

LEGISLATIVE ASSEMBLY

Thursday 11 March 2004

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

Mr Speaker offered the Prayer.

COMMUNITY PROTECTION (CLOSURE OF ILLEGAL BROTHELS) BILL

Second Reading

Debate resumed from 4 December 2003.

Ms PETA SEATON (Southern Highlands) [10.00 a.m.]: I bring to the attention of the House some disturbing information brought to me by the honourable member for Hornsby, who has made a case for why this legislation is necessary. She alerted me to a disturbing situation in Wahroonga, where, allegedly, an illegal brothel is operating near where young children walk and play, and a primary school is in the immediate vicinity. It is thought by local people that this allegedly illegal brothel is connected to a number of others in the Pennant Hills area, where young girls, mostly of Asian origin, are allegedly working as prostitutes. There are very real concerns that those girls are underage and perhaps working against their will. Local residents are alarmed and have been fighting for the closure of the brothel for many months. One 12-year-old girl was asked directions by a client. Ku-ring-gai, is gathering evidence, but that is costly and time-consuming—which is exactly the point I am making by introducing the bill.

In order to close down that brothel, the council will need to take the matter to the Land and Environment Court, another point this bill attempts to remedy. Apparently there have been noisy disputes, often late at night and early morning. On two occasions girls have been seen in fear of severe punishment, and afraid for their lives. That is one example of the sorts of things happening around Sydney as a result of the proliferation of illegal brothels. Since the debate on this bill was adjourned, several disturbing issues have come to light that add even more urgency for the Government to support the bill. Residents, unit owners, and Councillors Kerry Sloane and Sally Betts of Waverley Council have recently contacted me regarding a developing scourge in the Waverley local government area that the Carr Government and Labor councillors have been reluctant to deal with properly.

The problem is that at several strata unit buildings and other premises, including 29 New Newland Street, Bondi Junction, operators of allegedly illegal brothels have set up businesses in strata units. Some are operated as licensed therapeutic massage premises, and there are some legitimate businesses. However, the services advertised as available from some premises push the boundaries of their licence to the limit and beyond. I am told that although clients may well receive those legitimate services, when clients are at the premises they are routinely offered more, including sexual services that clearly are in the range of activities offered by licensed brothels. If those services are offered at premises not licensed as brothels clearly the premises fall under the Summary Offences Act. If the premises were to make such application their locations would not be acceptable because of their proximity to residences, schools and churches.

Under the guise of therapeutic massage enterprises, brothels are actually operating at those premises. I have a list of premises that are allegedly operating as brothels in a number of streets in the Bondi Junction area including Vernon Street, Oxford Street, Newland Street, Ebley Street, Bondi Road and Gray Street. At least six of the premises allegedly operating as brothels are in the building at 29 Newland Street and I am told that there are up to 72 rooms in the area operating as illegal brothels. One would have to wonder why the State Government and Waverley Council have not taken action to investigate this and, if true, close down any illegal brothel. The only exception to date is that one enterprise at 104 Ebley Street has been closed.

Councillors Sloane and Betts, and a group of courageous local residents consistently have been lobbying the mayor of Waverley for several years to take some definitive action. Councillor Sloane informed the mayor more than a year ago, before he was elected as the local State member, which means he cannot pretend he took on an electorate office in a building he did not know was strongly suspected to house illegal brothels. Councillors have tried to move motions about the need for crackdowns, put questions on notice and lodged other

requests with the mayor. However, apparently in the past few years the mayor and his caucus members have not taken any action that residents think would be necessary and sufficient to shut down this problem. The mayor supported an initiative from Councillor Sloane, who moved on 29 January 2004 that:

[council] resolves to pursue further investigation of brothel operators in Bondi Junction through their Local Environmental Study [LED] process for Bondi Junction.

People want councils and the State Governments to protect resident and owner rights; to crack down on grubs who run their trade by taking on women in vulnerable situations, and forcing them to work outside normal and acceptable occupational health and safety rules; to protect the rights of the legal sex industry operators, who operate lawfully and with pride knowing that they are doing the right thing by their community and their employees; and protect the safety of owners and residents who have told me that they have been subjected to threats and intimidation, because they have dared to speak out.

I went to see those problems for myself at the invitation of Waverley councillors. The building at 29 Newland Street is a multistorey block in the centre of the Bondi central business district, one block from a church and across the road from a public park, a childcare centre and several residences. The building at 29 Newland Street itself contains residences. The building foyer lists a number of business names on the directory board including Mistys, Michelles, Terrys, Sarahs and Studio One, and other such names. The night I saw the building, one of the glass panels in the foyer was smashed and partly repaired. Of course, on the second floor is the office of the honourable member for Coogee, who sits in this House, and who has only recently, because of pressure from Councillors Sloane and Betts and concerned residents, eventually supported a motion to move to formulate a development control plan as an urgent interim measure to deal with the local illegal brothel problem.

Surely the honourable member for Coogee would agree that that is an admission that the State Government, of which he is now a part, must take action. Why is his office in that building? Why does he tolerate the sort of problems that residents have been complaining about, for years, to the council, of which he is mayor? I look forward to his answering that question in this debate. He needs to answer that question. More to the point, does the Premier think it is acceptable? Presumably he does or he would have stepped in to stop it. On 16 February 2004 the *Daily Telegraph* called the building the "tower of sin". Is this the standard set by the Government for the sort of places where electorate offices ought to be and the sort of places where residents and legitimate business owners are forced to do business?

The honourable member for Coogee needs to explain why he expects constituents to see him on the second floor of a building with a smashed window, and occasionally a bouncer or a bodyguard out the front, in order to see their local member. One resident tells me that at many times of the day or night lines of men are in the corridors waiting, as he puts it, to be serviced in these allegedly illegal brothels in the building. Imagine how constituents would feel being forced to encounter this sort of environment when they go to see their local member.

Apart from the obviously unacceptable issues, it is very possible that many people could be put off the idea of visiting their local member because they feel uncomfortable, embarrassed, intimidated at the idea of entering such a building. This is a denial of the fair and easy access that all constituents should expect to their local representative. I look forward to the honourable member for Coogee accounting for this in the debate. I would like to hear what if any steps he took to change the location of his office to a more accessible and appropriate place than his predecessor Ernie Page had. Will the honourable member tell us he did not know what was alleged to go on in the building? Residents and owners tell me that they have been making representations about this building for a long time. A very brave owner of a unit in the building read a statement to council two months ago in his plea to the mayor for action:

Recently, we have become desperate. There are now at least 29 units being operated as commercial brothels. They blatantly advertise in the Wentworth Courier. These advertise that they operate well into the night as late as 3 am.

One brothel owner has proudly stated at a meeting of the owners corporation that from her ten units she services 800 customers a week. I repeat 800 customers. God knows what the other 19 unit operators service. My guesstimate would be over 2,000 per week. There are sometimes lines of men in the corridors waiting to be serviced. ...The glass front doors to the building had been smashed incredibly frequently. Once every two weeks is a good average. I question why we bother even fixing them.

There is urine in the lifts, and soiled towels and sheets in the laundries. ... Another lady tenant ... gave notice after men kept pounding on her door demanding sex because they have already paid at the office and had been directed to her door. She gave notice and left, and suddenly I got an offer to buy the property from a brothel owner. I believe this has been a tactic used to force owners to sell. ... Last Friday (30th January 2004) we had an Extraordinary General Meeting to try and pass a bylaw preventing

the approval of any further "massage" parlours or brothels on top of the six approved already by Waverley Council. We failed miserably. It's already too late, 29 units are already owned by the brothels, and that represents more than the 25% required to block the special resolution.

Please help us. We have been totally overwhelmed. There is no quiet enjoyment left for the residents of the building. It's basically our worst nightmare come true.

A woman wrote to Waverley council on 17 November stating:

I am writing to complain about the massage parlours/erotic massage parlours/brothels in 29 Newland Street, Bondi Junction, and request that council take immediate action to close these businesses as their existence in this building is interfering with the quiet peace and enjoyment of other occupants and owners.

The letter went on to say:

In October 2003 I made a phone complaint to Waverley Council about the noise from unit ... and possibly [another unit] as both operate as erotic massage parlours. On 29 October 2003 [a] council employee ... inspected the premises. [He] advised me he had asked the operator of the erotic massage parlours creating the noise in the unit ... to submit a development application and business plan to council. When I asked [him] what could be done about the noise problem he said he will wait to see what is in the business plan which he requested them to submit. He told me that he is not experienced in the area of handling erotic massage parlours.

I am stunned that no order was made on the parlour owner to stop the noise and or stop operating an illegal business. My tenant is not allowed peaceful enjoyment of his home while Waverley Council wait for a "business plan" to be submitted. I get the impression that Council is doing nothing to resolve this issue and I find this totally unacceptable.

The letter went on to say:

The presence of security guards for the erotic massage parlours is disturbing as this indicates a violent and perhaps criminal element is present.

The woman concluded by saying:

I implore Council to take immediate action to close down the sex industry in 29 Newland Street, and Bondi Junction in general.

In case anyone is in any doubt as to the nature of the illegal services being offered under the guise of remedial massage and other descriptions I refer to a letter from a gentleman who explained that he suffers from a spinal problem and needs remedial massage. He looked in the newspaper, found an advertisement for Thai-Chinese massage therapies, rang for an appointment, confirmed it was indeed a remedial centre providing qualified masseuses, and then went to the premises in Oxford Street. After the massage started he became concerned that the person doing the massage did not know what she was doing. At that point she offered him a sexual service for \$50. The man was obviously very upset about this. The girl went on to explain that this was the only way that she could make money. She said that the remedial massage centre only masquerades as such but its real purpose is to book repeat business by offering this particular service. She also told him that the girls were certainly not qualified masseuses, and not even the boss was qualified. The letter went on to explain a range of problems that the staff encountered, and it then states:

At that point, I asked her why don't the girls go to the Council. She answered that they'd like to, but fear that with their limited English, they won't be understood.

The girls obviously feel extremely intimidated by the prospect. The correspondent sent copies of the letter to Mayor Paul Pearce and every councillor on Waverley council. That is how I came to be given a copy of the letter. The problem is not confined to Bondi Junction. I received a letter from an elderly lady in Granville, who wrote:

Thank you for replying to my letter regarding the illegal brothel opposite where I live.

I wrote to Mr Carr, Mr Nile, Mr Kelly and Mr Knowles and asked them to support the Bill you were going to present this month. I hope they supported you in this.

Could you let me know just when you think you will be going to put forward the Bill & I would also appreciate it if you could let me know the outcome.

We are all so pleased you are going to present this Bill & are praying for you & the outcome.

That is another example of another situation in another residential part of Sydney that is facing these problems. People in Bondi Junction want to stop the rot and reclaim Bondi Junction for their families, businesses and

communities. They want to see leadership from their local council and particularly their local State member. I have spoken about illegal brothel operations in Port Kembla in the past and can update the House on further concerns by local groups about the illegal sex worker trade in that area, and the human misery it encompasses. Last year I was taken by the President of the Port Kembla Chamber of Commerce to see the effect on business of streetwalkers in the local area, and to hear ideas about how the streetwalkers may be helped to break the cycle of disadvantage they are in. As a result of this meeting I have made representations to the relevant Ministers about concerns about lack of mental health facilities in the Illawarra, and the needs of women in these situations, who are often facing mental illness, addiction and other health problems. I was shown more evidence of women living rough in the area. In Port Kembla three weeks ago within 20 minutes I saw three women street workers plying their trade.

This bill does not address street prostitution but I wish to present the views of people who have contacted me to ask us as legislators to consider this related issue. At a recent meeting of the Port Kembla Pollution Committee at the Port Kembla Community Centre a partially clad prostitute was outside the glass doors obviously the worse for drugs for quite a good part of the meeting. On another occasion a woman from the group was in an agitated state because she had gone down the street to post a letter and had been confronted by a dreadful fight going on between one of the prostitutes and a man. This woman's daughter moved to Canberra at the beginning of last year as she was so sickened by what she had to witness just walking home from school. It was not uncommon to see paramedics and ambulances at the side of the road trying to revive an overdosed addict. This situation requires a whole-of-government approach—to mental health, community services, policing and reform of planning laws—to make it easier for councils to crack down on illegal brothels. Wollongong Neighbourhood Committee 9, which has also written to me, said that it is concerned about this issue. The letter states:

We reject any proposal to establish a designated sex zone within the precincts of Wollongong City Council. Members are seeking support from yourself and parliamentary colleagues to lobby the Minister for Police, Mr John Watkins, for a review of the Summary Offences Act which allows prostitution to be legal and to be amended to be made illegal.

I note those representations from Wollongong Neighbourhood Committee 9. I have also had representations from people who work in home-based brothels, but this bill does not canvass any issues relating to those enterprises. I thank the general manager of Lake Macquarie City Council for his constructive letter in response to my invitation for submissions. I was glad to receive that letter. He states, "Council's major concerns are that minors are protected and not recruited to work in brothels." He also said that the health of our population should not be adversely affected. I am grateful for the way in which he outlined the experience of Lake Macquarie City Council in dealing with these issues. I thank Ian Cross, the Mayor of Ku-ring-gai, for the comments he sent to my colleague the honourable member for Ku-ring-gai. He states:

Council continues to receive complaints regarding the disturbance caused in the neighbourhood and the impact of an illegal operation on the amenity previously enjoyed and also the environmental impact.

He goes on to encourage councils to make further efforts to enable them to deal more simply with this problem. I speak on behalf of operators who are taking a leadership role in creating a new approach to industry with properly licensed, properly trained staff acting lawfully and safely. I commend the approach that they are taking. They should be supported for doing that. If we fail to crack down on illegal operators, essentially we are saying to those who do the right thing that their efforts are not valued and that it is not worth it. A qualified operator in the eastern Sydney area has highlighted to me the benefits of promoting legal and properly licensed operations—the promotion and observance of health and safety and fire regulations, compliance with which is costly.

Those that do these things properly should not be subject to unfair competition by someone who has no such scruples. Staff must be trained to know what are the boundaries in a proper establishment so that they never feel put upon and they know how to handle difficult situations within the law and within the limits of their agreement. Promoting legitimate businesses can improve taxation and immigration compliance. Responsible operators are keen to work with government to take positive steps to minimise welfare fraud, for example. They generate loyalty as well as give staff the opportunity to generate their own credit ratings. They also give staff other financial tools to enable them to have independence.

Legitimate operators who are concerned about the welfare of staff have spoken of ladies coming from other businesses claiming that they had been forced to do certain acts they did not want to do. I am told that many people working in the illegal industry, who are subject to bond and fining systems, will be subject to manipulation and abuse—for example, women not in a position to assert their rights in an illegal situation.

Employment in legitimate situations works on a different range of positive incentives and protections for staff. We need change and reform. Neighbourhoods and councils need access to swift and decisive action against illegal brothel operators who are polluting our neighbourhoods with antisocial, intimidatory, destructive and illegal activities.

Families should be able to enjoy their residences and town centres in peace. Residents should not have to put up with illegal brothels damaging property values. Children should be able to play without having to witness from their backyards illegal operations of this sort. Coalition members representing Baulkham Hills, Hornsby, Hawkesbury, Pittwater, Ku-ring-gai, Willoughby and many other parts of Sydney and New South Wales have welcomed this bill on behalf of their communities. I commend them for their participation in developing this legislation. I have yet to hear whether the honourable members representing the electorates of Coogee, Wollongong and other Illawarra seats, and the honourable member for Parramatta will do what their communities want and stand up for a crackdown on illegal brothels. What is the position of the Government in relation to this bill? It voted down the bill on one occasion. It now has a chance to get it right by supporting it on this occasion. I challenge members of the Labor Party to do the right thing—to stand up for families and communities and to support this bill.

Debate adjourned on motion by Mr Neville Newell.

PARLIAMENTARY ELECTORATES AND ELECTIONS AMENDMENT (PROHIBITION ON VOTING BY CRIMINALS) BILL

Mr SPEAKER: Before I call the honourable member for Davidson, I should point out that the procedures of the House have now been delayed for several minutes because the honourable member for Davidson was not in the Chamber to present his second reading speech, as he should have been. I remind all members that it is their responsibility to ensure that they are in the Chamber and ready to proceed at the appropriate time. It is not appropriate that the program of business should be delayed while the House waits for one member. The honourable member for Davidson is fortunate that I did not order that his business had lapsed.

Bill introduced and read a first time.

Second Reading

Mr HUMPHERSON (Davidson) [10.28 a.m.]: I move:

That this bill be now read a second time.

The right to vote is a privilege for any citizen in this State. The right to influence the outcome of the democratic processes at a State, parliamentary or local government level is a significant privilege. That right to vote is provided to and is available for citizens over the age of 18 years who have respected the law. This bill seeks to take away the privilege to vote from those who have not respected the law, those who have not respected the rights and property of other citizens. A number of people are serving punishment imposed by the justice system because they have broken the law and been convicted. This bill provides that while they are completing a sentence involving full-time, weekend or home detention they are denied the right to participate in democratic processes.

New South Wales prisoners serving sentences of 12 months or more are not entitled to vote in State or council elections. That applies to about 5,000 offenders in the corrective services system. Another 13,000-odd offenders who are serving one form of punishment or another retain the right to vote and to influence the democratic processes. By virtue of that they have a significant influence on government and local council policy and decision making. The Opposition does not believe that those serving a punishment, having not respected the rights of their fellow citizens, should retain the right to vote while serving a sentence.

Pursuant to sessional orders business interrupted.

DEFAMATION AMENDMENT (COSTS) BILL

Second Reading

Debate resumed from 30 October 2003.

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [10.30 a.m.]: The Government opposes this bill. The honourable member for Manly introduced this bill on 18 September 2003. It provides that in

defamation proceedings costs are not payable by the defendant to the plaintiff unless the amount of damages awarded to the plaintiff exceeds \$25,000. The stated aim of the bill is to make it more difficult for wealthy, litigious plaintiffs to misuse the law of defamation to stifle free speech and criticism of their actions. The bill seeks to achieve this aim by focusing specifically on the issue of costs. It is also designed to address comments made by Justice Simpson in *West and Anor v Nationwide News* regarding the enforcement of part 52A, rule 33, of the Supreme Court Rules. This rule provides a threshold of \$225,000 before a plaintiff may recover his or her costs, unless the plaintiff had "sufficient reason" for commencing or continuing the proceedings in the court.

The purpose of the rule is to deter plaintiffs from commencing small or non-complex cases in the Supreme Court. Part 52A, rule 11, of the Supreme Court Rules and part 39A, rule 9, of the District Court Rules provide that in civil proceedings costs generally follow the event. An exception to this rule is made in relation to defamation proceedings. Section 48A (1) of the Defamation Act 1974 provides that in ordering costs in respect of proceedings for defamation, the court may have regard to the following matters: first, the way in which the parties to the proceedings conducted their cases, including any misuse of a party's superior financial position to hinder the early resolution of the proceedings; secondly, whether the costs in the proceedings may exceed the quantum of damages to be awarded in the proceedings; and, thirdly, such other matters as the court considers relevant.

Further, section 48A (2) (b) provides, without limiting subsection (1), that a court must, unless the interests of justice require otherwise, if proceedings for defamation are unsuccessfully brought by a plaintiff and costs in the proceedings are to be awarded to the defendant, order costs of and incidental to the proceedings to be assessed on an indemnity basis if the court is satisfied that the plaintiff unreasonably failed to accept a settlement offer made by the defendant. Section 48A was introduced into the Act by the Defamation (Amendment) Act 2002. At the time of introducing the bill the Minister made the following comments about the issue of excessive costs:

There is understandable concern about wealthy parties, whether plaintiffs or defendants, using their deep pockets to wear down opponents of modest means to discourage them from continuing, or indeed even commencing, defamation proceedings for fear of a ruinous costs order. It is not unheard of, for example, for property developers to commence proceedings known as SLAPP (strategic lawsuits against public participation) suits against individuals or community groups to silence their opposition to a proposed development. There is also anecdotal evidence of some wealthy individuals pursuing every procedural avenue open to them despite the prospects of success being slim and despite their legal fees far outweighing any potential damages award.

The object in such cases is to intimidate the defendant into settling the matter at the risk, however slight, of losing the case and being subject to a large costs order. Such tactics can have the serious consequence of either constraining free speech or allowing a reputation to be irreparably damaged. While the addition of proposed section 48A (2) will provide greater discretion to a judge in awarding costs in instances where parties have been recalcitrant than currently exists, section 48A (1) makes it abundantly clear that in awarding costs the court may take account of the way the parties have conducted their case. The court will be able to take into account such matters as whether either party has used their significantly more powerful financial position in a way that hinders the effective discharge of justice.

It is important to keep in mind that the aim of section 48A, which was introduced by the Government in December 2002, was to protect ordinary members of the community against potentially ruinous cost implications from defamation actions. Section 48A commenced on 17 February 2003, and I am unaware of any defamation cases invoking section 48A having been finalised. While it is too early to tell whether the amendments have achieved their aim and whether there is any need for further amendment along the lines advocated by the honourable member for Manly, calls for amendment are premature. The honourable member also comments in his second reading speech that generally for a defamation action involving \$10,000 in damages, a party can expect to pay around \$80,000 to \$100,000 in costs.

He states that it is strange that given the high costs associated with defamation actions there have been no recent attempts to address the issue. On the contrary, section 48A is a significant and meaningful attempt to address the issue. As noted, section 48A (1) (b), developed in consultation with the honourable member for Manly, requires the court to consider whether the costs in the proceedings may exceed the quantum of damages to be awarded in the proceedings. The section also grants the court discretion to take into account any other matters it sees fit. Section 48A will prove an adequate tool in addressing the damages and cost imbalance that exists in some defamation proceedings. To this end, the honourable member's assertion that section 48A (1) (b) does not go far enough in addressing the issue is unjustified, and yet to be borne out by experience.

In respect of part 52A, rule 33, of the Supreme Court Rules, the honourable member for Manly is concerned that the rule is not being enforced in defamation matters. Part 52A, rule 33, of the Supreme Court Rules applies to proceedings in the Supreme Court and provides that where a plaintiff recovers a sum of not more than \$225,000, he or she shall not be able to recover costs unless the court finds the plaintiff had sufficient reason for the commencing or continuing of proceedings in the court. The purpose of the rule is to discourage plaintiffs from pursuing small or uncomplicated cases in the Supreme Court, and that is a very sensible rule for the court to have adopted.

On 15 September 2003 the Supreme Court Rules Committee amended part 52A, rule 33, of the Supreme Court Rules so that it does not apply automatically in defamation cases. The amendment is an acknowledgement that the rule has not generally been enforced in relation to defamation proceedings. More importantly, it is an acknowledgment that while the majority of defamation matters decided in the Supreme Court result in damages awards of less than \$225,000, the Supreme Court may well be the appropriate jurisdiction in which to hear the matter because of the complex legal issues raised. It is important to note, however, that judges will still be required to take into account the matters referred to in section 48A of the Defamation Act, and that judges will have the discretion to make a range of costs orders, including that no costs be payable.

I believe it is essential that the Supreme Court continue to hear defamation matters which give rise to complex legal issues. The rule change will ensure that will be the case. I am also confident that there exist sufficient safeguards to prevent the Supreme Court presiding over shorter, less complex defamation matters that ought rightly be tried in the District Court. There exist clear common law principles in relation to the jurisdiction of the courts in defamation matters. In a number of decisions, Justice Levine, the defamation list judge in the Supreme Court, listed the factors relevant to whether or not defamation proceedings ought to be transferred to the District Court or retained in the Supreme Court.

These factors include the status of the plaintiff and the circulation of the newspaper, the quantum of damages likely to be obtained, whether the imputations are serious or of the utmost gravity, whether there are any major matters of principle that would warrant the consideration of the Supreme Court, and the prospects of the matter being dealt with more quickly in either the Supreme Court or the District Court. I am confident that these principles enunciated by Justice Levine in *Hoser v Hartcher*, *Cohen v Nationwide News*, *Murphy v 2UE* and *Ieremia v Skalkos* will ensure that only the most complex defamation matters are litigated in the Supreme Court.

In direct response to the proposal by the honourable member for Manly to limit costs recoverable by a plaintiff awarded damages in an amount less than \$25,000, there are sound policy reasons for allowing plaintiffs to recover their costs in defamation proceedings, no matter how small the damages award. As noted by the honourable member, some 80 per cent of defamation actions are brought against media organisations. Thus in many cases it is safe to assume that there will be a significant power and financial imbalance between the individual plaintiff and the media defendant, to the disadvantage of the plaintiff. In many cases it would be unfair to prohibit a plaintiff from keeping his or her costs when he or she was awarded less than \$25,000 but otherwise had sufficient reason to commence the action.

In respect of wider defamation law reform, I note the progress being made towards national uniform defamation legislation in the Standing Committee of Attorneys General. This forum is considering many of the issues raised by the honourable member for Manly and is in the process of producing model amendments for consideration by Ministers at its next meeting. Accordingly, the proposal set out in the Defamation Amendment (Costs) Bill would appear unnecessary and excessive. The Government does not support the bill.

Mr ANDREW TINK (Epping) [10.41 a.m.]: The Defamation Amendment (Costs) Bill seeks to amend the Defamation Act 1974 with respect to costs in defamation actions. The bill adds a new section 48B to the Act, providing that in proceedings for defamation a court is not to make an order for the payment of the plaintiff's costs unless the amount of damage ordered to be paid to the plaintiff exceeds \$25,000. The new section will not operate retrospectively. As I understand it, the bill will remove the discretionary power of the court to award costs when the claim for damages is less than \$25,000. The Opposition believes the court's discretionary power to award costs should remain, and for that reason we will oppose the bill.

The Law Society of New South Wales wrote to the honourable member for Manly on 19 September 2003, responding in detail to the bill and outlining its concerns. The Opposition agrees with those concerns. My views are not always in accord with the views of the society: It is a matter of record that we have had some

strong disagreements from time to time about various legal policy issues. I certainly do not accept all that the Law Society says, but in this case it has raised some important issues that go to the heart of the problem with this bill. I thank the former President of the Law Society, Mr Benjamin, and the officers of the society for their efforts in providing this response to the honourable member for Manly, which is also of great assistance to me. In response to the bill, the Law Society states:

The amendment proposed seeks to prevent the making of an order for costs against a defendant in a defamation action unless the plaintiff has been awarded damages of at least \$25,000.

The Law Society goes on to state that the bill's rationale appears to be to curtail the misuse of defamation proceedings by, in the words of the honourable member for Manly:

... the wealthy and powerful ... in trivial cases to stifle criticism and legitimate public discussion of their activities.

Such tactics are generally described as stop writs and are difficult to prevent because it is not always possible to identify those whose actions are motivated by the improper purpose to which the honourable member for Manly refers. There is an issue to address in this area, and the honourable member has attempted to do that. However, the Law Society goes on to measure the real cost of the problem. This is a most important contribution from the Law Society, for which I thank it. Its letter of 19 September 2003 continues:

The Society has not been able to identify examples of matters with the negative characteristics that your proposed amendment seeks to target. I am further informed—

that is, the President of the Law Society—

that of the cases tabled by the *Gazette of Law and Journalism* dating back to 1999, to which you refer, there are only four matters in which the verdict (net of interest and costs) did not exceed \$25,000. From the information made available by the *Gazette* about those particular plaintiffs, the Society is not persuaded that it would be in the interests of justice to deny any of those plaintiffs an order for costs.

The society has attempted to measure the magnitude of the problem identified by the honourable member for Manly—the use of stop writs in the context of damages awards of \$25,000 or less—and has defined it as negligible in practical terms. That is a significant point: The problem that this bill attempts to resolve is very small indeed. We must also take account of the fact that the court retains discretion under the current law, and that is the way that I would prefer to keep it. I do not think there is any great public mischief in this area that must be addressed. I do not think it is a public mischief for the court to continue to have such discretion. I am comfortable with that.

I will tell a cautionary tale, which makes an interesting analogy—ironically, the honourable member for Manly might also use this example to argue in support of his case. I refer to the position in which Mr Vincenzo Tavernese found himself in a case brought against him for damage that was alleged to have occurred as a result of his spraying his crops. I suppose that both sides of the debate could use Mr Tavernese's difficulties to make their cases. The honourable member for Manly could claim that the brake should be applied to plaintiffs such as those who brought the case against Mr Tavernese. However, I get something else from this case. In the context of the bill before the House, I think the Tavernese case is a cautionary tale about Parliament making mandatory, inflexible rules regarding damages awards.

In Mr Tavernese's case the issue was not so much the validity or otherwise of the plaintiffs' argument but that a statutory limit was placed on the damages that Mr Tavernese could receive. That case was about removing court discretion regarding costs awards, which is what the honourable member for Manly is seeking to do through this bill. That should not happen. As the honourable member for Tweed said, changes to the Defamation Act may go some way towards dealing with defamation cases where there is less at stake and where the fabric of defamation laws provides more cost-efficient and effective methods of redress in terms of public policy. Mr Benjamin states the position well in his letter when he writes:

The Defamation Amendment Act 2002 introduced significant reforms which will also reduce costs. Provisions are now in place to ensure that the law of defamation does not place unreasonable limits on the publication and discussion of matters of public interest and importance. The introduction of section 22(2A) is therefore a step forward in the right direction. Secondly, speedy and non litigious methods of resolving disputes concerning the publication of defamatory material have also been introduced. The making of a reasonable offer to make amends and the costs penalties to be imposed for not accepting a reasonable offer will ensure that many cases will settle quickly. Thirdly, the costs provisions introduced under Part 4 of the amending legislation will act as a barrier to unnecessary and prolonged litigation.

The Society suggests that time should be given for these recent changes in defamation law to be tested before further amendments are introduced.

I listened carefully to what the Parliamentary Secretary had to say about the matters he raised along those lines. I agree with him that, at the very least, more time is needed on this. However, if we are required to come to a decision now, as appears likely, I emphasise that the case has not been made out. The extent of the public policy issue sought to be addressed by the bill is not as measured by the Law Society. An analysis of the number of cases involved demonstrates that the bill is not warranted. Indeed, it could have quite draconian consequences for a significant number of people on the other side of the ledger who are not running stop-writ tactics but, on the face of it, have genuine claims. Given the case of the tomato grower to which I referred, we all need to be extremely careful before we start putting in place mandatory rules on costs. For those reasons the Opposition does not support the bill.

Mr MALCOLM KERR (Cronulla) [10.51 a.m.]: I wish to address some of the remarks of the honourable member for Manly in his second reading speech because I believe defamation is a very important matter. This is not an abstract debate; defamation is an issue that affects everyone in this State. People are simply not aware of the breadth of the defamation law. Defamation issues can arise from a neighbourhood dispute, a dispute in a body corporate, or a local tennis club dispute. Often remarks are made that damage people's reputations, sometimes permanently, and people need to have recourse. The defamation law is extremely complex. Indeed, if the honourable member for Manly is interested in serious reform of the defamation law in this State I recommend he read the report of the Legislation Committee upon the Defamation Bill, dated October 1992, which this Parliament ordered to be printed.

Mr David Barr: I've read that.

Mr MALCOLM KERR: I am sure the honourable member would agree that it is an excellent report. I wish to quote Justice Blackburn in the case of Renouf, because I believe it is still a relevant quote. Justice Blackburn said:

As to publication in New South Wales, I am far from confident that I have succeeded in finding my way through labyrinthine complexities of the defamation law of that State. It is an unpleasant feeling to know that one is lost; I am not sure that it is not equally unpleasant to be unsure whether one is lost or not.

This bill is an ad hoc approach to reform. The Parliamentary Secretary, the honourable member for Tweed, referred to section 48A and the reasons that section was enacted. He also said that there has not been sufficient time to monitor the effectiveness of that section. I note that the Parliamentary Secretary nods his head. I will not repeat what the Parliamentary Secretary said about the policy considerations that lay behind the enactment of that section, but it seems that the same policy considerations motivated the honourable member for Manly to draft the legislation.

One of the issues that should be of concern to all members of this House is the justification for remarks made that adversely affect people's reputation. I draw the attention of the House to the report of the Legislation Committee upon the Defamation Bill. I refer in particular to chapter 4, which deals with justification, truth and privacy, chapter 5, which deals with contextual truth, chapter 6, which deals with absolute privilege, chapter 7, which deals with qualified privilege, and chapter 8, which refers to proposals to simplify the defence of qualified privilege.

Litigation involved in defamation is extremely expensive. In fact, the damages awarded may not reflect the complexity of the matter and the legal work that has gone into it or how justified the plaintiff was in bringing a successful action for defamation despite the fact that the potential damages may be quite small. I would hope that the honourable member for Manly when he comes to address the House again would deal in detail with the submissions of the Law Society and the Parliamentary Secretary, and the arguments advanced by the honourable member for Epping.

There is not a great divide in this debate between the members who have spoken in it. There is a clear intention, which was probably crystallised by the Parliamentary Secretary, with regard to the public good that is sought to be achieved. Given that there is no great divide on the matter, there can be great mischief in having an ad hoc approach that further complicates the matter and seeks to interfere with judicial discretion. Having sought to ensure the passage of this legislation, the honourable member for Manly has an obligation to deal in detail with the arguments that have been advanced against it.

Mr BRAD HAZZARD (Wakehurst) [10.57 a.m.]: As indicated by both Government and Opposition members, there is a level of concern about the Defamation Amendment (Costs) Bill introduced by the

honourable member for Manly. I am familiar with the honourable member's interest in this defamation issue, and I believe I know where it comes from.

Mr David Barr: You don't.

Mr BRAD HAZZARD: The honourable member for Manly says I do not know where his interest comes from, but I believe I do. I am not sure that there would be much benefit in my going into the fine detail of it. I did not mean to reflect unkindly on the honourable member for Manly. I believe his interest in this issue was sparked by a case that was the subject of public interest on the northern beaches. I have some sympathy for both individuals involved in that case with regard to the problems that arose. Certainly I understand why the honourable member would be concerned about the issue of costs when no order for damages, or minimal orders for damages, have been made. The bill needs to be considered not with a focus on that individual case but, rather, with a focus on the broader picture of what is in the interests of the people of New South Wales with regard to defamation law reform generally.

Defamation law is an extremely complex area. In 1991, when I first came into Parliament, discussions were underway about the complex nature of defamation law, particularly cross-border issues, forum shopping and the desire by various plaintiffs to look to different jurisdictions across State borders because of the differing application of legal provisions relating to defamation law. Since that time efforts have been made to try to address those issues and to make defamation law a little more uniform, but it has largely defied those efforts for a variety of reasons. Trying to get defamation law a little more consistent and uniform is still a worthwhile pursuit. That of itself should be sufficient reason to say that making amendments from a particular perspective at a point of time, such as the honourable member for Manly is seeking to do, is not going to be beneficial to the overall reform of defamation law in New South Wales. In 1995 the Law Reform Commission looked at defamation law and made various recommendations.

Mr David Barr: Not about costs.

Mr BRAD HAZZARD: That is right, it looked at falsity, truth, et cetera. The 1995 report made approximately 38 recommendations. As the honourable member for Manly said, the issue of costs has remained difficult. Recently the honourable member for Manly raised this matter in the House in his attempt to disallow a Supreme Court rule that was introduced to address costs, in another sense—I will not bore the House with those details. He is now trying to come up with a blanket rule that in any case where less than \$25,000 worth of damages is awarded there should be no costs. I do not believe that that is the answer to this complex problem which, from time to time, leads to a perception of injustice to parties to these sorts of proceedings. But one has to remember that section 9 of the New South Wales Defamation Act states that there is a separate cause of action for the publication of each defamatory imputation to each recipient.

In New South Wales a cause of action for defamation does not arise from the defamatory matter—the imputations are embodied within—but rather from the publication of the defamatory imputations themselves. A series of defamatory imputations have to be considered in any proceedings. A plaintiff in a complex proceeding involving a series of imputations might be successful on only one of those imputations, which might not detract from the overall assertions but it certainly provides only one opportunity for an award for damages. Perhaps, for that reason, the damages are less than \$25,000. There can be a variety of other reasons. In the end the issue must be left for a judge to exercise his or her discretion. To try to remove that discretion is entirely counterproductive. Introducing amendments in a piecemeal fashion will not result in a productive outcome for the people of New South Wales. I am not being dismissive of the efforts of the honourable member for Manly to address this difficult problem. In this instance an amendment that simply makes a blanket rule that less than \$25,000 damages has an absolute consequence of no costs would be nonsensical. It could be unfair to plaintiffs and it is perhaps a heavy-handed response to a real issue. I do not see the merit in it. I strongly oppose the bill.

Mr DAVID BARR (Manly) [11.04 a.m.], in reply: I thank honourable members representing the electorates of Tweed, Epping, Cronulla and Waverley for their contributions to the debate. Both sides of this House are lining up with the bewigged pompadours who parade on the pavements of Phillip Street. They are lining up with a profession that runs like an eighteenth century guild.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! If all members allow the honourable member for Manly to be heard in silence he will complete his reply more rapidly.

Mr DAVID BARR: Previously I introduced a bill that attempted to limit costs to the quantum of damages. At that stage the Government had its own bill before the House, which I addressed. The Government adopted some of my amendments, which appear in subsections (1) and (2) of section 48A. Today it has been said that we still need time to see how that legislation filters through to the system. Those amendments gave the court discretion in relation to costs. My concern is that the issue of costs has gone on for too long and has never been addressed. There have been many international and Law Reform Commission reviews on defamation, none of which has focussed on costs. They have all got caught up in the incredible and ridiculous complexities of defamation law and have not focussed on the one issue that is fundamentally the most important, oppressive and has a chilling effect on free speech.

If a defamation action is brought an impecunious defendant knows that he or she is going to be up for costs of at least \$10,000, \$20,000 or \$30,000 even if nothing defamatory has been published. The outrage is that defamation laws can be used as an abuse of free speech. The fundamental issue that free speech is at risk has not been addressed by any honourable member in this Chamber. I will cite some very eminent people. First, Sir William Deane said in the *Theophanous* case:

The informed citizen will be aware that, in a context where a plaintiff in defamation proceedings bears no onus of establishing either the falsity of the defamatory statement or the existence of malice, negligence or other fault on the part of the defendant, there will inevitably be cases where problems of proof by admissible evidence result in a defendant being held liable in damages for publishing a statement which was in fact true. To that disincentive of the publication of even well founded damaging statements must be added the disincentive of the legal costs which a successful defendant will commonly (even when party and party costs are awarded and recovered, there will commonly be an irrecoverable excess of solicitor and own client costs) and an unsuccessful defendant will almost inevitably be required to bear. Quite apart from liability in damages, the direct and indirect costs involved in defending defamation proceedings in a superior court are likely to represent a crushing burden for the citizen who is unable to obtain legal aid from some government source. The result is that the informed citizen who is not foolish or impecunious will inevitably be deterred from making, repeating, or maintaining a statement which causes injury to the reputation of another if there be a perceived risk or actual threat that the publication or further publication of the statement or a refusal to retract it will give rise to defamation proceedings.

In other words, the impact on free speech will be that people will not make statements, even in a political context. Politics is an adversarial system in which people make statements about each other, and many of those statements could be held to be defamatory. Our defamation system, with its quaint eighteenth century notions, is an outrage against our democratic system and the right to free speech. Honourable members who cannot comprehend that should talk to members of the public to realise the chilling effect that defamation costs have on the willingness of people to stand up and make comments on controversial issues. The honourable member for Tweed commented about the remarks of Justice David Levine, defamation list judge of the Supreme Court of New South Wales. In a paper presented to the University of Technology Law School in August 1999 called "The future of defamation law" Justice David Levine said:

The tort of defamation is intended to provide a remedy for a person whose reputation has indefensibly been injured by the publication of something disparaging of that person's good name. It boils down to determining what the publication means. Or it should. The amount of the Court's time, let alone litigants' resources, expended profligately in the determination of what words, sentences and phrases mean is positively scandalous; and this is at the initiation of proceedings. Contextual imputations then raise their heads and the same arid arguments are advanced for and against their availability as to form and capacity. Matters of principle have been elevated to an obsessive preoccupation, the playthings of forensic ingenuity, fantasy and imagination, at the expense of the early, quick and cheap litigation of real issues that affect the people involved in libel actions.

From time to time I have tried judicially and judiciously to say that the nonsense must end ... I have done so because it simply no longer makes any sense to me. It makes no sense to me in the wide and important context of the administration of justice which should involve the speedy and efficient and fair resolution of disputes.

That is a damning indictment of the system and the way it is operating. The fundamental issue has not been addressed by any member who has taken part in the debate today. That issue is the way in which costs are used as a punitive device to attack and intimidate defendants. Government and Opposition members raised the question: What of the impecunious litigant who wants to bring action against a big player? They raise the argument that restriction of costs will be oppressive to that person. I put it to the House that that is a fiction in the sense that the impecunious litigant cannot bring an action. The defamation laws are not available to the poor or the not so poor. The defamation laws are for the wealthy. They are to protect the reputations of the wealthy. The poor and not so poor do not get a look-in under this system because it is too expensive.

My bill proposes that where there are awards of \$25,000 or less in damages no costs will be awarded. The intention of that is quite simply to discourage frivolous actions. My concern is that the changes that were made to the Supreme Court rules—in respect of which I moved a disallowance motion last year—in fact will make things worse. That is because the changes to rule 33 now make it possible to bring defamation proceedings on trivial matters before the Supreme Court, jacking up costs even further. The bringing of matters before the

Supreme Court results in additional, complicated legal arguments by senior barristers, who are assisted by juniors and a phalanx of solicitors and whatever. The daily costs become astronomical.

Defendants know that if they are brought before the Supreme Court, even if what they have done is absolutely trivial, or even if what they have said is not defamatory in any way whatsoever, they will be up for enormous costs. This brings on the chilling effect: people will not make comments about contentious matters because of the fear of being brought to court. That is outrageous. It is a slur on our system. Honourable members in this Chamber seem to be defending that blight on the system. I will be calling a division on this bill. Let the two sides line up with the legal profession, the barristers, the guild system.

Mr Brad Hazzard: You are going to lose anyway.

Mr DAVID BARR: If I am going to lose, I will lose big time. You will be among those who will line up to vote against freedom of speech. That is what you will be doing. The disproportion of costs and damages in many cases can be demonstrated in the example of the case of *Meskenas v. Capon*. In that case the plaintiff was awarded \$100 in damages, but Capon, the Director of the Art Gallery of New South Wales, was forced to pay the plaintiff's costs, which were estimated between \$60,000 and \$80,000.

Mr Brad Hazzard: So that is the case that motivates you?

Mr DAVID BARR: The honourable member for Wakehurst made a couple of comments in his contribution to this debate, and by way of interjection, about what influenced me in presenting this bill. I tell the honourable member that I have been interested in this issue for many, many years. My interest has not just sprung up recently. So let us get that on the record. The Legislation Review Committee made some pertinent comments in its review digest. That committee, under the chairmanship of the honourable member for Miranda, does a terrific job. The committee said in that digest:

The adverse impacts on equal access to the law and the right to protect one's reputation need to be balanced against the aims of discouraging the chilling of free speech through trivial defamation actions and preventing defendants liable for minor injuries to a plaintiff's reputation from incurring substantial orders for costs.

The committee then referred to the question of whether the provisions of the bill amount to undue trespass on individual rights. The issue here is to weigh up that so-called trespass on individual rights as opposed to the much bigger issue: the right of people to be able to say things freely, and not be intimidated by the rich and powerful and end up in court. That really is a fundamental issue. I would argue that an award of damages that does not exceed \$25,000 demonstrates that the court is dealing with a minor matter—but the court costs in that minor matter may be huge. Not allowing costs where damages do not exceed \$25,000 would be a disincentive to people bringing actions to intimidate others when they know they do not have a strong case and when the essence of the alleged defamatory material is in fact minor.

The bill will reduce the amount of litigation. On a per capita basis, we are the defamation capital of the world by a country mile. No other jurisdiction comes anywhere near New South Wales in terms of the number of defamation actions brought. What are we doing to remedy this? I have been attacked and accused of mandating costs, and it has been said that is not a good thing. I point out that that is what the Government did in bringing in a bill to deal with civil liability matters and personal injuries matters. It capped costs. In the area of costs in tort law, my bill stands out.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! The honourable member for Wakehurst will come to order.

Mr DAVID BARR: The issue that we are discussing was addressed in this House many years ago by George Reid, who became Prime Minister of Australia. In 1886 a member of this Chamber, George Reid introduced a bill that had the effect of restricting costs where damages were less than 40 shillings.

Mr Brad Hazzard: So this is an old idea. You have not even got your own original ideas.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! The honourable member for Wakehurst will come to order.

Mr DAVID BARR: I mentioned the George Reid bill during my second reading speech. I also mentioned that it was re-enacted as part of the Defamation Acts of 1901 and 1912. It has been part of the law of this State, but it lapsed over time. I am seeking to bring it back.

Mr Brad Hazzard: About 100 years later.

Mr DAVID BARR: As the honourable member for Wakehurst knows, precedence goes back a long way. Great minds have been at work for many centuries. The age of it matters not one wit. It is the commonsense and the logic behind it. Unfortunately, logic is not something that is the honourable member's bag. One problem is that we do not have a commonsense approach to defamation laws. We need an appropriate venue for smaller matters instead of their ending up in the Supreme Court straight away. We need some other kind of venue where people who feel they have been wronged can seek redress, but that is not before the Supreme Court with a phalanx of bewigged barristers, solicitors and people from eighteenth century guild structures.

We need a tribunal that can deal with the more minor matters and determine whether a person's reputation has been damaged and, if so, award appropriate compensation. The whole system is so far out of kilter and commonsense has so long gone out the window that freedom of speech is greatly inhibited, which is grossly unsatisfactory. I introduced this bill and the one before it not to address specifically all the complexities of defamation laws—reverse onus and two-part trials—but to simplify the whole process by focusing on costs, something the Government has reformed in other tort areas. The bill seeks to discourage frivolous litigation: people know that they will not get damages in excess of \$25,000 and they know they will not get costs if they win. I have not heard a cogent argument in this place as to why that should not happen.

Mr Brad Hazzard: There was one in 1981.

Mr DAVID BARR: That is the problem with this House. I do not believe it has been adequately addressed. Shame on the members of this House for the way they will vote. I will certainly call for a division. I rest my case.

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

Division called for. Standing order 191 applied.

Ayes, 5

Mr Barr
Mr Draper
Mr McGrane
Ms Moore
Mr Torbay

Question resolved in the negative.

Motion negatived.

GOVERNMENT SCHOOL ASSETS REGISTER BILL

Second Reading

Debate resumed from 30 October 2003.

Mr BRYCE GAUDRY (Newcastle—Parliamentary Secretary) [11.28 a.m.]: The Government opposes the Government School Assets Register Bill because it is totally impractical. It demonstrates once again how totally out of touch the Opposition is with reality. The bill will do nothing to improve the conditions of our schools. Rather, it will increase the size of the Department of Education and Training's annual report by 44,000 pages. It will cost more than \$500,000 to implement, which means that the five schools in the Pittwater electorate that receive \$146,529 in funding as part of the replacement works programs would not be improved.

It also means that Avalon Public School and Elanora Heights Public School would have missed out on new carpets. Narrabeen Sports High School would have missed out on new carpets, new exhaust fan domes, new windows and roof repairs. Pittwater High School would have missed out on drainage repairs and new concrete pavement. Terrey Hills High School would have missed out on money to repair paving. It also means that four schools in the North Shore electorate would not have received \$115,999 in funding. It also means that Mosman High School would have missed out on new floor coverings and Mosman Public School would have missed out on new brickwork, fencing and landscaping. Neutral Bay Public School would have missed out on roof repairs. North Sydney Girls High School would have missed out on having its sewer system upgraded.

This bill will not provide a coat of paint, a new roof or a new playground for any school in New South Wales. The Government would rather spend money on improving schools than creating a 44,000-page document that does nothing to improve the standards of our schools. We want the best for our students and we are committed to providing a quality learning environment.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I call the honourable member for Wakehurst to order.

Mr BRYCE GAUDRY: Since being elected to office, the Government has more than doubled funding for school maintenance from \$85 million in the last year of the Coalition Government to a record \$186 million. Recently the Minister for Education and Training announced a further \$15.6 million to improve more than 600 schools across the State. This will mean a total of 822 improvement projects for 611 primary, secondary and central schools. New works for schools include replacing roofs and guttering, internal and external painting and upgrading and repairing outdoor areas.

Mr Chris Hartcher: Point of order: I draw your attention to the time and to the sessional orders, which require that at 11.30 a.m. debate will be interrupted. It is now past 11.30 a.m. In compliance with the sessional orders, I ask that the debate be adjourned and that motions be called on.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! My attention was distracted by the cacophony from the Opposition benches. The time being 11.30 a.m., debate is interrupted in accordance with the sessional orders.

SUTHERLAND SHIRE CARR GOVERNMENT ACHIEVEMENTS

Mr BARRY COLLIER (Miranda) [11.30 a.m.]: I move:

That this House congratulates the Government on its achievements in the Sutherland shire during its second term of office.

I am pleased to speak to this motion because the Carr Government's achievements reflect its commitment to the people of the Sutherland shire. I am sure that the honourable member for Cronulla, who sits opposite, will give this motion his wholehearted support because he knows only too well that the Carr Government has delivered significant improvements to the quality of life for people in the shire. I am not talking only about the electorates of Miranda, Menai and Heathcote: I am talking also about the electorate of Cronulla. The honourable member for Cronulla takes a shire-wide view so he will not carp and complain, as his colleagues on the Opposition front bench do. They will undoubtedly accuse Government members of boasting about events that occurred 12 months ago. The honourable member for Cronulla has had 20 years experience in this House and he knows that it takes more than 12 months for general business motions to be called on for debate.

It is noticeable that when a Labor member of Parliament refers to government achievements in his community, he is accused of boasting, but if the Liberals do it, they are not boasting; they are merely following the good book, Luke 11:33—Don't hide your light under a bushel! They tell the world, such is their hypocrisy. But the honourable member for Cronulla will not do that because, as he stated in his election campaign publicity, he is getting on with the job. Now, where have I heard that before? Unlike his leader, who is taking a "fresh approach", the honourable member for Cronulla is "getting on with the job" and relying on the achievements of the Carr Labor Government in the Sutherland shire to assist him in being re-elected.

Much has been achieved by the Carr Labor Government in its second term, despite years of Coalition Government neglect and unfilled promises, dashed hopes and failure. The Carr Government is committed to improving the quality of life for people in the shire, in contrast to the negative, cynical and carping Liberals, who have taken their electorates for granted. The shire has had years and years of a bitter, complaining and

negative bunch of Liberals who had their chance in government. After all that time, the people of the shire now have the Carr Government, which has the political will to build new infrastructure and give the people of the Sutherland shire the facilities and services for which they had to wait so long. When it comes to the Sutherland shire, the Liberal Party has no plan and no vision. That means that, if elected, there will be no achievements. Even after two successive election defeats, when facing a third election in March 2003 the Coalition had no plan for the future of the Sutherland shire.

On 16 March 2003, one week before the State election, the Leader of the Opposition launched the State campaign in the Sutherland Entertainment Centre. According to a report in the *St George and Sutherland Shire Leader* on 18 March, the Leader of the Opposition had nothing to say about the shire. He made a 45-minute address to his hand-picked audience, but there was not one mention of the Sutherland shire. That demonstrates clearly that the Liberal Party does not care about the Sutherland shire. There are no Liberal achievements that members opposite can point to. The Leader of the Liberal Party did not even criticise the Carr Government's achievements during its second term. The Liberals have no plan for the Sutherland shire.

People might like to compare the record of the Liberal Party to the comprehensive four-year blueprint for the Sutherland shire published by the Carr Government, which outlines major spending on infrastructure and community facilities that will take place during its third term. The blueprint sets out how the Government will build on its second-term achievements. I will mention only a few: duplication of the Cronulla rail line at a cost of \$106 million; completion of the Bangor bypass at a cost of \$116 million; upgrading Captain Cook's Landing Place at a cost of \$5 million. Captain Cook's Landing Place is in the Cronulla electorate, yet nothing was done about it so the Labor Government is doing something about it now.

We are getting on with the job and building on the achievements of the second term of the Carr Government. The achievements of this Government's second term include multimillion-dollar infrastructure projects and small projects. Some projects involve only a few hundred dollars, but in combination they make an important contribution to improving the quality of life in the Sutherland shire. Where shall I begin to list the improvements that are planned? I will begin with the \$47 million Woronora Bridge, which is a marvel of engineering and the envy of engineers across the globe. The Liberals promised a two-lane bridge, built two pylons and then left it. It took Labor to complete it. The Liberals promised it, but we delivered it. I congratulate the former member for Heathcote and the Minister for Roads, and Minister for Housing, the Hon. Carl Scully, for delivering a magnificent bridge to the shire and eliminating hazardous hairpin bends and traffic jams.

I note the presence in the Chamber of the honourable member for Menai. A fellow by the name of Thomas twice tried to get across the line in Menai during State elections, but could not do so because the honourable member for Menai had the support of her community. The Bangor bypass is presently under construction. The number one black spot in this State for many years was Miranda Five Ways, but that has been upgraded at a cost of \$7.1 million. Tow trucks used to be parked around Five Ways, waiting for accidents to happen. The Liberals demonstrated no political will to do anything about it, and nothing was done, but under the Carr Government Miranda Five Ways has been upgraded and accidents have been reduced from 600 a year to just eighteen in eight months. The improvements involved the removal of a roundabout and its replacement with traffic lights. It is a simple and workable solution. Accidents have decreased by 90 per cent and traffic is flowing more smoothly, despite traffic volume having increased by eight per cent. The improvements have taken away traffic from local streets. Insurance claims against the NRMA have decreased from 222 in 2003 to 6 in 2004.

What do the people of the shire get from the Liberals? Nothing! The Liberals complain, but they did not put even one submission to the Sutherland Shire Council during the public consultation process. In both big-ticket items and little-ticket items, the Carr Government has provided improvements, such as traffic lights at dangerous intersections such as Sylvania Road and The Kingsway. Wombat crossings have been installed at local schools such as the Oyster Bay Public School, Grays Point Public School, and Kirrawee Public School. The Government is also redeveloping Sutherland hospital at a cost of \$83.9 million. That is a major achievement. The original hospital was built by Labor, refurbished by Labor and is now being redeveloped by Labor under the Carr Government. The redevelopment was officially opened on 1 December. An accident and emergency unit, a day surgery unit and a day respite care centre have been provided, and all of those improved facilities have been made possible by the Carr Labor Government. The hospital's redevelopment demonstrates more clearly than anything else the Carr Government's commitment to the people of the Sutherland shire. At the same time it demonstrates the abject neglect of the local Liberals.

Mr Malcolm Kerr: You are not going to criticise Ron Phillips!

Mr BARRY COLLIER: He gave not one cent of capital funding for the hospital.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! The honourable member for Cronulla will come to order.

Mr BARRY COLLIER: On 19 August 2003 the *St George and Sutherland Shire Leader* stated:

"Calls for the replacement of the Kingsway Building, which was opened in 1958, began in the 1980s.

In 1992, then health minister and Liberal MP for Miranda, Ron Phillips, released a detailed development plan, but no funding was provided.

While the Coalition Government started work on a new emergency department, nothing further happened before it lost office in 1995".

Yet, despite the Carr Government delivering on a promise, the Liberals claim that if we mention it, we are boasting. But the honourable member for Cronulla certainly did not and does not hide his light under a bushel. In fact, his October 2002 newsletter states "Wins, wins and more wins". He claims to have delivered the \$82.5 million redevelopment of Sutherland hospital, even the delivery of better health care. If he is claiming credit for those achievements, how can he oppose the motion?

Mr Brad Hazzard: Point of order: The standing orders require that if a member reads extensively from a document, he should table it. I ask the honourable member for Miranda to table the document so we can all read about the wonderful work the honourable member for Cronulla has been doing.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! There is no point of order.

Mr BARRY COLLIER: We have a stunning Carr Government achievement. To use a Labor slogan, the Government is getting on with the job. The honourable member for Cronulla should support the motion. I was disappointed by a photograph I saw in the *St George Sutherland Shire Leader* of 18 February showing the Leader of the Opposition and the honourable member for Cronulla taken outside Sutherland hospital. The photograph shows the honourable member for Cronulla standing near a pile of rubble in the new car park in front of the hospital that he claims he redeveloped. The Leader of the Opposition is standing with what appears to be his hand on the back of the honourable member for Cronulla. That was probably the most public tap on the shoulder I have seen after 20 years of service. I am disappointed that his Leader would do that to the honourable member for Cronulla in public. As for Tracie Sonda, I have never yet met a member who so often used a newsletter to show how he absolutely crushed her in the 2003 election. [*Time expired.*]

Mr MALCOLM KERR (Cronulla) [11.40 a.m.]: I have good news for the honourable member for Miranda. I move:

That this motion be amended by leaving out all words after the word "That" with a view to inserting instead "this House calls upon the Carr Government to provide urgently needed funds from the budget surplus for police, schools and public transport in the Sutherland shire".

I will have great pleasure in supporting the amended motion. I will address some of the remarks of the honourable member for Miranda. First he quoted from the book of Luke, and I was pleased that he did not table the book. Later he quoted from a Labor Party document about the Sutherland shire that was highly relevant to this debate. Did he table that document? No, he did not. Why? Because he did not want to be accused of misleading the House and having it used in evidence against him. It is a highly misleading document. Then he mentioned a photograph which is on the public record, but he could not produce it.

Mr Brad Hazzard: Totally disorganised.

Mr MALCOLM KERR: He is about as disorganised as his representation in his electorate. He spoke about the duplication of the railway. If he had been on the train to Cronulla lately, he would have noticed that there is no duplication of the line. Instead of duplication, we have duplicity. If Bruce Baird were still the Minister for Transport I am sure we would have duplication, and we would even have trains. That would be a novel experience for commuters. I was shocked when the honourable member for Miranda attacked his predecessor, Ron Phillips, the former member for Miranda. The honourable member for East Hills, the honourable member for Camden, the honourable member for Heathcote and the honourable member for Menai would have been shocked as well, because they were not members of this House when Ron Phillips was the

representative for Miranda. If they visit Miranda, people will say to them "What a wonderful member Mr Phillips was. How sad it was that he lost his seat."

Mr Alan Ashton: He was beaten by a better one.

Mr MALCOLM KERR: If the honourable member for East Hills would stop interjecting and start listening, I cannot promise he will be any wiser, but I assure him he will be better informed. The Government's health system is in such a mess that it has brought in Mr Phillips as a consultant. The Government is paying Mr Phillips for his advice about its health system; that is a matter of record.

Mr Barry Collier: And you don't like it.

Mr MALCOLM KERR: I like it.

Mr Barry Collier: He must have learnt something in that job, surely.

Mr MALCOLM KERR: He did, he learned how to represent the people of Miranda. I suggest to the honourable member for Miranda that he consult Mr Phillips before he makes a speech in future.

Mr Barry Collier: Give my regards to Ron.

Mr MALCOLM KERR: I will do that, and you can ask your Minister for Health to do that next time he hands over his fees. The Minister can pass on his regards along with the money. I hope Mr Phillips is successful in advising the Government on how to correct its health system.

Mr Brad Hazzard: Move on, Malcolm, move on.

Mr MALCOLM KERR: I would like to move on. I will move on to matters in the Sutherland shire, starting with Kurnell. The honourable member for Miranda did not mention the fact that before the recent State election the Premier promised in excess of \$5 million for the restoration of Kurnell and Captain Cook's Landing Place, but we have not seen that money. Perhaps the honourable member for Miranda would table the money in his reply. He should also table a secret document that the Government has been sitting on.

Mr Barry Collier: Point of order: I understand that backbenchers cannot table documents. Is that correct?

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! That is not a point of order.

Mr MALCOLM KERR: Before the honourable member for Miranda takes a point of order, he should phone a friend. Ron Phillips would have told him what he could do. The honourable member for Miranda should table the secret report that the Government is sitting on about the future of Kurnell. I hope all members representing the shire are interested in Botany Bay. The Botany Bay Study Group was wound up prematurely. A new port expansion was announced which will result in more truck movements through the shire. It will be a threat to the ecology of Botany Bay. The Botany Bay Study Group recommendations have not been implemented and that has led to the Land and Environment Court approving industrial development on the Australand site at Kurnell. Honourable members should read the judgment, it is highly critical of planning—

Mr Barry Collier: I have.

Mr MALCOLM KERR: Yes? When the honourable member for Miranda replies, I want him to read out the extract of the judgement that criticised the Government. I look forward to that.

Mr Barry Collier: Get real!

Mr MALCOLM KERR: Do I understand by that remark that he will not do that? I refer now to the hospital. If one goes to that hospital, one finds that wards remain empty because of unfinished construction and a shortage of nurses' accommodation. Ron Phillips could tell you health is not a matter of only bricks and mortar; it is a matter of delivery of health services, and that is where the Government has failed. The Monday after the honourable member for Miranda was elected he went with the Premier by train—it may have been the last train out of Miranda—and we are still waiting for the return journey. So are the commuters. The

Government should put on a special train to the city, ride on it, and listen to what commuters say about the quality of the service. I have received an email which states:

Last Wednesday (3rd) the 3:35 pm service from Sutherland to Cronulla was cancelled. According to station announcements the next service would be the 4:02 pm service. At 4pm it was announced that the 4:02pm was running seven minutes late. At 4:02 it was announced that the 4:02pm service was now running 15 minutes late—what happened, did it go backwards at high speed in those two minutes? At 4:18pm the 4:02pm service was cancelled (and not for the first time I might add), leaving three trains' worth of passengers to board the late-running 4:17pm service.

If the honourable member is ever travelling on the train he should look out the window at a place where he is able to see Miranda railway station and the people to whom I am referring. He might like to address those people from his train window: the Eva Peron of Miranda. However, by the time he does that they will probably be shirtless, as it is summer. One passenger to whom I spoke said that the train trip from Martin Place to Cronulla took 110 minutes—and that is when trains are running! That is incredible. I refer briefly to the Government's record on education. Only one public school in the Cronulla shire was selected for implementation of the Government's class size reduction plan. What is the Government's record in relation to the environment? The last dredging operation, which was supposed to replenish sand at Cronulla beaches, was a failure and swimmers are injuring themselves on the rocks.

I refer next to the Government's achievements in relation to roads. The Government has managed to achieve gridlock in the Cronulla shire. It has made roads in that shire almost as dangerous as the Pacific Highway, and it is still working on it. It has cancelled work on the F6 but it has not upgraded any intersections. It does not have in place a strategy to replace the transport corridor that it now says will be built on or after the twelfth of never. When the Government cancels work on a freeway it should at least upgrade all the intersections. Instead of waiting for a train, the honourable member for Miranda should get into his car, drive around and see what Caringbah is like from 3.00 p.m. onwards. The Carr Labor Government is responsible for cancelling work on that freeway. It now has the job of ensuring that the intersections are upgraded. I refer next to the Government's record in law and order. We used to have an operating police station in Cronulla; it was functional 24 hours a day.

Mr Thomas George: It was a patrol command.

Mr MALCOLM KERR: It was a patrol command. Some years ago Geoff Schuberg, a former Assistant Deputy Commissioner of Police, addressed a public meeting about the number of police that were stationed at Cronulla police station. He was formerly an adviser to Michael Costa, the former Minister for Police. The Government's only achievement has been to downgrade the quality of life in Sutherland shire. It is about time Government members got their shoulders to the wheel to improve that quality of life. The honourable member for Miranda should talk to Ron Phillips, as he will probably be able to help. [*Time expired*].

Ms MEGARRITY (Menai—Parliamentary Secretary) [11.50 a.m.]: I support the motion moved by the honourable member for Miranda. When he and I were elected to this House in 1999, we were acutely aware of the backlog of services and facilities in our respective areas of the shire. We had been made conscious of the importance of persistent and energetic advocacy on behalf of our communities. As the honourable member for Miranda outlined today, the Carr Government delivered the goods for the people of the shire during its first term in this place. I am pleased to be able to state that that momentum has been maintained since the March 2003 election.

In December last year the Premier officially opened the new \$82 million, 320-bed Sutherland hospital, as the honourable member for Miranda mentioned. It is now one of the State's leading health facilities, and it is well equipped to deal with the ever-increasing demands on the region's health services. The new hospital will serve around 215,000 local residents, with more than 30,000 people using the emergency department, and 19,400 patients admitted to the hospital each year. As the Premier said on the day of the official opening, "More Sutherland families will now be able to receive the best available treatment closer to home." Of the 123 major health projects completed since July 1999 Sutherland hospital is the largest.

In February 2001 the four-lane \$47 million Woronora Bridge was officially opened. What a great day that was! The bridge is an engineering marvel and a clear demonstration of the Carr Government's commitment to the Sutherland shire. In December 1998 a contract ensured that that vital piece of infrastructure would be fully constructed regardless of the outcome of the March 1999 election. The Bangor bypass, which was also mentioned earlier by the honourable member for Miranda, is yet another undeniable example of the Carr

Government's commitment to the shire community. Most honourable members would know that construction on this important project in Sutherland shire is well under way. The preliminary cost of \$36 million would have resulted in only a basic east-west link that could have had an unsympathetic impact on the local community.

Like the Woronora Bridge project, the scope and design of the Bangor bypass has exceeded early expectations. In response to the needs of my community, a north-south link and many design changes have been incorporated into the project, which is now funded to the tune of \$115 million. Previous governments promised the Woronora Bridge and the Bangor bypass, but the Carr Government is getting results for the Sutherland shire. There is, of course, more to do. The Bangor bypass is a complex project, and the design work is under way for the duplication of the Alford's Point Bridge. The Carr Government has made a commitment to the Alford's Point Bridge project and it will deliver on that promise.

I note two examples of the Carr Government's commitment to the needs of young people in my area. State-of-the-art sporting facilities are being developed at Barden Ridge. The new golf driving range and four playing fields were jointly opened by the Minister for the Environment, the Hon. Bob Debus, and Sutherland shire mayor, Phil Blight, at an event hosted by the local community only a few weeks ago. That event represented yet another milestone in the ongoing partnership of the State Government agency Waste Service NSW and Sutherland Shire Council. At the heart of that partnership is a commitment by the New South Wales Government to spend up to \$50 million by 2008 to deliver high-quality sporting facilities on an old landfill site.

In addition to the public recreation facilities, that site is currently feeding enough landfill gas into the State power grid to power about 1,000 homes, with year-round green electricity. The Carr Government is thinking broadly. Young people in the Menai area will also have a chance to build stronger connections with their schools and communities through a \$400,000, two-year project. The Menai Youth Action Project will target people between the ages of 12 and 18, and focus on improving their achievements in education, supporting them through crises, and providing them with a number of activities after-school, at weekends and in the evening.

The Menai area has been chosen as the key area for the Better Future strategy, which aims to keep young people at school and reduce their risk-taking behaviour. If the honourable member for Cronulla wants to know about schools he should take a look at Alford's Point Public School, which is located in my electorate. Under the former Government that school was totally demountable. It is now being constructed as a permanent school, much to the celebration of the local community. I congratulate the honourable member for Miranda on an impressive almost five years in this House. In March 1999 he won Miranda with a margin of 2.3 per cent, but in the 2003 election he strengthened that margin to 9.1 per cent, a fairly ringing endorsement of a hardworking local member.

Ms GLADYS BEREJIKLIAN (Willoughby) [11.55 a.m.]: I am dismayed and surprised that the honourable member for Miranda had the audacity to move this motion. Those members who represent Sutherland shire and other Government members should hang their heads in shame at what the Government has not done in the Sutherland shire. I wholeheartedly support the amendment to the motion that was moved by the honourable member for Cronulla. What has happened to the Sutherland shire as a result of the Government's imposition of stamp duty? The Coalition is committed to reducing stamp duty. Stamp duty on the average household in Sylvania has increased by 149 per cent, and 129 per cent on the average unit. Stamp duty on the average household in Oyster Bay has increased by 204 per cent, and 217 per cent on the average unit. Those are shocking figures. Stamp duty on the average home in Jannali has increased by 181 per cent, and 151 per cent on the average unit.

Mr Thomas George: They do not want to hear about this.

Ms GLADYS BEREJIKLIAN: Government members do not want to hear about these figures. Stamp duty on the average home in Gympie Bay has increased by 197 per cent, and 167 per cent on the average unit. This is what the State Government has done for the people of the Sutherland shire. In Caringbah stamp duty on houses has increased by 168 per cent and on units by 124 per cent. The Federal Government is reducing stamp duty. In Miranda—the electorate of the honourable member who moved this motion—stamp duty on the average house has increased by 198 per cent and by 167 per cent for units since Labor came to government.

Leaving aside stamp duty, let us consider land tax. If property prices continue to climb many residents of the Sutherland shire will fall victim to the State Government's unfair policy of taxing the family home. Many of those residents will have to pay premium property tax, like many of my constituents. The State Government

has increased uncertainty for people in the Sutherland shire. It has not delivered the wonderful benefits that those opposite claim. Let us consider some of the other issues that the honourable member for Miranda and the honourable member for Menai had the audacity to raise in this debate.

I refer honourable members to an excellent press release issued recently by the honourable member for Cronulla on the subject of health. He highlighted the massive blow-out in the hospital waiting list in Sutherland shire. The addition of 109 people to the list meant that 605 people were awaiting surgery between November 2002 and November 2003. Labor members are patting themselves on the back for adding people to the hospital waiting list. Sutherland shire residents must now wait longer for hospital treatment. If members opposite did not indulge in self-congratulation they would have nothing else to say.

The honourable member for Cronulla referred to Kurnell. I understand that none of the \$5 million in funding promised before the State election for the restoration of Kurnell and Captain Cook's Landing Place has materialised. It is well and good for Labor members to pat themselves on the back but problems remain in the Sutherland shire. I understand that the Government is sitting on a document regarding the continuation of sandmining at Kurnell. According to the honourable member for Cronulla, this matter is of major concern in the shire. It is just one of the issues that continues to plague the shire. Rather than congratulate themselves, members who represent electorates in the Sutherland shire should outline what they are doing for their communities. What are they doing to improve health and transport, to reduce stamp duty and to abolish premium property tax? What are they doing about all those anomalies? They are patting themselves on the back instead of pursuing those issues. I support the honourable member for Cronulla in this debate.

Mr PAUL McLEAY (Heathcote) [12.00 p.m.]: I am a reasonably new resident of the Sutherland shire, having lived there for almost three years. My wife, my young daughter and I have found the shire to be most welcoming and friendly. When we were looking to move house we discovered the shire, fell in love with it and have never looked back. We love the shire because it is unique, it is naturally beautiful and it offers easy access to services. As previous speakers in this debate have said, the Carr Government further developed those amenities in its second term in office. The \$47 million Woronora Bridge has had a considerable impact on the shire and is a classic example of this Government's service delivery.

The Sutherland hospital, which reopened this year, is another prime example. It was built by a Labor government 56 years ago and then rebuilt by another Labor government. The former member for Heathcote, a former Parliamentary Secretary for health, was a strong advocate for the hospital and its good work. He was also passionate about the construction of sound walls and avoiding overdevelopment in the shire. One can find in *Hansard* many references to his great work in the area. There are many other benefits that I enjoy as a Sutherland shire resident and which I promote as an elected representative for the area. All residents appreciate the redevelopment of the Lucas Heights tip and the efforts to diminish foul smells in the area. Residents have also benefited from the vast network of sound walls constructed along major highways throughout the shire.

I also derive great pleasure from my involvement in the Police and Community Training team, which is driving down crime statistics. I also refer honourable members to the easy access upgrade at Engadine railway station and work at Jannali station. More than \$1 million is being spent on the Royal National Park to improve tracks and protect the park from pollution. Last week the Government announced that it will spend \$3 million cleaning up pollution in Audley. We are working with Garie surf club to ensure that the park is the jewel in the State's crown. Some \$33 million has been spent on the Bundeena-Maianbar water and sewerage scheme, and work is continuing on the Bonnie Vale master plan to improve boating access in the area.

The honourable member for Cronulla made some bold statements during his contribution and several Coalition members referred to his electorate newsletters. I have a copy of the Cronulla report that the honourable member issued last year. On page 3 of the newsletter there is an article entitled "A day in the life of a CityRail commuter" that describes a series of fabricated incidents. He refers to a commuter getting up at 6.00 a.m. and having breakfast and a shower. I do not doubt that he did that. But he then said that he arrived on the wrong platform at Cronulla station, which has only one platform.

Mr Malcolm Kerr: Point of order: If the honourable member for Heathcote intends to quote from a document he should quote accurately. He alleges that I said that I arrived at the wrong railway platform. I did not say that in the document to which he refers. It is quite inaccurate.

Mr DEPUTY-SPEAKER: Order! I am sure that the honourable member for Heathcote will vouch for the veracity of the document from which he is quoting.

Mr PAUL McLEAY: Caringbah station is the only station in the electorate of the honourable member for Cronulla with a lift and stairs. There is no lift or steps at Cronulla station. The honourable member could not have boarded the train at Woollooware station either as it has no lift. At Caringbah station one must first descend stairs and then buy a ticket as the ticket box and the automatic ticket machine are on the station platform. There is no 6.55 a.m. train from Caringbah, only a 6.35 a.m., a 6.51 a.m. or a 7.06 a.m. train. So the commuter could not have missed the train at 6.50 a.m. unless the 6.51 a.m. train was early or the 6.35 a.m. train was very late. Why did the commuter get off the train at Cronulla station when his car was parked at Caringbah? That is a long walk! [*Time expired.*]

Mr BRAD HAZZARD (Wakehurst) [12.05 p.m.]: It is interesting to hear Labor members congratulating themselves on initiatives in the Sutherland shire. The Sutherland shire is a tremendous area that reflects the quality of life enjoyed in other parts of Sydney, particularly the north side. These areas are almost mirror images in that they both have wonderful beaches and great suburban amenity.

However, I am concerned that this motion is self-congratulatory. The honourable member for Miranda is addressing issues that are not substantive and not what the people of the area want addressed. They want to hear what this Government is doing in relation to stamp duty, the delivery of train services and the prevention of traffic gridlock that occurs throughout the Sutherland shire. The people want to know what the honourable member is doing to support his local schools; what maintenance is being carried out in his local schools. As I understand it, schools in his district are desperate to get maintenance programs up and running. They tell the Opposition that they are in desperate need, but that their local member will not listen to them. He wanders around pretending to be the local member, but he delivers nought.

In this place we can identify the members who are actually doing their work in their local electorates. They are not the self-congratulatory members who try to make out that they are doing a good job. The good local members see that their local school communities are thanking them for their work. We want the honourable member for Miranda to do that in the next few years because shortly after that time he will not be the local member. The honourable member referred to the funding of the Woronora Bridge. I remember the problems, and that the Coalition—

Ms Alison Megarrity: —was going to build a two-lane bridge, but did not.

Mr Malcolm Kerr: You were going to do it. When Genevieve Rankin was there she started a campaign—roads, roads, roads.

Mr DEPUTY-SPEAKER: Order! The honourable member for Wakehurst has the call.

Mr BRAD HAZZARD: Genevieve Rankin was running—

Mr Barry Collier: Who?

Mr BRAD HAZZARD: You don't even know who your local mayors were.

Mr Malcolm Kerr: No sense of history.

Mr BRAD HAZZARD: No sense of history and no sense of understanding. It is a serious issue in the local area and we should be raising issues in this House about what our local communities want and need. This self-congratulatory motion will not win any brownie points for the honourable member for Miranda in the local area. He should be telling the Government the issues that his local community cares about and needs.

Mr Barry Collier: Thanks for your advice.

Mr BRAD HAZZARD: I am pleased that you think it is good advice.

Mr Barry Collier: I didn't say that. I said, "Thanks for the advice".

Mr BRAD HAZZARD: I heard you say, "Thanks for the good advice". The people in the shire want a local member who is their advocate, not someone who is an apologist for the Carr Government in this House. The honourable member should be looking at the issues that are worrying his local community. If he drives down any of the major roads in the shire, for example, The Kingsway, after about 3.00 p.m. he will have great

difficulty moving through. Highway patrol officers have told me they estimate that vehicle movements in that area have increased in the order of up to 40 per cent in the past five years. If that is right, what has the Government done to address those issues?

Why does the honourable member for Miranda deliver platitudes in this place? Why is he an apologist for the Carr Government, which the whole of New South Wales knows is a Government on life support? The honourable member should be fighting for a reduction in hospital waiting lists, a reduction in traffic times in his electorate, an improvement in the delivery of train services, and improvements for his schools with better maintenance and better capital works. He should not be here as an apologist. [*Time expired.*]

Mr BARRY COLLIER (Miranda) [12.10 p.m.], in reply: I am pleased the honourable member for Wakehurst has got those matters off his chest. As far as being an apologist for the Carr Government is concerned, I point out that this is a record third term for the Carr Government, and it is achieving. The cost of improving the Kurnell precincts was \$5 million. Last week I announced—and I can provide my media release for the honourable member for Cronulla if he wishes—\$1 million during the next few years towards the completion of that project. Yesterday I had the privilege of opening an easy access upgrade of Miranda station, which includes a lift, at a cost of over \$3 million for the 7,000 commuters who use the station daily.

We will be starting work very shortly on the Bondi Junction turn back which, together with the duplication, will mean an extra 6,000 seats per hour in the peak hour on the relevant train line. Bruce Baird cost this Government—the people of New South Wales—more than \$700 million with the failed airport rail link. The honourable member for Cronulla is not the only member with a school that has benefited from the class size reduction program. Jannali East Public School in my electorate is also benefiting from that program.

I regularly visit schools in my electorate. This morning before I came to Parliament I visited Miranda Public School. Oyster Bay Public School has just built a new \$1.6 million school hall, and I attended its first assembly in the new hall. In the last term Kirrawee Public School had \$253,000 worth of improvements, including a rebuilt hall. Bates Drive special school received \$360,000 for improved access. In all, local school upgrades in the electorate of Miranda totalled \$3.2 million. Gymea TAFE received a \$1.6 million upgrade to its hairdressing and beauty therapy and carpentry and joinery facilities. Those significant improvements do not come from a member who is sitting on his bum doing nothing but from a member who is listening to the concerns of people and acting on them.

The honourable member for Cronulla asked what have we done to upgrade intersections in the electorate. He should take the honourable member for Wakehurst along the Princes Highway to the Acacia Road right-hand turn which was installed before the last election at a cost of \$4 million. That right-hand turn allows traffic coming from the magnificent Woronora Bride to turn right to travel south. Traffic flows much more quickly at the intersection of Five Ways, where it has increased by 8 per cent. It is getting cars off local streets, and more seniors are using that intersection instead of being scared to use it.

The honourable member for Cronulla is a member of Police Academy Community Training [PACT], and I compliment him on his attendance at PACT meetings. He would know that our police do a wonderful job. We have record numbers of police. As an avid reader of the *St George and Sutherland Shire Leader*—he is the first person to get it on Tuesday and Thursday mornings—he would know that crime in the Southern Local Area Command was down across all categories during the past year. The police are doing something right. Miranda police station has been upgraded, at the request of police, at a cost of \$300,000.

The honourable member for Cronulla and I both appreciate our cleaner beaches in the Sutherland shire. Those beaches are cleaner because we installed a \$90 million tertiary treatment plant at Cronulla. As a result, record numbers of nippers are joining the surf clubs and using our wonderful beaches. I listened to my community about Gymea railway station. I took their concerns to Minister Scully, and as a result it will undergo an easy access upgrade, with work to commence shortly. We have also upgraded the car park and installed wet weather protection at Kirrawee and improved platforms at Jannali railway station, which is also in my electorate. I commend all members on this side of the House who were involved in the debate, and I acknowledge the contribution of the honourable member for Cronulla. I commend the motion to the House. I reject the amendment.

Question—That the words stand—put.

The House divided.

Ayes, 45

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

Noes, 33

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

Pairs

Mr Bartlett	Mr Armstrong
Ms Saliba	Mr Hartcher

Question resolved in the affirmative.

Amendment negatived.

Motion agreed to.

CESSNOCK DISTRICT HOSPITAL MATERNITY SERVICES

Mr ANDREW STONER (Oxley—Leader of The Nationals) [12.27 p.m.]: I move:

That this House:

- (1) condemns the Government's decision to cease the delivery of babies at Cessnock District Hospital, less than a month after the State election.
- (2) notes that expectant mothers in the city of 47,000 must now travel an hour to Newcastle or 40 minutes to Maitland for delivery of their children.
- (3) calls on the Government and the local member to immediately reverse this decision.

It saddens me that it is necessary to move a motion of this nature. However, the fact is that this House should condemn Labor's snap decision to cease the delivery of babies at Cessnock District Hospital on 1 May 2003, just one month after the State election. Of course, there was not one word of this before the election. There was good

reason for that from Labor's perspective. This was obviously a secret plan that Labor, and its local representative Kerry Hickey, hid from the Cessnock public until after the State election.

Labor has become so complacent and arrogant that less than four weeks after the election it sold out Cessnock. One has to wonder what other health services Labor plans to either cut or downgrade. Expectant mothers in a city of 47,000 people must now travel one hour to Newcastle or 40 minutes to Maitland for the delivery of their children. This is another example of Labor's spin over substance and deceit to win the 2003 State election. The lies told by Labor to the good people of Cessnock and district are breathtaking. On 13 June 2001 in a media release entitled "Better care for Cessnock mums" the then Minister for Health, Craig Knowles, stated:

Mothers in Cessnock and Kurri Kurri who choose to have their babies at Maitland Hospital will receive care closer to home during their pregnancy in a new outreach program announced today.

The media release continued:

Maternity services will continue to be provided at Cessnock Hospital. However this plan will benefit families who choose to travel to Maitland to deliver their baby.

Obviously, this was an attempt at a big sell to encourage expectant mothers to go to Maitland. In other words, in June 2001 Labor was already planning to close maternity services at Cessnock District Hospital but it lied about it prior to the election. On 1 May 2003, immediately after the State election and without warning, the Government closed Cessnock maternity. The Government could barely wait until the election was over before it shut the unit, such was its indecent haste. You cannot tell me that the Minister for Mineral Resources, Kerry Hickey, did not know about it. He was a willing accomplice in the lies and deceit. Labor's management of our hospitals and other vital infrastructure in this State is unravelling: the recent crisis in the health system, public transport, on our roads and in our schools. The decision to close Cessnock maternity is further evidence of Labor's blind drive to centralise and cut to the bone health services in regional centres.

Health services in various parts of the State are in such a dire financial situation that they are pushing credited payments out to local businesses to prop themselves up because of underfunding and mismanagement by this Sydney Labor Government. It is a basic and fundamental right of citizens in this State to have their children delivered at the local hospital. Yet Labor, with the approval of Minister Hickey, expects mothers and their families to travel to either Maitland or Newcastle, but that is hardly local for people from the Cessnock district. It seems that neither the Government nor the local member understand the implications of their failure to provide local maternity services. First, consider the medical implications of additional time taken to transport an expectant mother in an emergency. A father may be driving his wife to hospital after the onset of labour when, halfway down the road, some emergency arises. It is 20 minutes to Maitland or 30 minutes to Newcastle, but he cannot turn back to Cessnock because it would take just as long to get there. It is not a good situation.

This week we have already heard of the sad and tragic case of the young mother from Warren who was shuffled from Warren to Dubbo to Sydney only to die from an infection at an epidural site as the result of repeated misdiagnoses from a string of doctors and hospitals. Second, the extra travel has implications for the father and family. My wife and I live near Wauchope, which is around 20 minutes from the Port Macquarie Base Hospital, where she has delivered three of our children. I know how hard it is to gather up the other children to visit mum and bub. I know how hard it is for a working man to get home from work, drive a round trip of between 80 minutes and 2 hours to see mum, then somehow feed and bath the kids. Yet the Carr Labor Government does not seem to care about the consequences of its sneaky and dishonest closure of maternity services at Cessnock District Hospital. Neither does the Government care about the people of Cessnock, whom it is treating like second-class citizens.

The good people of Cessnock and district deserve far better than the treatment they get from the Premier, Bob Carr, and Minister Hickey. I understand that Cessnock District Hospital was built by the mining community, with no help from government. But the Labor Party has closed down one of the most important parts of the hospital and lies about it. Last Tuesday Professor Tony Vinson released his report "Community Adversity and Resilience", which identified Cessnock and Kurri Kurri as among the most socially disadvantaged communities in this State, which means more broken families, more drug and alcohol abuse, higher crime, higher rates of incarceration, more child abuse and fewer opportunities. After nine years in Government the Premier has done nothing to address this inequity. Instead, he has removed a basic and essential right from the hardworking people of Cessnock and district: the right to have their baby locally near their family and friends.

This is the thanks the people of Cessnock get for supporting the Labor Party through thick and thin. They have been taken for granted by an arrogant Premier who is more interested in international travel and American history than he is in the battlers. They have also been taken for granted and betrayed by Minister Hickey, who must have known about his Government's plans to close maternity services at Cessnock after the election. Yet he meekly stood by and let it happen. Minister Hickey should have died in the proverbial ditch for the good people he is supposed to represent, but he did not. Perhaps it was the ministerial pay packet, the big white car and the driver that made him bide his time. Shame on Minister Hickey for not bothering to be in the Chamber to debate a motion about his electorate.

Mrs Jillian Skinner: He is not interested in his electorate.

Mr ANDREW STONER: As the honourable member said, he is not interested in his electorate. He is now in a ministerial position and he is not interested in Cessnock District Hospital. Shame on him! Just because he has a safe seat does not mean that he can let down his people. The honourable member for Cessnock should be in this Chamber to explain to his constituents why he stood by and allowed this to happen. The honourable member for Cessnock is now a Cabinet Minister who was privy to discussions about such decisions and, as the local member, he should have been consulted. If he pleads ignorance it proves that the Premier and his ministerial colleagues treat the member for Cessnock as a joke, as a person not worthy to be consulted about his electorate before they put the boot into it. The people of Cessnock deserve the truth, which so far they have been denied by the Labor Party.

The move by this Government, following reassurances from the Minister in June 2001 that Cessnock District Hospital maternity services would remain open only to have them closed immediately following the election, is an absolute disgrace, a betrayal of the people of Cessnock and a damning indictment on the honourable member for Cessnock who knew about these plans but kept them quiet until after the election because he was more concerned about his election chances than he was about the mothers and families of Cessnock. These people are now greatly inconvenienced. A medical emergency could occur with tragic consequences. Women have to travel far from family and friends to deliver their babies. Family and friends have to travel a long way to visit them. The honourable member for Cessnock did absolutely nothing. He cannot be bothered to be in this Chamber to defend himself or debate the motion, which is critical to the good people of Cessnock and district. It is a disgrace. I will be interested to hear how those on the Government benches explain such a betrayal of the good people of Cessnock.

Miss CHERIE BURTON (Kogarah—Parliamentary Secretary) [12.37 p.m.]: The Government rejects the motion. In all cases relating to the provision of obstetric services the Government's primary concern must rest wholly and solely with the safety of the mother and the baby. With this in mind, the closure of obstetric services at Cessnock District Hospital commenced on 17 April 2003. I am advised that the last baby born at the Cessnock District Hospital was born on 1 May 2003. As at mid-March 2003, only 39 babies had been born at the Cessnock hospital since 1 July 2002, which is approximately half the number of births recorded in the previous year.

In the preceding 18 months, 30 per cent of women who were ready to deliver babies at the Cessnock hospital were transferred to the Maitland Hospital for clinical reasons. As a result, the number of births at the Cessnock District Hospital fell to the extent that there were not sufficient deliveries to enable doctors and midwives to maintain their skills. That is a very important point. I have met many doctors and midwives throughout the State and they have made the point that that is their genuine concern. If those professionals cannot maintain their skills the safety of mothers and babies becomes greatly endangered. Concern for safety is increased by the fact that doctors have been withdrawing their services as a result of the low number of the births at the Cessnock District Hospital. Until July 2003 three doctors maintained their services at the hospital without support from specialist services. However, only two of those who remained were prepared to provide part-time coverage after January 2003 to continue to deliver babies at the hospital.

Mothers were choosing to have their babies in hospitals where they could avail themselves of specialist obstetric and midwife services, but as those specialists were no longer available at the Cessnock hospital, delivery of babies now occurs at the Maitland Hospital, which has a specialist maternity unit and all the necessary support services for high-quality care. For most Cessnock residents, the trip to the Maitland Hospital takes 30 minutes or less. In the context of travel times to most hospitals, that is not excessive. Arrangements have been made for women to receive antenatal and postnatal care at Cessnock to minimise the time they will be away from their local communities. Meanwhile, the prospect of midwifery services at the Cessnock hospital is being explored. Such a service would offer continuity of midwifery care for women during their pregnancy and during births.

I am advised that much of the local concern about services at the Cessnock District Hospital relates to the future viability of the hospital. I assure the House that the Government sees a strong future for the Cessnock District Hospital. Services available at the hospital have increased over the past three years. A series of renovations totalling \$1 million is being undertaken, including facilities for postnatal care. In response to comments made by the Leader of The Nationals in relation to the study conducted by Professor Tony Vinson, I reaffirm this Government's commitment to the people of Cessnock. The New South Wales Government is overseeing a community renewal project in Cessnock, which is similar to the type of project that is showing such promising results in Windale, which featured in an article on page one of the *Sydney Morning Herald* earlier this week. Community renewal draws together all relevant government agencies to work together with local residents to boost the community by the improving access to employment, education and the health services of the community. Of course, that is the Government's number one priority.

In response to the attack on the honourable member for Cessnock by the Leader of The Nationals, I point out that the Cessnock hospital is a health issue, in case the Leader of The Nationals is unaware of that. As I am the Parliamentary Secretary for Health, I am responding to the motion moved by the Opposition because I believe this debate is extremely important. I place on the record the Government's commitment not only to the Cessnock District Hospital but also to the safe delivery of babies and to ensuring that young mothers of the Cessnock area are provided with access to proper medical care. That is what is important. That is what this debate is all about. This debate is about refuting claims that have been made by the Opposition which, as usual, are ill-researched, designed to stir up community feelings and create fear, and an attempt to score a few political points.

The Opposition is grasping at straws because it has no understanding of health care and the delivery of health care services. Members of the Opposition state in this Chamber that they will cut this tax and that tax, and they wander around the State saying that under a Coalition government they will construct this building and that, and they will do this and do that. On Tuesday it was established in the House that those promises are total gobbledegook and codswallop. Judging by the results of the 2003 State election, the people of New South Wales understand that the Coalition has absolutely no credibility.

Mr DEPUTY-SPEAKER: Order! Members of the Opposition will remain silent. They will have an opportunity to speak in this debate at the appropriate time.

Miss CHERIE BURTON: Members of the Opposition want to be regarded as white horse cavaliers. They are promising people in every town that they can have a hospital on every corner. Members opposite alleged that this Government is closing down hospitals, but I remind them of the hospitals in Kiama and other parts of the State that were closed down under the previous Coalition Government. Irrespective of whether the honourable member for North Shore was directly responsible for that or not, the Coalition currently has no credibility. The Opposition is scratching around for something worthwhile to say in this House. At the end of the day, this Government's firm commitment to the people of New South Wales for the responsible delivery of health services is on the record. That commitment is the reason why the maternity unit was moved to the Maitland Hospital. This Government is committed first and foremost to the safety of mothers and babies.

Recently when I visited the Cessnock area a number of people told me that even when the Cessnock District Hospital had a maternity unit, women were still choosing to go to the Maitland Hospital. That is a matter of public record. The Opposition's real problem is that it obviously has no understanding of the issue. Opposition members just want to grab the ball and run with it, get their voices on radio and their faces on television, in spite of what the Government is telling them. Judging by the results of the past two State elections, people in the community are a wake-up. Opposition members should strive to put credibility and substance into their arguments. The entire 10-minute speech made by the Leader of The Nationals was an attack on the honourable member for Cessnock. There was no substance in his speech at all, and it was just the usual claptrap that we hear from him. There was no substance in what he was saying—no facts and no figures to prove any of the claims he was making.

Mr Andrew Stoner: What is the Parliamentary Secretary doing? She is just attacking me because she cannot defend this. She cannot defend this.

Miss CHERIE BURTON: The Leader of The Nationals did not give me much to respond to.

Mr DEPUTY-SPEAKER: Order! The Leader of The Nationals has had an opportunity to speak in the debate.

Miss CHERIE BURTON: Members of the Opposition have not had much of substance to say, so instead they have tried to take a shot at the honourable member for Cessnock. That will not work because the honourable member for Cessnock is an excellent representative of his community. The results of the past two State elections show that his community fully supports him.

Mr JOHN TURNER (Myall Lakes) [12.47 p.m.]: I place on the record my credentials for my contribution to this debate. I am a former deputy mayor of Cessnock. My brother, my nieces and my nephews were born in the Cessnock District Hospital. Unfortunately, I was not because my mother had to relocate to Sydney because of complications—I was a difficult child! However, I know the hospital well. I have had operations in the hospital and my children have been patients of the hospital. The Cessnock District Hospital is a fine establishment. It is currently a 68-bed hospital. It was built by miners, who obviously needed proper health care facilities. Let us get this debate into perspective: The Cessnock District Hospital serves a community of 45,000 people, not just the population of a small town. The hospital has served that community for many years.

It is clear from the statement of the Parliamentary Secretary for Health that she was trying to gild the lily when referring to the maternity services at the hospital by saying that the need for the services had dropped off. The need had dropped off because the Government wound back the service. I am sure the community would have liked the service to continue. The Minister for Mineral Resources, who represents the Cessnock electorate, is not in the Chamber, he is not sticking up for the people of Cessnock and he is not objecting to the closure of the maternity section of the hospital. Clearly, it is the first duty of a member of Parliament to defend his or her turf at all costs against executive decisions. I find it very poor that he has not taken on the Government and tried to stop the closure of the maternity section. He has been silent in this debate.

I refer to the deceit of the Government, and it must have been within the knowledge of the Minister for Mineral Resources. The Parliamentary Secretary said that it was less than one month after the 2003 election that the maternity section of the hospital was closed: clear deceit. Minister Hickey should come into the Chamber, defend himself and explain why he allowed that to occur, because he knew it was going to happen less than a month after that election. The alternatives for people requiring maternity services are to travel to Maitland or Newcastle. And I am not taking anything from my colleagues by saying that Singleton, Scone and Muswellbrook have maternity services, and those towns are all smaller than Cessnock. But those towns have not been attacked in this way.

People do not want to go to Maitland to have their babies—they want black and gold babies, not black and white babies! There is fierce rivalry between those two towns. People do not want to go to Newcastle either—although some may elect to go there because of the need for specialist services. By and large, people should be entitled to have their babies where they want to have them: in their home towns. Babies who were born in Cessnock and were raised there are proud to be Cessnock people. Regrettably, there has been a running down of all maternity services, including in my electorate. I am reliably told that at Manning Base Hospital, in my electorate, there is a revolt amongst staff at the moment because the maternity services are being run down, there are not sufficient isolettes for the safety of the babies, there is not sufficient phototherapy for jaundiced babies and the beds are breaking down.

The health service is being run down by stealth by the Government. Cessnock is a clear example of where stealth has come in. Before the election the Government told the people one thing, fully intending to do something else immediately after the election: to run down the system and then try to produce figures to indicate that the demand was not there; as the services were not needed they would be closed down. As I said earlier, the City of Greater Cessnock is not a little village; it has a population of 45,000 people. The closure of the maternity services is a sign to me that the Government will continue to run down services. The Parliamentary Secretary made play of the fact that Cessnock is only 30 minutes travel from Maitland. Is that code for saying that other services will close down, that the hospital at Maitland will be enhanced and the services at Cessnock will be closed down? I fear it might be. I will watch very carefully to see what else will disappear from that great hospital, which sits on what is called the Hospital Hill.

Cessnock District hospital has provided for the people of Cessnock for many decades, yet the Government appears to be walking away from it to centralise services to Maitland and Newcastle. The people of Cessnock deserve better, and they certainly deserve better representation than they have had from their elected representative, who cannot be bothered contributing to the debate, and has stood by and allowed the maternity section of the hospital to be downgraded. I fear he will stand by and watch as other health services are downgraded or moved away from Cessnock.

Mr ALAN ASHTON (East Hills) [12.52 p.m.]: The Leader of The Nationals has attempted to embarrass the Government by moving this motion. But he cannot have it both ways. The motion states:

That this House:

- (1) condemns the Government's decision to cease the delivery of babies at Cessnock District Hospital, less than a month after the State election.
- (2) notes that expectant mothers in the city of 47,000 must now travel an hour to Newcastle or 40 minutes to Maitland for delivery of their children.

As the Parliamentary Secretary pointed out, people cannot expect a hospital on every corner of every street, or in every town or every village. In Sydney many people travel more than 40 minutes or an hour to get to a hospital. When my wife and I had children, my wife was determined to have a natural birth with a midwife. We drove past many hospitals that offered natal care and birthing services to go to the Royal Women's Hospital, where my wife could have her baby in a relaxed environment, breath deeply and listen to music. That was it—no anaesthetic, no interference, no medical involvement. The doctor turned up after his game of golf and said, "Well done!" Not everybody expects to have a hospital on every corner. That part of the motion is irrelevant. I am surprised that the Leader of The Nationals included the second paragraph. The motion states further:

- (3) calls on the Government and the local member to immediately reverse this decision.

There are two points here. The most important point was the frustration felt by the current Leader of The Nationals—who knows what might happen there—when the honourable member for Cessnock, the Minister for Mineral Resources, arrived in this Chamber. He is doing a great job. The name of the member representing Cessnock must have been mentioned as many as 20 times—I will check *Hansard* tomorrow—in attacks on health. It was a little bit of "Let's get square with Kerry", and "How dare he come to Parliament and end up a Minister", and blaming everything on him.

The Leader of The Nationals said that in order for the Labor Party to win the seat of Cessnock it would have to promise to keep the hospital open for services for children. Well, hello! Under the Carr Labor Government if we do not win the seat of Cessnock we will not win Vacluse either! We are certainly going to win the seat of Cessnock. So that was not an issue and meant nothing at all to this debate. Each year 64,000 babies are born in New South Wales public hospitals. Every year the Federal Government sends 50,000 people to New South Wales, mostly to Sydney, and that is where most of the costs are incurred. The New South Wales Government is committed to, wherever possible, providing women with a range of pregnancy-of-care options, to which I referred in my family situation. Looking after the safety of mother and baby is our highest priority.

A person may have to travel to Maitland or Newcastle, but the person can make that choice. A person may decide not to go to Cessnock hospital, but further away, perhaps to Port Macquarie because that is where the family support is. The Leader of The Nationals did not say that it is the fault of the New South Wales Government that there is a shortage of obstetricians, anaesthetists, nurses and midwives generally because that can be sheeted home to what goes on in Canberra. From this morning Tasmanian general practitioners are to pick up an additional \$7.50, bulk-billing will be virtually killed off and Medicare is dead because of a deal. John Howard said, "At all costs, get me elected again, before I get stabbed in the back by Peter Costello." Tasmania is nicely looked after.

Mr Andrew Stoner: What does this have to do with Cessnock?

Mr ALAN ASHTON: A lot. Federal policy is destroying Medicare, and rural and regional health services.

[Interruption]

The honourable member for North Shore does not care about Medicare. In the 1980s John Howard promised that he would destroy Medicare, kill Medicare, and that is coming to fruition. After all these years, he has had his way.

Mr Andrew Stoner: Point of order: My point of order refers to Standing Order No. 138, which relates to relevance. This motion is about Cessnock District Hospital, not about Federal issues or Tasmania. Mr Deputy-Speaker, I ask you to bring the member back to the substance of the debate.

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

Mr ALAN ASHTON: The Federal Government is responsible for this problem. It has even volunteered to take over the States' health system. What a stuff-up job it would do!

Mrs JILLIAN SKINNER (North Shore) [12.57 p.m.]: I speak briefly in debate on the motion moved earlier by the Leader of The Nationals and indicate my support for it, particularly paragraph (1), which states:

That this House:

- (1) condemns the Government's decision to cease the delivery of babies at Cessnock District Hospital, less than a month after the State election.

I listened carefully to earlier debate on the motion and was interested to hear some Government members claim that only a certain number of babies would now be delivered in hospital. Economists have promoted the adoption of that procedure for a long time to rationalise services. New evidence suggests that baby delivery outcomes in smaller hospitals are better than they are in many of the bigger hospitals. Doctors delivering babies in smaller country hospitals, particularly general practitioner obstetricians, are more careful about assessing the risk potential for mothers and babies and, therefore, they refer them on to other hospitals. Doctors have to be careful when they make such assessments. The motion calls on the Government to maintain maternity services at Cessnock hospital. The disturbing thing about this issue is the complete dishonesty of the Government. As the Leader of The Nationals pointed out earlier, prior to the election I issued several press releases. I quote from one of those press releases, in which I said:

Maternity services will continue to be provided at Cessnock hospital.

At the same time as the Government was saying that maternity services would continue at Cessnock hospital, it was running down the service and encouraging women to go to Maitland to have their babies. I have no problem with women making choices about where they have their children. I have three children and I made three different choices about where I would have them.

Pursuant to sessional orders business interrupted.

[Mr Deputy-Speaker left the chair at 1.00 p.m. The House resumed at 2.15 p.m.]

MINISTRY

Mr BOB CARR: In the absence of the Minister for Gaming and Racing, who is attending the Australian Racing Ministers Conference, the Minister for Roads, and Minister for Housing will answer questions on his behalf.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders

Mr ANDREW TINK: I seek the leave of the House to move a motion to suspend standing and sessional orders to permit consideration forthwith of the notice of motion given by me today to rescind the resolution of the House suspending the honourable member for Ku-ring-gai.

Leave not granted.

PETITIONS

Bendemeer Public School

Petition opposing the decision to reduce Bendemeer Public School to a one-teacher school, received from **Mr Peter Draper**.

Nowra Public School Specialist Literacy Tuition

Petition requesting suitable accommodation for specialist literacy tuition at Nowra Public School, received from **Mrs Shelley Hancock**.

Autism Spectrum Disorder

Petition requesting additional support for children affected by Autism Spectrum Disorder in all educational settings in New South Wales government schools, received from **Mr Daryl Maguire**.

Frederickton Public School

Petition praying that priority be given to the construction of buildings at Frederickton Public School, received from **Mr Andrew Stoner**.

Stamp Duty Reduction Legislation

Petitions supporting the Duties Amendment (Stamp Duty Reduction) Bill 2003, received from **Mr Greg Aplin, Mrs Judy Hopwood, Mr Andrew Humpherson, Mr Barry O'Farrell and Mr Steven Pringle**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mr Greg Aplin, Mr Andrew Fraser, Mrs Shelley Hancock, Mr Chris Hartcher, Mr Daryl Maguire, Mr Wayne Merton, Mr Steven Pringle, Mr Michael Richardson, Mr Andrew Tink and Mr John Turner**.

Narrawallee Subdivision

Petition opposing any form of access or egress from the subdivision adjoining Blake Place, Narrawallee, received from **Mrs Shelley Hancock**.

White City Site Rezoning Proposal

Petition praying that any rezoning of the White City site be opposed, received from **Ms Clover Moore**.

Water Police Pymont Site

Petition opposing development of the current Water Police Pymont site, received from **Ms Clover Moore**.

Kosciuszko National Park Management Plan

Petitions opposing the formulation of the Kosciuszko National Park Management Plan without community consultation, received from **Mr Ian Armstrong, Mr Adrian Piccoli and Mr John Turner**.

Brothels Closure Legislation

Petition supporting the Community Protection (Closure of Illegal Brothels) Bill, received from **Mr Andrew Tink**.

Coffs Harbour Pacific Highway Bypass

Petition requesting the construction of a Pacific Highway bypass for the coastal plain of Coffs Harbour, received from **Mr Andrew Fraser**.

The Alpine Way Upgrade

Petition requesting funding to repair, upgrade and realign 11 kilometres of The Alpine Way between the State border at Bringenbrong Bridge and the beginning of Kosciuszko National Park, received from **Mr Daryl Maguire**.

Windsor Road Traffic Arrangements

Petitions requesting a right-turn bay on Windsor Road at Acres Road, received from **Mr Wayne Merton and Mr Michael Richardson**.

Old Northern Road Upgrade

Petition requesting the construction of overtaking lanes on Old Northern Road between Glenmore and Wisemans Ferry, received from **Mr Steven Pringle**.

Windsor Traffic Conditions

Petition requesting funding for construction of a bridge across the Hawkesbury River, from Wilberforce Road and Freemans Reach Road, connecting to the bridge into Windsor, and the rescheduling of the current road works program, received from **Mr Steven Pringle**.

Pacific Highway Upgrade

Petition requesting the construction of a dual carriageway on the Pacific Highway between Nambucca Heads and Macksville with an interim 80 kilometres per hour speed limit, received from **Mr Andrew Stoner**.

Coffs Harbour Aeromedical Rescue Helicopter Service

Petition requesting that plans for the placement of an aeromedical rescue helicopter service based in Coffs Harbour be fast-tracked, received from **Mr Andrew Fraser**.

Mental Health Services

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

CountryLink Rail Services

Petitions opposing the abolition of CountryLink rail services and their replacement with buses in rural and regional New South Wales, received from **Mr Andrew Fraser**, **Mr Daryl Maguire** and **Mr John Turner**.

Hornsby Shire Rail Parking Facilities

Petition requesting additional commuter parking facilities at railway stations in the Hornsby shire, received from **Mrs Judy Hopwood**.

Public Transport

Petition requesting the development of a transport blueprint for public transport as an alternative to private vehicle use, received from **Ms Clover Moore**.

Bus Service 311

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

Casino to Murwillumbah Branch Rail Line

Petition requesting the extension of the Casino to Murwillumbah branch line to south-east Queensland, received from **Mr Donald Page**.

Isolated Patients Travel and Accommodation Assistance Scheme

Petition objecting to the criteria for country cancer patients to qualify for the Isolated Patients Travel and Accommodation Assistance Scheme, received from **Mr Thomas George**.

Local Government Amendment Bill 2003

Petition opposing the Local Government Amendment Bill 2003, received from **Mr Andrew Fraser**.

Companion Animals Legislation

Petition requesting amendments to the Companion Animals Act 1998, received from **Ms Clover Moore**.

Social Program Policy Subsidy

Petition requesting that the social program policy subsidy be extended to residents in the Hawkesbury local government area, received from **Mr Steven Pringle**.

Circus Animals

Petition praying that the House end the unnecessary suffering of wild animals and their use in circuses, received from **Ms Clover Moore**.

Sow Stall Ban

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

Cat and Dog Meat Sales

Petition requesting legislation banning the sale of cat and dog meat for human or animal consumption, received from **Ms Clover Moore**.

Alcohol Wet Centres

Petition requesting the establishment of wet centres in the inner city to provide a safe place for chronic drinkers, received from **Ms Clover Moore**.

QUESTIONS WITHOUT NOTICE

AUSTEEL PTY LTD

Mr JOHN BROGDEN: My question without notice is to the Premier. Why in 2001 did he sign a contract committing the Government to a \$240 million investment with Austeel chairman, Clive Palmer, whom the Government called a white shoe salesman who was suspect to say the least, someone who could not be treated seriously and who the Premier was afraid was seeking to blackmail the Government?

Mr BOB CARR: The fact is that the Government will not miss any opportunity, if it looks reasonable, to secure investment and jobs for the State.

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

Mr BOB CARR: From the very start of discussions about Austeel we said we would do everything to facilitate the project but we could not deliver investors. That is a job for the proponent. While we can provide infrastructure and a development approval process, it is up to the proponent to secure markets and to line up investment partners. That was the approach from the very start.

Mr SPEAKER: Order! The Leader of the Opposition was heard in silence. The Premier will also be heard in silence.

Mr BOB CARR: Why, therefore, did the Government talk to Mr Palmer about his proposition? First, because ABN AMRO Australia Ltd, reporting to the Victorian Government, produced a report on the Austeel project that stated:

The Austeel project is prospectively very robust, with Austeel providing export income, enhancing the competitiveness of local industry and increased employment.

So it was reasonable to talk to Austeel. In 1997 Mr Paul Butler, who was attached to the Department of State and Regional Development and the Premier's Department, prepared a preliminary report on the Austeel project. He reported that the preliminary view was that the project appears viable and would be of significant benefit. In May 1997 the Treasurer wrote to Clive Palmer and said that notwithstanding the apparent technical merits of the project there remained concerns in Austeel's proposal, mainly about the existence of investment partners, that needed to be resolved. Mr Palmer responded by saying that he had a memorandum of understanding with the Chinese Government. In 1999, an analysis by Deloitte Touche reported that the overall project appeared viable. In 2000 Austeel provided a pre-feasibility document, which included a marketing agreement with MacSteel to market 70 per cent of the output around the world. Why did the Government engage with Austeel?

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

Mr BOB CARR: Because by late 2000 Austeel was able to indicate it had gained further industry support in the form of a consortium of backers and parties prepared to enter into agreements. That consortium included: the Western Australian Government, via a development agreement; Corus as the proposed steel mill operator in Newcastle; Danieli, for steel mill technology; Lurgi Metallurgi, iron-making technology; the Industrial Bank of Japan as financial adviser; Thiess, mining contractor—

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

Mr BOB CARR: —Andhika, for shipping; a gas offtake agreement with the north west shelf gas partners, including LNP Japan, Shell, Chevron, BP and Woodside; and the appointment of Mr John Elmore, an experienced steel industry executive, to manage Austeel. On the basis of that material an agreement was signed on 14 February 2001 by Austeel and the Government. We said at the time, and have repeated it, that we would do anything reasonable if there was a chance of this project succeeding, but we could not guarantee that the potential partners would put their money into it. It is up to the proponent to do that. We would not put taxpayers' money into it.

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

Mr BOB CARR: We would provide the infrastructure that would be available for any future investor to be able to offer zoned and serviced land in the Hunter. That makes good sense. It was Austeel that pulled out of the project. Austeel launched litigation against, and sought arbitration with, the Government. If it was so convinced that its case was right and if there was a chance of getting Government money, why did Austeel pull out? It pulled out because, despite all the encouragement we gave in terms of the provision of infrastructure—infrastructure supporting industrial land for any further investor; an asset to the State—Austeel was not able to secure investors and markets in a world steel industry that suffers from oversupply. It was Clive Palmer—

[*Interruption*]

The Leader of the Opposition does not understand the processes. It was an agreement that left the Hunter—

[*Interruption*]

Not an interjection from George—\$50 million on Luna Park and \$100 million on Eastern Creek! I will deal with interjections from anyone but not from former finance Minister George Souris.

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

[*Interruption*]

Mr BOB CARR: And now he says I am a socialist Premier: I am a Marxist, I am always out there.

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

Mr BOB CARR: He says I am a socialist Premier because I am always seeking to nationalise the means of production, distribution and to change to the extent necessary to eliminate exploitation and other antisocial features. So we have it. In February last year the New South Wales shadow Minister for Hunter and Central Coast Development, someone called Michael Gallacher, was saying:

The New South Wales Opposition has promised to move forward with the Austeel project as a matter of urgency if elected.

There it is. There is your shadow Minister. John, John, you ought to consult your shadow before you ask the question.

Mr JOHN BROGDEN: I ask a supplementary question. Why did the Premier say that no taxpayer funds went into the project when the Auditor-General reports in his 2002 report that "the Premier's Department paid a further \$3 million to Austeel to compensate for delays and \$6.8 million to compensate the private sector entity for delays in the purchase of the land"? That is nearly \$10 million!

Mr BOB CARR: That is all public knowledge.

Mr John Brogden: You just lied to the House!

Mr BOB CARR: What has not been public knowledge up until now is that the policy they went to the people of the Hunter on at the last State election promised full support for the project. There it is. And the shadow Minister criticised the Government for not moving fast enough.

Mr John Brogden: Point of order—

[Interruption]

Mr SPEAKER: Order! The Chair takes exception to the outburst of the Leader of the Opposition and the unparliamentary language he used.

[Interruption]

Mr SPEAKER: Order! The Leader of the Opposition may cackle and carry on, but I ask him to show some leadership, instead of carrying on with behaviour which he continues even now. What is the point of order?

[Interruption]

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

Mr John Brogden: My point of order relates to relevance. I asked the Premier why he said no taxpayer funds had gone into the project, when \$10 million had. It happened, you paid them money, and you said 10 minutes ago that was not the case.

Mr SPEAKER: Order! The Leader of the Opposition should be seeking a response, not providing an answer.

Mr John Brogden: You lied to the House, you dope!

Mr SPEAKER: Order! Again I call on the Leader of the Opposition to show some leadership and use parliamentary language.

Mr Andrew Tink: Point of order: On 1 May last year you said it was parliamentary for the Leader of the House to say "Mr Brogden, you've been lying your head off." Is that sort of language right for them and not for us? Let us have the same rules for both sides.

Mr SPEAKER: Order! The honourable member knows precisely what I am talking about. The issue that he raises is not the issue that I raised with the Leader of the Opposition.

ABORIGINAL TRUST FUNDS

Mr PAUL PEARCE: My question without notice is addressed to the Premier. What is the Government's response to community concerns about Aboriginal trust funds?

Mr BOB CARR: No challenge in public life in the last 30 years has been greater than coming to terms with the most painful chapter of the Australian story, and that is the treatment of indigenous Australians. Those

who were members of the Fifty-first Parliament will always recall with great pride the date 18 June 1997—the day we in this Parliament made the first parliamentary apology to the Stolen Generations. All members of this House, from both sides of it, supported that motion. At the end of my address that day I talked about "our acceptance of hard truths, our determination to make amends."

In that spirit of facing hard truths and making amends, I invite the House to turn its attention to another legacy of misguided paternalism—the fate of Aboriginal trust funds. These were funds into which New South Wales Aborigines were forced—from 1900 to 1969, the year the Aborigines Welfare Board was abolished in light of the 1967 referendum—to pay their wages, their pensions, their family endowments, their inheritances and lump sum compensation payments into a trust. Those funds were held in trust, and our predecessors failed that trust.

When in the years up to 1969 Aboriginal people sought to gain access to their accounts they were rarely paid. After 1969 payments ceased completely. For those reasons I take this opportunity to formally apologise to the Aborigines affected and offer the assurance that any individual who can establish they are owed money will have it returned. To that end, last month the State Cabinet agreed to develop a scheme to identify and reimburse the people who are owed the money. Over the coming months we will consult with Aboriginal communities to find out how the scheme can best work.

Two things are required: first, criteria for establishing the payment of funds, given the miserable nature of the records that have been left to us; and, second, the mechanism to adjudicate what amount should be paid and whether the criteria are met. That will not be without its challenges because, as I indicated, the records are inconsistent and incomplete, and many of the beneficiaries are now dead. We do know the broad categories of Aboriginal people likely to seek restitution. They are, one, children under the care of the Aborigines Protection or Welfare Board who were apprentices; two, women who received family and child endowment, and were forced to deposit it in these funds; three, recipients of Commonwealth pensions or possibly other Commonwealth benefits; and, four, beneficiaries of lump sum payments. There may also be other groups who need to be identified.

This is a problem that has built up over generations. It will not be fixed overnight, and the records barely exist. But administrative complexities should not overshadow the need to discover the truth, and the Government certainly will do all it can to help find evidence that will support claimants' cases. In those cases where the evidence is sketchy, the Government, in consultation with the Aboriginal community, will develop rules for payment. We look forward to providing details of the scheme as soon as possible.

CAR REBIRTHING

Mr PAUL McLEAY: My question without notice is directed to the Minister for Police. What is the latest information on police activity against organised crime in the Illawarra?

Mr JOHN WATKINS: Over the past two days police in the Illawarra have made major inroads into their fight against organised crime. On Tuesday they hauled in ecstasy, amphetamines, cannabis, cocaine, prohibited weapons and fake identification during simultaneous raids within the Lake Illawarra and Wollongong local area commands, and yesterday our latest strike against car rebirthing was an outstanding success. These dedicated officers have further dented the criminal industry worth \$150 million every year in this State alone. Strike Force Apiarists, as the operation was known, seized 36 motor vehicles after 100 police simultaneously raided nine homes in the Illawarra region. The stings in Dapto, Koonawarra, Berkeley and East Corrimal have seen three arrests so far, and inquiries into this alleged vehicle racket are continuing. Already, a 32-year-old man has been charged with numerous firearms offences, and false identify offences; a 25-year-old man has been charged with receiving stolen goods and goods in custody; and a 33-year-old man has been charged with stolen property and drug offences.

Police inform me that property seized during the raids is worth upward of several hundred thousand dollars. The operation was the culmination of a six-month covert operation involving the Wollongong and Lake Illawarra local area commands and the State Crime specialists. Three dozen vehicles—including cars, bikes and trailers—and a large number of parts and accessories have been seized. Many of the items have already been confirmed as stolen, whilst forensic examination of others is continuing. Car rebirthing involves thieves using the identity of legitimate vehicles to register and on-sell stolen vehicles, and rebirthing is so often linked with other forms of organised crime, including drug dealing, money laundering, identity fraud and gun offences. It is estimated that two-thirds of written-off vehicles sold at auctions every year are so badly damaged they are useful only for parts. The identities of those vehicles are coveted by criminals, who use them to resell stolen vehicles.

Rebirthing is often concealed with similar activity of a lawful nature, such as the tow truck, smash repair or second-hand car industry. It costs all of us through higher insurance premiums or if one unwittingly purchases a rebirthed stolen car. The criminal endeavour also puts dangerous, unroadworthy vehicles into circulation. In 2001 the Government introduced a new law to crack down on car rebirthing. In one of the biggest rebirthing busts so far, Strike Force Worth nailed 12 criminals in late 2002 for the organised theft of cars and their shipment to the Middle East. That operation recovered 53 stolen vehicles.

As I mentioned earlier, yesterday's operation followed other raids by Operation Gresley, a six-month operation by the Wollongong and Lake Illawarra commands. On Tuesday more than 50 police raided six homes in the Illawarra, arresting three men for drug possession and supply. Together these operations should put a big dent in serious criminal activity in the Illawarra. I commend all 150 police involved for their dedication to these lengthy and complex, but absolutely vital, operations.

SOUTHERN AREA HEALTH SERVICE BUDGET

Mr ANDREW STONER: My question is directed to the Minister for Health. In view of the Deputy Coroner's concerns about cracks in the health system that led to the tragic death of Warren mother, Caroline Anderson, why has he said that he will not provide immediate funding to the Southern Area Health Service to enable it to clear debts and acquire basic medical supplies, given statements from its Director of Clinical Services that, "There is the potential for clinical disasters if essential stock is suddenly found to be unavailable, and that anything that goes wrong can be prevented only by giving us money".

Mr MORRIS IEMMA: At no time have I said that I will not provide assistance to Southern Area Health Service. The facts are that Southern Area Health Service has had a number of loans dating back a couple of years, and in the second half of last year Southern Area Health Service continued to receive financial assistance from the Department of Health.

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

Mr MORRIS IEMMA: I am on the record as saying that I will not abandon Southern Area Health Service in its difficulties, and that commitment remains.

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

Mr MORRIS IEMMA: That is why the Chief Executive Officer of New England Area Health Service has been appointed to lead the Southern Area Health Service through its difficulties.

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

Mr MORRIS IEMMA: The Southern Area Health Service has experienced management failure.

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

Mr MORRIS IEMMA: As a result Mr Schneider has been put in as chief executive officer to put together a future plan for the Southern Area Health Service to lead it through its difficulties.

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

Mr MORRIS IEMMA: At no stage have I said that we would not provide additional assistance to the Southern Area Health Service in its difficulties.

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

Mr MORRIS IEMMA: The Southern Area Health Service received financial assistance throughout the second half of last year in additional loans, and that will continue. It is no wonder, after the interview the honourable member for Bega did with Steve Price the other day, that he considered the honourable member to be ignorant and an idiot, and someone who does not understand anything he raises in this House.

ABORIGINAL JOB AND TRAINING OPPORTUNITIES

Mr PAUL LYNCH: My question without notice is directed to the Minister for Aboriginal Affairs. What is the latest information on jobs and training opportunities for young Aboriginal people across New South Wales?

Dr ANDREW REFSHAUGE: I thank the honourable member for his very important question about improving the lives of Aboriginal people in this State, and using training to help them get into employment. A job is dramatically liberating for so many Aboriginal people. Last week I visited the Alexandria Park Community School in Redfern with the honourable member for Heffron. The school, which has introduced school-based traineeships, has increased its retention rate of Aboriginal students: it is significantly higher than the State average. It is very encouraging. The school has provided traineeships as a pathway from school to work. The students believe that what they are doing at school has much more relevance to their needs today. They stay at school because it gives them something of value. In partnership with the Australian Training Company and the National Aboriginal Sports Corporation the school offers traineeships in business, retail, office and administration, technology, and sport.

Seven of the eight senior students enrolled for traineeships this year are Aboriginal students. I will be interested to see whether it makes a long-term difference and, if so, whether we should dramatically expand the program to other schools. In the past two years the number of Aboriginal students attending TAFE colleges to acquire skills has increased by 2,000. One encouraging program that caught my eye—Job Ready—involves the Construction, Forestry, Mining and Energy Union, young Aboriginal people, TAFE and a number of major building employers. The program is based at Lidcombe TAFE. Aboriginal students, particularly those from the Redfern-Waterloo area, are securing full-time jobs in big construction companies. The union and TAFE have joined forces to get young Aboriginal people into the work force through a tailored eight-week preparation course in construction basics.

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

Dr ANDREW REFSHAUGE: A number of major building companies, including Multiplex, the Abi/Leighton group and previously Grocon have provided significant support for the program. They are providing job opportunities for students who successfully finish the course. The program is providing Aboriginal students with a real employment opportunity; in some cases it is the first chance they have had to get a job. Students in the Job Ready course gain skills in plan reading, carpentry, concreting and scaffolding. They also obtain WorkCover tickets, including those to drive a forklift and scaffolding. They also hold an occupational health and safety green card. This year 18 students are already taking part in the first Job Ready course at Lidcombe TAFE. The second course will begin in June.

Some 16 students undertook the course last year, and it is pleasing to see an increase in numbers. Of the 16 who completed the course last year, 14 gained jobs in the construction industry, 9 of whom now have apprenticeships and traineeships. This is a great example of the union, TAFE and the construction sector working together to give Aboriginal students a chance to get the skills they need to guarantee them worthwhile jobs and enable them to have a real future. Our Aboriginal Communities Development Program [ACDP], a \$240 million program for the whole of New South Wales targeting some 22 priority communities, also delivers training. The program provides decent housing, waste disposal and clean water. It also reverses unacceptable health, and housing and employment circumstances experienced by too many Aboriginal people.

In 18 of the ACDP priority communities where building work is under way an Aboriginal training and employment program is in place. For example, at Goodooga in the Far North West of New South Wales an Aboriginal building company called Pulkurru Building Company has been established. It has 13 Aboriginal apprentices and trainees with other support staff. It is one of the biggest employers in the community. As a direct result of the ACDP, there are currently 181 Aboriginal apprentices and trainees in communities across the State. The majority of the apprentices are in carpentry trades, but there are also apprentices and trainees in landscaping, administration and plumbing. Several apprentices are completing previously commenced trades, and have the prospect of progressing to fully qualified builder level under the ACDP.

This program not only is providing the basic and much-needed infrastructure for Aboriginal communities under the direction of local communities and with significant Government support but also is ensuring that the skills developed throughout the programs remain in the community. Development of skills is important not only because of its inherent worth to the community but also because it is a means of providing

maintenance for the buildings that have been constructed. However, there is much to do, and it is good that these examples show the way forward and demonstrate that, through these programs, Aborigines will have a better future.

AUSTEEL PTY LTD

Ms PETA SEATON: My question is directed to the Premier. Why did he deliberately delay the purchase of the \$2.9 million Austeel site at Tomago until the month before the March 2003 election when he knew that it would cost taxpayers \$9.8 million in penalty payments to Austeel?

Mr BOB CARR: I did not.

WESTERN SYDNEY JOB CREATION

Mrs KARYN PALUZZANO: My question is addressed to the Minister for Western Sydney. What is the latest information on unemployment, jobs creation and growth in Western Sydney?

Ms DIANE BEAMER: Western Sydney is Australia's third-largest economy and the fastest-growing regional economy in this country, but it is also a population magnet. There is a net gain of 30,000 people a year who are moving into Western Sydney. The challenge is to find local jobs for these people.

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

Ms DIANE BEAMER: The challenge is to find jobs for people in areas in which they live. Western Sydney has enjoyed a steady growth in jobs over the past 20 years. A recent Western Suburbs Regional Organisation of Councils [WESROC] study was carried out in conjunction with the University of Western Sydney and shows that 70 per cent of Western Sydney residents now work in that region compared to just 59 per cent in 1981. There are now 80 jobs in Western Sydney for every 100 residents workers, an increase of almost 10 per cent since 1981. While there has been steady employment growth, I predict an employment boom for Western Sydney.

Mr SPEAKER: Order! The Minister will be heard in silence.

Ms DIANE BEAMER: Estimates indicate that more than 290,000 jobs will be created in Western Sydney over the next 15 years as a result of the combined efforts of the Carr Labor Government and local councils working with industry. I cite as an example that planning approval has been given for a \$6 million distribution centre in Rosehill.

Mr SPEAKER: Order! One member is on three calls to order and a number of other members are on two calls to order. I now deem all those members to be on three calls to order. The remainder of question time will be conducted in the appropriate manner. Ministers will be heard in silence. Questions will be heard in silence also.

[Interruption]

Mr SPEAKER: Order! I place the honourable member for Davidson on three calls to order.

Ms DIANE BEAMER: I inform the House that approval recently was given for a \$6 million distribution centre at Rosehill. The project represents reuse of underutilised industrial land. The centre will be a 9,000 square metre facility and it will offer 220 jobs. The ING group has such confidence in Western Sydney that it is considering construction of a \$6 million building on the site that will result in another 60 jobs being offered. The project is part of a master plan for the Rosehill Industrial Estate that was adopted by the Parramatta City Council in March 2003. The master plan forms part of the overall Parramatta Regional Plan and will result in the creation of 90,000 new jobs in the area by 2021.

The Western Sydney region is also the focus for the relocation of major government departments such as police headquarters and Sydney Water. Banking, financial and business services are now growing at a faster rate in Parramatta than in the Sydney central business district [CBD] or north Sydney. Throughout the north-western, western and south-western parts of Sydney, jobs growth is outstripping the rest of Sydney and the rest

of Australia. Between 1996 and 2001 areas such as Baulkham Hills experienced a 29 per cent growth in employment. Western Sydney has become the home of manufacturing: 51 per cent of all manufacturing jobs are in Western Sydney. Retailing is one of the emerging strengths of the Western Sydney region and now employs 90,000 people.

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

Ms DIANE BEAMER: A balance must be struck between residential open-space conservation zones and employment zones. Planning is well advanced in the major release areas of Bringelly and Marsden Park. The potential for job creation in these release areas is incredible. The structure plans for Bringelly suggest that a target of 110,000 jobs could easily be realised. These are not jobs that will be created in the CBD or in areas that are halfway across Sydney, but jobs where people live. The structure plans for Marsden Park indicate the potential for 65,000 jobs to be created. One of the main drivers for employment creation in Western Sydney is the construction of the Westlink M7. Last week my colleague the Minister for Roads finalised a 12-month review of this project. He described the M7 as the most important single item of infrastructure in New South Wales. It will involve 40 kilometres of dual carriage motorway worth \$1.5 billion. For the first time, a link will be provided between the northern and southern parts of Sydney through Western Sydney.

The scope for job creation is enormous. There are 1,400 people who are currently working on the project and the number of jobs is expected to increase to 2,000. But it is this Government's commitment to industry and the desire of industry to be close to the M7 that will result in the creation of tens of thousands of jobs. In broad terms, the Greater Western Sydney Economic Development Board is predicting that by 2008 the M7 will add \$3 billion to the New South Wales economy and create 24,000 jobs.

Mr SPEAKER: Order! I place the honourable member for The Hills on three calls to order.

Ms DIANE BEAMER: In other words, the M7 project will be indirectly responsible for the investment of \$670 million and the creation of 5,500 new jobs in Blacktown, \$540 million in investment and the creation of 4,400 new jobs in Fairfield, and \$500 million in investment and the creation of 4,000 jobs in Liverpool. It is also important to note that nearly half of Sydney's industrial construction is occurring around the Westlink M7-M4 interchange at Eastern Creek. The Wonderland Business Park is situated at Eastern Creek and covers 154 hectares. It is set to become the largest industrial park in Australia, offering 5,000 jobs. Stage one is being developed by Australand and will include major industrialists such as LG Electronics and Makita power tools which are already contracted to the site. In 2003, more than 250,000 square metres of industrial buildings worth \$229 million were under construction or completed on the site. It is forecast that other industrial construction worth \$157 million will be under way in 2004.

Nearby is Erskine Park, which is close to the M4 and M7. PACLib owns 38 hectares at the site, and the message it is receiving from prospective tenants is simple—they want to be close to the M7 and the M4. Other industrial areas in Western Sydney are also going ahead. The Greystanes Business Hub development land hit the market in 2001 and by early 2003 was sold out. That is typical of the rate of growth in Western Sydney. Previously little-known industrial land at Prestons and at Hoxton Park is now in demand. Prestons already is the home of the Patrick Corporation and Mainfreight, and both companies are creating new jobs. In the south-western part of Western Sydney at Moorebank which is only 30 minutes from Port Botany, the Yulong site is being developed. It will provide 120,000 square metres of industrial and business space.

Mr SPEAKER: Order! I remind the honourable member for Murrumbidgee that he is on three calls to order.

Ms DIANE BEAMER: The Moorebank precinct is the former location of the defence stores site. It covers 240,000 square metres and has 74 buildings, and is also the site of the MFive Industry Park. Those three combined enterprises on the Moorebank site will bring another 4,000 jobs to the south-western part of Western Sydney. In the Rouse Hill area there has been \$1.2 billion worth of investment, 4,000 homes and, importantly, 7,000 new jobs. Construction will begin next month, not on the homes but on the infrastructure. The Government will turn the sod on the primary school infrastructure that we need in Western Sydney. There will be 2,000 full-time jobs at the 160-hectare Australian Defence Industries site. It is not only big developments that are involved: The New South Wales Government is providing \$14 million towards initiatives to provide jobs for the disadvantaged in areas such as Mount Druitt. The initiatives will involve both the council and the community in job creation.

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

Ms DIANE BEAMER: That will mean about 290,000 jobs over the next 15 years, on a quick calculation. That does not include the additional retailers, and banking and financial services. Government planning, in co-operation with industry, councils and communities, ensures that Western Sydney will enjoy an economic boom. Those jobs are sustainable and they are where people live and where people are moving to.

CARENNE PUBLIC SCHOOL THERAPY SERVICES

Mr RUSSELL TURNER: My question without notice is addressed to the Premier. Why does Carenne Public School still not have adequate therapy services for its 65 special needs children despite the recommendation of the inquiry into early intervention for children with learning disabilities that adequate levels of therapy should be available in rural areas? Or, does the Premier agree with the honourable member for Bathurst that his Government is "botching this one up"?

Mr BOB CARR: I am happy to discuss the circumstances of the school with my colleague the Minister for Education and Training.

Mr SPEAKER: Order! Recently the Chair has become concerned about the way in which questions are asked. On a number of occasions the language used has been highly emotive, subjective and, in some cases, derogatory. In future I will look closely at the way in which questions are asked and at the language used in framing those questions.

Mr Russell Turner: Point of order: My point of order is on your remarks. The quote I made was that of the honourable member for Bathurst.

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

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Bathurst to order. I call the honourable member for Orange to order. I remind the honourable member for Orange that I was not making remarks; I was delivering a ruling. The honourable member should know the standing orders and behave appropriately.

WILD DOG CONTROL

Mr STEVE WHAN: My question without notice is directed to the Minister for the Environment. What is the latest information on efforts to control wild dogs in southern New South Wales?

Mr BOB DEBUS: Wild dogs are a cunning and determined scourge on farmers. They not only impact on livestock but also hunt native animals and carry diseases and parasites. They have a devastating effect on the morale of farmers and their families. The Government is committed to providing the necessary resources to attack this problem at its source. I will briefly remind the House of the Opposition's hypocrisy on wild dog management. If one listened to the often hysterical comments from time to time by members of the Opposition one would think that feral animals did not exist when they were last in government. This financial year alone the National Parks and Wildlife Service will spend around \$17 million across New South Wales in the war to eradicate feral pests and weeds. That is easily a record amount. A significant proportion of that amount will be spent on programs to control wild dogs and foxes.

Compare that record funding to the Coalition's pathetic response when it was last in government. From 1991 to 1995 the Coalition allocated a mere \$4.2 million for pest management in national parks. That is about \$1 million a year. In other words, the Government is now spending 17 times more than The Nationals did when they were last in office. Is it any wonder that farmers are concerned about feral animals when The Nationals chronically underfunded pest control for seven years? I am pleased to advise the House that an unprecedented eight new co-operative wild dog management plans are now active in southern New South Wales, with four others close to completion.

The new plans will help eradicate more wild dogs and offer greater protection for valuable livestock in southern New South Wales. The plans have been facilitated by rural lands protection boards, with the full support and co-operation of the National Parks and Wildlife Service, local farmers, the New South Wales Farmers Association, and, in some instances, State Forests, the Australian Capital Territory Parks, and Parks Victoria.

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

Mr BOB DEBUS: There certainly is, Mr Speaker. Results will be achieved because the plans incorporate extensive local knowledge and expertise to reduce wild dog populations and better protect livestock in southern New South Wales. The plans commit all landowners to a co-operative process whereby wild dog areas are identified and assessed regardless of who owns or manages the land—and that is an important aspect. Areas around Adaminaby and Yaouk, Thredbo and Ingebyra, Byadbo, Dalgety and Paupong, East Monaro, Wadbilliga, Shannons Flat, Bredbo and Michelago will all benefit from the co-operative effort. The latest plans were developed using the same process as the Brindabella and Wee Jasper valley wild dog and fox control plan, which led to a significant reduction in stock losses. Sheep kills were reduced by 67 per cent in the first year of the plan and 85 per cent in the second year, and another good result is expected this year.

While it is too soon to claim a final victory over the wild dog problem in the Wee Jasper valley and the Brindabella valley, the trend is nevertheless encouraging. All involved are hopeful that similar positive results will be achieved across other areas once the plans start to take hold. The honourable member for Monaro has lobbied hard in this area—I might add, successfully—to secure additional funding for wild dog control in his electorate. He is responsible, to a significant degree, for that \$6.7 million boost in funding for wild dog control. We can contrast that commitment with the performance of his predecessor. The former member's inability to effectively respond to the concerns of his constituents on this issue was no doubt one reason he failed at the last election.

PACIFIC HIGHWAY POLICE PATROLS

Mr JOHN WATKINS: I wish to provide a supplementary answer. During question time yesterday the honourable member for Ballina made an insulting and unwarranted attack on northern region highway patrol officers. At the time—

Mr Chris Hartcher: Point of order: I have two points of order. First, The Minister is not giving a supplementary answer. He is not replying; he is making comments on an interjection. Second, the custom of the House is that the Minister must make a request to you at the relevant time. He has waited 24 hours to object to the remarks that were made.

Mr SPEAKER: Order! I have not heard enough from the Minister to make a decision in relation to the first part of the point of order taken by the honourable member for Gosford. In relation to the second matter, the Minister is entitled to provide a supplementary answer to a question that was asked during question time yesterday or at any other time.

Mr Chris Hartcher: He is responding to an interjection.

Mr SPEAKER: Order! The Minister has sought to provide a supplementary answer. I have not yet heard sufficient from the Minister to rule on whether the first part of the point of order taken by the honourable member for Gosford has any validity.

Mr John Brogden: Point of order—

Mr SPEAKER: How can there be a point of order in relation to the ruling I have just given?

Mr John Brogden: It is in relation to another matter.

Mr SPEAKER: What is the point of order?

Mr John Brogden: The Minister commenced his question by asserting that the honourable member for Ballina had referred to something that was insulting.

Mr SPEAKER: Order! Again I make the point—

Mr John Brogden: You ruled earlier that questions must not be colourful. Why not rule in the same way for Ministers who choose to gild the lily and use colourful language?

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. I have indicated that I have not yet heard sufficient—

Mr John Brogden: You are a hypocrite!

Mr SPEAKER: Order! The Leader of the Opposition will not use unparliamentary language.

Mr John Brogden: Is "hypocrite" now unparliamentary?

Mr SPEAKER: Order! It is a reflection on the Chair. The Leader of the Opposition will cease reflecting on the Chair.

Mr John Brogden: Have you ruled that the word "hypocrite" is unparliamentary?

Mr SPEAKER: Order! The Leader of the Opposition will cease reflecting on the Chair. The Minister for Police has the call.

Mr JOHN WATKINS: Yesterday in question time the honourable member for Ballina, when asking a question, made an unwarranted and insulting attack on a highway patrol in northern New South Wales. I said at the time that I would take his accusations with a grain of salt because of the Opposition's appalling record in relation to the facts on policing. I was right to doubt his claims. We have checked those facts. Today I can reveal that police in the highway patrol in northern New South Wales are doing an outstanding job. The shadow Minister wants this House to think that the best indicator of how the highway patrol is doing its job is by establishing how many kilometres are travelled in each police vehicle.

Sadly for him, there are several important reasons why that is garbage, at least according to the people who know: that is, the police. A perusal of modern police practice and technique reveals that that claim is simply wrong. The police are now stopping and charging more drivers than they were five years ago. Let us check the facts. They show what an outstanding job highway patrol police are doing in northern New South Wales. A simple check of operational results shows that the number of drink-driving offences that were detected rose from 5,340 in 1998 to 7,729 in 2003.

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

Mr JOHN WATKINS: In that five-year period there was an increase of over 2,300 offences. The random breath tests that were conducted rose from 367,000 in 1998 to 457,000 in 2003, which represents a 90,000 increase in the random breath tests undertaken by the highway patrol in that period. The traffic offences that were detected also rose from 112,000 to 122,000.

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

Mr JOHN WATKINS: That represents an increase of 10,000 in the number of traffic offences that were detected. These results were achieved by the highway patrol that the honourable member for Ballina attacked for not doing its job properly.

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

Mr JOHN WATKINS: The honourable member for Ballina should know that, within that five-year period, 10 new northern region police vehicles were introduced for strategic activities, including static handheld and in-car radar checks. Highly efficient policing practices, including static patrols of highway black spots, are used more often than they were five years ago. Vikings operations also put more cars from other local area commands and regions on the northern roads for specialist blitzes. Vikings simply did not exist five years ago, but they are currently being used on the roads of northern New South Wales. One would think that the shadow Minister for Roads would know that highway upgrades and new dual carriageways have reduced the kilometres that are being travelled by all motorists, including the police.

Mr Donald Page: Point of order: The Minister has been engaged in an attack on me for the past five minutes. He knows, and you know, that the standing orders provide that if a member wishes to attack another member in this House he must do so by way of substantive motion. That would give me an opportunity to respond to the garbage that he is going on with.

Mr SPEAKER: Order! The honourable member for Ballina knows that the Minister is providing a supplementary answer to the question that the honourable member asked yesterday. He is not reflecting in any way on the honourable member for Ballina. The Minister has the call.

Mr WATKINS: I am not attacking only one Opposition member; I am attacking all Opposition members because of their criticism of New South Wales police. The message to Opposition members is clear: They should check their facts before they make accusations and they should stop their attacks on hardworking police in New South Wales.

Questions without notice concluded.

CONSIDERATION OF URGENT MOTIONS

Small Business Research and Development

Mr JOSEPH TRIPODI (Fairfield—Parliamentary Secretary) [3.26 p.m.]: This matter is urgent because businesses in New South Wales are facing a difficult predicament. Because of Federal Government reforms businesses are finding it difficult to fund research and development. Australia has been placed fifth lowest on the Organisation for Economic Co-operation and Development research and development ladder. Businesses are finding it extremely difficult to remain competitive in the global economy and that can all be attributed to the policy inconsistencies of the Howard Government. This matter is urgent because businesses need all the help they can get from the Federal Government in its remaining days.

Mr SPEAKER: Order! The honourable member for Fairfield will be heard in silence.

Mr JOSEPH TRIPODI: Under the Labor Government 0.87 per cent of gross domestic product was spent on research and development, but under this Government 0.78 per cent is being spent. This matter is urgent because small businesses are not being heard by the conservative side of politics—by the Federal Government or by Opposition members. This matter is urgent because small businesses need a voice in this State and this country.

Austeel Pty Ltd

Mr BROGDEN (Pittwater—Leader of the Opposition) [3.28 p.m.]: This matter is urgent because it will bring to the attention of the House a matter that has cost New South Wales taxpayers tens of millions of dollars. The Premier proved today that he is not fully aware of the consequences to taxpayers of this Government's hasty and unwarranted decision to put millions of dollars of taxpayers' funds into the Austeel project. Clive Palmer, who put this deal together, has been described by the Government on many occasions as a white shoe salesman, as "suspect to say the least", and as someone who cannot be treated seriously. The Premier said that Mr Palmer was blackmailing the Government. Today in the House the Premier, when referring to the Austeel project, said, "And we wouldn't put taxpayers money into it." The Premier is wrong.

Mr Andrew Stoner: He is lying.

Mr JOHN BROGDEN: He is a hypocrite. Volume Six of the Auditor-General's Report 2002 said, in respect of land acquisitions, that the Premier's Department paid a further \$3 million to Austeel to compensate for delays. This Government signed up to the Austeel project so that it could tell the people of the Hunter, "We've got a great big infrastructure project for you." The Government signed up to this fanciful project so that during the election campaign it could tell the people of the Hunter about a big new project. That is what the Government did in 2001.

But almost immediately after the project commenced the Government began to default on payments. However, Austeel kept its mouth shut—history records that that was the wrong decision—in order to stay in favour with the Government. As a consequence, through arbitration and litigation the Government was forced to pay Austeel millions of dollars of taxpayers' funds in late payments. Yet the Premier lied to the House today and said that no funds had been put into the project. Taxpayers' funds were put into this project—and no doubt into Clive Palmer's pocket—so that the Government could deal with an election problem in the Hunter. The Labor Party and Austeel conned the people of the Hunter with a project that probably would never have got off the ground.

Although the project will now not go ahead, the Government has already paid tens of millions of dollars in taxpayers' funds in compensation to Austeel. But the Premier knows nothing about that or about the details of this project. In 2001 he and Michael Egan happily signed up to the project. But the Premier then changed his mind and began to delay the project, costing taxpayers millions of dollars in the process. It is pretty clear that this project was a dud from the outset. Clive Palmer is the Premier's Khemlani. Like Rex Connor, the Premier wanted a project that would deliver lots of jobs and investment. This project was fanciful to say the least. The Premier and the Labor Party said for years—

Mr Joseph Tripodi: You are a hypocrite.

Mr JOHN BROGDEN: The honourable member for Fairfield will get his chance. This project never had legs but taxpayers paid millions of dollars for it. My motion is urgent because it at last gives us the chance to speak about this matter publicly. It was a dud project that cost New South Wales millions of dollars. When Opposition members sought answers today from the Treasurer in the other place he did not know how much money had been paid to Austeel. I can answer that question for him: Millions of dollars in taxpayers' funds, which will never be recovered, were paid for a bodgie project to a man who is a white-shoe developer. The Government has sold the Hunter down the river.

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

The House divided.

Ayes, 46

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

Noes, 33

Mr Aplin	Mrs Hopwood	Mr Slack-Smith
Mr Armstrong	Mr Humpherson	Mr Souris
Ms Berejiklian	Mr Kerr	Mr Stoner
Mr Brogden	Mr McGrane	Mr Tink
Mr Cansdell	Ms Moore	Mr Torbay
Mr Debnam	Mr Page	Mr J. H. Turner
Mr Draper	Mr Piccoli	Mr R. W. Turner
Mr Fraser	Mr Pringle	
Mrs Hancock	Mr Richardson	<i>Tellers,</i>
Mr Hartcher	Mr Roberts	Mr George
Mr Hazzard	Ms Seaton	Mr Maguire
Ms Hodgkinson	Mrs Skinner	

Pairs

Mr Bartlett	Mr Merton
Ms Saliba	Mr Constance

Question resolved in the affirmative.

SMALL BUSINESS RESEARCH AND DEVELOPMENT

Urgent Motion

Mr JOSEPH TRIPODI (Fairfield—Parliamentary Secretary) [3.41 p.m.]: I move:

That the House condemns the Federal Government for failing to support innovation programs and associated research and development within small and medium-sized businesses in New South Wales

The Howard Government has abandoned the hardworking businesspeople of New South Wales. It is stifling the spirit of innovation and enterprise amongst businesses in this State. A recent report by the Australian Bureau of Statistics [ABS], entitled "Measures of a Knowledge-based Economy and Society—Innovation and Entrepreneurship Indicators", shows that we have every reason to be concerned about what is happening in this country. The latest ABS figures show business expenditure on research and development as a percentage of gross domestic product has crashed to 0.78 per cent, from an all-time high of 0.87 per cent of gross domestic product under the Federal Labor Government in 1995-96.

I was further appalled to find out that due to the mismanagement of the Howard Government Australia now ranks fifth last in the Organisation for Economic Co-operation and Development [OECD] for business research and development. It is important for New South Wales businesspeople to know that Australia's poor business expenditure on research and development performance is due to policy stuff-ups by the Howard Government. Business expenditure on research and development was at an all-time high of 0.87 per cent of gross domestic product under Labor in 1995-96. However, as soon as the Coalition won office it slashed Labor's research and development tax concession to innovative businesses by \$2 billion. It cut the tax concession rate from 150 per cent to 125 per cent. Howard cut Department of Industry funding by 30 per cent and staff by 10 per cent. As a result of this thumping, business research and development crashed and has never recovered.

The Howard Government did not stop there. Instead of taking urgent action to save Australia's plummeting business expenditure on research and development, it dealt New South Wales businesses a few more blows to the head. In fact, the Howard Government policies show that it has a particular dislike for small business. It keeps slashing funds for research and development programs that aid small businesses the most. The Commercialising Emerging Technologies [COMET] Program is targeted at small, start-up companies trying to commercialise innovative technologies. It is a very important program that addresses market failure where innovative technologies cannot access capital. The program offers a tailored package of support for things such as business planning, market research and intellectual property strategies to improve the potential for successful commercialisation.

Before the 2001 Federal election, the Liberal Party announced that COMET would be expanded. After the election, COMET staff were cut from 17 to 10. Once again, John Howard was loose with the truth and abandoned small business in this State. But there is more! In May 2002 the Howard Government suspended the R&D Start Program, providing loans and grants to complement business expenditure on research and development. This was another program really needed by small and medium businesses in this country. On the 5 May 2002 the Federal Minister for Industry, Tourism and Resources, Ian Macfarlane, told the television program *Small Business*, "We can't accept new applications for the time being." The Minister admitted that 115 companies had to withdraw their applications. Those 115 businesses were ready to innovate, compete and grow the economy. Those businesses were ready to invest in the future of this country and their hopes were smashed by a lack of vision of the Howard Government. It is perfectly understandable that New South Wales business has lost confidence in the ability of the Howard Government to promote research and development. The Government told its story at a House of Representatives committee inquiry into business research and development last year. The inquiry report states:

Witnesses expressed the view that some aspects of government policies and programs designed to facilitate business research and development actually acted as impediments. The most frequent criticism of government policies was of their inconsistency.

A long list of business leaders gave the inquiry a litany of complaints about the mismanagement of the research and development program by John Howard and the Howard Government. The Mining Institute told the inquiry:

One of the main impediments to private research and development is ever-changing government initiatives.

The Business Council of Australia stated:

Frequent changes in taxes, subsidies, compliance requirements and the like can undermine efforts to induce higher business expenditure on research and development.

Mr Kevin Gillmanm, Managing Director of AV Syntec Pty Ltd, stated:

One of the barriers to research and development amongst smaller firms ... [is] the inconsistency of assistance programs and the reliability of programs.

Mr Sergio Duchini of Deloitte Touche Tohmatsu said:

A key impediment to private sector research and development in Australia ... [is] the lack of stability in innovation policy.

Mr Rob Durie of AIIA stated:

For the small and medium businesses, consistent application of government policy is a key issue.

The message businesspeople are giving the Howard Government is clear: they want a definite long-term commitment that their investment in research and development will be supported by government. But for many years the Howard Government has failed to deliver. As I have stated, research and development is an investment decision made by businesses that intend to generate a yield in the future. It is a long-term investment that takes long-term commitment. They need a sense of certainty about the level of support they will receive from government. Business needs certainty, but it has had a litany of chops, changes and backflips in policy. Businesses are facing more uncertainty in the future.

Why has the Building On information Technology Strengths Program been funded for only four years, which is due to finish in June this year? The R&D Start Program is funded until only 2006. The COMET program is funded until only June 2005. The Biotechnology Innovation Fund Program is funded until only 2003-04. The Howard Government has abandoned innovative businesses in this State. Many businesspeople bitterly complained to the Federal inquiry that the process of getting support for their research and development takes too long, is too cumbersome and too costly. The inquiry report stated:

The grants programs were called a beauty contest by one witness. In order to obtain grants, it was necessary, stated many witnesses, to engage consultants to prepare the application forms. One witness claimed that it took many man hours to manage the grants system.

In essence, there was a focus on form over substance, on presentation rather than results, and as a consequence the business community has been expressing through the process of that inquiry their lack of faith, their lack of trust and the lack of certainty that exists in the industry that enables them to make the decisions necessary to ensure that the economic prosperity of this country can continue. Mr Elmo Jacob of Newtown Pty Ltd told the inquiry:

The major problem that small to medium businesses face in the research area is that the funds that we apply to the Government for are relatively small in relation to those given to large organisations and the time spent getting one of those grants ranges between 8 weeks and 12 months. The applications are also expensive. Smaller companies cannot spend 12 months wasting their time applying for a grant.

In effect, these people are saying that the program, to the extent that it does help anyone, is skewed towards big business, that it neglects small business, and that small business cannot meet all the compliance procedures and all the process necessary to access the help that they need to achieve the prosperity that they aim for. That is of great concern. Once again we hear of the relationship that has always existed between the Liberal Party and the big end of town, of looking after big business to make sure it gets a giant chunk of available funds, at the expense of small business. The neglect of small business is driving small businesspeople to look to the Labor Party for help, especially Federally but also in New South Wales, for someone who will listen to their concerns. That is why we are at the bottom of the list of OECD countries.

John Howard should barrack for the captains of business as he barracks for the captain of cricket. We are losing the game in the global economy, and we need real help now. It is already getting too late. We are now the fifth last of countries in the OECD when it comes to business research and development. This country is getting desperate for certainty in this area. Big business is collecting all the money and small business is being neglected. It is about time that John Howard listened, before it is too late for him and his Government.

Ms KATRINA HODGKINSON (Burrinjuck) [3.51 p.m.]: It is somewhat surprising that the Parliamentary Secretary for Transport and Forestry has moved this urgency motion this afternoon. I am

surprised that the Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business did not raise this issue, as it is a matter that pertains to the majority of his portfolio. Further, I am astounded that the Parliamentary Secretary voted against the Coalition's urgency motion about wasting tens of millions of taxpayers' dollars on the Austeel project because the Parliamentary Secretary was the former chairman of the Public Accounts Committee. This is an issue that would have been of great interest to the Public Accounts Committee. What happened to openness and transparency? Obviously, the honourable member does not care about this matter. I am very surprised that the Parliamentary Secretary chose not to debate the Austeel issue today when we have just got information regarding that Austeel project.

I now turn to the motion before the House, which relates to innovative programs associated with research and development within small and medium-sized businesses in New South Wales and the Federal Government's contributions to those programs. I commence by saying that in 2003, after the March State election, the New South Wales Government folded the Department of Information Technology and Management into the Department of Commerce. There is no longer a Minister of this Government who exercises individual control over the information technology industry—the key industry for research and development. The Government has well and truly stifled the spirit of innovation by stifling the ministry of innovation after the election. The Government's folding of that entire department into the Department of Commerce is a key indicator of just how little the Government cares.

I would like to comment on exactly how the Federal Government is assisting with research and development. These are facilities that are supported by the State Government, so I really do not know what the honourable member for Fairfield was going on about. However, I will enlighten the House about some of those projects. National ICT Australia [NICTA], the company selected to establish Australia's foremost information and communication technology [ICT] research and development centre, was officially launched in February this year. It aims to maximise the benefits of the ICT revolution for Australia. The four principal goals of NICTA are to focus on research at the highest international standard and scale; to facilitate the commercialisation of research; to enhance training of research and development professionals in meeting the demands of both our university and research sector and industry, a very important industry; and to forge beneficial links between Australian and global, public and private sector organisations.

NICTA operates the ICT Centre for Excellence for the Commonwealth Government. It has its headquarters and undertakes research at the Australian Technology Park at Eveleigh, Sydney. Substantive research nodes are also being established at the University of New South Wales and the Australian National University, two of Australia's leading ICT research universities. The centre aims to employ more than 300 high-level researchers and generate more than 500 PhD students Australia-wide over the five years. There will be two nodes, one in Sydney and one in Canberra. The Sydney node will be home to more than 300 researchers, students and administrative staff over this time. This sounds like an amazing centre.

The Commonwealth is contributing \$124.5 million over five years and the partners are contributing more than \$96 million in cash and in kind. This very exciting project is just another of the projects with which the Federal Government is very heavily involved and is contributing big dollars to. We should congratulate the Federal Government on putting in so much effort. If the Federal Government is guilty of anything, it is probably that it does not promote projects like this enough. I am glad to be able to assist the Federal Government in promoting such projects today. There are other examples that I would like to point to, and I will do so if I have time at the end of my contribution. But at this stage I will move an amendment to the motion moved by the honourable member for Fairfield. I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead the words "This House condemns the Carr Labor Government for failing to support innovation and small business in New South Wales".

I turn now to some of Labor's key failings in relation to small business in this State—and key failings they well and truly are. The most important assistance that can be provided to small business by government is an economic climate conducive to business. Low tax rates, a low level of legislative compliance costs, licence fees, WorkCover premiums and so on are the greatest of incentives. But, under its Labor Government, New South Wales remains the highest taxing State in Australia. WorkCover premiums and WorkCover compliance costs have risen over the past nine years. Labor raised costs for businesses by cutting payments of WorkCover premiums for trainees. Indeed, the State Chamber of Commerce confirmed that; it knows that government red tape is costing small business up to 50 working days a year in compliance costs. That is amazing. Also, Labor has increased WorkCover premiums to include the superannuation component of wage, further increasing costs to business.

Small businesses need assistance to access government programs and information. The main vehicle for disseminating this information is the network of 48 business enterprise centres around the State. But the New South Wales Government, under the Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business, restricts funding to business enterprise centres [BECs] to just \$75,000 per annum. With \$75,000—which is less than half of what the Deputy-Speaker gets in this place—a BEC has to fund a manager, a secretary, office space, operating costs and a vehicle. Clearly, the funding is inadequate.

Therefore, BECs must spend significant time and effort on chasing other funding sources rather than concentrating on the primary function of assisting small businesses. BECs are supposed to provide a service to small businesses and provide advice to people who want to set up a small business in a certain locality. I have raised this with the Minister and in this place, but nothing is being done to support business enterprise centres around the State. Regional small businesses are major rural employers, but they face greater costs in travelling time, fuel costs and freight costs, as well as poorer access to e-market facilities than business in metropolitan areas. Their economic situation is very different to that of their city counterparts.

Other than the Regional Business Development Program, the Government provides very few assistance programs for country areas. Even the Department of State and Regional Development web site does not mention that payroll tax, land tax and stamp duty concessions are available. Special programs are advertised for the Illawarra and the Hunter regions, but what about the rest of the State? These things do not exist, despite the huge economic disadvantages in rural and regional areas and despite the fact that businesses must relocate into regional and rural New South Wales. The Minister for Infrastructure and Planning referred to expansion of Western Sydney, but we should expand into the rest of the State as well. New South Wales is a very big State. The Government could pick up its game by giving real and genuine assistance to small businesses. It is time that the Government took stock of what it is doing to country businesses across the whole of the State. [*Time expired.*]

Mrs KARYN PALUZZANO (Penrith) [4.01 p.m.]: Clearly, the Howard Government is supporting its mates at the big end of town at the expense of small business people. Its research and development policy certainly proves that. According to the Australian Bureau of Statistics, small businesses accounted for 11 per cent of research and development expenditure in 2000-01, and businesses employing fewer than 10 people accounted for just 6 per cent of the research and development budget. Small businesses are missing out on research and development because the Howard Government's programs are geared towards the big end of town and not to small and medium size businesses in New South Wales. Small business people have been calling on the Federal Government for a long time to establish improved innovative programs for small and medium enterprises, but instead John Howard has slashed programs aimed at small businesses.

Howard froze the R&D Start Program in 2002. Mr McFarlane ordered 115 innovative businesses that were ready to grow to withdraw their applications. The Commercialising Emerging Technologies [COMET] Program is targeted at small, start-up companies that are trying to commercialise innovative technologies. Before the 2001 Federal election the Liberals announced that the COMET Program for commercialising emerging technologies would be expanded. After the election COMET staff were cut back from 17 to 10. The evidence is clear: The Howard Government is so disinterested in small and medium business that it is not listening to what they need. But this Labor Government cares about, and listens to, small businesses.

Let us look at what small businesses want in research and development. Ms Heather Ridout of the Australian Industry Group told a House of Representatives committee into research and development that to make profits and expand businesses, small businesses need to be more innovative, to develop new products and processes, and to get them to market quickly. The committee stated, after listening to small businesses, that it helps them if government research and development support measures are administratively simple and not too costly. But the Howard Government refuses to listen to small and medium businesses because they do not care about them. Not only do Howard's research and development policies fail to support small businesses, they create obstacles to innovation and growth. Mr Tony Pensabene of the Australian Industry Group told the committee:

Right across the board, when you look at Government programs and services and the degree of administrative burden that small companies have to carry, it is consistently reported that that is a barrier.

The business advisory firm Deloitte Touche Tohmatsu informed the inquiry that it is difficult for businesses to deal with the research and development tax concession and related incentives. It is believed that the paperwork required to register for the tax concession scheme is biased towards larger companies, not small ones. Dr Ralph Lattimore of the Productivity Commission told the committee inquiry:

About one in five firms employing under 20 persons see business programs as generally suitable only for big businesses. About one in five small firms did not have knowledge of programs at all and 20% thought too much paperwork was required.

Mr Elmo Jacob of Newton Pty Ltd told the inquiry:

Smaller companies cannot spend 12 months wasting their time applying for a grant.

Australian businesses will be overrun by overseas competitors if they do not develop new ideas. The Howard Government has unsuccessfully tried to sell its trade deal with the United States to the people of New South Wales. If, and when, the trade agreement becomes operational Australian small businesses will be faced with increased competition from extremely innovative American companies. The only way for Australian small and medium businesses to survive is to develop innovative programs and compete. This will involve spending money on research and development. Small and medium businesses need the Federal Government's support if they are to compete with American companies. But instead Howard is ignoring their calls for help. The inquiry noted that foreign-owned businesses were responsible for more than 40 per cent of business expenditure on research and development in Australia.

The Australian Bureau of Statistics found that within the manufacturing industry 44 per cent of that expenditure came from foreign businesses. Within the wholesale and retail industries foreign-owned businesses accounted for 75 per cent of research and development. The Howard Government is too busy servicing the big end of town to care about the survival of small and medium size businesses in this State. Howard is not listening to small businesses. He is not supporting them in their efforts to be innovative and competitive. That is why Australia faces the shame of being the fifth-last in the OECD for business expenditure on research and development. [*Time expired.*]

Ms GLADYS BEREJIKLIAN (Willoughby) [4.06 p.m.]: The motion moved by the honourable member for Fairfield is part of the regular procession of motions for urgent consideration to deflect attention away from the real issues that confront the people of New South Wales, and instead try to comment on Federal Government policy. I draw the attention of honourable members to the Electricity (Consumer Safety) Bill 2003, which recently passed through this Chamber. On page 45 of the bill under the heading "Electricity Development Fund", it states:

Any money that, on the repeal date, was standing to the credit of the Electricity Development Fund established by section 15 of the repealed Act is to be transferred to the Consolidated Fund.

On this one example the Government has extricated everything involved with research and development dealing with the electricity industry in New South Wales. If I had more time I would be able to produce more examples. It is rather ironic that the Government, which is the highest taxing government in this country, has the audacity to move such a motion. Small businesses in New South Wales are hindered from spending more money on research and development because they spend all their money paying payroll tax and workers compensation premiums. It is this Government that introduced the car space levy to regional centres, such as Parramatta, Chatswood and North Sydney. I am concerned about a current discussion paper, because I fear that the car space levy will extend to other regional areas and that exemptions that currently exist will be reduced. I raise this matter because it would hit hardest small and medium size businesses that may have only four or five spaces. These are the businesses and the types of people that will feel the impact of the outcome of the discussion paper.

Mr Joseph Tripodi: Point of order: I know it is difficult for the honourable member for Willoughby to come up with something intelligent to say, but parking spaces have nothing to do with research and development. The debate concerns small business and research and development, not whether people can afford to pay for their parking spaces.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! There is no point of order.

Ms GLADYS BEREJIKLIAN: Let me leave the State scene and return to the Federal issue that the State Government is so concerned about. The Federal Government has invested \$3 billion over five years to support innovation in small business in Australia. The Backing Australia's Ability initiative was introduced by the Federal Government in 2001 to promote science and innovation. The \$3 billion contributed by the Federal Government over five years represents the most comprehensive set of measures ever put in place by any Australian government in support of science and innovation. The initiative is a whole-of-government approach and its implementation is overseen by a Science and Innovation Ministerial Council which is chaired by the Prime Minister.

That shows that the Federal Government has adopted a whole-of-government approach, as it should, and has committed \$3 billion over five years. The funding began with \$193 million being provided in 2001-02, and was followed by \$419 million in 2002-03 and \$634 million in 2003-04. In 2005-06 the amount of \$1 billion will be contributed. Contrary to the assertions made by the honourable member for Fairfield and the honourable member for Penrith, the Federal Government is on the front foot with support for research and development. The Australian Labor Party had its chance when it was in government for 13 years.

Mr Joseph Tripodi: That is government money. We are talking about the private sector.

Ms GLADYS BEREJIKLIAN: I will come to private sector investment.

Mr Joseph Tripodi: You had better hurry up because there is none. You have washed it all out.

Ms GLADYS BEREJIKLIAN: Has the honourable member for Fairfield finished? Two other programs have been initiated by the Federal Government to assist research and development. One is the R&D Start Program, which is a competitive merit-based grants and loans program that supports businesses and forms part of the Federal Government's \$3 billion innovation statement. The research and development tax concession is another example of Federal Government assistance. It is a broad-based market-driven tax concession which allows companies, when lodging their corporate taxation returns, to deduct up to 125 per cent of qualifying expenditure that is incurred on research and development activities. A 175 per cent premium or incremental tax concession and a research and development taxation offset are also available in certain circumstances. That is hardly evidence of a Government that does not support private sector research and development. [*Time expired.*]

Ms NOREEN HAY (Wollongong) [4.11 p.m.]: When reviewing the House of Representatives inquiry into research and development, Dr Stuart Carr of the Australian Nuclear Science and Technology Organisation told the inquiry:

Business R&D is greatly affected by the general macro-economic environment in which businesses operate. This environment includes the education, taxation and regulatory systems, each of which is significantly affected by decisions of governments. You cannot talk about science and innovation without talking about tax, education and business.

The Howard Government has failed on all three counts. The Howard Government has failed on tax. It cut the Labor research and development taxation concession from 150 per cent to 125 per cent in 1997. Prime Minister Howard made a \$2 billion cut in the research and development taxation concession in his 1996 budget. The Howard Government also has failed abysmally on education. The House of Representatives inquiry quoted several witnesses who said that Australia does not produce enough engineers, scientists and technologists. But at a time when businesses have identified a shortage of research and development skill in Australia, the Howard Government is cutting funding to universities. Small and medium-size businesses also told that the House of Representatives inquiry that many professionals in Australia do not possess the required skills to develop innovative ideas and compete internationally. The Federation of Australian Scientific and Technological Societies stated:

One of the key obstacles to commercialisation was recognition by scientists ... that they lack the skills to handle the commercialisation process—and they do not know how to gain private support for their work.

One company stated:

People being trained in these professions are not receiving training in how to read a balance sheet or in how new technology might be commercialised.

Mr Arthur Yencken told the inquiry:

The proportion of research scientists and engineers who work in business in Australia is abysmally low: it is 26% in the latest ABS figures.

Small and medium-size businesses are complaining that the Howard Government has failed to address their concerns. In 1995-96 business expenditure on research and development reached a high point of 0.87 per cent of gross domestic product. The Howard Government slashed funding to research and development and caused the crash in business research and development that has resulted in what it is today. Australia now faces the shame of being the fifth-last in the world in support for business research and development. To cover up this catastrophe in an election year the Howard Government has begun to desperately pump money into research and development programs.

However, the answer is not to spend big, but to spend smart. Businesses told the inquiry that the major problem with Prime Minister Howard's policies is that they are inconsistent and ineffective. But Prime Minister Howard refuses to listen. He continues to waste taxpayers' dollars on ineffective policies. The House of Representatives inquiry noted that witnesses thought the Howard Government's programs were too oriented toward public sector research institutions to the detriment of private businesses. Mr Rob Durie of the Australian Institute of International Affairs told the House of Representatives inquiry:

Compared to other countries, very little direct Government funding goes to the private sector.

Wildlife Management International Pty Ltd told the inquiry:

Taxpayers' money is used continually to favour research and the government sector, other than the private sector.

The Howard Government is not listening to what businesses want. It is wasting taxpayers' hard-earned money on ineffective policies that are creating barriers to innovation and competitiveness for small and medium businesses.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! It being 4.15 p.m., pursuant to sessional orders the debate is now interrupted and the amendment and the motion lapse.

SPECIAL ADJOURNMENT

Motion by Mr Kerry Hickey agreed to:

That the House at its rising this day do adjourn until Friday 12 March 2004 at 10.00 a.m.

PRIVATE MEMBERS' STATEMENTS

BILAMBIL PUBLIC SCHOOL ACHIEVEMENTS

Mr NEVILLE NEWELL (Tweed—Parliamentary Secretary) [4.17 p.m.]: It gives me great pleasure to draw to the attention of the House significant achievements of the Bilambil Public School and its community. Last Wednesday I visited the Bilambil Public School to congratulate Jenny Eather on the wonderful achievement of being among 10 inaugural winners of the Integration of Information and Communication Technologies Award announced by the Deputy Premier, Dr Andrew Refshauge, at the sitting of Parliament in February. The award recognises public school teachers who have come up with smart and effective ways for students to learn through clever technology. Ms Eather's achievements were in the development of the school's first web site, which subsequently earned several awards and high recognition for its design, including Local Web Site of the Year 2000, being a finalist in the Australian Schools Web Challenge in 1999 and an About Us New South Wales Department of Education and Training Award in 1998.

I had first-hand experience on the Bilambil school web site and was amazed at what Ms Eather had achieved. The students were heavily involved in all aspects of the web site's development, including development of a student social skills program for use by other students in handling day-to-day problems, entry into the Colourful Lexmark Competition with a winning entry, and an Olympic program which was chosen by an American primary school to support its understanding of the Sydney Olympic Games. The students also participated in a classroom-connect program with a United States school. The web site provides broad contacts of an educational nature for students, teachers and parents, as well as insight into the school and its history.

Jenny Eather's most significant contribution to technology is her development of the worldwide acclaimed *Maths Dictionary for Kids*. Jenny solely developed this program for use not only by the students of Bilambil school, but a worldwide audience through its distribution on the world wide web. This program receives daily recognition via the Internet, from rural outposts in India to universities in the United States of America. Only this year it has been chosen by the Horzitz education group to be included and distributed through its Maths Plus series in public schools across all Australian States. It is currently listed as an exemplary web site for education worldwide and was included in the Eisenhower National Clearing House Monthly Digital Dozen in March 2003.

As well, Jenny is a member of the expert focus group, Maths for Learning Federation, and her current work with the commissioning editor of the Curriculum Corporation involves developing software specifically

designed for primary students. She is negotiating with a United Kingdom publisher for the world-wide English speaking rights for "A Maths Dictionary for Kids" CD-ROM. The most amazing aspect of these achievements is that Jenny Eather is totally self-taught. She attended an Apple Mac support group, where she gained some computer skills, and the rest is history. She was the assistant principal at Bilambil Public School prior to her retirement in 2002 and she was also the information technology co-ordinator for eight years.

After Jenny's retirement, the principal, Ms Ros Hodge, offered her a position for three hours per day with the Reading Recovery Program, which Jenny, being keen to keep working with the students, readily accepted. Ms Ros Hodge found further funds, which allowed Jenny to continue to work with students and other teachers, training in many aspects of information and communication technology, including word processing, spread sheets, et cetera. Her contribution to Bilambil Public School's students and teachers has been and continues to be invaluable.

Bilambil Public School has had a range of achievements across the board during the past 12 months. It had 54 students perform in the northern schools' Under the Big Top held at Lismore. The concert included 2,500 students from across the North Coast, from Port Macquarie to Tweed Heads. Bilambil students were members of the massed choir, part of the dance item and solo performers in a singing group, using signed English. Ms Hodge was particularly proud of the number of boys involved in the dance group; they comprised almost half the total of the 25 students. Bilambil boys softball team was the Far North Coast champion team in 2003, with four members representing the North Coast at the State championships. During the latter part of 2003 Ms Hodge initiated a new program for students from years 3 to 6 who demonstrated learning or behaviour difficulties to be provided with one session per week in combining a manual activity, such as gardening or the restoration of old furniture, with elements of literacy.

Ms Ros Hodge is retiring this year after 14 years as a principal of public schools, 10 of which were with Bilambil Public School. Ros is also returning to the education system after retirement to work in block terms as an itinerant teacher for deaf students, which is her forte. Ms Hodge has been another wonderful achiever in our public school system, teaching our children values as part of the curriculum and putting these values into practice daily. The values debate was prompted by the Prime Minister's baseless generalisations that public schools are a values vacuum. Those dedicated public school teachers and principals who work beyond the call of duty every day and then beyond their retirement deserve much better than that from the Prime Minister, who, as the leader of this country should be proud of our public schools.

ASQUITH GIRLS HIGH SCHOOL INTERNATIONAL WOMEN'S DAY CELEBRATIONS

Mrs JUDY HOPWOOD (Hornsby) [4.22 p.m.]: It gives me great pleasure to talk about a breakfast I attended recently at Asquith Girls High School in celebration of International Women's Day, held on 4 March. The breakfast promoted Mahboba's Promise, an initiative that I will outline shortly. In attendance at the breakfast were the principal, Dr Kristine Needham; guest speaker Mahboba Rawi; two volunteer project officers from the charity, Mahboba's Promise, Marianne Leashman and Carmel Nola; and former student and special guest Hela Ebrahimi and her mother, Mrs Ebrahimi; guest speakers Cocheene Smith, a student, and her mother, Sima Bahkteary; the Regional Director of Education, Northern Sydney, Ms Carol Mills; the Hornsby Education Area Director, Mr Denis Osborne; and former Assistant Director-General of Education, Metropolitan West Region, Mr Reg Pollock and Mrs Heather Pollock.

Also present were staff and student representatives from Asquith Boys High School, Carlingford High School, Castle Hill High School, Hornsby North Public School, Muirfield High School, Pennant Hills High School and Hornsby-Ku-ring-gai Community College, including the principal, Mrs Elaine Harris; a representative of Hornsby School Education Office; a former principal, Ms Ros Moxham; past captains, vice-captains and senior prefects; the current captain, Lauren Harding, and vice-captains Nicole Stalder and Caysey Jackman; representatives of the Hornsby and Ku-ring-gai business community; supporters and parents of Asquith Girls High School, and many staff and students. More than 130 people attended the breakfast. Marianne Bonner, a teacher at the school, was awarded a Pride of Workmanship Award by Berowra Rotary, predominantly in relation to the social justice group that she helped Dr Needham to set up.

In keeping with Asquith Girls High School strategic directions, a comprehensive set of initiatives that students will pursue for themselves in relation to learning and the community, I highly commend the school for being the first high school in New South Wales to set up a sister-school relationship with a school in Afghanistan, the Girls School of Abdaru, in the Panshir Valley. Mahboba fled Soviet expansion in her home country of Afghanistan in 1984, and lived for two years in a Pakistan refugee camp before moving to Australia

and founding her initiative, Mahboba's Promise, in 1996 in response to the suffering, poverty and tragedy that Afghanistan's people have suffered for the past two decades. She began to raise money and awareness among the Australian community for the plight of Afghan orphans living in refugee camps, with a vision that has crystallised in the form of Mahboba's Promise, a non-profit organisation dedicated to directly improving the lives of the widows and orphans of Afghanistan.

Mahboba is living proof that one courageous person can make a difference in providing orphans and widows in refugee camps with daily bread and clean water, basic medical services, some form of education and some hope for the future. Mahboba pointed out that in Afghanistan only 3 per cent of women receive an education. Their camps have no toilets, no school and no water. Predominantly the women are thirsty for education and the children are appreciative of everything done for them. Through Mahboba's Promise, Asquith Girls High School sponsors a sister-school in Panshir Valley. The project benefits both Afghanistan and the students. The students make a practical and substantial contribution to the establishment of the school while gaining an awareness of the needs of others and their roles as global citizens. Through school fundraising, the school raises money to cover the costs of the Panshir Valley girls school, including maintenance, supplies, equipment and resources. In return the Afghan school promises to not refuse education to any child.

I congratulate the school, Dr Needham and the teaching staff on their leadership initiatives. It is absolutely fantastic that a school in my electorate has such a wonderful capacity to encourage and inspire leadership amongst the girls. Nothing was more fitting on International Women's Day than to attend such a celebration breakfast and to feel so motivated.

ST GEORGE ILLAWARRA DRAGONS SEASON LAUNCH

Mr KEVIN GREENE (Georges River) [4.27 p.m.]: Last Friday evening my wife, Frances, and I, with my colleague the honourable member for Kogarah, Cherie Burton, attended the season launch of St George Illawarra Dragons, the number one club in the National Rugby League. The function was extremely enjoyable and a tribute to the organisation of the club's chief executive officer, Peter Doust, and his staff. The Chairman, Warren Lockwood, and all associated with the Dragons look forward to a successful season. It was tremendous to see the players, who were all very well attired, mixing with the sponsors, media and officials. It was also good to see St George's three immortals—Reg Gasnier, Graeme Langlands and Johnny Raper—in attendance as the Dragons look to build on the club's proud tradition. That tradition, of course, traces back to the roots of the club, which, as members would be aware, is the amalgamation of two proud rugby league strongholds.

On Saturday my family and I attended Kogarah's Jubilee Oval to celebrate the legends of the St George club. When the Dragons returned to Jubilee Oval last year—thanks to the financial support of the State Government, Kogarah Municipal Council, St George Leagues Club and community donations—it was decided to incorporate a tribute to some of the St George club's greatest players. That tribute was unveiled last Saturday. Despite the poor weather conditions, with rain continuing throughout the ceremony, hundreds of St George supporters gathered under umbrellas to see the commemorative plaques unveiled. While there will always be personal bias as to who are the best players I doubt that anyone in attendance last Saturday would argue with the selection of the 16 players who are the inaugural inductees in the Legends Walk.

Players from the golden era of the 1950s and 1960s dominated, but there were players selected from every decade between the 1940s and the 1990s. They included Brian Clay, Mark Coyne, Reg Gasnier, Ken Kearney, Johnny King, Graeme Langlands, Eddie Lumsden, Matt McCoy, Noel Pidding, Norm Provan, Johnny Raper, Rod Reddy, Kevin Ryan, Billy Smith, Ian Walsh and Craig Young, who were all outstanding players not only for St George but for their State and country.

Sadly, Brian Clay, who is deceased, and Eddie Lumsden, who apologised as he was unable to travel down from Maitland, were unable to attend, but the other 14 legends were all there to share this significant moment in the history of the St George club. The record of each player, which is outlined on the plaques, was read out to the crowd. I am certain that they, like me, reflected on each player's remarkable deeds. Every name stirred memories of try-saving tackles, thrilling runs and premierships successes. While each player had his own style and individual character, each shared the St George passion and loyalty to the team and the club. The St George name is known worldwide. It is the deeds of these great champions that have spread that fame.

While the majority of thoughts on Saturday were about players and their performances, I also reflected on the community aspect of the ceremony. There we were in our hundreds, standing in the rain, drawn together by the efforts of our sporting heroes, each of us with a passion for St George and a love for the red and white.

The strength of community spirit was certainly on display last Saturday. It was a great privilege to be in attendance. I thank the organisers for giving me that opportunity to attend. Sadly, I could not stay for the reception. However, I am sure that many great St George tries and premierships were rightly relived. I was thinking recently about a story that my father used to tell me about Noel Pidding scoring 10 points in two minutes at the cricket ground in the early 1950s.

A couple of weeks ago, I reflected on that story with Warren Saunders, a good friend of mine. I said to him, "My father used to tell me this story but I am not sure whether or not he amplified it." Warren quickly chimed in and said, "It is true. It was against eastern suburbs at the Sydney Cricket Ground. He scored a try in the corner, kicked a goal, got the ball from the kick off, scored again and then kicked another goal." That story, which my father told me when I was very young, was something that I reflected on last Saturday. As I said earlier, I am sure that plenty of other people who attended that ceremony on Saturday reflected on similar tales of St George legends.

Congratulations go to Frank Bates, the project co-ordinator. His hard work and devotion to his task were rewarded on Saturday. Frank was not undertaking a job; he was fulfilling a dream. His passion was obvious. I thank the Mayor of Kogarah, Jim Taylor, a St George man to his back teeth, and Kogarah's general manager, Gary Sawyer, for their commitment to having St George at their spiritual home. I also thank Hurstville and Rockdale councils for their financial contributions. The Mayor of Hurstville, Councillor Vince Badalati, and the Mayor of Rockdale, Councillor Yvonne Bellamy, were in attendance. St George football club chairman, Peter Black, was a proud man on Saturday. He and his committee established the Legends Walk, a new landmark in the St George district.

The St George chief executive officer, Robert Stone, who has been the father of the return to Jubilee Oval for the Dragons, was also in attendance on Saturday—something that I am sure members expected. However, three days earlier he had a brain tumour removed and he left his hospital bed to attend. No-one ever doubted his toughness, which was reinforced on Saturday, as was his passion for St George. To all involved with this project I say, "Well done." To our legends I say, "Congratulations and thank you." We look forward to entering Jubilee Oval so that we can forever reflect on their marvellous deeds and our special memories. Go the Dragons in 2004!

POLICE FIREARMS REGISTRY

Mr GREG APLIN (Albury) [4.32 p.m.]: I draw to the attention of honourable members, particularly the Minister for Police, the unacceptable delays confronting members of the Albury electorate in their dealings with the New South Wales Police Firearms Registry. I seek answers to several questions. Why have applicants for category H licences, the sport/target shooting licences, had to wait eight months for their applications to be processed? Why are licensed shooters waiting over seven weeks for a permit to purchase firearms? I ask honourable members to consider the letter from a Corowa resident, a sporting shooter for over 25 years and a member of the armed services. He wrote to tell me that he was purchasing a firearm from a dealer in Albury and that he had completed and sent off a permit to purchase. We all know that there is a 28-day waiting period, but this applicant has been waiting now for over seven weeks. Is that normal? It certainly is not acceptable to the applicant and it is a great inconvenience to the business supplying the firearm, in this case Elk's Hunting and Fishing in Albury.

In another letter the secretary of the Hume Pistol Club Inc. in Albury has written at length of the problems confronting members of that club. He writes of the revenue-raising doubling of the fee for firearm licences and the unfair impact of that unreasonable increase on those applicants who have been waiting months for their licences to be processed. He queries whether by a combination of ramping up licence fees and imposing convoluted regulation the Government is trying to force law-abiding citizens out of their chosen sport. The secretary of the Hume Pistol Club advises that a new member joined the club in July 2003 and a temporary membership form was sent to the Police Firearms Registry.

As that individual was familiar with firearms and ranges, having been a sporting shooter in another State, he completed his safety training over one weekend and then filled out his application for a firearms licence. That application was posted on 17 July 2003. There was no complaint from the registry that his application was incomplete; it has simply been lost in the system for eight months. Yet one week after this application a female member of the club sent in her form and it was processed, so she received her full category H licence in September 2003. It is odd that one is processed efficiently and one is lost in the system for eight months.

That lost application is not unique. On 17 August 2003 another member sent in his application for a category H licence. He has now been waiting for almost seven months. These two applicants are now close to finishing their second temporary membership of the pistol club and they will have to stop shooting as they will not be issued a third probationary licence. As the secretary of the club notes, those men have met the conditions for probationary licences, they have completed the first part of their new licence program, but they have not received their full licences and will have to sit out another six months before they can purchase firearms. Why should they have to wait a whole year because of the delays in processing their applications? Surely the Police Firearms Registry can backdate their licences to 1 October 2003 to put them on a level playing field with applicants who are only now applying. That procedure is applied to category H applicants moving from interstate, so it should be possible for residents of this State who have suffered because of delays in the system.

The Police Firearms Registry appears to be grossly understaffed, and these unacceptable delays must be concerning to the hard-pressed people who are working there. Several constituents have contacted me to advise of their difficulties in making contact with the Police Firearms Registry on the 1300 number. One caller tried over four days and left his phone number on six occasions, hoping for a return call. He received no response. My electorate officer endeavoured to assist and phoned the number on Tuesday this week but was placed on a loop call for two hours without any contact being made. This is the style of the New South Wales Government in 2004, and it is simply not acceptable.

But it gets worse. A family of sporting shooters in the Hume Pistol Club hold titles at a national level. Peter, Deanna and Lee Rohrich were hoping to defend their titles, but their firearms were declared illegal as a result of recent legislation. They turned in their firearms during the buy-back and applied for permits to purchase new firearms to defend their titles at matches over the next two months. They have been told by the Police Firearms Registry that it will be at least eight weeks before they will even be entered into the system and they will then have to wait the compulsory 28 days. I call on the Minister to take immediate steps to assist these people and to address the situation in the New South Wales Police Firearms Registry.

WOY WOY COURTHOUSE

Ms ANDREWS (Peats) [4.37 p.m.]: Today I inform honourable members of the opening of extensions to Woy Woy courthouse on Wednesday 3 March 2004. Woy Woy courthouse is ideally located in the centre of the town's central business district. It is within a short walking distance of Woy Woy railway station and it is on a well-serviced bus route. The courthouse, which backs onto a council reserve, is close to Woy Woy oval. The courthouse was originally opened on 27 July 1973. I have no doubt that that occasion was marked with much pomp and ceremony. The Attorney General at the time was the Hon. John Maddison. I point out that there was an important link between that opening and the opening last week. The link was Mr John Yakalis, a well-known and respected member of the local community.

In the early 1970s, when John was working for the then Department of the Attorney General and Justice, he and the Attorney General, armed with a 200-foot tape, measured the ground for the proposed courthouse and police station at Woy Woy. John's career as a State public servant spanned 46 years. The police station, which in recent years has been extensively upgraded, was never relocated from its original position opposite the courthouse. That left a vacant block of land adjacent to the new courthouse. A number of constituents sought and received my assistance in making representations to the Attorney General to retain that land for the construction of a facility to benefit the community.

I am pleased to be able to report to the House that those representations were successful. I was delighted when the Attorney General announced that Woy Woy courthouse would be extended to enable specialised care and criminal matters to be heard. I thank the Attorney General for approving those major capital works, which cost \$2.7 million. The builders, Artel Constructions Pty Ltd, of West Gosford, are to be congratulated on a job well done. That project created a number of jobs for local residents and the work was carried out with the minimum amount of disruption to the pre-existing courthouse.

The upgrade of the court includes specialist services and facilities to enable both care and criminal matters to be heard, including conferencing and interviewing facilities; facilities to accommodate children's registrars and specialist children's magistrates; an extension of disabled access to include staff and magistrates; a domestic violence room with toilet facilities; facilities for mothers; fenced external areas for children, with two discrete paved play areas; a new secure van dock; detainee interview rooms; and six holding rooms.

The Children's Court of New South Wales will be the primary user of this new facility, and as such will deal with juvenile matters in an environment tailored specifically to young people who, for various reasons,

come in contact with the court. This includes difficult abuse and neglect cases on the Central Coast as well as cases involving juvenile offenders. The Attorney General told those in attendance at the opening that the facility would provide access to a wide range of justice services and form part of a network of courts at Gosford and Wyong, serving the Central Coast. The Attorney General described the extensions as another milestone in the development of Woy Woy that represented a major undertaking by the Carr Government to upgrade New South Wales courts progressively.

Guests at the opening included a number of prominent persons within the New South Wales judicial system. Apart from the Attorney General, who officially opened the extensions, guests included His Honour Judge Price, Chief Magistrate of New South Wales, who was a key speaker at the opening; Mr Roger Dive, Senior Children's Magistrate; Ms Elizabeth Ellis, Children's Court Magistrate; Mr Laurie Glanfield, Director General of the Attorney General's Department, who was the master of ceremonies; Mr John Arms, Registrar of the Gosford court; Mr Geoff Hiatt, Acting Director of Local Courts; Mr Gary Byles, Sheriff of New South Wales; and Mr Reg Kruit of the Sheriff's Office, North Region. In addition, representatives from the Department of Juvenile Justice and Woy Woy court staff Caroline Lagos, Kim Gould, Kylie Dodds and Jan Reece were also in attendance.

Understandably, a number of solicitors representing legal firms based in Woy Woy or other locations on the Central Coast also attended the opening. As the court extensions will create more local jobs it is appropriate that the Peninsula Chamber of Commerce was also represented. There were also representatives of voluntary organisations that provide support services for persons appearing in court. I make special mention of the Central Coast Domestic Violence Court Assistance Scheme and Anglican Church Coffee and Care Court Support. Julie Parsons, project officer for the Woy Woy Peninsula Crime Prevention Project, which is funded by the Premier's Department, was also in attendance.

The local Darkinjung Aboriginal Land Council was represented by its co-ordinator, Mr Roger Sentance. Other prominent local residents to attend the opening were Mr David Chandler, Chairman of Central Coast Health; Mrs Jean Martin, widow of former Federal member for Banks, Vince Martin; Ms Heather McKenzie, recipient of Gosford City Council's Citizen of the Year Australia Day 2004 Award; and Mrs Bev Thompson, recipient of Gosford City Council's Services to the Disabled Australia Day 2004 award. [*Time expired.*]

STOCK OVER/UNDERPASS ROAD SAFETY PROGRAM

Mrs SHELLEY HANCOCK (South Coast) [4.42 p.m.]: I speak this evening in support of the South Coast and Highlands Dairy Industry Group, and its continuing work to promote the Stock Over/Underpass Road Safety Program, which is also known as the SOURS program. This program is similar to one already established in Victoria, under which essentially dollar for dollar funding is provided to build safe underpasses or overpasses that allow stock to cross busy roads and to establish consistent signage, rules and guidelines for safe stock crossings across the State.

I attended a specially convened meeting of the dairy industry group [DIG] last Thursday, which was also attended by my colleague the honourable member for Kiama; Joe Chittick, chairman of the group; dairy farmers from the electorates of Kiama and Southern Highlands and my electorate of South Coast; and representatives of Shoalhaven and Kiama councils and the Moss Vale Rural Lands Protection Board. It was noted at the meeting that the Liberal-National Coalition had supported the SOURS initiative prior to the March election. There was specific reference to the honourable member for Southern Highlands and to me and to the joint press release that we issued in January 2003, stating that the matter is about:

... standing up for our rural industries, understanding the effect of increasing urban pressures and ensuring that traditional farming activities are not squeezed out by new logistic problems like traffic.

The DIG has called for assistance in circumstances where farmers own property that is divided by a rural road—which over decades has become a busy, high-speed local or regional road—across which stock must cross as often as four times a day. Historically, stock crossed roads such as Bolong Road in my electorate quite safely—it was a quiet rural road and locals understood animal behaviour and waited patiently until the stock had crossed, probably somewhat enjoying the experience. How things have changed!

Last week as part of the DIG meeting participants travelled by bus to a stock-crossing site on Bolong Road, Bomaderry and, as if scripted, watched a small car that was exceeding the speed limit screech to a halt. The driver, who was attempting to avoid the two-minute delay, almost collided with the cattle crossing the road.

The driver was impatient and hostile and proceeded to abuse the dairy farmer. It was a most unfortunate incident but typical of the problems that the DIG is trying to resolve. An underpass to allow stock to cross beneath the road would resolve the problem—an accident is waiting to happen four times a day—and avert potential disaster on Bolong Road. Traffic numbers have increased fourfold in recent years and increased urban development has contributed to the problem.

Dairy farmers in my electorate who are struggling to remain viable need the assistance of government at all levels to seek and find solutions to the problems of stock crossings. I call on the State Government to show the same leadership as that which was shown in Victoria and to invest in this initiative and work towards introducing a consistent set of signs, rules and guidelines. I also encourage the honourable member for Kiama to take this issue to his party, as he witnessed first-hand the problems being experienced in the area. The subsidy costs the Victorian Government a meagre \$20,000 per crossing. That is a very small price to pay to avert road crashes, and possibly fatalities, on increasingly busy rural roads.

Underpinning this initiative is the fact that we must ensure the safety and welfare of farmers, motorists and livestock while helping our farmers to remain viable. This initiative is a way of doing that. I will be monitoring very closely the actions of the honourable member for Kiama in this matter. He recently hosted a \$100-per-head dinner in Parliament House for South Coast dairy farmers. Many of them complained to me afterwards that it was quite a costly event and that they could ill afford the expense but they wanted to see if any benefits would flow from it. The honourable member for Kiama subsequently moved a motion in this place in support of dairy farmers.

This is another opportunity for the honourable member for Kiama to show leadership in this area. He could replace his rhetoric with action by demonstrating his commitment to helping dairy farmers on the South Coast. The honourable member showed interest at the meeting and I discussed with him later the need to take a bipartisan approach to this issue. It is not a matter that many members who represent city electorates would be aware of but it is a growing problem in country areas where busy roads and increased traffic movements could cause disaster. I ask the Government to show some leadership and assist dairy farmers throughout New South Wales by adopting the Victorian initiative.

WOLLI CREEK PRESERVATION SOCIETY

Ms LINDA BURNEY (Canterbury) [4.47 p.m.]: I draw to the attention of the House the Wolli Creek Preservation Society, a volunteer community organisation in the electorate of Canterbury. The society was formed in 1983 and was incorporated under the Associations Incorporation Act. It actively opposed the construction of a motorway through the valley and is currently engaged in community consultation about the Wolli Creek regional park that is being conducted by the National Parks and Wildlife Service and the Roads and Traffic Authority. The Wolli Creek Preservation Society is the community in action. The society's objectives are to preserve the Wolli Creek and Bardwell Creek valleys in a natural condition, remove all country and road reservations affecting the valleys, protect the area from further urban development, encourage the re-establishment of native flora and fauna, and encourage and participate in the development of Wolli Creek Valley as a passive outdoor recreational, educational and scientific resource.

Some people might say that there are many of these sorts of societies around. However, this organisation is special. Wolli Creek valley is the last remnant of bushland in inner south-western Sydney. It is an oasis. Located behind Earlwood, it is surrounded by much development and many houses. A few weeks ago I walked through the valley with a prominent member of the society, Peter Steven, and I was absolutely astounded by what I saw. I could have been anywhere—it certainly did not feel as though I was in Sydney. The society protected the valley from having the M5-East go through it, but it did not win in relation to the ventilation stack, which is in the valley. The society has done much to raise public awareness about this incredible oasis.

The valley, in inner western Sydney, is home to many animals, including lizards, wombats and bird life. This is important to the whole of the Sydney Basin. The society is working very closely with the National Parks and Wildlife Service and the Roads and Traffic Authority, together with other sections of government, to develop a regional park plan of management for the Wolli Creek Valley, which will become a regional park. Many honourable members, particularly those who live in the urbanised parts of Sydney, do not understand what we have in our own backyard. The Wolli Creek Preservation Society has certainly shown me the jewel in the crown of the Canterbury electorate.

The valley begins basically at Tempe, which is very much part of the city, and extends to Bexley North. When I walked through the valley I saw remnants of rain forests and an extraordinary amount of natural flora

and fauna. I could actually glimpse what Sydney must have been like before British invasion. There is also much evidence of Aboriginal occupation many years ago. When I walked through the valley I realised that it must be protected. For it to be protected there needs to be an effort not just from the Wolli Creek Preservation Society but also from government. One of my great pleasures is to work closely with the Wolli Creek Preservation Society, which has also done a lot of voluntary work in bush regeneration. In the middle of the valley is Nanny Goat Hill, which I climbed. From the top of the hill I could see Botany Bay and a range of other sights in this beautiful part of Sydney and this very important part of Sydney's inner western suburbs. I had very sore legs after climbing Nanny Goat Hill.

WATER RESTRICTIONS

Mr WAYNE MERTON (Baulkham Hills) [4.52 p.m.]: Water restrictions are of concern to many people within the Baulkham Hills electorate. Residents have borne the brunt of mandatory water restrictions while 10.7 per cent of Sydney's water is wasted every year just through leaking pipes. When the Carr Government took office in 1995 it halted all discussion and consideration of expanding Sydney's water storage facilities, despite 50,000 additional people populating Sydney every year. At the same time, in almost 10 years in government it has failed to manage its own water delivery system effectively. I can certainly understand and share the frustration of my constituents.

The Carr Government introduced mandatory water restrictions on 1 October 2003. On 3 October 2003, at the request of Mr Terry Page of Northmead, I wrote to the Premier querying the contingency plans if Sydney's water supply level got down to 20, 10 or 5 per cent of capacity. The Premier referred my representations to the Minister for Energy and Utilities for a reply. Over five months later, I am still waiting for his reply, despite the fact that my office was advised by the Minister's office on 15 January that a response was awaiting signature. Nearly two months is a long time for a Minister to sign his name. One must question what is happening.

On 3 October 2003 I raised another query on behalf of Mr Page to the Minister for Energy and Utilities. Mr Page advised that he and his wife have travelled extensively in outback areas for more than 20 years and they both understand the need to conserve water. They use very little water themselves. He advised me that he does not wash his car very often and he is happy to use a bucket to wash the visible surfaces. However, he asserts that safety requires that mud and dirt be cleaned periodically from under mudguards, chassis, et cetera, which he does about five or six times a year. Mr constituent had a simple question for the Minister. He asked how this could be done effectively without the use of a hose. However, five months later, he still has not received an answer.

The uncertainty surrounding the Government's plans in relation to water restrictions is also having a disastrous effect on the livelihood of many people. To give one example, the general manager of Hawkesbury Valley Irrigations lives in my electorate. He has advised that as a result of the mandatory water restrictions that business has declined by more than 40 per cent as customers are discouraged from watering their gardens and lawns. He has raised his concerns that the foreshadowed imposition of stage two water restrictions, including a ban on watering gardens and lawns by hose, will further undermine the business and perhaps cause it to close. He is seeking a commitment from the Minister that his business will not be adversely affected by stage two water restrictions, and that the Minister will address the losses that this company is currently forced to accept.

Water supply in New South Wales is of paramount importance. Realistically, when the north-west sector development—which was signed off by the present Premier when he was Minister for Planning—is fully developed it will be the size of Canberra, with 250,000 people who will live in 80,000 new homes. How does the Government intend to provide an adequate and reasonable supply of water for the people of Sydney? We cannot continue indefinitely to curtail the use of water to the extent that restrictions continue to be introduced. If the present restrictions are inadequate and stage two restrictions are introduced, will stage three restrictions be introduced?

There must be a plan. It is time that the Government seriously grasped the issue, took the initiative and did something about the supply of water for New South Wales, particularly metropolitan Sydney. Development in Sydney is increasing and more people are electing to live in Sydney, yet this Government pretends there is not a lack of water; it hopes the problem will go away. I have news for the Minister for Energy and Utilities, the Premier and the other members of the Carr Government: More people are coming to live in Sydney and something must be done about our water supply. The Government has to bite the bullet, take the initiative, be courageous and do something. The days of gloss and glamour and spin doctors have gone. People are looking for substance. We want reality, something that the Government does not have. [*Time expired.*]

SPORT RAGE

Ms NOREEN HAY (Wollongong) [4.57 p.m.]: Today I bring to the attention of the House a growing problem in our society that affects children participating in what should be a fun, enjoyable, pressure-free activity. I am talking about sport. This Labor Government works hard to encourage young people to participate in organised sport and recreational activities. We all know how beneficial sport and recreation can be in improving the physical, mental and social wellbeing of our young people. In my electorate of Wollongong, sport and recreation is at the forefront of building physical fitness, fostering teamwork and curbing childhood obesity, and is an effective tool in attacking the causes of crime.

A number of skills and abilities developed in sport have been shown to transfer to non-sporting careers. These skills include self-assurance, self-motivation and dedication, and the ability to perform under pressure, meet deadlines and challenges, set and attain goals, recognise one's limitations and solve problems. The cloud that is looming over organised sport, an obstacle that the Government is attempting to tackle, is the increasing incidence of sport rage. Sport rage affects everyone involved in sport, but most importantly it affects the children. It is also a crucial factor in the growing reluctance of people to volunteer their time for sports, whether it be in administration, coaching or officiating as an umpire or referee.

Sports rage is violence, bad language, abuse and general bad behaviour by players, coaches, officials or spectators. While friendly rivalry on the sporting field is a healthy part of growing up, when the line between competition and aggression is crossed there are no winners. Simply put, sports rage is bad for the children and bad for sport as a whole. At its worst, sports rage understandably reduces a child's enjoyment of sport, undermines the benefits, and can lead to stress in children and their refusal to continue playing. As a mother of four now grown-up children, and grandmother of three children, I can assure the House that this is not a new problem.

I can recall countless times when I have witnessed a child being abused from the sidelines by a parent or a coach, or a parent reducing a young school-age referee to tears for making a decision they did not agree with. Gender does not discriminate in sports rage either. Mothers were just as abusive at my daughter's netball games as fathers were at my son's football and basketball games. I have witnessed obviously talented children pushed by overzealous parents to the point of dropping out and refusing to play the sport they once loved.

Our Australian culture is so steeped in sport and Aussie sportsmanship that it is disappointing to see this kind of behaviour threatening our children's sporting lives. While sports rage is often the result of many factors, parents can reduce incidents by being good role models and helping create a positive sporting environment. I applaud the recent initiative taken by the New South Wales Labor Government and the Minister for Sport and Recreation to address this serious problem of sports rage by launching a Sport Rage Pilot Prevention Guide, which is currently being trialled. The sports rage kit provides a range of information to assist parents on how to set appropriate boundaries for behaviour towards players, officials, referees, coaches and administrators.

A strategy list for clubs offering advice on how they should deal with sports rage when an incident occurs is also available. I will be encouraging schools and clubs, parents and the community in my electorate of Wollongong to participate in the pilot program. I would urge parents to keep in mind that, to children, the scoreboard is rarely the incentive or reason for them playing sport. What they find most satisfying and memorable is being with their friends, being part of a team and feeling that their coaches, parents and supporters have a sense of pride in their participation, rather than the eventual outcome.

BOWRAL 8 RAR MEMORIAL DAY

Ms PETA SEATON (Southern Highlands) [5.02 p.m.]: I would like to bring to the attention of the House two very special ceremonies that took place in Bowral on 28 February this year. The first was the rededication of the 8 RAR Association Memorial in Cherry Tree Walk in Bowral. This took place on Long Hai Memorial Day. We had an extremely special ceremony attended by His Excellency the Governor-General. It made the ceremony particularly important to the many Vietnam veterans who were there. A narrative of 8 RAR operations in February 1970 was read by Kevin Sullivan. We had a very special service, the rededication of the memorial, and of course prayers and blessings. I would like to mention also that present was New South Wales President Mick Carter. The names of all Australians from 8 RAR who died were read out at the ceremony. If I have time I will mention all of those names.

We then moved forward to a different part of Bowral Cherry Tree Walk, where a special ceremony took place to rededicate the refurbished major monument at the Cherry Tree Walk. Many people were in attendance there. They included His Excellency the Governor-General, Major-General Michael Jeffery. His wife was unable to attend because she was not well, and she was greatly missed. John Fahey was in attendance. The honourable member for Heathcote, who is in the Chamber at the moment, attended as the representative of the Premier. He laid a wreath on behalf of the Premier, as was fitting because some funding from the State Government had been used to enable the rebuilding of the 8 RAR monument. That was very much appreciated by Vietnam veterans.

We had representatives of the St George Bank, Integral Energy, Sir David and Lady Griffin, Paul Ramsay from Ramsay Health, executives from 8 RAR, and the mayor and lady mayoress. We had veterans from almost every State—Tasmania, Victoria, South Australia, and Queensland especially because 8 RAR is a Queensland group. Best wishes were sent from American veterans and families, who also have donated trees to the Cherry Tree Walk. Wreaths were laid by several people, including one by Madeliene Strachan, who is a member of a local family. Her brother's name appears on the memorial. He lost his life in Vietnam serving our country.

The memorial was unveiled with the assistance of Norm Mallard, one of my local Nashos. I am the patron of the Southern Highlands Nashos. The Nashos were out in force. Graham Tooth, a Vietnam veteran, and David Babbage flanked the Governor-General when he rededicated the memorial and laid his wreath. Kevin Sullivan from 8 RAR was Master of Ceremonies, and Reverend Canon John Livingstone conducted part of the service. We also had Vietnam veterans on motorcycles. A group of people from Windsor re-enacted the Australian Light Horse. They came to special ceremonies wearing the uniform and riding their horses. It was lovely to have them there. The Australian Army Band was also present.

I think most people really appreciated the work that Effie Kerr and her team from the Vietnam Cherry Tree Walk Committee had put in, with the assistance of so many people, to prepare for the day. David Tooth, Peter Jenner and David Babbage put an enormous amount of work into this ceremony, as did many other people. It was also attended by representatives of various RSL sub-branches, including Bowral RSL, represented by John Cummins. Many World War II veterans also attended. The main highlight of the ceremony on the day was the speech delivered by the Governor-General. Of course, Major-General Jeffery is a Vietnam veteran in his own right.

Everybody was impressed that he spoke so proudly of the work that so many Australians did in Vietnam. I was particularly touched by the fact that I was hearing an Australian Governor-General say "we" when talking about what happened in Vietnam. I think that created an enormous feeling of pride in the Vietnam veterans who attended on the day. One of the most important things the Governor-General said was that the Bowral Cherry Tree Walk site should be considered a sacred site in Australia because it is a national monument, and a focus for families to recall what happened, to remember fallen comrades and to make sure that we honour their memory forever.

SUTHERLAND SHIRE MEMORY WALK

Mr PAUL McLEAY (Heathcote) [5.07 p.m.]: I draw to the attention of the House the Sutherland Shire Memory Walk. Memory Walk is an international event run annually by Alzheimer's organisations in 17 countries around the world. These events are used to focus the public's attention on dementia, in the lead-up to International World Alzheimer's Day on 21 September. This fundraising event comprises a number of community events for all ages. There is not only a walk, run, cycle or dance component but a memory garden is created in memory of those who have been diagnosed with dementia. The event concludes with a memory ceremony held by candlelight, a tribute to the many thousands of people who are living with dementia. This includes people with dementia, carers and family members.

Memory Walk is primarily a fundraising event, and it is a tremendous way to raise awareness of the condition, its effects and the support services available through Alzheimer's Australia in your local community. The Sutherland shire has been chosen to host Australia's very first Memory Walk in Australia on Sunday 19 September 2004, at Waratah Athletic Field. Alzheimer's Australia is seeking to hold these events all over New South Wales and Australia in the years to come with an annual event in Sutherland each year. The event will be filmed and used as a blueprint to be marketed across Australia as a national event to raise funds and awareness for dementia support services. As a result, the Sutherland Shire Memory Walk will enhance the shire in its tourism destination goals. This will put all eyes on the Sutherland shire.

The Memory Walk patron, Kay Worrall—or Granny Kay, as she is affectionately known—is a 63-year-old grandmother who, among other things, is a marathon runner and triathlete. Kay Worrall first laced up her running shoes to follow her son into competitive running. From this beginning her runs have become longer and more demanding. Kay dedicates her runs to her mother, Alva Feeney, who was diagnosed with Alzheimer's in 1993. Kay runs to raise funds to provide support services and for research into dementia. The group is seeking to find a local patron who resides in the Sutherland shire and who has experience with dementia to attend the event and be involved in the memory ceremony. Committee chairman Ben Maiorana is committed to this event due to his experience of living with dementia. Both his grandfather and uncle were diagnosed with the condition. I invite anyone who considers themselves or who knows of someone who would fill this role appropriately to contact me, and I will put their name to the committee for selection.

Ben Maiorana, whom I have mentioned in this House before, is a tireless worker for his community. He has performed many activities. He is involved with the Chamber of Commerce and the police accountability team. He has been involved with fundraisers in the shire for firefighters and people who have lost their homes, as well as many other activities across the shire. He is committed to the shire. His particular love of Engadine, our local suburb in which he lives and has his business, is second to none. His tireless work and dedication will be rewarded by Alzheimer's Australia NSW because once he commences a project he takes it all away. The Sutherland Shire Memory Walk is aimed at involving the whole of the Sutherland shire community, and will stage activities throughout the day. Teams can be involved in raising much-needed funds by walking, running, dancing, whatever they choose, and being sponsored per lap of the oval.

Families, schools, local bands, sports groups, dance groups and anyone else who attends the event will enjoy the amusement rides. They can even purchase a place in the Memory Garden and experience the candlelight memory ceremony. The Sutherland shire joins together to raise awareness of dementia in the local community, and raise much-needed funds to provide support services for this terrible condition. The funds raised will benefit the Sutherland shire, with money being used to assist local Alzheimer's Australia dementia adviser and local support groups to fund support services in the community. Alzheimer's Australia NSW is a not-for-profit organisation founded in 1982. I thank it for providing me with much of this information to inform members of the House.

CASINO UNITING CARE TRANSPORT TEAM

Mr THOMAS GEORGE (Lismore) [5.12 p.m.]: I join with The Nationals push to have the Isolated Patients Travel and Accommodation Service rules changed. People in the Lismore electorate needed no encouragement to sign the petition asking the Carr Government to change the requirements for the number of kilometres they have to travel to receive assistance. In New South Wales it is 200 kilometres but over the border in Queensland, which is only one hour away, it is only 50 kilometres. Again, people in need in the north along the border areas are unfairly disadvantaged. The Casino Uniting Care Transport Team, which is part of the Uniting Church in Australia, New South Wales Synod, does a tremendous job in the community right throughout the Northern Rivers. The co-ordinator, Shirley Smith, has written to me on a number of occasions seeking support. Recently she wrote to me seeking financial assistance for isolated patients:

Dear Thomas,

We are a team of volunteers that was put together in October 1999, as a request from Casino Neighbourhood Centre to supplement their trips for which funding was no longer available.

On commencement of doing these trips in November 1999, it was discovered that a great number of calls were not being registered with the Casino Neighbourhood Centre due to their telephone not being manned after 4pm. We started to pick up these persons in need also.

The need has obviously found us as we have never advertised. We now find ourselves unable to continue to give the service required unless we get some financial backing.

She then set out a table of statistics. From November 1999 to October 2000 volunteer hours were not recorded. However, five drivers undertook 77 trips covering a distance of 9,994 kilometres. In August 2000 the number of drivers increased to six. From November 2000 to October 2001 volunteer hours were not recorded. During this period 13 drivers undertook 158 trips and covered 17,464 kilometres. From November 2001 to June 2002, again, volunteer hours were not recorded. However, 16 drivers undertook 206 trips covering 16,726 kilometres. From July 2002 to June 2003 volunteer hours were not recorded. During the period 20 drivers undertook 464 trips covering a distance of 38,678 kilometres. From July 2003 to February 2004, 18 drivers undertook 547 trips covering a distance of 60,989 kilometres and logged 1,566 volunteer hours. The letter continues:

The above trips have covered the area from Evans Head to Chermside (North of Brisbane) in the north & east to Ballina.

At most of the hospitals there is parking for which a fee is charged. In all these circumstances, the volunteer stands the cost him/herself.

Could you please help us to find some financial assistance?

Please feel free to contact myself or Russell [Playford], our chairman, if you so wish.

The volunteers transport people who need to get to hospitals not only in Queensland but also locally. These people have no other means of transport. I do not want to go off on a tangent about transport because there is not much to say about it. We do not have public transport full stop, so that solves that problem. Shirley Smith and her team of volunteers do a mighty job. I ask the Government to reach some financial arrangement. I will take it up with the Minister. I compliment them on the job they are doing. As they say, they are creating Christian communities in our area. [*Time expired.*]

THE HISTORY OF PADSTOW

Mr ALAN ASHTON (East Hills) [5.17 p.m.]: I congratulate Andrew Molloy of Padstow Heights on his recently published *The History of Padstow*. It is the history of one of the most significant suburbs that was completely in the electorate of East Hills but that I now share with the honourable member for Menai. The book is in the fine tradition of a mixture of oral, pictorial, anecdotal and historical evidence based on maps, photographs, diagrams and the like, most of which have never been published or seen by most people in Bankstown. Padstow is one of the important suburbs of southern Bankstown. There are many theories about history, but two of the most obvious are the great man or great woman theory, and the other is based more on economic events, the changing economy and resultant events. Another great school of history is the Annales school, which says that history is not just about looking at a wall and seeing a wall but getting really close up to it and seeing all the little dots that connect to make all the other dots to make the wall.

Annales is a French school of history. Most famously it was preached and taught by Mark Bloch, who was shot by the Gestapo in the Second World War. He was a patriot and leader of the French Resistance, as well as a professor at a university in Strasbourg. Just as they say that all politics is local, in many ways our history can be local too. You cannot have a national history unless you have a local history. Andrew's book details the history of the Padstow pioneers who helped to create the Padstow suburb that then linked with Panania, East Hills and others that gave us southern Bankstown. Andrew Molloy undertook his history completely on his own, not on a whim. I have reason to know that he was a great historian. He talks about the earliest land grants, the history of the Great Depression in Padstow, the speculators and the first settlers. Padstow has a history of speculators, some of whom were members of Bankstown City Council and some of whom found, after the council was dismissed in the 1960s, that they were not members of Bankstown City Council any longer.

Andrew Molloy also documents the years of progress up to 1931 and notes that the arrival of the rail line gave the suburb great impetus. He also chronicles Padstow before the Second World War and immediately afterward. He has included photographs of many of the shops in the early days of the district and mentions many of the famous Padstow families. Andrew is closely connected to the Parker family, which has a history of owning many shops and buildings in the area. The Parkers are something of a legendary family in Padstow. Unfortunately, they are political opponents of the Australian Labor Party. Gordon Parker was a mayor of Bankstown and his son, Max, has also been a mayor of Bankstown. Probably following the council elections which will be held in approximately two weeks time, Max's son, Scott Parker, will be a member of Bankstown City Council. The book also mentions many other families. In paying a tribute to the author, Andrew Molloy, I will quote part of the tome, which states:

Andrew Molloy has resided in Padstow and Padstow Heights all his life. He attended Padstow Heights Public School, then Picnic Point High School where he was School Captain in 1988 and was taught History by now Member for East Hills, Mr Alan Ashton.

Having read that, I must also say that I assisted Andrew in winning the captaincy of the school by encouraging him to seek support in winning the position, never knowing that he would go on to become not only a great author but also in recent years a leader of the Liberal Party's campaign against me several times and a part-time Independent supporter. Andrew remains a good friend. He is supported by his wife, Melissa, and family. We are good mates, but I freely admit that I think he is the only person I have taught who became a fully-fledged Liberal. Good luck to him—that is what democracy is all about.

[*Interruption*]

As the honourable member for Lachlan suggests, the more I taught him, the more his Liberalism was confirmed!

ARDLETHAN AMBULANCE SERVICES

Mr IAN ARMSTRONG (Lachlan) [5.22 p.m.]: I draw to the attention of the House two matters relating to ambulance services in the Ardlethan area of southern New South Wales. The first refers to a call on 26 June 2003 by Mrs Beryl Slater, who sought an Ambulance Service response for her husband, Mr Walter Slater. I place on the record a letter I received from the Minister for Health on 11 February, which states in part:

I write in response to your representations of 26 June 2003 on behalf of Mrs Beryl Slater of Allambie Park, Ardlethan ... concerning the ambulance response to her husband, Mr Walter Slater. I apologise for the delay in responding.

The Ambulance Service has checked its records and advises me that a call was received to Mr Slater on 3 February 2003 at 12:46pm. An Ardlethan ambulance crew was dispatched and arrived at Mrs Slater's property at 1:43pm.

The Service acknowledges the slow response but advises that it was the result of the crew not receiving the correct directions.

I understand Mrs Slater gave directions to the property stating that all turns were to the left. In fact, all turns should have been to the right with a final left hand turn on to the property.

Believing they had arrived at the property, the ambulance crew radioed back to the Operations Centre at Warilla—

I pause to point out that Warilla is on the South Coast. The letter continues:

—that the gates were padlocked. Mrs Slater was contacted and she advised that the officers were in the wrong location because her gates were not padlocked.

While the error had been uncovered, it resulted in the crew taking 49 minutes to arrive at the property ...

In another letter addressed to me on the same date, 11 February, the Minister for Health stated:

I write in response to your representations of 24 June 2003 on behalf of Mr George Flagg of "Woodlands", Moombooldool—

I point out that Moombooldool is approximately 30 minutes by car from Ardlethan. The letter continues:

... concerning the 000 emergency ambulance response to his late wife, Mrs Marian Flagg, on 28 March 2003.

Please convey my deepest sympathy to Mr Flagg on his sad loss.

Mr Greg Rochford, Chief Executive Officer, Ambulance Service of New South Wales, has advised me that the closest ambulance was dispatched promptly following receipt of the call. Arrival of that ambulance was delayed due to difficulty in finding the location, as directions provided by the caller were not sufficiently detailed. As the call concerning Mrs Flagg was not made from her location, the Service was unable to use Caller Line Identification technology to locate the address.

All Operations Centre officers are trained in regard to their geographical areas. To aid accurate dispatch, the Land Information Centre's NSW Pastoral Stations property maps are used. Mr Flagg's property was not listed on the map.

In relation to the centralised 000 emergency service, Mr Rochford advises that the Ambulance Service has four Operations Centres in NSW to coordinate central dispatch decisions. These sophisticated Centres provide coordination of ambulances with a whole-of-area perspective and have proved invaluable during major events requiring multiple responses or when officers require additional assistance or advice.

Please advise Mr Flagg that the Manager of the Ambulance Service's Southern Division, Mr Denis Beavan, is more than willing to meet with him to clarify any further questions he may have.

Poor Mr Flagg's wife passed away. The point I make is simply that in two cases in the same region the Ambulance Service did not respond within a reasonable time. The excuse given in both cases was that directions were apparently not properly received. I might add that it is very difficult for older people to give accurate directions to people who are totally unfamiliar with their district—particularly when trying to explain to someone on the South Coast the location of a place in the Riverina. I am quite unable to understand why in relation to the second case—that concerning Mrs Flagg—the Land Information Centre's New South Wales pastoral stations property maps did not list Mr Flagg's property.

My first question is: Why is his property not listed? My next query is: Why did the operations centre not use the Land Information Centre's New South Wales pastoral stations property maps to respond to Mrs Slater's call when she was trying to obtain assistance for her husband? If the system was used during the same period for Mr Flagg, why was it not used at Ardlethan for Mrs Slater, instead of blaming Mrs Slater for giving the wrong directions? The Ambulance Service claims that Mrs Slater told the ambulance officer to take left-hand turns when the ambulance should have taken right-hand turns. There seems to be an inherent contradiction in procedures for the use of the Land Information Centre's New South Wales pastoral stations property maps

and the radio system that is used in conjunction with those maps. Or is it the case that someone forgot that those resources were available in responding to Mrs Slater's call?

I am simply asking the Minister for Health to seriously examine the two matters I have mentioned to decide whether these systems are working. I ask him to determine whether the problems I have identified are able to be rectified so that such misfortunes will not recur. I ask the Minister to ensure that officers who operate the system understand that people under stress, particularly older people, sometimes give wrong directions. More importantly, it would be so much easier for ambulances to reach their destinations in a timely manner if the person who receives the call in the Ambulance Service has at least a rudimentary understanding of the geography and the topography of the region in which ambulance services are being administered.

BELMONT DISTRICT HOSPITAL MATERNITY SERVICES

Mr MILTON ORKOPOULOS (Swansea) [5.27 p.m.]: I welcome the decision by the Hunter Area Health Service Board to continue maternity services at the Belmont District Hospital following a very extensive review that included public consultation. Late last year paediatricians, obstetricians and anaesthetists queried the future viability of maternity services at the Belmont District Hospital. It is fair to say that the anaesthetists pressured the Hunter Area Health Service into conducting the review because they indicated to the Hunter Area Health Service that they were not interested in providing their services for obstetric procedures at the Belmont District Hospital and preferred all births to take place at the John Hunter Hospital. As the *Newcastle Herald* stated:

Centralising all Newcastle area public hospital births at the maternity ward of John Hunter Hospital would be a nightmare.

Part of the issue is that the Belmont District Hospital and the Hunter Area Health Service, in common with every other health service in this State and through the nation, are facing a shortage of paediatricians, obstetricians and anaesthetists. The shortage is creating enormous problems for medical administrators who are engaged in future planning. Belmont District Hospital will benefit from an allocation of \$29 million from the Carr Labor Government to upgrade and expand services at the hospital. However, the Government could not proceed to build new maternity units, wards and birthing suites without knowing whether a doctors-only obstetric unit at the hospital would be ongoing.

With four obstetricians in their sixties, we will certainly have a problem to replace them. We have a shortage of anaesthetists. The anaesthetists do not want to continue with obstetrics at Belmont District Hospital but want to centralise at John Hunter Hospital. Paediatricians are very thin on the ground and their availability is problematic, which is why the Hunter Area Health Service held a full review of options available to the community. It came up with a midwifery-only model for low-risk mothers. Of the 3,683 women who gave birth in the Hunter region with the support of midwives, but without the option of epidural pain relief or caesarean section, only 537 required medical intervention during labour.

The gathering of those statistics gave the board of the Hunter Area Health Service the heart to make the decision to permit a midwifery-only model at Belmont hospital. The new centre will be modelled on similar centres that operate at Ryde and Shellharbour hospitals. Whilst I have a concern that during birth there is a percentage of risk that something could go wrong, I am absolutely confident that the model accepted by Belmont hospital and the back-up at Belmont will allow those mothers in labour to give safe and healthy birth. I look forward to a new era of obstetrics at Belmont hospital, where all my children were born. That new midwifery-only model will be installed in the brand-new facilities to be built in the next couple of years.

RURAL FIRE SERVICE FUNDING

Ms KATRINA HODGKINSON (Burrinjuck) [5.32 p.m.]: Barely 14 months ago the whole of Australia was horrified to witness the terrible scenes of devastation as uncontrolled bushfires swept out of New South Wales and into suburbs on the edge of Canberra. Those fires highlighted the vulnerability of large sections of our community to the threat of bushfires. To protect rural and regional communities, and an ever-growing part of metropolitan communities, from the threat of fire we rely on the hard work and sacrifice of a small army of volunteers. In New South Wales there are about 69,000 volunteer firefighters, and they are formed into some 2,400 brigades in 143 rural fire districts. They fight fires in about 90 per cent of the State and are responsible for property protection in 1,200 towns and villages. Those people, at the call of the bushfire radio, leave their jobs, homes and families at a moment's notice to go into a potentially dangerous situation to protect our lives, property and environment.

I know only too well the problems that are faced on a daily basis by those great volunteers. Last year I witnessed at first hand those bushfires, as they came very close to where I live. My father and I assisted the bushfire unit on the back of a truck, and went out to the Mullion, Doctors Flat and Wee Jasper to help fight the fires. Throughout generations my family has fought both bushfires and grass fires in country areas. At the age of 15 I was directing a hose from the back of a fire truck, so that was nothing new to me. That is what happens in country areas when danger threatens: everyone pitches in to help. Since 1964 some 26 lives have been lost and more than 12 million hectares of land burnt out in New South Wales. Our volunteer firefighters deserve the best by way of support from the New South Wales Government. Yet, that is not the reality that is facing Rural Fire Service [RFS] firefighters across New South Wales today. I was concerned recently to receive a letter from the Yass Valley Council, which informed me that RFS headquarters had proposed cuts to the Southern Tablelands zone 2004-05 budget of almost \$1 million.

That zone covers the former local government areas of Gunning, Crookwell, Mulwaree and Yass. The Yass area will lose \$197,852 and Crookwell will lose \$255,852. What will those proposed cuts mean to the most important part of the RFS, the firefighters on the ground facing the flames? It will mean that the Jeir Creek brigade will not get a replacement category two tanker. It will mean that the program to replace petrol engine fire tankers in Crookwell, one of the recommendations of a coronial inquest, will have to be slowed down. It will mean that providing adequate personal protection equipment for volunteers will be scaled back. Those cuts will have a serious impact on local Rural Fire Services. Mr Bill Luchetti from the Yass Valley Council knows about these things. He said that the budget cuts will mean that the local fire services would get to the stage where they are not able to replace equipment. He further said that the reduction in funding would have serious implications for the operations of the zone.

Firefighters in Yass Valley Council will lose \$170,000 for the Jeir Creek tanker, \$18,000 for the upgrade of the fire control centre, \$5,000 for pumps, plant and equipment, \$5,000 for general equipment and \$1,000 for vaccinations. The Lachlan Valley Council, including the towns of Crookwell and Gunning, has said that the budget cuts will mean reductions in replacing petrol engine fire tankers, personal protection equipment, radio communications, vaccinations for volunteers attending motor vehicle accidents, upgrading equipment and transport vehicles. I have been told that the Riverina Highlands zone is also facing proposed reductions, to the value of about \$300,000. Now, little more than 14 months after the devastating bushfires in and around the Australian Capital Territory, the Labor Government is acting to slash funding for the Rural Fire Service. Not even 12 months have passed since the March 2003 election.

I remind the House of the Carr Labor Government's promise of \$107.5 million to purchase up to 1,000 new and reconditioned tankers for the Rural Fire Service. It also promised to provide \$190 million for personnel protection equipment and other day-to-day firefighting equipment. Where is that promised funding? Where is the promised support for those magnificent volunteers who risk their lives to protect ours? On 20 February the Minister for Emergency Services was sent a letter from Lachlan Valley Council expressing extreme concern about the funding cuts. Yet five days later, in response to a question in the other place, Minister Kelly said that he was unaware of the cuts. The Minister was asked if RFS managers were preparing budget cuts of more than 30 per cent, and he replied with a flat "No, I am not aware of that." Either the Minister does not know what his department is doing or he is playing politics with the safety and welfare of volunteer firefighters.

Recently the Acting General Manager of Yass Valley Council wrote to me saying that in view of the fires that ravaged this area in early 2003 it is hard to believe that the State Government would now be proposing such cutbacks to the Rural Fire Service budget. From long experience with the Carr Labor Government, I do not find this situation hard to believe. The Carr Labor Government has always treated residents of rural and regional New South Wales as second-class citizens, but this time it has gone too far. The cuts are directly threatening the safety of volunteer firefighters. That must not happen! The Minister for Emergency Services must issue a clear and unambiguous statement that these massive cuts will not occur. [*Time expired.*]

MOORE PARK CAR PARKING

Ms CLOVER MOORE (Bligh) [5.37 p.m.]: I raise, yet again, vehicle parking on Moore Park. The Centennial Park and Moore Park Trust still has no strategy to remove on-grass car parking and no plan to stop that commercial abuse of public land, despite community anger and the serious impacts on the parklands. I call on the Government to ban all on-grass car parking on Moore Park, enforce a public transport only policy for major events, and restore public parkland for public recreation, as it was intended. According to trust reports, event car parking continues to alienate 9.41 hectares of Moore Park east, drawing some 3,000 vehicles into the

area, damaging 5.1 hectares at Kippax Lake and 4.31 hectares in front of the Royal Hall of Industries and the Hordern Pavilion.

Public parkland is alienated, while demand for public open space is increasing as a result of the Government's urban consolidation policies, which will bring around 40,000 new residents into this densely populated area over the next 20 years. The Kippax Lake area, specifically developed for passive recreation with playing fields for amateur sports, was not used for regular parking before the construction of the Eastern Distributor tollway, but the intensity and frequency of commercial car parking has made the parkland virtually unusable for recreation. Serious traffic congestion results, and even a small event in the precinct creates long delays and uncontrolled build up of traffic. Ask any local resident who tries to leave home, or gets home, at the wrong time!

Parking undermines the heritage value of the parklands, which are described as a large, linked open space of largely nineteenth-century landscape design intended for social and physical activity. The 1992 Moore Park plan of management committed the then Centennial Park Trust to phase out on-ground car parking over a five-year period from 1997 when the Royal Easter Show moved to Homebush. An amount of \$12 million in compensation was approved in response to the expected impact of the Eastern Distributor. That money was allocated to phase out event car parking on Moore Park. Some of that funding has been spent on unsuccessful preliminary studies for the construction of a multistorey car park, but I understand that most of the funding remains unused.

When the trust revised the plan of management in 1998 it quietly abandoned its commitment to end car parking by 2002, with the new proposal merely to reduce car-parking demand on Moore Park through increased public transport use by 2003. Former trust director, Peter Duncan, told me that the Kippax playing fields would not be used for car parking by 2003, but that commitment has not been honoured. There are no signs of his 2002 commitment to seek solutions to on-grass parking as well as to continue to increase the provision and promotion of public transport to events in the precinct, to further reduce parking on Moore Park.

During public consultation on the Centennial Parklands 2002 Transport Access and Parking Plan, the community called for a new strategy to ban on-grass car parking, but the trust specifically excluded car parking on Moore Park from the study. In 2004 we need a new, effective strategy to end on-grass car parking on Moore Park and to reclaim this public parkland for public recreation. There should be a total ban on all on-grass car parking on Moore Park by the end of 2005, with immediate and significant increased parking fees. Income from car parking should be directed to public transport, pedestrian and cyclist infrastructure to support the parking ban, supplementing the still-unused Eastern Distributor compensation funds and removing trust reliance on car parking for operating expenses.

There should be a no car parking policy for all venues and events on trust lands and commercial venue operators should be required to meet their own car-parking needs. The 2000 Olympics proved that a public transport only policy works if it is promoted and backed with adequate public transport. The Government must establish a light rail route to Moore Park for this corridor. Each light rail vehicle can carry over 200 passengers, replacing three buses or 50 fully laden cars. We need special event parking zones around Moore Park, as we had during the Olympics, to enforce the no-parking policy and to protect residential areas, with a strong campaign to promote the parking ban.

The trust should consult the community about restoring and re-landscaping parkland damaged by car parking, particularly in the Kippax Lake area. I have asked the Centennial Park and Moore Park Trust to remove parking and I again call on the Government to endorse this ban, to enforce a public transport only policy for major events, to provide funds to rehabilitate damaged parklands and to establish light rail in this corridor in order to provide a real alternative to regular traffic chaos, air and noise pollution, and to salvage our parklands.

OVINE JOHNE'S DISEASE

Mr TORBAY (Northern Tablelands) [5.42 p.m.]: Today I raise an issue of great concern to sheep farmers in the Western Division and in the north and north-west of this State, which takes in the Northern Tablelands electorate. Those areas contain more than half the grazing pasture of New South Wales and carry about half the State's sheep numbers. At present the area has been protected from the devastating ovine Johne's disease that is spread by the movement of sheep and by the faeces of infected sheep and goats washing through fences and into creeks and streams. Ovine Johne's disease is a wasting disease. Losses of up to 5 per cent to 10 per cent are often recorded in infected flocks. Data from on-farm studies conducted in 2002 show that average farm losses as a result of infection are \$64,000, with individual farms losses ranging from \$15,569 to \$154,083.

Often there are 5-year to 10-year lapses from the initial discovery of infection before losses occur. It takes two years of locking up infected paddocks to eradicate the source of the disease. While vaccinations are successful in reducing losses and shedding bacteria, there is no guarantee that they will stop the disease being contracted. A vaccination costs over \$2 per lamb and all lambs must be vaccinated for a period of 10 to 15 years to control the disease on heavily infected properties. The re-stocker trade with Queensland and the northern areas is valued at \$16 million. Currently, the north and western areas are free of the disease and they enjoy the benefits of being in a protected zone. Risky sheep from infected areas are not permitted to enter.

That changes on 1 July this year, when, through pressure from other regions, the trade in store sheep will be permitted across the State. With that will come the risk of spreading ovine Johne's disease to areas that are currently free of it. Farmers' organisations and rural lands protection boards have lobbied hard to retain the protection that they need. They have succeeded to some extent as a result of a decision by the State Government to permit exclusion areas to be established in districts that currently have less than half of 1 per cent infection. While that might seem to offer protection, it transfers the responsibility for identifying diseased flocks onto farmers, their agents and representatives, and organisations.

An exclusion area works on the principle of excluding disease but not the sheep. That is a better scenario than creating open slather. Farmers throughout unaffected areas are now meeting to discuss the criteria for the exclusion areas before they register their ballots. No-one is particularly happy about that change and regard it as a concession in what otherwise would have been a bleak scenario in which flocks across vast areas that are currently free of ovine Johne's disease would inevitably risk infection. When risk-based trading begins in July in areas of the State that are now clear of ovine Johne's disease, it will be based on information supplied by all vendors of store sheep on mandatory animal health statements. It means that purchasers of store sheep can decide what level of risk they are prepared to take, based on the credits shown on the animal health statements.

If farmers take unacceptable levels of risk it will affect not only their flocks and their neighbours' flocks but flocks throughout entire districts. Faced with this new and potentially dangerous scenario, farmers in the north and north-west and in the Western Division are now seeking a guarantee that they will have adequate representation on bodies monitoring the implementation of the new exclusion area provisions. At present, their representation on the New South Wales Ovine Johne's Advisory Committee—two of the 14 members—is inadequate. If that body is to continue, low prevalence areas must have representation proportional to their numbers and across the 50 per cent of the State that they represent.

It is essential that the exclusion areas of New South Wales have their own representative at the national stakeholders meeting run by Animal Health Australia. They should not have to depend on representation from the New South Wales Ovine Johne's Disease Advisory Committee, which has been opposed to exclusion areas. I appeal to the Government and to the Minister for Agriculture and Fisheries to make sure that farmers are properly represented on this and on other relevant bodies to ensure that the safeguards supposedly built into the new system of exclusion areas are protecting unaffected farming properties from ovine Johne's disease. If the system fails in that objective, farmers must have available to them some mechanism so that they can register their legitimate complaints and have them addressed to eliminate this costly, damaging disease and prevent its spread into unaffected areas.

Private members' statements noted.

The House adjourned at 5.47 p.m. until Friday 11 March 2004 at 10.00 a.m.
