program to upgrade existing roads west of the intersection of Epping Road and the tollway that materially affects the M2 triggers compensation. Under the terms of the prospectus, any such program or project would materially affect the M2. Under the provisions set out on pages 61 and 62 of the prospectus, any project involving a public transport link, bus or rail, that materially affects the M2 triggers compensation. Practically everything is ruled out except fixing potholes. What type of future project would avoid the provisions contained in this prospectus?

The honourable member for Eastwood claimed that if these provisions were called into question, the base of the whole project would be destroyed. That is nonsense. In this extraordinary deal the Minister has basically signed away the right of the public to the development of future public transport projects in the north-west region. He has granted the operators of the M2 a free run for 45 years. If the Government envisages that sort of private sector involvement in public infrastructure, it is certainly on the wrong track. In his report on the M4 and the M5 the Auditor-General made specific reference to the involvement of the private sector in the provision of public infrastructure. We are told that payment of the toll will discharge any obligation taxpayers may have in relation to the project, and so long as there is a toll the private

contractor meets all of the risk, and the public is not left to pick up the tab in any way.

The Auditor-General certainly exploded that argument when he found in relation to the M5, contrary to what has been argued, that the toll road would be financed purely from tolls. He found that the Roads and Traffic Authority, on behalf of the taxpayers of New South Wales, had to kick in \$85 million to keep the project viable. The Government's view is that involving the private sector in public infrastructure means signing away the right to keep the profits and run the road, excluding any other form of road or public transport project, and making the public pay a subsidy and guarantee the losses. It is the old National Party line: capitalise the profits and socialise the losses.

The Government wants to make sure that the taxpayer picks up the tab at some stage in the project. That is what happened, to the extent of \$85 million, with the M5. The M5 western extension resulted in the RTA kicking in \$50 million on a project worth \$65 million. That project was not tendered for because the RTA interpreted the contract it had signed for the Liverpool to Beverly Hills project in a way that meant that the contract had to be awarded to Interlink because of the existence of two conditions - and the M2 prospectus contains identical conditions - that provide that the RTA must recognise that the M5 was the principal arterial road. Because of that the RTA decided it had to award the contract to Leightons.

That is the danger of not tendering for projects such as the M5 extension and the M2. In his report the Auditor-General was alerting the public and the Parliament to that danger. The Minister should take heed of the warning he has received. This motion was moved because the Minister has gone down the same track as that he traversed in relation to the M5 proposal, totally ignoring what the Auditor-General had to say. He now finds himself in the predicament of facing a no confidence motion, which includes a reference to the Auditor-General.

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I hope the Independent members will support the motion, which will enable the Auditor-General's office to go through this deal with a fine toothcomb and finally test the issues to which he has referred in his report. He was not able to obtain the necessary documentation in sufficient time to provide a considered response to the types of conditions that appear in the prospectus and are set out in the M2 deal. The honourable member for Eastwood said that he was speaking on behalf of hundreds of thousands of people in the northern and north-western suburbs of Sydney who are overwhelmingly in favour of the project. I am sure they would not be overwhelmingly in favour of signing away their rights as taxpayers to alternative road projects or transport initiatives. Though they may agree with the actual M2 proposal, I am sure that the honourable member for Eastwood has not informed them that this deal will prevent them from having access to any form of alternative project in competition with the M2 for the next 45 years.

Mr O'Doherty: It does not.

Mr IEMMA: I challenge the honourable member for Ku-ring-gai to name one thing that the Government will be able to do under the terms of this contract that will not trigger the issue of compensation and that will not materially affect it. Once the operator's lawyers get a hold of it, virtually anything sought to be built out there, whether public or private, will trigger the issue of compensation. Pages 61 and 62 of the prospectus confirm that fact. Honourable members opposite should read the Auditor-General's report on private involvement in public infrastructure projects. He gave warnings about these types of conditions being inserted into contracts for such projects.

Government members have not read the report because it does not suit them to read it. It suited the Government yesterday to rely on the Auditor-General when it flogged off the State Bank for a song. However, it does not suit the Government to do so on this occasion. On this issue Government members want to ignore the Auditor-General. However, the Auditor-General warned that such conditions in contracts increase the danger of the public paying significantly more than it should. And the public is

carrying the can for this project. The whole purpose of private sector involvement is to save taxpayers' money.

Honourable members opposite should read the comments of the Auditor-General about the M5 proposal. That project was supposed to have been totally funded by toll revenue, yet it ended up costing taxpayers \$85 million. He referred also to the Casula link, in relation to which there was no tender and the Roads and Traffic Authority had to kick in \$50 million of the required \$65 million, in addition to the original commitment for the Liverpool-Beverly Hills link of \$30 million. The purpose of private sector involvement is to enable taxpayers' money to be spent on schools and hospitals. Yet in the end, the M5 cost \$85 million. The Auditor-General issued a warning in that regard. That is why the matter should be referred to the Auditor-General and why the Minister should no longer have the confidence of this House. He is the first Minister in this Parliament to present such a shonky deal. He has signed away the rights of New South Wales taxpayers.

Mr Cochran: There is nothing shonky about it and you know it.

Mr IEMMA: It is a bit rich for members of the National Party to be talking about shonky deals; we all know about their shonky deals. This deal typifies a government that sees public transport options as the enemy, as the evil empire. The Government will enter into any deal or contract that will exclude any form of public transport options. As long as that is possible the Government will deliver for its masters, the people who have signed on the dotted line in this contract. Sydney has the makings of an excellent transport system but this deal will prevent people living in the west and the north-west having access to an alternative to the private transport system or to the private motor vehicle. The Minister has decided to sign away all rights to those alternatives. The Government claims that it believes in choice. Where is the choice in this matter? People who live in the north-west will be locked out for 45 years. Under this deal no-one in the north-west will have access to public transport. The Auditor-General issued his warnings and outlined his concerns in his report.

[Interruption]

I am glad the honourable member for Coffs Harbour is present in the Chamber. He failed to turn up for a division the other day. He was not present for the police debate but he is present for the debate on tollways. That is fantastic. The motion deserves to be carried because the Minister has sold out the people of New South Wales. Though he is the transport Minister, he has shown that he is only interested in private motor vehicle transport and tollways. The Government will sign on the dotted line for any tollway proposal regardless of the cost to the taxpayer. About \$170 million of taxpayers' money will be signed away to buy land for the M2. The Government will sign on the dotted line for any private sector road or transport project. *[Time expired.]*

Mr MERTON (Baulkham Hills) [9.18]: This motion is based on deliberate - not unintentional, negligent or stupid - falsehood. The Carr tactic is lies, lies and lies. He is the old Goebbels of the Labor Party; he believes that if lies are told long and loud enough, someone will believe them. Yesterday the Leader of the Opposition was found out when this House dealt with the State Bank legislation; he was not prepared to participate in that debate. He had given a big build up saying that he would do certain things, but he was not prepared to front the House yesterday. He was found out telling lies. I suggest that the speech he gave today he intended to give yesterday in the debate on the sale of the State Bank but he was not prepared to face the troops. His speech was as relevant to the State Bank as it was to the motion before House today.

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The honourable member for Hurstville spoke in this debate, although his electorate is a long way from Epping, Baulkham Hills, Blacktown and Seven Hills. Members opposite talked about the M5, but this motion relates to the M2. The Opposition has moved the motion claiming gross maladministration by

the Minister. However, it is relevant to note what happened when the harbour tunnel contract was let by the Australian Labor Party in the dying days of that corrupt and maladministered regime. On that occasion there was no debate as the gag was applied, no tenders were called, no inquiry was held and no real discussion took place. The proposal went straight ahead - contrary to what has happened with the M2 motorway proposal. The honourable member for Kogarah is back in the Chamber again. We saw him in action today, but he will take this matter no further than he did on a previous occasion in a pathetic attempt to stop a road being provided to the people of north-west Sydney. He failed dismally then, and he will fail dismally today.

Members opposite are living in the days of mates. They are a part of the great Labor history exemplified by the great Mr Richardson, who recently wrote such a marvellous book! They are living in the days of the red rattlers; they are living in the hey day and glory of great Labor leaders. Lang and Chifley would turn in their graves if they realised the weak and pathetic people who have inherited the once great mantle of the Labor Party! Members opposite are living in the days when railways were costing the taxpayers of New South Wales approximately \$3 million a day in losses. Once more the Leader of the Opposition conscripted his failed club comedian scriptwriter. In his contribution he made a few pathetic jokes. The one which touched my heart was the one about the lonely hearts club. I have news for the Leader of the Opposition: after the next State election the lonely hearts club will be within the Australian Labor Party. Bob Carr will be by himself. He will be a disgraced man, and his party will be looking for a new leader.

The reality is that this motion is ill-founded and has no substance. The Labor Party would have this House believe that this contract effectively excludes public transport from this infrastructure. On the contrary, it is the first contract in Australia to specifically require two public transport lanes for the entire length of the tollway. As the Minister indicated, bus lanes can be converted to light rail in the future; the contract specifically provides for that. The contract does not condemn the north-west of Sydney to car dependency. To the contrary, the high speed dedicated bus lanes can be converted to light rail to provide two highly significant public transport opportunities which are likely to lead to increased public transport patronage. The opponents of the M2 motorway are opponents of new public transport links.

The Opposition has taken this tollway in isolation from an integrated package of transport measures under way in the north-west sector of the city. The Opposition has excluded the construction of the Parramatta to Hornsby rail link, which will bring significant numbers of new rail users from the central coast directly through to Parramatta. These customers will travel from Parramatta and Sydney's western areas directly through to the north-west sector via interchange with high speed bus ways.

The other element ignored by the Opposition is the construction of one of Australia's most impressive public transport interchanges at Epping station. The facility will have such an impact that people travelling from the north-west in either high speed buses or light rail will be able to join, with a minimum of inconvenience, rapid transit trains to the city. Let us now consider the prospectus which gives the Labor Party such confidence in moving this motion. First, we were told that the Government has a responsibility if the project goes wrong regarding financial arrangements. We were told that the taxpayers of New South Wales would have a liability to pay the consortium. That is an utter lie! If members opposite could read, they would soon see that this is not the situation. Page 25 of the prospectus, under the heading "Traffic Risk", reads:

Investors carry the risk that traffic volumes are lower than those projected.

The risk is with the investors, not the Government. Again, this situation is contrary to that relating to the harbour tunnel. The prospectus states the following about the construction risk:

Abigroup and Obayashi are jointly and severally responsible for completing construction of the M2 Motorway under a predominantly fixed-price and fixed-time contract. As a consequence, the Contractors carry the majority of risk for constructing the M2 Motorway on time and within budget.

The arrangement contains a provision that if the situation changes manifestly, and if the company can prove that its income stream has been affected by acts of the Government, the company can renegotiate the situation. Similarly, if I am a proprietor of a small business, and I decide to sell that business, the person purchasing the goodwill of the business will require me to enter into a restrictive covenant indicating that I would not open another business within a certain number of kilometres for a specified number of years. We have made a business proposal to this company. We indicated that if we change the rules and alter the company's revenue stream, we would negotiate the arrangement. That is no different from the sale of a small business. Obviously people investing in such projects require some form of protection. The arrangement is not unreasonable at all. Nowhere in the agreement does it state that if the Government has not changed the situation, and if investors do not receive the anticipated volume of traffic, taxpayers must pay more or that the terms of agreement will be altered.

The agreement merely indicates that if the Government alters the situation, and if it sets up directly in competition, the contract will be renegotiated. However, the company must prove losses that are attributable to the Government's actions. That in itself allows the Government to build

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alternative roads; it could build another road nearby; and rail could be installed. The Government has the power under the contract to do such things. It will be a matter of saying to the investors, who put up money in good faith, "Yes, we have changed those circumstances, but we are prepared to give compensation." This may be by additional terms and other such measures. I would imagine that every prudent investor would require such an assurance. This is a different situation from the harbour tunnel, in respect of which there is a government guarantee of revenue. There is no government guarantee of revenue in relation to the M2. Page 61 of the prospectus clearly says without qualification whatsoever:

No traffic representation

The RTA and the Minister make no representation or warranty in respect of the M2 Motorway traffic usage.

No warranty is given. The only way in which the contract can be altered is if we change the game and we put in something in competition. That is perfectly proper. People are entitled to such an assurance. It is an example of the difference between dealing with the coalition and dealing with a bunch of shonks in the ALP who trump up deals to suit their mates. "Mate" is a great Labor word. It certainly has connotations.

Mr lemma: You are frothing at the mouth.

Mr MERTON: When I see the honourable member for Hurstville I have a good reason to froth at the mouth. People in the north-west part of Sydney spend an hour and a half travelling to work bumper to bumper. I would expect the honourable member for Parramatta, who is a very astute young member of this Parliament, to vote in support of the M2. The Labor-controlled Parramatta Council supports it, and I would assume that the honourable member would go along with what the council wants.

Ms Harrison: I support public transport.

Mr MERTON: So do we, and that is why we have drafted the contract in a particular way. Page 62 of the prospectus states:

RTA Disclaimer

The Company and the Trustee acknowledge that, subject to the Project Documents, the RTA and the Minister have not made any representation, given any information or advice or given any warranty in respect of any information or data supplied by them, including any design documentation,

Environmental Impact Statements, reports or any other information or data in respect of the Project.

So it is clear that we have not committed the taxpayers of New South Wales to the banker of last resort. We have not given any warranties on behalf of the taxpayers of New South Wales. We have merely said that if we change the rules by introducing another means of transport that would affect a business that we have leased - in other words, if we alter the playing field - we renegotiate and restructure in fairness to each of the parties. The road is needed by the people of north-western Sydney. In 1988 the Liberal Party under Nick Greiner went to the people and gained a specific mandate for the north-west sector. A similar mandate was given in 1991. The matter was brought before the Parliament some months ago and it decided that it would not refer the matter to a select committee.

Over the last 6½ years the Minister for Transport has rejuvenated transport in New South Wales. It has been a period of starting again with the progressive recovery and expansion of transport that was on the verge of collapse. We remember the red rattlers, the years of decay and the expressway and motorway corridors that Premier Neville Wran decided to sell. We remember rundown buses and trains, inefficient operations and junkets within State Rail costing the taxpayer \$3 million a day. In the 1980s the New South Wales Labor Government had become increasingly trapped by paying larger and larger contributions to prop up inefficient transport services. I believe that in some respects the Labor Party was glad that it lost the 1988 election. Transport and law and order were in a mess and the State was heading for a debt of \$47 billion. The coalition took hard and decisive steps to overcome what would have thrown New South Wales into the same bankrupt dilemma that Labor States such as Victoria, South Australia and Western Australia faced.

The motion claims that there has been gross maladministration by the Minister. This Government's record in transport compares favourably with the record of the previous Labor Government. There has been a mandate for this road for about 30 years. It was this Government that kept faith with the people and decided to build the motorway. People in north-western Sydney are conservative. They are the silent majority, the so-called forgotten people referred to by Sir Robert Menzies. They know that the road is essential for a realistic and reasonable transport system. Let us analyse the allegations against the Minister. Is there any serious allegation that the Minister is corrupt? No. Is there any serious allegation that he is dishonest? No. Is there any serious allegation that the Minister is negligent? No. Is he merely careless? No. Is he guilty of some other serious, grave or weighty matter? No. The matter gets back to cheap political purposes. The Opposition has been aided and abetted by a few people with vested interests and has brought this matter before the House in the dying throes of the Labor Party. It realises that within four or five months it will face another term in opposition. The motion refers to the Minister's:

... gross maladministration of the planning, investigation, determination and awarding of the M2 North West Transport Link contracts, the Minister for Transport no longer possesses the confidence of the House;

As a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts . . .

The second part of the motion flows on from the allegation of gross administration. I put to all reasonable members of the House that gross maladministration has simply not been proved. The Minister has acted with propriety at all levels. There have been commissions of inquiry, public inquiries

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and an open process of consultation. There is simply no evidence to suggest maladministration by the Minister. That being so, there is no consequence. Nothing flows from that and the matter ends there. It is proposed that the Auditor-General look at a matter for which contracts have been signed. Unlike the situation with the State Bank, in this case there was no *fait accompli*. With the State Bank there were merely heads of agreement signed.

The Opposition - and hopefully not the Independents - is now trying to interfere with a contract that has been validly entered into by a government that has a mandate. The matter was dealt with six months ago. The Auditor-General automatically has the power to review every contract of this nature. Members of Parliament have a responsibility to make decisions. Parliament has made a decision in this matter to proceed. Contracts have been executed. People have relied on the contract. People have been compensated and houses have been demolished. It is now too late for the Australian Labor Party to try to interfere with that process and introduce a third party to the negotiations. This is a matter for Parliament and Parliament is the author of its own destiny, as far as this is concerned. This motion has dismally failed. [*Time expired.*]

Dr MACDONALD (Manly) [9.38]: I do not support the urgency motion in its fullness. I support the reference of the matter to the Auditor-General. I do not agree with the remarks made by the honourable member for Baulkham Hills. The parliamentary process is not such that we must assume that Executive Government has the right to proceed with matters without proper accountability. I make no apology for supporting the reference to the Auditor-General. I have difficulty with a motion of no confidence in this Minister; it is not warranted. I will move an amendment to the effect that this House should censure the Minister for Transport. I indicate that this same process of determining the right form of mass transit system, whether road-based or rail-based, is raging in my electorate.

I would be furious if I, either as a member of Parliament or as a member of the community, were faced with the prospect that a road-based solution had been signed which provided obstacles for a future alternative public transport system. This proposal prejudices such an alternative. It is interesting that communities differ. The community I am from, which has both Liberal and Independent representation, favours a mass transit system, as has been determined by public meetings, polling, and so on. The contract does disadvantage the possibility of a public transport option. We have to look at the underlying concern that it gives primacy to a road-based option. One can argue that there are opportunities to introduce upgrades, other roads and public transport alternatives, but something stands out in the document: it gives primacy to a road-based solution.

In effect, the contract guarantees that the M2 motorway will be the primary transit link within in the north-west area. It does not exclude other options, but it gives primary status to the road-based option. The Minister has sought to preserve that road status against the "material adverse effect", to quote from the report, so that it remains the principal passenger and freight arterial route. That is my concern: it cuts off future options. In this day and age when we are examining urban lifestyle and transport options, it sends out all the wrong messages. I have been advised that the contract excludes - unless compensation is paid - public transport options, other roads and light rail, unless they are built by Abigroup Limited.

The previous Roads and Traffic Authority policy for infrastructure projects, such as the M5 and M4, was that the traffic levels provided the fixed revenue streams. This proposal is different. It is a departure from previous projects where there were guarantees about revenue streams. This proposal locks the Government into a particular system. As the Minister said, with the previous systems with the fixed revenue streams all the risk was with the Government. Of course, that is reflected in the M5 and the harbour tunnel as reported on by the Auditor-General. With the M2 the risk is that there will be a limitation on future policies for future generations. That is indisputable. That limitation may be overcome in future with the payment of compensation. However, one cannot get away from the fact that the contract will limit policies for future generations.

I despair at how these political decisions are made with such short horizons. There is a lack of vision and a lack of long-term strategy. I put it to the House that the vision resides with the community groups and the transport action groups. They are the ones that represent the long-term interests of the State in that area. I have had it put to me that those groups represent a smaller number than the numbers who are in favour of this proposal. Future generations would argue that we should be making decisions now to introduce decent mass transit systems, not the short-term expediency of a road-based

system. The Minister and the RTA have been captured by the road lobby, make no mistake about it. The power and influence of the road lobby is immense.

The road lobby includes the car manufacturers, the petroleum industry and the road builders; they are the ones that have captured this whole debate. Yet, we have not seen an acknowledgment that the true external costs of the motor car are taken into account, or that the true impact of the motor car has been properly articulated. We need only to look at the impacts to recognise that we need to move away from the car-based and road-based systems and look at issues such as air pollution. It has been estimated that 40 per cent of CO₂ emissions are from cars. Benzenes are also a problem. The Lord Mayor of Sydney has been talking about locking up buildings to prevent access by air pollution. Other problems include carcinogens from cars, smog, disease, safety and accidents - we can go on and on looking at the impact of the motor car.

It is clear to me that we need to move into a society that is less car dependent. It has been estimated that 30 per cent of cities are taken up as a result of cars; in other words, by roads, garages and
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parking lots. Fuel in Australia will reach peak production in 1996 and Australia will be out of fuel by the year 2010. Yet this contract perpetuates car dependency. In a document produced by the Department of Planning entitled "Future Directions" it is predicted that there will be a 600 per cent increase in car use if we continue to satisfy the current road demand. If we are serious about urban consolidation we need to increase mass transit and reduce car dependency, which is the opposite of what this contract will achieve.

Why is it that governments and Ministers get themselves into these positions? They get sucked into it in the sense that there is a change of direction in terms of infrastructure funding and risk taking, as a result of a rush into joint sector funding and the lure of non-taxation moneys. Understandably, governments do not like to increase taxes. As a result of this bad decision, the community will pay in other ways, such as the impact of cars over the years and the lack of a decent public system. Because of an eagerness to acquire funding, it has been poorly negotiated in the past, as seen in examples referred to by the Auditor-General. I believe it is being poorly negotiated now. I think the M2 contract is a big mistake. We are hobbling and muzzling future policy options. We are enslaving future generations to this car dependency. In effect, the contract provides a subsidy against public transport. The Minister for Transport, and Minister for Roads tries to argue against this. The Minister has provided me with his speaking notes. Page 3 of his notes state:

It could in fact be argued that the M2, with its public transport corridors, has opened up, when considered jointly with the other public transport initiatives in the region, a whole series of new opportunities for public transport in the north-west.

That is drawing a longbow. The Minister has said, "Don't worry about it; we will refer the whole thing to Blake Dawson Waldron" - the solicitors. They have provided a letter, which confirms my worst fears. The letter states:

The Minister must consult in good faith with the Company in respect of any proposed development of public infrastructure servicing the northwest regions of Sydney . . .

That is exactly what we are concerned about. If developments could reasonably be expected to have a material adverse effect on the project, the Minister has to consult the company. The risk is that we will have to pay out large amounts of compensation. The letter continues:

This means of allocating long term contract risk, in our view, is consistent with the approach taken both domestically and internationally to projects similar to this one.

If we are being told that the future way of government is to enter into this sort of contract - which basically says, "We will not build it for you unless you lock out a long-term public transport option" - it is not worth it. Nothing in the Blake Dawson Waldron letter gives me a great deal of comfort. The Minister then says, "Don't worry about it, you have a bit of a bus way". The bus way does not run the whole length of the M2; it runs about halfway - along the western half - and ends up at Epping. We have been told that there is an opportunity for light rail. I have taken advice from the Minister's office; my staff have had discussions with his officers. I understand that a light rail system could be put in, but if it is built by anyone other than Abigroup Limited, it will have to be compensated. If light rail goes in it will be treated the same as alternative public transport infrastructure, as referred to on page 62. It will invoke the material adverse effects clause. I do not think anything in the Minister's speech gives me any comfort that provision has been made for light rail in the future.

We know what the Government's concept about better public transport is in my area. It talked about the bus option on this route. I draw the attention of the Minister to what was described as better buses - State Transit's so-called improvement for buses in my area. It is being referred to as "worse buses" because there has been a cutback in the number of buses. We are able to meet the demands required under the Passenger Transport Act. We are struggling to reach that in our area. In my view, better transport means fewer cars. We have become car dependent - we probably all own cars - merely because there is not a public transport option.

Last month the British royal commission on environmental pollution reported that building roads and increasing road capacity generates traffic. It looked at the M25, which is the London orbital road. It found that 40 per cent of the traffic using the M25 was generated by the new road. The axiom that as we increase road capacity we increase the number of cars using it has been proved time and time again. That mistake is being made here. What does the Minister anticipate to be the increase in the number of cars as a result of this road? Perhaps he could comment on the M25 experience. I wish to move an amendment to the motion of the Leader of the Opposition. I move:

That the question be amended by leaving out all words after the word "That" with a view to adding instead the following words:

this House censures the Minister for Transport for his failure to maximise public transport infrastructure options open to future governments in his determination and awarding of the M2 contracts.

(2) That, as a consequence, this House calls upon the Auditor-General to immediately and urgently fully review the terms and conditions of the M2 contracts for report to the House by 9.00 a.m. Thursday 1 December 1994.

(3) That in his review, the Auditor-General obtain independent legal advice on all matters relating to the M2 contracts, including, but not restricted to, the following matters:

- (a) whether the contracts are legally binding;
- (b) whether variations in the contracts may be made; and
- (c) whether a contract binding governments and taxpayers for up to 45 years is constitutionally valid and whether it is appropriate in light of financial and other issues.

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(4) That this House calls upon the Government to make all documents, including Cabinet and legal documents, available to the Auditor-General to ensure a full, in-depth inquiry under the terms of this motion.

As I have indicated, I am not prepared to support a no-confidence motion in the Minister. However, I believe that he has failed to maximise public transport infrastructure options. It is clear that the price we have had to pay for private sector involvement in the M2 has meant a preclusion of public transport options over the years, unless considerable cost is met by future governments. I have restricted my censure to that issue. I believe it is an absolutely defensible position. I have also tidied up - if I can put it that way - the reference to the Auditor-General. I have given him two extra days. I also acknowledge that it is inappropriate for the Auditor-General to report on acceptable public policy. That is not within the terms of the Act under which he operates. Therefore, I have suggested that the words "valid and acceptable public policy" be replaced by "whether it is appropriate in light of financial and other issues". The final addition is to prevent the investigation inquiry by the Auditor-General being hampered by an inaccessibility to Cabinet and legal documents. It is a very easy for the Government to hamper such an inquiry by not allowing the Auditor-General access to such documents.

I have confidence in the Auditor-General. I have confidence in the reports that he has provided for other infrastructure projects. I believe that he has been constructive and, at the same time, critical of a range of infrastructure projects proposed during the years of both Labor governments and coalition governments. He recently completed an inquiry into the State Bank. His report was accepted by the majority of the members of this House as being credible and unequivocal. I seek support for my amendment. I believe that the M2 contract is a sad story. My final message to the Minister is: he should have stood up to the private sector; he should not have gone all out to get this contract at any cost. The price we are paying is too high.

Mr RICHARDSON (The Hills) [9.58]: I had originally thought that this motion had been moved by the Opposition because the Minister for Transport, and Minister for Roads was actually too good; because his achievements were too strong for the Opposition, and that that gave the Government a real leg-up in the lead-up to the next election. Having listened to the debate this evening, I am convinced that was not the case; the real target appears to be, as it has been for the honourable member for Kogarah for some time, the M2 and transport options for the people of the north-west. Why would that not be the case, given the proud record of this Minister and this Government on both public transport and roads?

As previous speakers have outlined - but I would like to recapitulate because the debate has moved away from some of these areas - over the past six years the Government has saved New South Wales taxpayers \$1.53 billion in a turnaround in public transport performance. The Government has reinvested - and I think the honourable member for Manly should note this - more than \$3.8 billion in revitalising the State's public transport system. In fact, capital expenditure on public transport is currently at record levels, up by 71 per cent since 1988. The Government has built 21 rail interchanges and commuter car parks for easy and safe transfer of passengers, including four in the north-west area - a \$10.6 million interchange at Blacktown, a \$4 million car park at Seven Hills, a 295 space car park at Thornleigh and a \$500,000 bus-rail interchange at Pennant Hills.

Total annual State Rail Authority cash operating costs are now 24 per cent or \$485.8 million lower in real terms than in 1987-88. The red rattlers have gone, replaced by Tangaras; and 147 railway stations have been upgraded - and I note that the honourable member for Canterbury had something to say about that. He also said commuters cannot get a train after midnight. The reason for that is that the Government has introduced the Nightride system on buses, which complements the Nightsafe system on trains, and that is making security much better and the commuters of this city feel much safer riding the trains at night.

The Government has spent 38 per cent more on roads than Labor spent when in office. That is more than \$11 billion since 1988, a very substantial sum of money. Of course, the Government has developed an integrated transport strategy which takes into account where the jobs are going to be in the future, where people live, where the schools are and where the transport needs are. I think it is really worth comparing this with Labor's record. The motion being debated asks for the Auditor-General to

examine the contract. I have examined what the Auditor-General had to say about the Sydney Harbour Tunnel, one of the proudest achievements of the previous administration.

[Interruption]

I thought the honourable member for Kogarah might like to hear some of this. There are some real gems here for the Labor Party. A number of studies found the tunnel unjustifiable on economic grounds. The Sydney Harbour Tunnel concept was proposed by the Transfield-Kumagai joint venture directly to the Government. A process of calling for tenders to ascertain whether their proposal was the best available for the Government was not followed. The Government of the day agreed to proceed with the tunnel proposal subject to two broad financial criteria - one, harbour crossing tolls were not to exceed \$1 in 1986 prices; and, two, construction, financing and operation of the project as a private venture were to be facilitated by lease of public property for a fixed period. The first criterion has been breached already, the Auditor-General noted, resulting from an increase in the toll to \$2 upon the opening of the tunnel to the public. Based upon a 1986 toll of \$1, at the time of the tunnel opening the toll should have been only \$1.42 and this year should have been \$1.45.

Mr Langton: Oh, go and squeak somewhere else.

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Mr RICHARDSON: Clearly, the honourable member for Kogarah does not like hearing unpleasant details about his party's failings. Although legally the authority has a reversionary interest in the tunnel after 30 years, the substance of the arrangements indicates that the risks and benefits of ownership presently reside with the authority. A review of the financial projections for the tunnel indicate that the Sydney Harbour Tunnel Control Authority is expected to realise a cumulative net cash flow surplus of only \$10 million on the operation of the tunnel. This may raise some doubts over the ability of Sydney Harbour Tunnel Company Limited to repay the authority's loan to it of \$223 million. In addition to collecting and retaining tunnel tolls, SHTCL is entitled to payments totalling approximately \$2,891 million from the authority over 30 years.

The authority has made an interest-free loan of \$223 million to SHTCL for a period of 30 years. Interest forgone on this loan has been estimated to be a minimum of \$1,150 million. The nature of the loan is not without question, it being in the nature of quasi-capital. That is a brief rundown on the last major capital project that the Labor Party was involved in. We are talking about a \$4,000 million bottom-of-the-harbour scheme. The Labor Party actually had to do that sort of thing, of course, because when Neville Wran came to office in 1976 he sold off all the land that the previous Liberal Government had acquired to build roads and freeways - all those hollow logs, as he would have called them. Of course, Laurie Brereton was scrambling to buy them back 10 or 12 years later at grossly inflated prices.

Even the Granville train disaster did not persuade the Labor Party to spend the money needed on the antiquated rail structure. There was no spending on roads. In fact, the whole system - road, rail and buses - was completely run down. I note that earlier the honourable member for Hurstville said there is no way that New South Wales will get public transport under this deal. Let us see what Labor has in mind for public transport for the north-west sector. In an article in the *Sydney Morning Herald* dated 8 July - and he will recall this article; I am sure he is very proud of it - the honourable member for Kogarah was quoted as saying:

In other initiatives to lure motorists to public transport, the Opposition restated its commitment to investigate the feasibility of new cross-regional links between Parramatta and Hornsby -

the Government is going ahead with that, but the honourable member for Kogarah proposes to investigate the feasibility of it -

upgrade the Liverpool, Parramatta and Sydney lines; amplify the line between Riverwood and Turella; and upgrade Sydenham junction; improve rail safety -

that is great, is it not? That will do a lot for the people in the north-west -

with designated platforms to be staffed around the clock, public platforms, car parks and walkways, waiting rooms and telephones and bus and taxi pick ups; restructure the Roads and Traffic Authority -

honourable members know he is very keen on doing that. He has a real downer on the Roads and Traffic Authority -

to make it more open and accountable, and remove tolls on the M4, M5 and M6 motorways.

That is just to wrap it all up. My understanding is that it would cost in the order of \$600 million to buy out all the private sector agencies that have been involved in building those roads. I also have a business briefing note dated 25 July from the Leader of the Opposition, who moved this motion in the House today. He talked about his centrepiece commitment for the north-west centre, and said he will duplicate the Blacktown-Riverstone line and examine the feasibility of light rail along the Sunnyholt Road corridor. That is fascinating because he talked at some length about public transport problems in The Hills electorate. He talked about Cherrybrook, Castle Hill and Kellyville. Kellyville is the closest part of The Hills to the Blacktown-Riverstone line, but at its closest point it is six kilometres away; and Castle Hill is something like 12 to 14 kilometres away. I do not quite understand what the honourable member is driving at. It would still be quicker for people to go down Castle Hill Road to Pennant Hills or Beecroft railway stations than to have anything to do with the Blacktown-Riverstone line, whether it be a duplicated or single track.

A link is still not proposed to Rouse Hill for the 300,000 people who will move into the north-west sector. I do not believe the honourable member for Canterbury has ever visited the north-west area, but I remind him of the correct pronunciation of Rouse Hill. The Government has already provided a dedicated bus link along Sunnyholt Road at Blacktown to the new \$10.6 million rail interchange. Bus priority measures are in place on Windsor Road. As everyone knows, the M2 will be built with dedicated bus lanes capable of being upgraded to light rail without penalty, contrary to the earlier suggestion of the Leader of the Opposition. I want to correct something the honourable member for Manly said. He said that only Abigroup would be able to introduce light rail. In fact anyone will be able to operate the light rail - the Government, the private sector, the consortium, or whoever submits the best offer. The Government is committed to the Epping-Carlingford link.

Mr Photios: Hear! Hear!

Mr RICHARDSON: The Minister is enthusiastic about the rail link through his electorate. That rail link will offer a connection from Hornsby and the central coast through to Parramatta. The Government is building the Y link so that people will be able to travel directly from Liverpool to Parramatta without having to change trains. The Government is also proceeding with the light rail link at Pyrmont and the airport rail link. The Government had to get existing projects right before it turned to new construction. The Minister for Transport and his predecessor, the honourable member for Barwon,

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should have to make no excuses for the road building program. The program has not only assisted the strong economic growth being enjoyed by New South Wales, it has also assisted in significantly reducing commuting times. It has also helped to reduce the road toll to the lowest level since 1949. I do not believe anyone should be ashamed of that; it is a magnificent achievement. The Government regards the M2 as an integral part of that program. Earlier this year, when a motion was moved to establish an inquiry into the M2, I invited the honourable member for Kogarah to come to The Hills and experience the traffic problems.

Ms Allan: The air pollution.

Mr RICHARDSON: The honourable member for Blacktown mentions air pollution. I will come to that in a moment. The honourable member for Kogarah would not come to my electorate. He is safely ensconced in Kogarah with the rail system honourable members heard about earlier. He is comfortable and does not want to know what happens elsewhere in the State, unlike the Government, which is committed to providing facilities for everyone without fear or favour. It is worth noting that I took an hour and 20 minutes to drive to Parliament this morning. Yesterday morning I took the train, but today I needed my car. The Deputy Premier spoke about the possibility of commuting by train, as the honourable member for Kogarah has done. Often one needs one's car for a range of reasons. That is certainly true of my constituents. Many of them are managers and sales representatives who travel cross-country. They do not travel along dedicated train lines and therefore it is not possible for them, no matter how many heavy rail lines are provided, to use trains. That is why 74 per cent of the people in my electorate support the construction of the M2.

The honourable member for Blacktown and the honourable member for Kogarah mentioned pollution. I do not believe anyone doubts the Government's commitment to taking action about the air pollution problem in Sydney. People in the twenty-first century will not want to give up the personal mobility they have enjoyed for most of their lives. I refer the House to an article that appeared in the *Sun Herald* on 30 October about a project that was initiated a year ago by the United States President, Bill Clinton. He is encouraging major car manufacturers in the United States to produce a new type of motor car that will be partly solar powered, will use liquid fuel for only part of the time, will get the equivalent of 200 miles to the gallon, will have the same sort of range and performance as the cars we drive today, will emit virtually no pollution and will be the same price as a regular car. If those cars were available, I would question the enormous push towards public transport to which the Opposition is paying lip service, and it is only lip service because honourable members have heard what the Opposition plans to do. That is almost nothing, and that is what they did during the 12 long years they were in government.

I question whether the Labor alternative is the way to go. I suggest it is not. I suggest that an integrated transport strategy with a range of options is very much the way of the future. The Government is committed, nevertheless, to public transport. Dedicated bus lanes and other issues have already been outlined. The bus lanes in the M2 project are worth noting. In peak hours one bus will travel down these lanes every two minutes on the way to the modern Epping rail interchange. People will be able to leave the buses and catch a train to the city almost straightaway. The provision of these sorts of services will make public transport much more attractive. The Leader of the Opposition seems to have suddenly found the prospectus for the M2, and has suggested that some of his assertions are brand new. I have news for him. On August 26, the date when the contract was signed, I was given a briefing document. That document was available to any member of this Parliament who wanted it. On page 2 it states:

Renegotiation events

- * The Project Deed contains sophisticated contractual machinery for dealing with key project risk events which threaten project by ability.
- * Minimises direct Government financial support for the project.
- * Emphasises -

and this is very important, and I am sure the honourable member for Blacktown will be interested in it -

continuing role of government in long term major infrastructure projects.

That means that the Government can still build alternative roads or rail links after negotiation or

consultation with the consortium. The briefing document continues:

- * Allows parties to renegotiate appropriate response to limited number of identified risk events which threaten project viability including force majeure . . . government actions which either discriminate against or prejudice the consortium in operating or maintaining the M2, changes in law and civil disobedience.
- * All of these risks are beyond the control of the Proponents and none of these risks include traffic volume or revenue.
- * The objective of renegotiations in this limited set of circumstances is to restore the original financial parameters of the project - the basis on which debt and equity agreed to support the project.

I wonder why the Leader of the Opposition has suddenly discovered all of these things in the prospectus when they were written three months ago. If he had some concerns about these matters, perhaps he should have raised them with the Minister of Transport at that time. He did not have the concerns, because they are not real; they are fabricated. Honourable members have heard the Minister for Transport say that if a freeway is built alongside the M2, the consortium would be consulted because the base case would obviously be affected. Consultation would be natural. As the honourable member for Baulkham Hills said, it is standard commercial

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practice. If one buys a magazine and wants to publish it, it is common practice in the magazine publishing industry to insert a clause in the contract to prevent the person from whom the magazine is bought from publishing another magazine in the same area for a period of five years. If another road were constructed alongside the M2, clearly the construction of that road would be negotiated with the consortium.

There is nothing unusual about that. The contract for the M2 was put together using the expertise of some top companies, including Coopers and Lybrand as the investigating accountants, and the Macquarie Bank. Are the Leader of the Opposition and the honourable member for Kogarah suggesting something is wrong with the way those companies have structured a commercial deal? The riders are standard to any contract and there is absolutely nothing untoward in what has been done. In summing up, my great concern with the referral to the Auditor-General is the effect that it will have on private sector involvement with public sector infrastructure in the future. Even the Prime Minister and the Federal Minister for Health, when she was Deputy Premier of Western Australia, are committed to the idea of private sector involvement in public sector infrastructure. [*Time expired.*]

Ms ALLAN (Blacktown) [10.18]: If ever there was a sleazy deal intended to condemn Sydney -

[*Interruption*]

It is all right for the honourable member for Oxley; he lives on the leafy upper north coast of New South Wales. He is not out in western and north-western Sydney breathing all those benzine fumes and everything else that gets spewed into the atmosphere from all those cars that the Government is putting into the community. He is a hypocrite, and the other hypocrite, the Minister for Multicultural and Ethnic Affairs, who does not even live in his electorate but lives on the leafy north shore, is ready to jump into a bus if his ministerial limousine is not available that day. It is the M2 motorway contract that will condemn Sydney to decades of escalating air pollution and all the related ill health effects. At least the Opposition and the non-aligned Independents have been talking about these effects for some time. I am appalled by contributions from Government members, who represent the millions of people living in western and north-western Sydney. Those members have failed to acknowledge an already existing problem.

Even the *Sydney Morning Herald* has discovered western Sydney in the past few years. First it

discovered toxic algal pollution in the Hawkesbury River and now it has discovered poor air quality in western and north-western Sydney. Every night on the television we are reminded of air quality, yet the honourable member for Baulkham Hills, the honourable member for The Hills and others in that area do not even know there is a problem. Those honourable members are defending a Minister who is indefensible. At the present time he is foisting an even greater air pollution problem on western and north-western Sydney. This is probably the most breathtaking example of the Fahey's Government ad hoc approach to the planning of this city, driven by an obsession with building more roads and tollways, at the expense of public transport. That is not surprising when the Minister for Planning is a National Party member who gives no priority to these issues.

Today we have heard evidence about how the Minister for Roads has signed away Sydney's future. He has jettisoned any semblance of Government support for public transport - a critical area of his portfolio just cast away to please his mates, and perhaps his future employers, the various tollway companies. The contract reinforces the dominance of the road builders and the engineers, and downgrades the ability of government to control the shape of this city and to ensure coordinated transport planning. We have just heard five minutes of absolute rubbish from the honourable member for The Hills, who explained how the Government was going to control these commercial operators who for the next 50 years will be in charge of transport planning in north-western Sydney. These are pathetic excuses for ineptitude on the part of the Minister for Transport in signing away the future of his constituents.

The Minister for Transport, by signing the M2 motorway contract without reference to the Parliament, the local community or the broader community, has personally hammered the last nail into Sydney's planning coffin. I wish to look in detail at the implications for Sydney of this contract and why the Minister deserves to lose the confidence of the House. First, he signed the contract on the M2 in total secrecy and resisted all efforts over months of debate, questioning and scrutiny within this House to make those provisions public. The public and the House have not been informed about the various government guarantees associated with the project or the extent of government financial exposure if the project fails financially.

Of course, this is totally at odds with the report of the Public Accounts Committee on the private financing of public infrastructure projects. Over the past few months I have had occasion to remind the Government about the report, as have my colleagues. I remind the House that the honourable member for Eastwood was Chairman of the Public Accounts Committee, another player in this sordid little game of dudding the health of his constituents in north-western Sydney. That report recommended that there be transparency - I do not think the Government knows the meaning of the word - in dealings between the Government and private sector companies to preserve public interest and financial accountability and, further, in many cases it is appropriate for the Government to release summary details of the contract and any guarantees.

On occasions when such issues that are of major importance to the whole of Sydney and of grave concern to the Opposition and the community have arisen, the Opposition has had to drag the Government kicking and screaming to debate them. The recommendations of the Public Accounts Committee

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have fallen into the too-hard basket, despite their acceptance by the private sector, which has made sympathetic submissions in line with the final recommendations of the committee. The private sector squirms every time such a matter is debated in the Parliament because it appreciates that that debate is unnecessary.

Mr Photios: It sure is, and you create that debate with Auditor-General's reports, legislation committees -

Ms ALLAN: Unlike the Government, the private sector does not need to hide. The Minister for

Multicultural and Ethnic Affairs should return to live in Ermington and breathe the air out there now. As the former Parliamentary Secretary to the Minister for the Environment he should hang his head in shame. The PAC recommendations were not revolutionary. The matters were endorsed by the Auditor-General at various workshops organised by the Public Accounts Committee. It is no mistake that the Opposition's motion refers this matter to the Auditor-General. I am pleased that the honourable member for Manly has at least endorsed that part of the motion because a detailed analysis of the implications of this project is necessary. This is a rotten contract and we are slowly discovering that it compromises and abandons the public interest.

Honourable members from the north coast and the leafy north shore can abandon the people of north-western Sydney because they and their children do not have to breathe the air. The M2 motorway contract ensures a ban on the Government providing public transport to the north-west sector for the next 50 years. The north-west region of Sydney is the city's worst air pollution zone, with high levels recorded on 32 days between April last year and July this year, yet the Government, under this contract, is powerless to upgrade public transport systems, and is not factoring that into the M2 motorway contract. Government constituents, including the Minister for Transport, the honourable member for Northcott, will continue to breathe that polluted air. It is in direct contravention of the Government's integrated transport strategy for greater Sydney. That was not the most powerful document that has ever been released by any government, but even that document raises issues relevant to this debate. In part it stated:

New investment should not, however, lead to a diversion of effort away from continued improvements to the existing system and a sustained sense of what makes a public transport system really work well.

Mass passenger transport must be able to compete with the private car. Reliability, frequency and responsiveness of services and the ability to make direct trips without interchange or with minimum fuss need to be key performance goals.

So much for an integrated public transport system and the Minister's credibility; they have gone out the door. Seriously Concerned Residents Against Pollution - or SCRAP - operate from Carlingford, which is in the electorate of the honourable member for Baulkham Hills, and has consistently opposed the tollway because of its social and environmental impact. This organisation has cited serious evidence to suggest that the Government is ignoring the proper assessment of air quality in the north-west so that it could fast track the approval for the project. SCRAP was informed by letter from the EPA that in August 1992, at a meeting between the Environment Protection Authority, the Roads and Traffic Authority and its consultants, and the Department of State Development that the following occurred:

. . . errors and omissions in the air quality impact assessment were discussed in detail. the RTA informed the EPA that the EIS process was complete and that the Air Working Papers could not be rewritten. The RTA's consultants did, however, undertake to provide the EPA with further information, but this has not happened to date.

In other words, a meeting occurred in August 1992 with the EPA, the RTA and its consultants. Those present at the meeting were appreciative of the fact that the data on this proposal was inadequate. Of course, the RTA bully boys and the Department of State Development bureaucrats, and their highly paid consultants, roughed up the Environment Protection Authority. The Parliamentary Secretary to the Minister for the Environment should hang his head in shame because he knows that the Environment Protection Authority was done over again. It was known that all the air quality data reports were inadequate, and the EPA raised the matter. The RTA threw up its hands and said, "This is too hard so go away; we do not care about you as you are just a bunch of lapdogs. We will not take you seriously." It was a case of onward Christian soldiers, until we reached the situation we face today.

The documentary evidence was conclusive that the RTA recognised flaws in its air quality impact assessment, but it failed to respond adequately to the issue. The RTA was alerted to the problem in

August 1992 but it bowled over the EPA, which dared to raise the inadequacy of the material. The RTA continued on its merry way. The Government is pursuing this public transport option for the north-west of Sydney because it knows that the original material was flawed; the Government did not factor into its dealings the proper air quality data assessment reports, even though they were highlighted. Is it any wonder that the champion of the environment in this State, the Minister for the Environment, has abandoned his overhaul of the Clean Air Act, which is several decades out of date. That is part of the protection of the environment administration - stage two, legislation.

This legislation is vital, yet it has been put off indefinitely. The meeting to which I have referred could have enabled the EPA to put its money where its mouth is; that is, it could have ensured that the RTA could not continue with its proposal based on such inadequate environmental assessment. The ban on public transport for the north-west of Sydney by the Minister for Transport, as proposed in this M2 contract, is a poor consolation prize for the hundreds of thousands of children living in that area who have asthma. According to an asthma morbidity study published in the *Medical Journal of Australia*,
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19.5 per cent of children in Sydney, Brisbane, Melbourne and the upper Hunter Valley suffer from asthma, with 17.1 per cent being medically diagnosed asthmatics. A large proportion of those children live in western and north-western Sydney.

Mr O'Doherty: And more still live in Tasmania.

Ms ALLAN: That is reassuring. That salvages the whole debate on behalf of the Government. Many things happen in Tasmania, but what does that have to do with the M2 motorway contract? Maybe the honourable member for Ku-ring-gai should stay away from Tasmania for a while and remain in his electorate. He should also visit the electorates of some of his colleagues to see the problems associated with this contract. Another clause in the M2 motorway contract precludes the Government from upgrading Epping Road or any other roads to specified regions in the north-west sector for the next 50 years. No matter how much the Minister for Transport bleats about that aspect, the clause is part of the agreement and it will discourage the development of alternative transport options for those road users. That will not be welcome news for people using the existing system, as they will be forced on to the tollways because of the increasing inadequacy of the road infrastructure controlled by the Government. The Government will let the existing roads run down, and this will discourage road users and force them on to the tollway. This will increase the air pollution problem. That is brilliant planning, Bruce! All the well paid planners in the Department of Transport and the Roads and Traffic Authority should be ashamed of themselves.

Mr ACTING-SPEAKER (Mr Hazzard): Order! I remind the honourable member for Blacktown of the ruling of Mr Speaker that members should be referred to by their correct title.

Ms ALLAN: One of my most dramatic concerns about the M2 motorway contract relates to the provision of drainage basins and water course alteration. We have asked the Minister for Transport questions on this issue, and his response in the past has been absolutely inadequate. The M2 motorway contract details which are currently available indicate that the proposal will provide for a reservation which will encroach on the Lane Cove River National Park.

Mr Baird: It does not!

Ms ALLAN: The Minister bleats again. The Minister did not even know that the corridors ran up the middle of the road; how would the Minister know whether the project will encroach on the Lane Cove River National Park? I do not understand why the Minister for the Environment, or that other almost invisible, lazy honourable member for Gladesville, have nothing to say about this proposal. Is this not an important issue for all the people living in Gladesville and Ermington?

Mr Photios: On a point of order: the honourable member well knows that the honourable member

for Gladesville is currently paired due to illness.

Ms Allan: I did not know that.

Mr Photios: It ill behoves her, given the nature of the honourable member's situation, to be alleging that he is a lazy soul. It would be appropriate for her to apologise under the circumstances.

Ms ALLAN: I will not apologise. He is almost as lazy as the Minister for Multicultural and Ethnic Affairs!

Mr ACTING-SPEAKER: Order! The Chair is a little disappointed about the tone of debate. Members should exhibit some decorum and attempt to confine their remarks to the leave of the motion.

Ms ALLAN: I hope that when the honourable member for Gladesville recovers from his current temporary illness, he will be jumping on the back of the Minister for Transport due to outrage about this provision. All his constituents will be outraged when they realise that the Lane Cove River National Park will be pared back as a result of the M2 tollway proposal. They are already angry about the traffic flow which will be hurled into the electorate as a result of road works to the north-west, but the national park is also to be sacrificed. I hope that the Minister for the Environment finds out what is happening in his portfolio as soon as possible so that he can intercede on this proposal on behalf of the Lane Cove River National Park. We do not want key sections of the national park uprooted and bulldozed to the benefit of a private road company.

Mr O'Doherty: The Bongil Bongil man.

Ms ALLAN: That is another debate for another day. In two consecutive days we have seen a government prepared to ignore the needs to expand a national park. Unquestionably, the M2 motorway contract will effectively hand over this public resource; that is, an area of the national park which is of high conservation value. This will be used exclusively by private interests. Yesterday, Bongil Bongil National Park was relegated to the lowest priority in the State Bank corporatisation legislation; today it is the turn of the Lane Cove River National Park. This is tiger territory for the Labor Party. This legislation will affect people who vote for this Government, yet this Government is prepared to ignore them. The Government is prepared to make the quality of air breathed by these people as poor as possible, and it is taking away their last remnants of natural bushland.

It is not good enough for the Minister for Transport to give us a smile and a joke. I realise he will be leaving this place in the next few months, we do not want him to leave behind a legacy of poor air quality in western and north-west Sydney. We want a real public transport option, and that has not been guaranteed in the Minister's motorway contract. We have heard about light rail and buses, but we have no reality. We will have another tollway and more cars on the road. The air pollution problems which are being monitored currently will be exacerbated as a result of the Minister's activities. [*Time expired.*]

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Mr O'DOHERTY (Ku-ring-gai) [10.38]: It is a pleasure to follow the honourable member for Blacktown, who spoke about air quality issues, although I shall not confine my remarks entirely to them. This Government introduced air quality monitoring in Sydney. It has recently increased the number of air quality monitoring stations in the west of Sydney. The honourable member for Blacktown acknowledged this readily in a public debate in which I and the honourable member for Parramatta were involved during the Parramatta by-election campaign. The honourable member for Blacktown was given the job of ferrying the now member for Parramatta to the public meeting and minding her at the meeting. When we talked about air quality the honourable member for Blacktown readily acknowledged that it was this Government that began air quality monitoring and that has done more than any other post-war government to improve the quality of air right across the Sydney metropolitan area, particularly in western

Sydney and the north-west sector. Lead levels are coming down. There is an interesting study into benzene which I shall not go into now but it is the subject matter for a good debate on another occasion. The situation in regard to air quality is not as the honourable member projected it.

The motion moved by the Leader of the Opposition is very serious. He did not speak to the motion. He made one substantive point referring to public transport options. The motion refers to gross maladministration, planning, investigation and determination. The Leader of the Opposition talked about none of those things. He did not even provide an argument in support of the allegations made in the motion. Government members will not stand by and allow the Minister for Transport, of all Ministers, to have such a motion hanging above his head. The allegations in it are not true. Other members have already indicated that they will not support the motion of the Leader of the Opposition and when the motion is rejected it will for all time put beyond question the credibility, integrity and honesty of the Minister and condemn the credibility, honesty and integrity of the Leader of the Opposition because of his bringing forward such a motion containing dishonest arguments.

The amendment moved by the honourable member for Manly was supported with an argument about public roads and what he referred to as the "car option". The honourable member for Manly has a particular bent against the provision of roads but he has not lived in the north-west. I not only grew up within 500 metres of the route of the M2 motorway, I lived in Beecroft and Carlingford during my youth and for part of my married life I lived in Glenhaven, an area which has been very much affected by the choked up traffic that the M2 will relieve. Now my constituents are telling me that they very much favour the M2 option. We are continuing to fund public transport at record levels but we also have to have, as the Minister rightly said, a balanced view on roads.

The honourable member for Manly referred to locking people into one solution. Every decision a government makes locks us into a solution of one kind or another. Building heavy rail in the area would lock us into a heavy rail solution. Government is about making decisions that will be binding at least for a time. The honourable member for Manly finds it very easy to criticise everything but at the end of the day he does not have to be accountable for the decisions. Government is about making decisions in all good faith with all honesty and with all due process, which is what the Minister has done. This place still has to function but if the honourable member for Manly had his way we would close down not only the north-west sector but the rest of Sydney as well. It is absolutely incorrect to say, as the Leader of the Opposition said, that the contract limits public transport. It specifically provides for growth in public transport to the north-west sector. The people of the north-west sector and the people in my electorate demand the M2 as a solution to some very difficult problems which will only get worse without a balanced approach. I do not support the amendment and I do not support the original motion.

Mr HATTON (South Coast) [10.46]: This debate is all about the objectives of an integrated land transport system, the obligations on a Government Minister in terms of planning, wise expenditure of money, the accountability of the process, openness and the public's right to know, and the role of the Auditor-General. Unfortunately, it is a fact of life that a Minister may do much that is good but be judged on what he has done that is not good. The motion is explicit, and therefore it is on that explicit motion that a decision has to be made. It is a matter of record that the Minister for Transport has pumped money into State Rail on line improvements, signals, bridges, and rolling stock. The previous Labor Government sadly neglected the public transport system but paid the price for that at an election, and I do not believe that can be used as a defence in regard to this motion.

I shall deal with this debate from first principles. The whole point of an integrated land transport system is the efficient movement of people, the maintenance of the environment against excessive noise and chemical pollution and, in the case of our big cities, maintaining the viability of the central business district, the ease of movement of people and the quality of life in the inner city area. In 1989 when I met the Mayor of Stockholm I asked, "What do you think would be your greatest achievement?" He said, "That somebody can catch a salmon off a bridge in the middle of Stockholm city". When a Minister decides to enter into a contract in which the Auditor-General should have been involved in the first place

and was not, and there is a lack of accountability and a restriction of options and there is a policy of involving private sector development in a certain way, the Minister must pick up the tab.

I have considered the issues before us in relation to the contract, the legal obligation that is placed on governments which restricts the options of public transport for future generations and, the constraints on transport planning and on flexibility. The draft prospectus was lodged with the Australian Stock
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Exchange on 8 November 1994. As the Minister said, the contract for the harbour tunnel - it was an absolutely disgraceful contract about which I spoke at the time; the Labor Government was properly condemned at the time and since - provided a Roads and Traffic Authority guarantee on traffic volume. A fixed revenue stream was provided with any shortfall topped up by the Government. In this case the Minister must, under the contract, preserve the road status against material adverse effects so that it remains the principal passenger and freight arterial route.

I am not impressed by the letter from the solicitors. I can understand why they would bring such a letter forward: they were the ones involved with the contract in the first place. I cannot see how the company would not have a good argument by saying, "When you interfere with traffic streams obviously we have a case for compensation". It is a fixed and measurable thing, there are traffic counts on nearby roads, there are ticket sales on any transport option and obviously one would look at the projected curve of increased traffic volume. If there is an interruption in that projected curve, one can argue that one of the other options exercised at the time had an effect on it. I cannot see why such an argument would not succeed in court.

The status guarantees that the contract could be renegotiated and compensation paid for the development of any public transport services that reduce the M2 traffic level. The status includes roads which feed the M2. The Roads and Traffic Authority has made a commitment that there will be no traffic jams at either end of the M2. I would like the Minister in reply to explain how the problem at the eastern end of the M2 will be solved. Will we have to build a tunnel or undertake some other form of strategy? I would like the Minister to answer questions about a possible conflict of interest with the Abigroup Limited part of the M2 consortium, which is also part of the \$1.2 billion rail link proposal. Do we have a bet each way? Will there be liability for compensation if the rail link affects the M2 if the consortium is also involved in the rail link?

It is claimed that the RTA will indemnify the M2 consortium against rulings on Aboriginal sites, contaminated land and endangered fauna. The contract has been completed while there is an outstanding land claim, and that is a real problem for the Government. For many years in Sydney we have suffered from the lack of an integrated land transport system. Ted Mack, the former Independent member for North Shore, who sat on the back bench with me, used to talk a lot about it. I respected his opinion. This week the Lord Mayor of Sydney, Frank Sartor, said he would like to see the inner city free of cars. We continue to approve of tollways that pump cars into the inner city, and we have problems with lead and benzene pollution that affects the intelligence of young children.

The option of a light rail system was not considered in the harbour tunnel proposal. The Government did not consider alternative expressions of interest and the contract was very restrictive. The whole process was a disgrace. Darling Harbour was built on the site of a rail terminus, a marshalling yard, where railway facilities are available, yet the area was linked to the central business district by a monorail. Can anyone imagine anything so ridiculous! We are not making use of that rail network to service the Balmain and Lilyfield areas.

I have an interest in contract openness and competitive tendering. The Court of Audit in The Hague, for example, does not recognise commercial in confidence, and within a couple of months of a contract being negotiated the detail of the contract is on the table for all to see. I would like to see the Auditor-General involved a lot earlier in such matters. We must get away from the crazy situation of allowing human beings to carry tonnes of metal - polluting the environment - as they move from point A to

point B. Have we learnt nothing from the dismal history of the ALP harbour tunnel, Darling Harbour, the lack of integrated transport planning and Los Angeles type nightmares? The Minister for Transport is well placed to learn from those experiences.

Joint sector funding brings with it two kinds of costs. Sure, it delivers dollars - which are scarce. But the Government does not necessarily have dollars to spend on infrastructure. On the other hand, the concept demands its pound of flesh - there is no free lunch - and it restricts the transport options well into the future. The questions that need to be answered, and have not been answered in the 20 years that I have been in Parliament, are: who the hell is overseeing the whole transport network? Who ensures that we deliver people from A to B with the least pollution, the greatest efficiency and the least expenditure? The bottom line is that there is no point in comparing Labor and Liberal-National Party policies. Labor paid the price of its failure: we now have a new government - a new order. The Government, on assuming office, resumed the responsibility. There must be a full and open inquiry into the strategies, structure and planning of the RTA - of its resources, future directions and basis of philosophy.

I deeply regret the mistake I made on 9 March. I want that recorded in *Hansard*. I made a grievous error. On 9 March the honourable member for Kogarah lobbied hard to establish a parliamentary select committee. The Minister said to me, "Look, this contract situation has gone right down the line. We have expended so much money. We have undergone these negotiations, please stick with us". I stuck with him, and I regret that. There ought to have been a full inquiry at that time, and I apologise to the people I have let down. I have given this matter serious consideration. Perhaps the select committee would have been able to resolve some of these issues. I admit to that mistake.

I will not, as my notes indicate, go through all the issues on compensation, drainage of the Lane Cove River National Park, the primacy of the tollway and the submissions I have received both for and
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against this project. In conclusion, I state that one of the best things that has happened during the life of this Parliament is the establishment of a public works committee, on the initiative of the honourable member for Manly. I congratulate him on that. The committee assesses the environmental, social and financial impacts of major public works in the future. Hopefully, that will result in a wiser expenditure of money, on a bipartisan basis. I do not believe that this Minister, on his record, deserves to face a no confidence motion. I will be voting for his censure.

Ms MOORE (Bligh) [10.56]: It is a pity that such an important issue as integrated transport and traffic strategies for this important part of Sydney has to be debated through the mechanism of a no confidence motion. Some very important matters have been raised tonight - issues that affect many citizens of Sydney. We should be getting commitments about these issues from both the coalition and the Australian Labor Party at this time. Never has so much been said in the media about the impact on people of bad government planning decisions. The bad decisions of the past are coming back to haunt us all. Today my phone has been running hot with calls from members of the environment movement, people I have worked closely with over a decade trying to improve the environment of residents of the inner city. As a member of this Parliament I have worked hard to try to save part of the natural environment.

People I have worked closely with over the years are using this occasion as a window of opportunity to try to put on the public agenda the whole issue of where public transport is going into the next decade. The Fiftieth Parliament, with all its mechanisms for accountability and participatory democracy, with the Independent Commission Against Corruption and an independent Auditor-General, provides a much healthier climate for decisions to be made in the interests of the New South Wales community. It is in stark comparison to the way things were done in the 1980s in this Parliament. I was not a member of the Parliament then, but I observed the proceedings from my position on the city council.

I was absolutely disgusted at the way legislation that would impact on the inner city community was rushed through the Parliament late at night. I refer particularly to the Darling Harbour legislation,

decisions about the monorail, decisions about the harbour tunnel, and the Moore Park stadium, without an environmental impact statement. I am talking about the lack of scrutiny of contract. I am reminded of the effects of those terrible decisions made in the 1980s by the Labor Government. The Labor Opposition transport spokesman is incredibly hypocritical and cynical in raising these issues in light of his party's record on environmental and planning decisions that affected the people of Sydney.

All I can say is: thank God for the Fiftieth Parliament and the introduction of greater mechanisms for accountability and participatory democracy. We do not have the late night specials that we had during the Wran years, which have led to incredible problems in the inner area which I represent. The decision in relation to the harbour tunnel has meant that every day of the week an extra 20,000 vehicles pollute the urban consolidated area. That is why I have been banging on the door of this Minister asking him to do something about the gridlock which has been created in Australia's leading city. That is the Brereton legacy; that is the Neville Wran legacy; that is the Bob Carr legacy.

When all those disastrous planning decisions were being made on Darling Harbour, on the monorail, on the harbour tunnel and on the Moore Park stadium, who was the most silent member of this Parliament? The then Minister for Planning and Environment, Bob Carr. I feel very passionate about this issue. We are still trying to pick up the pieces of the legacy of his period as Minister for Planning and Environment. The Minister for Planning from Goulburn - the squire from the country as people call him - is a better Minister than Bob Carr was. We have problems that are not being addressed. It is terrible that we have to discuss such important issues in this way, piggybacked to a no confidence motion in the Minister for Transport.

I will not support the motion of no confidence in this Minister. I might not support his policies or his ideology, but since he has taken over the roads portfolio we have had much more responsive and sensitive policy to problems in the inner area, an urban consolidated area. People are living in a way in which both the Federal Government and State Government say they should be living - that is, in high density, close to facilities. They are not being moved out to the west and to the north, needing the M2 freeway to connect them to facilities. They have to put up with all the problems non-caring governments have decided for them in the past.

This Minister has been responsive to these issues. Since he took over the portfolio, members of the Roads and Traffic Authority have been much more responsive. I say on behalf of the people that I represent that we are very grateful for the changes that have occurred over the last year. We are also grateful that the Minister has been responsive to public transport needs, particularly in relation to bus and ferry services. The Minister recently invited me to make suggestions for a light rail route for the Moore Park area. Such a system will certainly be needed over the next decade, as we approach the year 2000.

Five Olympic venues are in my electorate. Thousands of people will travel to Moore Park to the sporting stadia. I have followed up the request from the Minister with a submission about a light rail route, following discussion with the Light Rail Association. If I were to even consider supporting a censure of this Minister on issues of public transport and traffic, I certainly would have to try to work out a way in which to move a censure motion against the former Minister for Planning and Environment for the terrible decisions that were made during the 1980s. It is not

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possible for me to do that. This Minister has responded to the big issues in the inner city; he has had a sensitive, responsive and creative approach to the problems.

I refer briefly to the conflicting information I have been given on this issue, an issue which I am not closely associated or acquainted with. However, I am certainly concerned about it. What concerns me most is the fact that, particularly through the 1970s and 1980s, people - usually low-income, working-class people - were dumped in the outer suburbs, without infrastructure and support services. Throughout the last decade governments have had to try to pick up the pieces and provide transport links for them. The current appalling air pollution levels are a result of the lack of public transport.

I do not believe that that is the fault of the actions or inactions of this Minister; I believe it was the fault of the Ministers during the 1980s. I believe that it was unconscionable for a Labor government to dump people in those outer suburbs without infrastructure and transport, just as it has been unconscionable that successive governments have shown little concern for people living in the inner areas with respect to protecting their amenities. An issue which was to follow this debate and which dominated question time is the impact of the third runway on people in established suburbs. That is a legacy of the Federal Labor Government and the coalition Government for supporting the proposal.

Today I have received information from environment groups. It reflects their growing concern about increasing air pollution. The daily newspapers are currently dominated by the concerns of Sydney communities about increasing noise pollution. It is about time governments started some long-term integrated transport and traffic land use planning that was responsible and in the interests of the community. It is interesting that no confidence and censure has been moved in this Minister. I understand a potential public transport option has been included in this road project. That certainly did not occur in the 1980s. The Minister has said, and those who have supported him have said, that there are adequate potential links to that public transport corridor and that options will remain open.

That is not what the Opposition is saying and it is not what the environment groups are saying. It is probably salutary for the Government and the Opposition to take on board the very strong feeling in the community to try to get some responsible land use and transport infrastructure in place for future generations. I do not support, and never have supported, this Government's policy of not providing a core government service and of contracting out public service projects. As honourable members know, I have pushed for many years for the link at Taylor Square, to try to do something with the traffic dumped in eastern Sydney as a result of the harbour tunnel. But I have said from day one that I do not support a toll. I will not support the no confidence motion. I have given adequate reasons for that. I will not censure this Minister. I do not agree with the basic policy of the Government in relation to tolls on road projects. However, I support its right to govern. That has been my policy as an Independent in the Fiftieth Parliament. I will support making use of the person I consider to be the servant of the Parliament - that is, the Auditor-General - to scrutinise this project. If it does not stand up to scrutiny, that will be another issue.

Mr BAIRD (Northcott - Minister for Transport, and Minister for Roads) [11.09]: There are so many issues honourable members could be debating, so many issues that confront us as a State; so many issues that concern us overall, but what we have had today is a political frolic. It started off with the Leader of the Opposition going through his normal theatrics, the grand master of B-grade acting, throwing out his invective and insults. One of my colleagues had not actually seen the right wing of the Labor Party perform in this House. Honourable members see the nice face of the Labor Party in the form of Carmen Lawrence, but when they see the ugly face of the Labor Party - the rudeness and invective thrown across the Chamber - it is particularly interesting to see how they react.

This is a political frolic because it is about making sure that we waste time. The Leader of the Opposition wants to extend the life of this Parliament, not in real debate but in personal attacks on individuals; on motions of no confidence and censure motions against individual Ministers and against individual policies. The Government has made things happen and delivered policies and programs that the people of New South Wales want. The Government makes no apologies for delivering better public transport throughout New South Wales, better public transport right across the board. It has invested more funds for public transport in this State in its 6½ years than has been seen for a long time. Expenditure has increased by more than 60 per cent in real terms on the sum invested by the Labor Party in capital investment in this State.

Few people would say that the Government has not given priority to public transport. The Government has spent over \$3 billion reinvesting in public transport in this State, and the benefits are there for all to see - a better rail system; better on-time running; better rolling stock, in the form of the

Tangara, the Endeavour, the Xplorer and the XPT trains; the rebuilt railway stations and the infrastructure that is part of that - new concrete sleepers, retamping of the lines, the overhead wires, the video cameras, the help points that are available, the security guards on the railway stations, the video cameras in the trains, the point-to-point communication between the passenger and the driver and the guard. All of those measures have been taken, together with a number of public transport infrastructure projects that have been developed under this Government.

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The Government has developed a new rail link proposal which it is working on right now and for which it has signed heads of agreement in respect of a new southern line; a major rail project that will transport passengers to the airport in eight minutes and to the international terminal in 10 minutes. It is on such projects that the Government will spend \$600 million. They means real jobs and transport for the State. The previous Labor Government delivered the tail end over a number of years in the form of the eastern suburbs railway. The Opposition constantly talks about cross-regional links. It was in office for 12 years; this Government has been in office for 6½ years and has reinvested in rail. It has got rid of the old red rattlers and is starting to build the Parramatta to Hornsby rail link. Expenditure on new lines and infrastructure on projects the Government is committed to will amount to \$1 billion.

Honourable members should consider the great projects that Labor was responsible for when in office, for example, the tunnel project. It is clear that the Opposition does not like talking about the tunnel project. When he was Minister for Planning and Environment, the Leader of the Opposition did not open his mouth once. He says that he disagreed with the tunnel project, but did we ever hear one word about it? Did he ever criticise the monorail project? Not one word. He was too busy doing his woodchip deals in a corner with Daishowa, and he allowed Laurie Brereton to do what he wanted to do. The Leader of the Opposition has the hide to come into this House and say that the Government has made a deal in respect of the underwriting of this project, but there is no comparison with the tunnel project. The Leader of the Opposition went "ching ching" as he went through the various projects. There is nothing quite like the "ching ching" that Laurie Brereton set up because that deal was a shonky deal and the Leader of the Opposition knows it was a shonky deal.

It was shonky in the sense that there were no tenders called; it was shonky in the sense that there were no expressions of interest called; it was shonky in the manner in which it was brought into this House, and every cent of it is underwritten by this Government. There is no question of proving a case against it, there is no reason at all. Every cent is underwritten. All the risk is taken by the Government. In respect of the M2 contract, by contrast, all of the risk is taken by the private sector which is a very different requirement. The M2 project is a project for which the people of the north-west have waited for a long time.

I remember the very large meetings held in the north-west at the time that I first entered Parliament. Each member who represents an electorate in the north-west has attended those large meetings - meetings of 600, 700 or 800 people. What did the people say at those meetings? "We want some roads built out to the north-west. We are tired of the congestion and delays". They talked about the Epping bridge overpass; they talked about Epping Road; they talked about the congestion right through the north-west; they talked about taking an hour and a half to get into the city because the Labor Government had failed to do anything about the traffic problems. When Labor came to office it had a grand plan to put people back on public transport. It slashed the fares, which added to the debt, and it cancelled all the freeway plans. What was the result? The result was that the number of cars on the roads increased by more than 45 per cent and the number of passengers on the rail system increased very marginally, a few per cent compared with the huge congestion on the roads.

The Opposition cancelled all the freeway plans and, if that had not happened, the Government would not have to confront the massive job that it has in respect of the roads. The Government has spent 38 per cent more on roads than the previous Government spent when in office. The people of New South

Wales are the beneficiaries. On the north coast there are massive changes on the Pacific Highway - an increase of several hundred per cent. Out in the west there has been a 60 per cent increase in road funding, as the Chief Secretary, and Minister for Administrative Services would know. People in her electorate have benefited from the improvement in those roads. They are getting to work and going on excursions, going to the theatre, whatever it might be. Members of the Opposition talk in pious terms in this House about the need to have public transport, and then they get in their cars. They use the roads on a constant basis - as the honourable member for Liverpool knows, because he is a little concerned about the reduction of speed limits.

The reality is that the Government has delivered better roads. It is very unusual to have protest rallies in relation to roads but honourable members remember them in Epping. Even the members of CTAG, the Coalition for Transport Action Groups, who sit in the gallery and have been trying to spike this project from the start, know that there were progress rallies that they could never match in their wildest dreams. Their protest rallies at their height attracted about 100 people - absolute maximum. But the protesters who demonstrated in favour of building this road through the suburban streets of Epping were 5,000 strong. In addition to the 5,000 in that particular march - the middle class, the people of those suburbs who got out and showed their concern - many people in their houses were concerned and expressed their concern in letters to us. Members for electorates in the north-west know of the concerns and know of the traffic congestion.

The Labor Party is concerned for the environment, but is it favourable to the environment that one takes an hour and a half to get into the city when it could take half an hour; when one stops and starts at the traffic lights? That is not the way to go. The Government has delivered on this project. No shonky deal has been done. This project has involved major infrastructure groups such as Abigroup Limited, Page 5596

the Macquarie Bank and Westpac. It has involved probity orders. It involved three aspects: debt, long-term debentures, and equity. It is the first publicly listed project and is regarded as a model for every infrastructure project around Australia. The project has been written up in glowing terms as the way to go. It is standard in any commercial contract to provide recourse if a project suffers a detrimental impact, as there was with the M5 project.

Dr Macdonald: It is featherbedding.

Mr BAIRD: The honourable member for Manly has spoken. I accept that he will not change the way he will vote on the motion. A choice is available in relation to infrastructure projects. We have been over it and around it, but more built, owned, operated and transferred projects - BOOT projects - are being undertaken in New South Wales than in most other places in Australia. The first option is to underwrite the project, as was done with the harbour tunnel project. That option means that everything is subsidised. Alternatively, the contract will contain a clause providing that if any major competing infrastructure is developed by government, the operators of the project are able to renegotiate to extend the life of the contract. That is standard. It is the basis of contracts in Queensland, which has toll roads, and Victoria, where they are being developed. It is the basis of overseas contracts. The project is either underwritten completely or, if government causes any major impediment, the life of the project can be extended. This project is regarded as absolutely normal.

Heaven help us all if the Leader of the Opposition ever becomes Premier of this State. This motion signals his lack of understanding of commercial matters and how projects are put together. It signals also to every major infrastructure company based in Australia not to do any deals with a future Labor government because it could not be trusted. If the Opposition was in government, it could not be trusted in relation to anything, unless it did the type of deals it did in relation to the tunnel: no tenders called, no expressions of interest. It gave the project to its mates in the middle of the night. That is the type of deal that succeeds under Labor. If one wants to look at a shonky deal, one should look at the tunnel. The Leader of the Opposition was a Cabinet member when that deal went through. He was responsible, and he now wants to compare the two deals.

The contract for the M5 has a similar provision to the contract for the M2 in relation to extending the contract. The Leader of the Opposition compared that contract with the contract for the tunnel contract. He said that the people of New South Wales were liable for \$4 billion. He has the hide to lecture this House about how the Government is selling off the future of New South Wales. These are not my figures; they are the Auditor-General's figures. As the Minister for Planning and Environment at that time, the Leader of the Opposition could have spoken out and stopped the tunnel project. But he did not, because the mates in the Right of the New South Wales Labor Party stick together. This motion flows from the objective of the Opposition: get into government, get power at any price, never mind what lies are told so long as it gets there. The Leader of the Opposition, full of hubris, told the House what he thought the project involved. The reality is different. The people of the north-west have waited too long. The project provides for public transport. The previous Labor Government provided nothing for the people of the north-west. The honourable member for Blacktown talked about the impact on my electorate.

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

Mr BAIRD: In the 12 years the Opposition was in office, there was not much impact on my electorate. Barely a cent was spent on anything, certainly not on roads or public transport infrastructure. This project not only provides a 22-kilometre road link, it provides also for two public transport lanes that can be converted, if required, to light rail. That provision was specifically inserted in the contract. The clauses the Leader of the Opposition finds so objectionable were spelled out so that the Government could provide public transport whenever it wanted to. The contract provides only that if the operators of the tollway are able to prove that public transport has had a direct impact on the toll road, the contract can be renegotiated and extended or the toll can be increased. I would have thought honourable members opposite would encourage people to use public transport, not the reverse.

The contract provides for \$100 million worth of public transport lanes. If any north-western public transport links put in by the Opposition during the 12 years it was in office could be found, we would say, "Fair enough, the Opposition put some money in". I would like to know the alternative to the project. Did the Leader of the Opposition or any members opposite say what the Opposition's plans are? Did they say, "What we plan to do is to build light rail or heavy rail up to the north-west"? They know how hard that is to deliver, as the Government has found in relation to the northern beaches. A heavy rail system to the northern beaches would cost at least \$800 million or \$900 million. A light rail system would cost \$600 million. The honourable member for Manly knows some of the figures. This particular project is one way of providing public transport lanes quickly. It will provide a road much more quickly than any other means.

An amount of \$59 million is being provided by the Government, in addition to road purchases, and \$500 million will be provided by the private sector. That is \$500 million that the Government does not have to find. That amount can be spent on schools, hospitals and police and all the other services provided by the Government. The Government could have

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gone the way of the previous Government and racked up the debt, as it did with roads. It started off with a debt of \$140 million when it came to government, and by the time it left the debt was \$1.1 billion. This Government chose responsibly to give the private sector an opportunity. A road is being built and public transport is being provided. Twenty-eight kilometres of uninterrupted bus lanes will be provided by the combination of the bus lane from Baulkham Hills to Epping on the M2 and the bus lane for the rest of the project. It is clear that the Opposition wants to destroy the goodwill of the business community, and the goodwill of the community of the north-west that demanded this project for so long. Therefore, it has decided to move a motion of no confidence.

I am happy to compare my record on transport and roads with that of my predecessor. There is no doubt that the previous 12 years of Labor Government was a do-nothing era, except for the former

member for Heffron, the previous Minister for road signs, Laurie Brereton. He certainly did many things. He transferred about \$1.6 billion worth of road funds into Darling Harbour, and honourable members opposite all know about that. Laurie Brereton put up many signs but he allowed public transport to rot and decay. I refer also to the monorail, weaving in and out around the streets of Sydney. That was a great vision and a great plan! We hear about the environmental credentials of the Opposition. The monorail is a monument to the environmental non-credentials of the Opposition. It is an environmental disaster weaving through the streets of Sydney, brought to the citizens of Sydney by Laurie. He is the man who is doing such a great job in running the Federal Airports Corporation, the Civil Aviation Authority and the third runway and protecting the people of Sydney against noise! And it was the New South Wales Right, the Opposition's mates, who provided this.

This contract provides flexibility. The Government can build public transport if it wants to. If the case can be proved that public transport is impacting on toll receipts, the contractors will be paid up to the base rate, which are the original projections - nothing more, nothing less. This contract is straight forward and normal. It has been prepared by well-known companies and the probity issue has been overseen. This is a frivolous motion moved by the discredited Leader of the Opposition. He likes to refer to people seeking jobs, but it is sad that after 25 March no-one will employ him. He is jealous that no-one will make him a job offer; and who would want to? The credentials of the Leader of the Opposition in the environment portfolio are sad and sorry. He was good on woodchipping but he was absolutely silent on the monorail and the tunnel, and that is a demonstration of the hypocrisy of the Leader of the Opposition on this issue.

The Government is delivering the project. The matter can be delayed but the people of the north-west will be deprived of a new major road link and public transport link. The Government and its members are supportive of this project. This motion shows the desperation of the Leader of the Opposition. He was embarrassed by what happened with the State Bank yesterday. He did not appear in the Chamber, he did not speak, and now he is simply trying to push another issue. Public transport is a success for the Government; it is proud of its record and deserves the support of the House. The Government discusses every aspect of the potential for public transport. An integrated transport plan has been clearly set out in the documents and the Government has developed such a plan. To my knowledge the former Labor Government never had such a plan. Laurie Brereton produced *Roads 2000* but Labor did not have any integration.

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

Mr BAIRD: That was because Laurie did not like competition. He liked the project to be only a roads project. The concept of public transport and roads coming together has never been seen before. This brings those two projects together in a balanced program, one that the people of this State demand and expect the Government to supply. Each day 85 per cent of people travel to work by roads. The Government has been elected by the people of New South Wales and is delivering a major new function. The Opposition is against the project, as it was against the casino, Walsh Bay wharves, the M4 and M5 projects, Motorway Pacific, RiverCats, the tilt train and any other project the Government has sought to implement. The Government has shown that it is determined to press ahead with its program. It has a proud record and deserves the support and congratulations of the House, rather than the reverse.

Mr CARR (Maroubra - Leader of the Opposition) [11.35], in reply: After seven years the Government has only one solution to Sydney's transport plan: tollways. And not only tollways but tollways that exclude a public transport alternative ever being provided for the next 45 years. That is the essence of it; that is the nub of it. When I moved the motion I dispensed with the weak defences presented by the Minister. The Minister in his defence has been able to present nothing in the hours of debate since then that alters the landscape of this discussion. There it sits, the agreement that on page 26 states:

The traffic projections for the M2 Motorway assume that it will be the primary transport link to north

western Sydney.

It goes on to state that any alteration in that arrangement means renegotiation. Renegotiation means one thing: it means the State Government paying compensation, and that is the essence of it. The Government is required - and the letter from Blake Dawson Waldron does not contradict it - to pay compensation if it is audacious enough at any time in the life of four or five governments to contemplate a public transport link to the medium-term growth

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region of Sydney. This is a huge environmental and planning issue. This debate will be returned to by historians and archivists trying to construct why Sydney made the kind of mistake that Los Angeles made in the 1940s, when it wiped out public transport? That is the serious and historic importance of this issue. It is similar to Los Angeles blotting out public transport in the 1940s and early 1950s. It has that kind of significance. I refer to the ridiculous letter from Blake Dawson Waldron, which states:

We confirm that, in our view, the M2 Motorway Project Deed does not preclude the government of the day from:

- providing public transport to the northwest regions of Sydney; or
- upgrading Epping Road or any other roads to the northwest regions of Sydney.

The letter neglects to mention that compensation will have to be paid to the private investors if that public transport or road upgrading is contemplated by the Government. What government in the future is going to be able to fudge it sensibly for public transport if that price tag, that price penalty, is attached to it? How will any future government realistically afford to build public transport when the cost of that public transport will be inflated by possibly hundreds of millions of dollars in compensation to be paid to the private investors of the M2? It is an extraordinary decision to insert a financial disincentive to any future government, for the life of at least 12 Parliaments, if it contemplates investing in public transport or the upgrading of toll-free roads in the north-west. After seven years, tollways and more tollways is the Government's only transport solution. The Government, at the point of its defeat, has the audacity to insert into the agreement a financial disincentive that is against the interests of any community that in the future contemplates a departure from the tollway option.

There can be no confidence in a Minister who is prepared to sign away the future of Sydney, and the future health of the city and its people for the sake of 21 kilometres of asphalt and a handful of private investors.

I remind members of the most exquisite moment in this debate. When I made allegations about the light rail line, the Minister asserted that the rail lines would run down the edge of the road. It required the honourable member for Eastwood to hurtle himself across the Chamber to tell the Minister, "It is in the middle, Minister; it is in the middle". Sadly for the Minister and the honourable member for Eastwood, courtesy of the microphones in the Chamber, that intervention in the debate by the honourable member for Eastwood was heard by everyone in this House.

Mr HATTON (South Coast) [11.43]: In accordance with Standing Order 183 I move:

That the Question be divided to provide for two separate questions to be put on paragraph (1) and paragraphs (2), (3) and (4) of the amendment of the Member for Manly.

Question put.

The House divided.

Ayes, 47

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Mr A. S. Aquilina	Ms Meagher
Mr J. J. Aquilina	Mr Mills
Mr Bowman	Ms Moore
Mr Carr	Mr Moss
Mr Clough	Mr J. H. Murray
Mr Crittenden	Mr Nagle
Mr Face	Mr Neilly
Mr Gaudry	Ms Nori
Mr Gibson	Mr E. T. Page
Mrs Grusovin	Mr Price
Mr Harrison	Dr Refshauge
Ms Harrison	Mr Rogan
Mr Hatton	Mr Rumble
Mr Hunter	Mr Scully
Mr Iemma	Mr Sullivan
Mr Irwin	Mr Thompson
Mr Knight	Mr Whelan
Mr Knowles	Mr Yeadon
Mr Langton	<i>Tellers,</i>
Mrs Lo Po'	Mr Beckroge
Dr Macdonald	Mr Davoren

Noes, 44

Mr Armstrong	Mr Merton
Mr Baird	Mr Morris
Mr Beck	Mr W. T. J. Murray
Mr Blackmore	Mr O'Doherty
Mr Causley	Mr D. L. Page
Mr Chappell	Mr Peacocke
Mrs Chikarovski	Mr Phillips
Mr Cochran	Mr Photios
Mrs Cohen	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Schipp
Mr Downy	Mr Schultz
Mr Fahey	Mrs Skinner
Mr Fraser	Mr Small
Mr Glachan	Mr Smith
Mr Griffiths	Mr Tink
Mr Hartcher	Mr Turner
Mr Hazzard	Mr West
Mr Humpherson	Mr Zammit
Dr Kernohan	
Mr Kinross	<i>Tellers,</i>
Mr Longley	Mr Jeffery
Ms Machin	Mr Kerr

Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question so resolved in the affirmative.

Motion that the question be divided agreed to.

Mr SPEAKER: Order! The first question is, That paragraph (1) of the amendment be agreed to. All in favour say "Aye", and to the contrary "No". The noes have it.

Mr Whelan: Division!

Mr SPEAKER: Order! When the Chair put the question, the Opposition was silent. Paragraph (1) of the motion is lost.

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Paragraph (1) of the amendment negatived.

Question - That paragraphs (2), (3) and (4) of the amendment be agreed to - put.

The House divided.

Ayes, 47

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Mr A. S. Aquilina	Ms Meagher
Mr J. J. Aquilina	Mr Mills
Mr Bowman	Ms Moore
Mr Carr	Mr Moss
Mr Clough	Mr J. H. Murray
Mr Crittenden	Mr Nagle
Mr Face	Mr Neilly
Mr Gaudry	Ms Nori
Mr Gibson	Mr E. T. Page
Mrs Grusovin	Mr Price
Mr Harrison	Dr Refshauge
Ms Harrison	Mr Rogan
Mr Hatton	Mr Rumble
Mr Hunter	Mr Scully
Mr Iemma	Mr Sullivan
Mr Irwin	Mr Thompson
Mr Knight	Mr Whelan
Mr Knowles	Mr Yeadon
Mr Langton	<i>Tellers,</i>
Mrs Lo Po'	Mr Beckroge
Dr Macdonald	Mr Davoren

Noes, 45

Mr Armstrong	Mr Merton
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Mr Baird	Mr Morris
Mr Beck	Mr W. T. J. Murray
Mr Blackmore	Mr O'Doherty
Mr Causley	Mr D. L. Page
Mr Chappell	Mr Peacocke
Mrs Chikarovski	Mr Phillips
Mr Cochran	Mr Photios
Mrs Cohen	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Schipp
Mr Downy	Mr Schultz
Mr Fahey	Mrs Skinner
Mr Fraser	Mr Small
Mr Glachan	Mr Smith
Mr Griffiths	Mr Tink
Mr Hartcher	Mr Turner
Mr Hazzard	Mr West
Mr Humpherson	Mr Windsor
Dr Kernohan	Mr Zammit
Mr Kinross	<i>Tellers,</i>
Mr Longley	Mr Jeffery
Ms Machin	Mr Kerr

Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question so resolved in the affirmative.

Paragraphs (2), (3) and (4) of the amendment agreed to.

Mr SPEAKER: The question now is, That the motion as amended be agreed to.

Motion by Mr Langton, pursuant to Standing Order 183, agreed to:

That the Question be divided to provide for two separate questions to be put on paragraph (1) and paragraphs (2), (3) and (4) of the amended motion of the Leader of the Opposition.

Question - That paragraph (1) of the motion as amended be agreed to - put.

The House divided.

Ayes, 44

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Mr A. S. Aquilina	Mr Mills
Mr J. J. Aquilina	Mr Moss
Mr Bowman	Mr J. H. Murray
Mr Carr	Mr Nagle
Mr Clough	Mr Neilly

Mr Crittenden	Ms Nori
Mr Face	Mr E. T. Page
Mr Gaudry	Mr Price
Mr Gibson	Dr Refshauge
Mrs Grusovin	Mr Rogan
Mr Harrison	Mr Rumble
Ms Harrison	Mr Scully
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Thompson
Mr Irwin	Mr Whelan
Mr Knight	Mr Yeadon
Mr Knowles	
Mr Langton	<i>Tellers,</i>
Mrs Lo Po'	Mr Beckroge
Mr McManus	Mr Davoren

Noes, 48

Mr Armstrong	Mr Merton
Mr Baird	Ms Moore
Mr Beck	Mr Morris
Mr Blackmore	Mr W. T. J. Murray
Mr Causley	Mr O'Doherty
Mr Chappell	Mr D. L. Page
Mrs Chikarovski	Mr Peacocke
Mr Cochran	Mr Phillips
Mrs Cohen	Mr Photios
Mr Collins	Mr Richardson
Mr Cruickshank	Mr Rixon
Mr Downy	Mr Schipp
Mr Fahey	Mr Schultz
Mr Fraser	Mrs Skinner
Mr Glachan	Mr Small
Mr Griffiths	Mr Smith
Mr Hartcher	Mr Tink
Mr Hatton	Mr Turner
Mr Hazzard	Mr West
Mr Humpherson	Mr Windsor
Dr Kernohan	Mr Zammit
Mr Kinross	
Mr Longley	<i>Tellers,</i>
Dr Macdonald	Mr Jeffery
Ms Machin	Mr Kerr

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Pairs

Mr Doyle	Mr Debnam
Mr McBride	Mr Petch
Mr Shedden	Mr Souris

Question so resolved in the negative.

Paragraph (1) of the motion as amended negatived.

Question - That paragraphs (2), (3) and (4) of the motion as amended be agreed to - put.

The House divided.

Ayes, 47

Ms Allan	Mr McManus
Mr Amery	Mr Markham
Mr Anderson	Mr Martin
Mr A. S. Aquilina	Ms Meagher
Mr J. J. Aquilina	Mr Mills
Mr Bowman	Ms Moore
Mr Carr	Mr Moss
Mr Clough	Mr J. H. Murray
Mr Crittenden	Mr Nagle
Mr Face	Mr Neilly
Mr Gaudry	Ms Nori
Mr Gibson	Mr E. T. Page
Mrs Grusovin	Mr Price
Mr Harrison	Dr Refshauge
Ms Harrison	Mr Rogan
Mr Hatton	Mr Rumble
Mr Hunter	Mr Scully
Mr Iemma	Mr Sullivan
Mr Irwin	Mr Thompson
Mr Knight	Mr Whelan
Mr Knowles	Mr Yeadon
Mr Langton	<i>Tellers,</i>
Mrs Lo Po'	Mr Beckroge
Dr Macdonald	Mr Davoren

Noes, 45

Mr Armstrong	Mr Merton
Mr Baird	Mr Morris
Mr Beck	Mr W. T. J. Murray
Mr Blackmore	Mr O'Doherty
Mr Causley	Mr D. L. Page
Mr Chappell	Mr Peacocke
Mrs Chikarovski	Mr Phillips
Mr Cochran	Mr Photios
Mrs Cohen	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Schipp
Mr Downy	Mr Schultz
Mr Fahey	Mrs Skinner
Mr Fraser	Mr Small
Mr Glachan	Mr Smith
Mr Griffiths	Mr Tink
Mr Hartcher	Mr Turner
Mr Hazzard	Mr West
Mr Humpherson	Mr Windsor
Dr Kernohan	Mr Zammit

Mr Kinross
Mr Longley
Ms Machin

Tellers,
Mr Jeffery
Mr Kerr

Pairs

Mr Doyle
Mr McBride
Mr Shedden

Mr Debnam
Mr Petch
Mr Souris

Question so resolved in the affirmative.

Paragraphs (2), (3) and (4) of the motion as amended agreed to.

Motion as amended agreed to.

House adjourned at 12.10 a.m., Wednesday.
