

LEGISLATIVE ASSEMBLY

Thursday 26 June 2008

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

The Speaker read the Prayer and acknowledgement of country.

APPROPRIATION BILL 2008

APPROPRIATION (PARLIAMENT) BILL 2008

APPROPRIATION (SPECIAL OFFICES) BILL 2008

STATE REVENUE AND OTHER LEGISLATION AMENDMENT (BUDGET) BILL 2008

HEMP INDUSTRY BILL 2008

THREATENED SPECIES CONSERVATION AMENDMENT (SPECIAL PROVISIONS) BILL 2008

Message received from the Legislative Council returning the bills without amendment.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

RETIREMENT VILLAGES AMENDMENT BILL 2008

Bill introduced on motion by Ms Linda Burney.

Agreement in Principle

Ms LINDA BURNEY (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [10.04 a.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the Retirement Villages Amendment Bill 2008. The bill amends the existing Retirement Villages Act 1999, which commenced on 1 July 2000 and regulates the retirement village industry in New South Wales. Retirement villages are becoming an increasingly popular housing option for our elderly citizens. Hundreds of village operators in New South Wales currently provide accommodation for tens of thousands of retirees. With the ageing of our population, unquestionably the retirement village industry will continue to grow in the coming years. It is important for both residents and operators that the Government stamps out unfair practices and protects vulnerable consumers while at the same time setting clear guidelines for operators in the management of their villages.

When the Act was introduced it contained a five-year statutory review requirement, which was brought forward by 12 months as part of an earlier package of amendments passed in 2004 in response to concerns from residents. No doubt some will be critical of the Government for the delay in introducing this bill. Given the importance of the legislation to so many people, the Government has put considerable effort into consulting and listening to the views of all interested parties. The bill deals with a range of complex issues and I make no apology for taking the time needed to get it right. More than 300 submissions were received in response to the Issues Paper in 2004, illustrating the high level of interest in this review. Around 50 submissions followed the tabling of the review's report in 2005, even though submissions were not actively sought at the time. The bill largely implements the recommendations outlined in the report.

A consultation draft amendment bill was tabled in November 2006, giving all interested parties the opportunity to have a look at the detail of the proposed reforms. More than 500 additional letters and submissions have been received since the draft bill was publicly released. Both my staff and I, along with my predecessors and the Office of Fair Trading, have visited retirement villages, talked to residents and operators about the reforms, and carefully considered all the concerns and issues that have been raised. It cannot be said that the consultation on this bill has been anything other than comprehensive. As a result of this extensive consultation process, the bill that is being introduced today contains a substantial number of refinements and improvements when compared with the exposure draft. This shows that the Government is listening to the community. However, the key elements of the reform package have remained essentially the same.

I am fortunate as Minister to have a ministerial advisory council that specifically considers issues relating to retirement villages. Naturally, the advisory council has played an important role in the development of these amendments. I want to take this opportunity to publicly thank all the members of the council for their diligent consideration of the issues and their constructive advice. One of the resident representatives on the council has this to say:

The Review has been going on for a long time and it is certainly not before time that it be brought to an end. Obviously, that time is now. In our system of government matters like this are determined by the Minister, the Government and ultimately Parliament. It is rare that any proponent gets all they ask for. That is true of this Bill. A number of good, sincere and experienced people have had an input. We could not all be right about everything. However, any outcome is an outcome that is negotiated and understood to be a negotiation. This has certainly been the case in relation to this Bill.

The above statements reflect the views of many residents who have written to me on this subject. Equally, operators have expressed the view that they are keen to see the bill finalised as soon as possible. Turning now to the provisions of the bill, there are a wide range of changes to the law that will benefit both residents and operators.

The bill seeks to lift some of the compliance burden from smaller village operators. These are often run by a group of community-minded volunteers in regional and country towns. With the consent of residents, the bill will provide that operators with an annual recurrent income of less than \$50,000 will no longer have to incur the expense of having their annual accounts audited or providing quarterly accounts to residents.

These operators will be able to use the money saved to provide more worthwhile services to residents. The Iemma Government is committed to reducing red tape and removing unnecessary restrictions on business. Under the bill village operators will no longer need to seek the consent of residents to the continual appointment of the same village auditor from year to year.

Operators will be able to make allowance for contingencies and to vary expenditure between line items in a village budget. This will provide them with greater flexibility over the financial management of their village. Operators will also be able to seek the consent of residents not to have to supply them with a budget prior to each financial year—but that is only with consent. Additionally, operators will no longer have to seek the consent of residents for increases in recurrent charges that are at or below the rate of inflation. This will be an incentive to operators to keep their costs down, which should help residents struggling to meet rising costs on fixed incomes.

The bill makes a number of changes to the law regarding the provision of information to retirees thinking about moving into a retirement village. Under the reforms, prospective residents will need to be given a general inquiry document when they make an initial inquiry, followed by a more detailed disclosure statement if they decide to go ahead and move in and express an interest in a particular unit.

These amendments should help to better inform prospective residents by providing the right sort of information at each appropriate stage in the decision-making process. A significant new change is the introduction of a 90-day settling-in period for incoming residents. During this time if a resident passes away, needs to move to a nursing home or hostel, or finds that retirement village life is just not for them and elects to move out, they will be liable only for fair market rent for the period of their occupancy and a reasonable administration fee.

Under the bill all operators will be required to notify the Department of Lands that land they own is being used to operate a retirement village. This will lead to the creation for the first time of a comprehensive public register of all retirement villages in New South Wales. It will provide accurate statistics and assist education and compliance programs.

Unquestionably, the most significant changes in the bill involve the treatment of capital maintenance and capital replacement in both the homes of residents and common areas of retirement villages. Of the submissions that were received during the course of the review, this was by far the biggest issue that drew the most comment. All sides agree that the present approach, which makes residents responsible for maintenance and operators liable for replacing capital items, is not working. It creates disputes over definitions, encourages attempts at cost shifting, and leads to situations where items are repeatedly repaired beyond their economic life simply because the residents have to foot the bill.

Under the amendments introduced today, all capital works, including maintenance, replacement or new improvements, will be treated in the same way. The cost of such work will be required to be shared between the residents and each operator as agreed between the two, with no more—and I repeat, no more—than 50 per cent being funded by residents. These changes should take some of the pressure off the need for recurrent charges to rise, and in some cases may result in a reduction in the charges residents are currently paying. This will be particularly beneficial to residents on fixed incomes who struggle to meet the rising costs each year.

Another reform likely to be well received by residents is that operators will be required to meet any budget deficits at the end of each financial year, rather than simply rolling them over or asking the residents to pay a special levy. This should minimise overspending and help to make operators more financially accountable for their decisions. Transitional provisions will be put in place to fairly deal with existing budget deficits.

Safety and security are important issues for many of the elderly in our community, including those living in retirement villages. The bill will require operators to prepare written safety and emergency procedures and to take reasonable steps to ensure that all residents and staff are familiar with such procedures. They will also be required to undertake a safety inspection at least once a year and report back to residents on the findings of each inspection.

Relief is to be given to hardworking volunteers who find themselves elected to the same position on residents committees year after year. A three-year cap is to be introduced that should encourage other residents to become involved and lead to a rotation of positions, which should increase the knowledge base among residents.

The maximum number of proxies any person can hold is to be reduced from five to two, and a ballot voting system will be introduced for matters requiring special resolution. This should increase the participation level of residents and result in voting outcomes that are more representative of the resident population.

The bill proposes to give residents of retirement villages greater control over their living environments. Residents will be able to add or remove fixtures, or make alterations to the premises with the consent of the operator, which shall not be unreasonably refused. Many residents pay a large amount of money to enter a retirement village and occupy their premises for many years. It is only fair and reasonable to expect that they may wish to make changes inside the premises to suit their individual tastes or needs.

Often disputes arise in retirement villages because of a lack of communication between residents and the operator. To improve communication, under the bill operators will be required to hold annual management meetings with their residents. Importantly, residents will have the opportunity to raise questions prior to or at these meetings and the operator or their representative will be obliged to provide answers in reasonable detail.

A concern for many residents and their families is the ongoing charges they remain liable to pay even though they have moved out of a village or passed away. It can be particularly onerous on those who move to a nursing home or hostel and are faced with paying two lots of fees. Currently, where a resident does not own their premises, the maximum period charges can continue is six months from the time they vacate or die. The bill will reduce this period to six weeks, which should encourage operators to take all reasonable steps to find another resident as soon as possible.

Regrettably, there are occasional instances when a retirement village operator goes broke and the village cannot be sold. This can place residents in a difficult position in terms of getting their money back as an unsecured creditor. To address this issue the bill will introduce a statutory charge, which will give residents priority over certain other registered interest holders in the event of a Supreme Court ordered sale of the village.

Extensive consultation has been conducted during all stages of the review process and on the bill itself. Many submissions were received from residents of villages and their families, individual village operators, and

from the lead stakeholder groups: the Retirement Village Association, the Aged and Community Services Association and the Retirement Village Residents Association. The issues raised in all the submissions were carefully considered in developing and finalising the bill.

This bill will not only protect the rights of residents of retirement villages but also provide a legislative framework that will allow the retirement village industry to continue to develop and expand. I am proud to introduce the Retirement Villages Amendment Bill 2008 because it demonstrates the Iemma Government's commitment to ensuring appropriate consumer protection for a vulnerable segment of our population without compromising the viability of this important and growing industry. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George and set down as an order of the day for a future day.

CONTAMINATED LAND MANAGEMENT AMENDMENT BILL 2008

Bill introduced on motion by Ms Noreen Hay.

Agreement in Principle

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [10.20 a.m.]: I move:

That this bill be now agreed to in principle.

Contaminated land is the legacy of past industrial practices and can be difficult and costly to remediate. It can pose serious environmental and human health problems. Investigation and clean-up work can be complex, time-consuming and costly. The Labor Government led the way in addressing the legacy of contaminated land by introducing the Contaminated Land Management Act in 1997. This regulatory framework ensures that contaminated sites are managed so they do not pose serious risks to either human health or the environment. The Iemma Government is continuing this commitment.

The bill is the result of the statutory five-year review of the Act and was drafted after an extensive consultation process. A key finding was that the Act had significantly improved the management of contaminated sites in New South Wales. The review did, however, reveal a number of concerns about the operation of the Act. This bill has been drafted to address those concerns. Overall the bill will improve and streamline the operation of the Act by clarifying how contaminated land will be regulated and removing unnecessary regulation, strengthening investigation and duty to notify requirements, clarifying reporting and disclosure of information arrangements, expanding cost-recovery provisions, providing for voluntary offset arrangements, and strengthening the false and misleading information offence.

The bill also proposes to replace the term "significant risk of harm" with the term "significantly contaminated land". The factors that the Environment Protection Authority [EPA] must consider to decide whether a site is contaminated and whether such contamination is significant enough to warrant regulation remain largely unchanged. The Environment Protection Authority will still be required to take into account any increase in the risk of harm that arises from the current and approved uses of the land. Where an increase in the risk from contamination could occur because of a proposed change in the approved use of the land, this will continue to be managed through the land use planning process under the Environmental Planning and Assessment Act 1979 so that the land is appropriately cleaned up and does not become significantly contaminated land because of the change in the approved use.

The bill will streamline the Act to enable more efficient regulation of contaminated sites. It seeks to amalgamate what are currently two distinct stages—the investigation and remediation of contaminated sites, which are essentially duplicate regulatory processes—into management orders that cover both. The intention is to allow investigation and remediation to be conducted concurrently under management orders and/or approved voluntary management proposals. The bill introduces a new power to enable the Environment Protection Authority to require certain persons to carry out preliminary contaminated site investigation to facilitate quicker decision making. The preliminary investigation is intended to be only a modest snapshot study that will enable the Environment Protection Authority to decide if the land is significantly contaminated and warrants regulation. This will assist in informing the community and addressing the problem as soon as possible.

It will also enable the Environment Protection Authority to require an investigation of the nature and extent of contamination, and whether it is significant enough to warrant regulation where it is reasonably

suspected. Those responsible for the contamination would be asked to undertake the preliminary investigation. However, if this is not possible or would result in unacceptable delays, the landowner could be directed to do so. The bill provides clearer and more objective criteria to trigger the duty to report contamination to the Environment Protection Authority, and strengthens the duty to notify. The bill seeks to address uncertainty in relation to the duty to notify and the term "significant risk of harm" by removing the significant risk of harm test as the basis for notifying significantly contaminated sites. It is proposed to replace this test with an assessment based on the existing Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report published by the Environment Protection Authority.

I must emphasise that the duty to notify is not intended to capture the notification of general diffuse urban contamination that is not attributed to a specific industrial or commercial activity. I stress that the Environment Protection Authority will still need to consider largely the same factors that it has always used in determining whether a site posed a significant risk of harm. The bill clarifies that a person will have a duty to notify if that person ought reasonably to have been aware of the contamination. The bill takes into account the person's abilities, experience, qualifications and training; whether the person could reasonably have sought advice that would have made the person aware of the contamination; and the circumstances of the contamination.

The bill bolsters the widely recognised "polluter pays" principle already incorporated in New South Wales legislation and clarifies that an owner or occupier of land can be responsible for contamination if it occurs because of inaction. It is proposed to expand the cost recovery provisions in the Act to allow the Environment Protection Authority to recover costs and expenses that it incurs in association with the approval and implementation of voluntary management proposals. This is consistent with the Environment Protection Authority's existing ability to recover administrative fees in relation to the administration of environment protection licences under the Protection of the Environment Operations Act 1997. The bill proposes allowing the Minister to enter into offset arrangements with the party responsible for contamination.

It is a reality that remediation is expensive and it can take a very long time for the contaminants to be removed. While remediation is progressing, the community can lose its access to land or water resources. This amendment will provide a way of mitigating the community impacts of contamination. To ensure the fairness of such programs, the offset arrangements can only be applied to a person responsible for the contamination and cannot include direct financial compensation. I stress that offset arrangements are not an alternative to addressing significant contamination. The bill promotes transparency and better information dissemination. The proposed amendments make it clear that the Environment Protection Authority and councils can disclose site audit statements and reports without breaching the prohibition on disclosure of information under the Act.

These amendments will provide greater protection to site auditors and councils who rely on reports in making recommendations about land suitability or providing consents for development. It will be an offence for a person to knowingly or recklessly provide false or misleading information to the Environment Protection Authority or another person, including councils and accredited site auditors, in relation to a compliance requirement under the Act. This includes information that is required to be provided in relation to the assessment or remediation of site contamination. Other minor amendments are also proposed, to improve the clarity of the Act and to remove inconsistencies and simplify processes.

This includes clarifying that more than one person can be responsible for the contamination of land. The sites regulated under the Act are often complex and have entrenched contamination from multiple uses, and it is not uncommon that more than one party has contributed to the contamination. For this reason, the bill clarifies that a management order can be issued to one or more persons who are responsible for the contamination. The bill also clarifies that the Environment Protection Authority can issue clean-up and prevention notices under the Protection of the Environment Operations Act 1997 in relation to significantly contaminated land, regardless of whether it is the appropriate regulatory authority under that Act. This will ensure the Environment Protection Authority can respond to pollution incidents in a pragmatic and timely manner.

In summary, the proposed amendments to the Act will reduce red tape and facilitate speedier resolution of contaminated land issues, while bolstering the "polluter pays" principle and improving the operation of the Contaminated Land Management Act. Industry will be able to make commercial decisions with greater speed and certainty, and the reforms will provide the community and the environment with an even more robust, effective and protective regulatory regime. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George and set down as an order of the day for a future day.

VEXATIOUS PROCEEDINGS BILL 2008

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

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [10.30 a.m.]: I move:

That this bill be now agreed to in principle.

The Vexatious Proceedings Bill 2008 is designed to expand the powers of the courts to control vexatious litigants. The proposed new legislation is based upon model legislation approved by the Standing Committee of Attorneys General. Both Queensland and the Northern Territory have introduced legislation consistent with the model bill. The Government recognises the harm caused to, and costs incurred by, opposing parties and other participants in the justice system as a result of persistent litigation by vexatious litigants. Vexatious litigants abuse court processes by repetitively pursuing frivolous applications, raising spurious defences, refusing reasonable settlement offers, failing to pay costs after being ordered to do so, and launching unmeritorious appeals. These actions impinge on the effectiveness and efficiency of the justice system and make the process more expensive for everyone. Innocent parties can be dragged through the courts, often at great financial and emotional cost.

Both the New South Wales Supreme Court and the Land and Environment Court currently have the power to make orders relating to a vexatious litigant. The relevant provisions provide that the Attorney General or an aggrieved person may seek orders to restrain a vexatious litigant from continuing any proceedings or from bringing fresh proceedings in any New South Wales court except by leave. The Supreme Court may also make orders relating to a vexatious litigant who has instituted proceedings in any inferior court. However, these provisions are limited in operation. The proposed legislation continues the power of the Supreme Court and the Land and Environment Court to make orders. It now also enables the Industrial Relations Commission in Court Session to make orders in relation to vexatious litigants. Under the New South Wales Constitution Act 1902, these courts are superior courts of record of equivalent status. It is therefore appropriate that they be authorised to make vexatious proceedings orders. However, given the more specialist nature of the Land and Environment Court and the Industrial Relations Commission, their ability to make orders will be limited to proceedings in their respective jurisdictions. Consistent with the model bill, the Supreme Court will deal with applications for orders against a person who has commenced proceedings in any other court or tribunal.

The bill enables applications to be made to an authorised court for a vexatious proceedings order. Currently, the Attorney General or the person forced into wrongful litigation—the aggrieved person—may make an application to the court for an order to restrain a vexatious litigant. The bill expands the range of people who may apply for a vexatious proceedings order to include the Solicitor General and the registrar of the relevant court. The bill also allows people who have a sufficient interest in the matter to apply to the court for an appropriate order. However, to ensure there is no abuse of this process, people claiming a sufficient interest must first obtain the leave of the court to make the application. Current New South Wales legislation provides that a court may only make an order to restrain a vexatious litigant where a person "habitually and persistently and without any reasonable grounds" institutes vexatious legal proceedings. This is a stricter threshold test than that adopted under the new Queensland and Northern Territory Acts and by the High Court.

The proposed new legislation follows the approach taken in those jurisdictions by providing that the court may make a vexatious proceedings order if it is satisfied that a person has "frequently" instituted or conducted vexatious proceedings in Australia. The new test has been deliberately chosen to make it easier to obtain a vexatious proceedings order against a vexatious litigant. In applying this simplified test, the court may have regard to proceedings instituted in, or orders made by, any Australian court or tribunal. In addition, the court may make an order when a person is acting in concert with a person who is the subject of a vexatious proceedings order or has frequently instituted or conducted vexatious proceedings. That could include, but is not limited to, a relative or associate who may institute proceedings on behalf of the vexatious litigant. To ensure that the person's rights are protected, the person must be given the opportunity to be heard in relation to the matter. When a vexatious proceedings order is made the court can order a stay of all, or part, of any proceedings already instituted by the person, or prohibit the person from instituting proceedings.

The court can also make any other orders that it thinks fit—for example, an order directing that the person may only file documents by mail or give security for costs. A vexatious proceedings order may be varied or set aside by order of the court of its own motion or following an application. An authorised court may also

reinstate a vexatious proceedings order prohibiting a person from instituting proceedings if the court is satisfied that, within five years of the order having been set aside, the person has instituted or conducted vexatious proceedings in an Australian court or tribunal, or acted in concert with another person who has done so. A person who is the subject of a vexatious proceedings order or a person acting in concert with such a person may apply to the appropriate authorised court for leave to institute proceedings that are the subject of an order. The court may dispose of such an application by either dismissing the application or granting it. Consistent with legislation in Queensland and the Northern Territory, there is no appeal from a decision disposing of the application. The second reading speech introducing the legislation into the Northern Territory Parliament relevantly stated the rationale for this element of the model bill in this way:

... there is no appeal from the decision of the court to dismiss the application. A decision by the Supreme Court is made after consideration of all the relevant facts. It is considered necessary to block off another avenue of appeal, as vexatious litigants tend by their nature to take action in any way possible to question a court's decision, regardless of the merit of their position.

The bill also provides for the establishment of a register of vexatious proceedings orders and related orders. The register will be maintained by the Supreme Court on behalf of all authorised courts. The register will be accessible by the legal profession and members of the public and published on the court's website. The proposed new legislation will enhance the court's ability to control vexatious litigants in a number of ways. The first is allowing an authorised court to take into account any proceedings that a vexatious litigant may have brought in any Australian court or tribunal; secondly, allowing the court to make orders where proceedings have been instituted in a tribunal; thirdly, clarifying both the powers of the court and its procedures; fourthly, setting out comprehensive definitions; and, lastly, enabling orders to be made in relation to people who may be acting in concert with a vexatious litigant.

The Vexatious Proceedings Bill seeks to protect the fundamental right of citizens to approach the courts to seek justice in accordance with the law while preserving the efficiency of the justice system and shielding other participants in the justice system from unmeritorious actions. The proposed new legislation will achieve greater consistency with other Australian States and Territories in dealing with vexatious litigants. The bill has been the subject of extensive consultation with stakeholders, including the heads of jurisdiction and the legal profession. I commend the bill to the House.

Debate adjourned on motion by Mr Thomas George and set down as an order of the day for a future day.

DANGEROUS GOODS (ROAD AND RAIL TRANSPORT) BILL 2008

Bill introduced on motion by Ms Virginia Judge, on behalf of Ms Verity Firth.

Agreement in Principle

Ms VIRGINIA JUDGE (Strathfield—Parliamentary Secretary) [10.40 a.m.]: I move:

That this bill be now agreed to in principle.

The object of the Dangerous Goods (Road and Rail Transport) Bill 2008 is to upgrade current New South Wales law covering the transport of dangerous goods by road and rail. This law regulates the transport of flammable, toxic, corrosive and other substances such as petrol, acetylene, liquefied petroleum gas, chlorine, arsenic and acids. These goods, due to their physical, chemical and toxicological properties, pose a significant risk to human life, health, property and the environment, especially while being transported. This bill will help to ensure that dangerous goods are transported efficiently and safely to minimise impacts on people, property and the environment.

The bill adopts the principles set out in a model law that is part of a package of model laws, which includes a model Act, model regulations and a revised seventh edition of the Australian Code for the Transport of Dangerous Goods. The code is based on United Nations model regulations that are revised every two years, incorporating technical changes to improve safety based on worldwide experience. The National Transport Commission on behalf of the Australian Transport Council has prepared this package of laws. The Australian Transport Council is the Commonwealth, State and Territory ministerial forum that provides advice to governments on the coordination and integration of transport and road policy issues. My ministerial colleagues the Minister for Roads and the Deputy Premier and the Minister for Transport represent New South Wales on the council.

In 2007, the council agreed that all States and Territories should adopt the package of laws. Adoption of the package by all States and Territories will provide for a uniform national scheme and a consistent and seamless regulatory environment for the transport of dangerous goods across Australia, as well as for import into and export from Australia. This will ensure that a business in New South Wales can transport dangerous goods across New South Wales and through other States and overseas under a consistent set of packaging, labelling and safety requirements. The bill will replace the current New South Wales Road and Rail Transport (Dangerous Goods) Act 1997. All States and Territories are expected to adopt the principles set out in the national model this year.

The bill continues the arrangement in New South Wales where both the Department of the Environment and Climate Change [DECC] and WorkCover New South Wales have been appointed as competent authorities. The DECC and WorkCover regulate dangerous goods transport in accordance with a memorandum of understanding. In broad terms, WorkCover is responsible for classification, packaging and labelling issues, while the DECC is responsible for regulating on-road and on-rail transport. Significantly, the bill incorporates the powers of authorised officers from the Protection of the Environment Operations Act 1997 for DECC officers, and from the Occupational Health and Safety Act 2000 for WorkCover officers.

Officers of these organisations will be familiar with these powers to investigate, obtain evidence and prosecute, and will be equipped to undertake regulatory activities as soon as the new laws are implemented. Although the main focus of the legislation is maintaining and improving safe transport of dangerous goods, the inclusion of additional compliance and enforcement provisions will reduce the potential commercial benefit to offenders for non-compliance. This will help to ensure that a level playing field exists across industry. The bill provides for additional penalties up to three times the value of any monetary benefit obtained through non-compliance with the legislation. The bill will allow the adoption of the model regulations and the updated dangerous goods code.

This new package of legislation will provide the following benefits: improved compatibility with international regulations and codes on the classification, packaging and labelling of dangerous goods; a single set of regulations for domestic road and rail transport operators; a reduction in inter-modal inefficiencies for the domestic land transport industry; an up-to-date list of dangerous goods which will benefit both the transport industry and emergency services by making it easier to identify substances and related requirements; greater acceptance of dangerous goods from New Zealand under mutual recognition arrangements; and an extension of the period of dangerous goods drivers licences from three to five years, resulting in some savings for drivers and transport operators.

The model legislation was subject to extensive public consultation by the National Transport Commission and we are confident that industry will welcome the new arrangements overall. There are some costs in the introductory stages, in relation to training and to getting people employed or engaged in the dangerous goods transport industry up to speed with the new requirements. However, these costs are far outweighed by savings from enhanced safety and efficiency in the industry. The high level of economic activity in sections of the Australian economy means more goods, including dangerous goods, on our increasingly integrated road and rail networks.

There are estimates that by 2015 the tonnage moved on the national road network will have increased by 80 per cent on the 2003 figures. We can similarly expect to see bigger increases in goods moved by rail. A large proportion of dangerous goods movement occurs from, to or within New South Wales. It is essential that our dangerous goods transport procedures fit in as seamlessly as possible with those interstate and overseas, and reflect world best practice in both efficiency and safety. This bill puts in place the framework of standards to achieve those ends. I commend this important bill to the House.

Debate adjourned on motion by Mr Thomas George and set down as an order of the day for a future day.

TOW TRUCK INDUSTRY AMENDMENT BILL 2008

Bill introduced on motion by Mr Michael Daley, on behalf of Ms Reba Meagher.

Agreement in Principle

Mr MICHAEL DALEY (Maroubra—Parliamentary Secretary) [10.47 a.m.]: I move:

That this bill be now agreed to in principle.

The key objectives of the bill are to further improve the regulation of the tow truck industry, reduce red tape, protect customers, and better protect the safety of drivers at accident scenes. This bill will amend the Tow Truck Industry Act in several key areas. The Act will be changed to allow operators and drivers with proven track records to apply for three-year licences and certificates at a discounted rate, provided that they meet certain eligibility requirements. There are amendments to cap charges relating or ancillary to towing work to prevent unscrupulous operators charging unjustified and excessive fees for relatively minor towing-related services. These changes will increase driver safety and improve driver conduct at accident scenes by preventing the practice of drivers carrying hawkers with them who harass consumers into signing towing agreements. Various miscellaneous amendments will clarify provisions to assist with the interpretation of the Act and strengthen the regulatory framework.

In 2007, the Government introduced broad reforms to improve the administration of the tow truck industry. The former Tow Truck Authority was dissolved and the Roads and Traffic Authority [RTA] was established as the industry regulator on 1 December 2007. This has enabled a streamlining of the functions that were previously shared between the Tow Truck Authority and the RTA, and better use of the capacity of the RTA, particularly in regard to compliance and enforcement. It has enabled us to capitalise on the strong relationship that the RTA has with the New South Wales Police Force, for example, in conducting joint compliance operations in tow truck hot spot areas. It has provided a statewide network via the RTA's motor registries to deliver better services to industry and better educate consumers of tow truck services.

This bill builds on these recent reforms and demonstrates the Government's strong commitment to reducing red tape and enhancing consumer protection. The amendments in the bill today have the support of the New South Wales Police Force and other key industry stakeholders, such as the Insurance Council of Australia, the Waste Contractors and Recyclers Association, and reputable operators within the industry. Many of the amendments have been developed as a result of representations made by both industry and stakeholders. Disreputable industry operatives may object to several of the proposed reforms as they are designed to improve compliance with the intent of the legislation and will therefore enhance the RTA's ability to take disciplinary action. However, the Government makes no apologies to this minority, who seek to undermine other reputable operators.

One key amendment in the bill will extend the maximum period for which tow truck operators licences and drivers certificates may be granted from 12 to 36 months. Currently, all tow truck operators and drivers are required to hold an operators licence and drivers certificate respectively. These licences and certificates are only issued for a maximum period of 12 months. This means that industry is required to submit numerous documents each year, which is time consuming and costly. These arrangements are particularly burdensome for operators and drivers who have a good disciplinary record and who have maintained the same business structure and operations since entering the industry. To reduce this burden, the amendments will extend the maximum period for which a licence or certificate can be issued from 12 months to three years.

The new three-year licences and certificates will be offered at a discounted rate to the single year renewal fee. This is a win-win scenario for drivers and operators, who will have less paperwork and reduced costs. However, the new three-year licences and certificates will only be available to drivers with a proven track record and who have a good disciplinary record. For operators to be eligible, they must have been operating under the same operators licence in continuum for three years preceding the lodgement of an application.

In the case of a driver, he must have held a continuous drivers certificate for five years preceding the lodgement of the application for the new certificate or licence. Further, to be eligible, the driver, licensee or any close associates of the licensee must not be under investigation by the RTA in relation to a breach of their licence or certificate, or any other contravention of the Act or regulations, and must not have committed actions in the five years preceding the lodgement of the application which would warrant the suspension, revocation or cancellation of a licence. As per the existing arrangements, operators will still be required to provide a certificate of currency to confirm that all insurance requirements have been fulfilled.

Criminal name checks, driver licence checks and vehicle registration checks will continue to be undertaken by the RTA. Additionally, if a new three-year licence or certificate is revoked or cancelled the driver or licensee will be ineligible to make an application for a new extended licence or certificate until they again satisfy the relevant criteria. In the event of a suspension, the operator or driver will not be entitled to resume the three-year licence or certificate but will automatically be placed on a licence or certificate not exceeding 12 months.

Another key feature of the bill is the amendment to provide for the capping of charges relating to procedures and tasks that are related or ancillary to towing. Currently, the Government may set maximum prices that operators and drivers may charge for the towing, salvage, or storage of motor vehicles. This is to prevent disreputable industry operatives from taking advantage of motorists at accident scenes when they are vulnerable and/or in a state of stress and confusion, and from charging exorbitant fees to tow and store their motor vehicles. Although maximum charges are prescribed, there are unscrupulous operators and drivers who impose unnecessary and inflated charges associated with tasks ancillary or related to towing, that is, charges that are not strictly captured under towing, salvage or storage but which are nevertheless strongly associated with towing.

Let me outline some examples of ridiculous charges that have been imposed on motorists: the cleaning of small quantities of oil and fluids from the tray of a tow truck, which have attracted charges of anywhere between \$60 to \$150; the issue of an invoice or the sending of a facsimile, which can cost the consumer up to \$50; and the payment of a fee to release a motor vehicle or personal items in the vehicle, such as a baby capsule, from the holding yard, which can cost up to \$50. Unbelievably, one tow truck driver prosecuted by the former Tow Truck Authority had imposed additional charges of up to \$314 and claimed these charges were for providing services such as a drink of water to the motorist and dropping the motorist home in the course of towing the vehicle.

These charges typically disguise what are known as drop fees, which are commissions paid by smash repairers to tow truck drivers for the delivery of accident-damaged motor vehicles. Drop fees can range from \$150 to several thousands of dollars. The bottom line is that these charges are unacceptable and will no longer be tolerated. The bill will therefore allow the RTA to determine the maximum charges that may be charged by operators and drivers for ancillary components of a tow.

Another key amendment to the Act relates to the carrying of unauthorised passengers in tow trucks. Under section 67 of the Act, a person must not travel as a passenger in a tow truck that is travelling to or from the scene of a motor vehicle accident unless they are a passenger or driver of the motor vehicle involved in the accident, or they hold a tow truck driver certificate. The intent of this section is to prevent tow truck drivers arriving at accident scenes with passengers who, upon arrival at the scene, engage tow truck drivers from competing companies in arguments or violence in order to distract, intimidate and delay them in their efforts to legally obtain a towing authorisation. This tactic allows the tow truck driver who carries such a passenger to obtain a towing authorisation at the expense of other competing drivers.

It is not uncommon for the offending passenger to leave the scene of the accident once police arrive or once directed to leave by police. However, often by this stage the tow truck driver who has brought the passenger has already obtained a towing authorisation. The current penalty for breaching this section of the Act is imposed against the person who travels as the passenger. However, it is extremely difficult to obtain credible proof of identity and residential details of the passenger so that a penalty can be imposed. The amendment outlined in the bill will mean that the tow truck driver who drove the passenger to the accident scene will also be penalised. The addition of such a penalty will be an effective measure in deterring tow truck drivers from participating in this type of activity.

Another important amendment outlined in the bill relates to the compliance of drivers at accident scenes. Currently under section 66 of the Act, a driver of a tow truck at an accident scene must comply with any reasonable direction given by an authorised officer, police officer or emergency services officer. However, some tow truck businesses have sent two certified drivers in one tow truck to an accident scene to get around these directions. For example, when instructed to leave an accident scene by a police officer, one of the drivers will hand the towing authorisation booklet to the other driver, who then persists in soliciting the tow. The police can issue an infringement notice to both drivers for failing to comply with their direction.

However, as the provision specifies compliance with directions from authorised officers by the driver of the truck, the police are required to prove which individual was in fact the driver of the tow truck. As this cannot often be proven, charges can be dismissed when the matter comes before a court. Accordingly, it is proposed to amend the Act to replace references to "the driver of the truck" with "a certified driver". This amendment will eliminate ambiguities in relation to driver conduct at accident scenes. The bill also introduces an amendment to specify that the Act does not apply to the towing, salvage and storage of some vehicles such as forklift trucks, golf buggies and ride-on mowers. These types of vehicles were never meant to be captured by the legislation and the amendment clarifies this situation.

In conclusion, the bill will build on the success of the wide-ranging reforms recently implemented by the New South Wales Government. The amendments in the bill will further improve the regulation of the tow

truck industry. They will reduce red tape and costs to industry, and they will better protect motorists who rely on tow truck services. I commend the bill to the House.

Debate adjourned on motion by Mr Russell Turner and set down as an order of the day for a future day.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2008-09

Debate resumed from 5 June 2008.

Mr RICHARD AMERY (Mount Druitt) [11.00 a.m.]: Once again I am pleased to report positively on the budget delivered in this House only a few weeks ago by State Treasurer Michael Costa—not Costa the great from team Macarthur, who is in the Chamber. Anybody speaking on the budget and studying it perhaps should preface their contributions by reading the first two paragraphs of the infrastructure statement introduction from Budget Paper No. 4. The introduction talks succinctly about the Government's goal of the budget. The introduction states:

The State's total capital expenditure in 2008-09 is budgeted at \$13.9 billion. This is an 11.1 per cent increase over the \$12.5 billion budgeted in 2007-08. Of the total, \$5.5 billion will be spent in the general government sector and \$8.5 billion in the public trading enterprises (PTE) sector.

I shall not read further, suffice to say it would be impossible to go through the number of projects listed in the infrastructure statement. The budget papers refer to the comprehensive work the Government has put into providing an infrastructure strategy that will give this State long-term benefits. The budget papers are full of projects such as the North West Metro and the South West Rail Link. There is mention of approximately 31 new school projects, some of which are in my electorate and I will be pleased to talk about them shortly. The budget has allocated increased spending for accommodation for the aged and disabled, and for major expansions of the three ports at Sydney, Newcastle and Port Kembla. The list of projects goes on and on. Anyone criticising the budget for not putting enough money into infrastructure is playing politics in the extreme.

Again, I am pleased to say that the budget delivered by the Treasurer has been a sound one with benefits not only for the entire State of New South Wales, but also, speaking as a parochial local member of Parliament, for the electorate of Mount Druitt. Each year I contribute to the budget debate and, in recent times, I have often mentioned the many projects needed and, of course, the projects that have been delivered. I express my appreciation once again for the projects delivered to the Mount Druitt electorate. In fact, in this budget the Labor Government confirmed the election promises I made in the lead-up to the 2007 State election. I draw attention again to those important school projects that became a reality for the Mount Druitt constituency through the efforts of the member for Marrickville, when she was Minister for Education and Training.

It is not only I as the local member who wants more, but my electorate also wants more. In wording similar to that great classic: We want more. The good news is that for as long as we have a Labor Government in New South Wales those projects will happen in the future, as surely as they have in the past. I shall provide further details on specific projects later in my contribution. The Government has done it again with this budget; It is matching a balanced budget, after approximately 13 consecutive budgets, with record spending on public works, now known as infrastructure. The Treasurer's Budget Speech refers to new accounting methods to calculate the surplus funds, but before the critics launch their attack I point out that the Treasurer said the figures are presented in both the former and current accounting methods. For example, the Treasurer said that the 2008-09 budget will result in a surplus of \$268 million, or \$737 million under the accounting standards that applied last year. Obviously, by changing the accounting methods the Treasurer and the Government certainly are not trying to change the emphasis or figures as both accounting systems are used in the budget papers.

We should also be confident about these budget predictions. Opposition members always talk about underspending, overspending, and project blowouts, because that is what they like to do. But we should be confident about the Treasurer's predictions because the budget papers clearly demonstrate that last year's figures not only did not blow out, but were also understated. We did better than we predicted we would do in last year's budget. We are some \$660 million better off this year on last year's budget. Clearly, the many references to sound economic management by the Premier, Treasurer and Ministers are more than just rhetoric: the figures in the budget papers continue to speak for themselves.

The State Government continues to play its part also in the national fight against inflation. I shall not go into great detail other than to state that the budget papers make continual references to an ever-increasing taxation regime about which the Premier should be proud. The Government has announced a phased reduction in a number of taxation measures, which we hope will flow to the business community and result not only in reduced overheads but also more employment opportunities. The Treasurer also referred to agreements to restrict the actual pay rise costs to 2.5 per cent. Of course, the agreements allow for pay increases up to 5 per cent within that policy. The 2.5 per cent policy has been criticised, perhaps overlooked and misunderstood especially by those in the trade unions and the State Opposition.

Contrary to what media critics have said, the overall policy to restrict pay rises to 2.5 per cent does not mean every pay claim will result in a pay increase of 2.5 per cent—or less as the record has shown. The Government must ensure that it does not fall into the same trap as the Reserve Bank, which obviously believes that the fight against inflation should be carried out by only a section of the community—particularly those paying off a mortgage. The community is extremely concerned at the continuing interest rate increases and the big yawn by the banks as they increase their rates above those set by the Reserve Bank.

As I have said in previous debates, my electorate always tops the list with the number of first-home buyers applying for concessions by this Government. New South Wales first-home buyers do not pay stamp duty on homes up to a value of about \$500,000, with a sliding scale of and phasing out to about \$600,000. So, virtually everybody buying a home in the Mount Druitt electorate for the first time does not pay stamp duty. Of course, on the other side of the scale, with increasing interest rates, my electorate also tops the very tragic list of the number of people losing their homes through bank foreclosure. The ever-increasing interest rate rises over the past few years are the major contributing factor.

We should note that under the Howard Government the Reserve Bank all the banks adopted rate. The question now is: Why are the banks changing their policy to increase home loan rates far above the Reserve Bank rate under the Rudd Government? I am very suspicious of the motives of the banks. During the Coalition Government's period of government, all the banks kept their interest rates to the Reserve Bank rate, but they are taking free rein during the Labor Government's term—and responding with a big yawn when the media asks why that is happening.

The result is that struggling families, who are endeavouring to raise a family and pay off a house, are hit the hardest in terms of income to mortgage payments ratios. Add to that the ever-increasing cost of petrol and we can see why the Treasurer has reported that although consumer spending was growing strongly in the first six months of the financial year, it "stalled in the first quarter of 2008", to use his words. What is the reason for that? It is not rocket science. If a family is asked to spend more and more on mortgage payments and petrol, they are forced to spend less and less on other items, such as appliances, outings and clothing, with the result that a downturn occurs in the retail sector and that has been highlighted in the budget papers and by the State Treasurer.

The Prime Minister and the Premier have set an example by freezing salary increases of members of Parliament. I realise this is one of those *Fawlty Towers* "don't mention the war" topics and members of Parliament do not usually mention parliamentary salaries, but I point out that that measure was implemented in the hope that private companies would apply some restraint in setting executive salary levels. As everyone expected, that did not occur. In fact, to the contrary, not long after the Prime Minister announced a freeze on parliamentary salaries, and the Premiers of the States followed suit, there was media commentary about industry leaders scoffing at the idea. Newspaper articles referred to senior executive salaries totalling many millions of dollars, and even bonuses being paid in similar amounts by companies that were in decline or were losing money. That is an outrageous situation. It shows that people on high executive salaries scoff at the idea of contributing in some way to the fight against increased inflation rates.

The scoffing by senior executive members of companies has resulted in the Prime Minister being accused of taking part in some form of political stunt. In other words, the Prime Minister has been accused of freezing parliamentary salaries to grab good headlines for a day or so, and the example was not followed by many sectors of the community. Especially in the light of events that have occurred since then, of course, we all realise that was not the Prime Minister's purpose. Having frozen the salaries of members of Parliament, the Federal Government could have gone further and included High Court judges, senior executive members of the public service, and members of the Reserve Bank Board. If that had happened, the policy would have gained much wider acceptance. I suggest the Prime Minister should consider those options to avoid being accused of orchestrating political stunts and to avoid criticism such as that levelled at him when he made his decision to freeze parliamentary salaries.

The Federal Government has control over many top positions in the public sector, and should closely examine the salaries paid to Reserve Bank Board members, who seem to adopt a very casual approach to the impact of their decisions and to the hurt that is being felt by the community. Perhaps sustaining a little bit of hurt in their own backyard might bring them back to reality and they may gain an appreciation of the cost of living. I am informed that recently the senior public service level in Canberra was awarded a 4.3 per cent increase in salary. One could describe that increase as moderate in the usual scheme of things, but it hardly sets a good example in current circumstances, especially when highly paid members of the Reserve Bank are inflicting severe pain on average families and communities.

I will not deal in detail with the speeches made by the Leader of the Opposition and the Leader of The Nationals in response to the budget because this year also they had very little to offer. For years, in response to facts such as balanced budgets, the Opposition has called for increased levels of spending on infrastructure. Yet who are the biggest critics of infrastructure spending? The Opposition! That is the case despite the fact that year after year since Labor won office in 1995, the Government has brought in one record infrastructure budget after another, every year Labor has been criticised for those projects. The Opposition continually took cheap shots and said that the Government was underspending on infrastructure, or there were delays in approving tenders, or there were cost blow-outs. The Opposition always found some niggling way of attacking major infrastructure projects.

As a general comment, I pose these questions—and members of the Opposition can regard them as rhetorical, if they wish: Who are the biggest critics of infrastructure projects in New South Wales? Of course, it is the Opposition. Who are the biggest critics, for example, of the desalination plant—a massive project that is designed to secure Sydney's water supply? It is the State Opposition. Who are the biggest critics of the Cross City Tunnel? Of course, one could always find problems with the Cross City Tunnel, but again it is a major infrastructure project. It is the State Opposition that always finds fault. Who are the biggest critics of the Lane Cove Tunnel? I cannot pick up a North Shore newspaper without reading about some North Shore member of Parliament having a shot at that major project. I acknowledge that there are some problems with the cost of the toll and so on, but that is a major infrastructure project. As everybody asks when addressing criticism of all these major projects: Are they not needed for transport around Sydney?

One only has to recall the Opposition's track record, as I so often like to do, to contradict the criticism. I remind people of the Opposition's campaign against Darling Harbour and I can go back even further. Every major project in the State has been built by Labor Governments. We had to do that without the support of the Opposition. As a matter of fact, those projects have been completed despite the Opposition's continuous criticism. This year, when the Government borrowed modestly to provide massive infrastructure programs, instead of the Opposition saying how that could have been done better, or that the Government should have been aiming at bigger projects and so on, the leaders of the Coalition, in their responses to the budget, referred to the Government running up credit card debt, and made glib statements. That has been the standard of speeches in response to the budget made by the Opposition, and that is probably why most Opposition speeches have already been forgotten.

For the benefit of students of New South Wales politics that might question the contradiction in the position adopted by Coalition leaders from one budget to the next, I point out that the reason is very simple. The Opposition can say something different and contradictory each year because the Opposition does not have a firm policy base from which to work in the first place. Without policy, the Opposition can say just about anything each year, even if what it says this year conflicts with what it said last year, two years ago, or a few years ago. That is a lovely position to be in! An Opposition that has no principle and no policy can say whatever it likes year in year out. Such is the life of a Coalition team that is unencumbered by policy or even principle to fall back on when preparing a response to a budget speech—or, more to the point, something as important as the budget itself.

In conclusion, I report to the House that next month I will attend the opening of the new purpose-built library for the Rooty Hill High School. I know I have reported to the House on this matter on previous occasions, but I am very proud of the project, and I am very proud of the Rooty Hill High School community. The funds were allocated in a couple of past budgets and the project has been built over the past couple of years. [*Extension of time agreed to.*]

The opening ceremony will mark the conclusion of a fight by the Rooty Hill High School community to obtain funds for that facility. Members might recall that the Rooty Hill High School's library consisted of a couple of redesigned classrooms to facilitate an ever-expanding computer budget and the ever-expanding use of

library facilities by the school's students. The school community said that was not good enough and for many years they hounded local politicians, including Premiers and Ministers for Education, summoned the media when they argued their case, gathered signatures for petitions, and went everywhere to get support. I say "Well done!" to the Principal of the Rooty Hill High School, Christine Cawsey, on leading the community's fight to obtain that facility. It will be a great day for the Rooty Hill High School community when that facility is officially opened.

I also report that the old demountable library at the Eastern Creek Public School has been removed and that a new library is being built as I speak. That represents another win by a hardworking local school community. Eastern Creek Public School is a very small school and the school's relatively low enrolments seem to have been a factor in the school being placed on any departmental budget list. Thanks to the intervention by the former Minister for Education and Training, Carmel Tebbutt, after receiving a deputation from that very genuine and hardworking Eastern Creek Public School community, approval was given for a new library at the school.

The budget highlights another local success story—probably the main one—involving a school project. One of the 19 school projects outlined in the budget is the new hall for Colyton Public School. This marks the end to another successful campaign by a school in the Mount Druitt electorate. Colyton Public School is one of the older primary schools in my electorate. Members, who undoubtedly have many older schools in their electorates, will be aware that in years gone by many schools were built without the facilities that are now standard in newer schools. For instance, older schools do not have purpose-built libraries or freestanding halls, not to mention the electricity supply needed to run computers and other technical equipment. As its population increased, Colyton Public School had to resort to holding assemblies and other school events out in the open, in all weather. As a consequence, the school was forced to cancel many such events.

But, like Rooty Hill High School, Colyton Public School did not accept its plight. The school community did not believe the school should go without, so it campaigned tirelessly for many years in a manner similar to Rooty Hill High School. The school harassed local members of Parliament, issued stories to the press, wrote to the Minister and led a deputation to see her. The school community made sure the issue was always in the mind of the Minister and known to the department. Eventually it won, and during the 2007 election campaign former Minister Tebbutt announced funding for the construction of the hall. I was extremely pleased to see Minister Della Bosca secure that funding in the budget, and now Colyton Public School will have the hall for which it has fought for so many years.

The Mount Druitt community will now begin to campaign for funding for projects such as easy access to the Rooty Hill railway station, an extra lane on the Davis Overpass and more car parking spaces at Mount Druitt railway station—to name but a few. But in the meantime, I say well done to the Premier and the Treasurer for bringing down a sound budget that delivers good projects and record infrastructure. The electorate of Mount Druitt has done extremely well in this budget, and the entire State can look forward to another year of sound financial management under this Labor Government. I thank members for their attention.

Mrs JILLIAN SKINNER (North Shore—Deputy Leader of the Opposition) [11.22 a.m.]: This year, for the fourteenth time, a Labor Treasurer rose to his seat in this place and claimed a record investment in State infrastructure and services. The reality is that, despite repeated pledges in each budget of record infrastructure spending and improvements in services, the State is going deeper into debt. Debt levels in New South Wales are forecast to almost double over the next four years, from \$22.2 billion to \$41.7 billion. Yet we continue to be one of the highest-taxing States in the nation—\$2,645 for every man, woman and child in New South Wales. The Government has raised record revenues. Last year it received another windfall tax bonus of \$913 million, which took the total tax that Labor has received over the past 13 years to a massive \$17.5 billion. Yet New South Wales has little to show for it.

Not only does the budget repeat the mantra of record spending but it is the fourteenth budget brought down by the New South Wales Government that reveals Labor cannot live within its means. It is a government that relies on huge amounts of windfall taxes and other State revenue to fill the gap between what the Treasurer describes in the House and what is actually spent the following year. When long-suffering taxpayers ask, "But where has all the money gone?" the answer is that it has been used to cover the shortfall in the amount the Labor Government reckoned on spending that year. The Health budget shows this clearly. Last year the Treasurer reported that \$12.519 billion had been allocated to Health, but the revised budget revealed that in reality \$12.719 billion was spent—that is \$200 million more than expected. So whilst a budget of \$13.151 billion

allocated this year is a 5 per cent increase on last year's budget, it is only 3.4 per cent more than was actually spent. That 3.4 per cent additional recurrent funding is less than half the health inflation rate, as identified in the last NSW Health annual report, which states:

Health costs increased by an average 7.75% over the last two years—8.68% in 2006 and 6.83% in 2007.

That can be found on page 217 of the report, for those members who are interested. So what services are going to be cut to make up the shortfall? Even the budget-to-budget comparisons show a drop in funds in real terms. So something has got to give. What is it? I will examine the details of the Health budget to draw attention to the areas where the Government is cutting services.

The first is the health workforce. The many people who speak out about the problems in our hospitals talk about the conditions, the lack of resources and the long waits. They almost always sing the praises of the medical staff and those who support them. It is clear that it is these clinicians who are holding the hospital system together, despite the often deplorable conditions under which they work. Yet these same people face cuts in real wages, as the 2.5 per cent cap announced by the Treasurer is well below the inflation rate of 4.2 per cent.

Just one day after the budget was brought down, the Government made a one-year offer to nurses of a 3.9 per cent pay rise. But, of that, only 2.5 per cent is new money from Treasury and the additional 1.5 per cent is to be funded through "offsets". The general secretary of the nurses union was reported in the media as saying that more discussion was needed about what the cost offsets are. He said that the New South Wales Nurses Association was still seeking clarification of, and details on, those offsets. This pay offer is a slap in the face for nurses, who must now decide whether to accept a pay rise below inflation—and take a cut in real wages—or be forced to choose which services they will have to cut.

Since coming to office, Labor has closed about 2,000 beds. That has seriously affected busy emergency departments, which become blocked by patients who cannot be admitted to ward beds for treatment. The shortage of beds has also limited elective surgery because patients cannot be booked for operations when beds are not ready. The budget provides for the additional 180 acute care beds announced last November. But clinicians advise that another 1,000 beds are required in order to bring the acute bed occupancy rate down to 85 per cent and unblock emergency departments. This budget failed to deliver those beds. According to page 12-5 of the budget papers:

In March 2008, funding of \$14.4 million was received from the Commonwealth Government. This funding will target specific patient groups to ensure that no elective surgery patients are overdue their recommended timeframe by the end of December 2008. A further \$28.9 million is to be provided in 2008 09.

Sound good? Let us put it in the context of the money the Carr Government spent in 1995 when it ran the Waiting List Reduction Program following its election on a promise to halve hospital waiting lists. The Government initially allocated \$64 million to deliver on that promise. Then it allocated another \$81 million, and the final tally was \$200 million. The Government claimed the money reduced the waiting list by 25,000, but the truth is that a large number of those patients were defined away because the Government removed a number of procedures from the waiting list. Those 1995 dollars purchased considerably more than the 2008 dollars will, so it will be interesting to see what sleight of hand tactics the Government comes up with to claim that the waiting list—which is currently at around 59,000 patients—has been reduced. Perhaps the Minister will reissue the memorandum that was sent to doctors in the Hunter region a couple of years ago that revealed the trick that they were not allowed to put patients on hospital lists if they could not guarantee they would be treated in clinically appropriate times. This is, of course, how the Minister can justify her claim that there are not more people waiting longer than 12 months for treatment. They are simply not counted on government hospital waiting lists; they are sitting on lists in doctors' surgeries.

There are 160,000 people waiting for public dental treatment in New South Wales, and the additional \$4 million for oral health initiatives identified on page 12-16 of the budget papers is laughable. This measly funding will go nowhere near addressing the significant waiting list, and service and workforce gaps currently experienced. The budget also identifies specific health programs. Population health services cover the provision of health services targeted at broad population groups and include environmental health protection, food and poisons regulation, and the monitoring of communicable diseases.

According to page 12-13 of Budget Paper No. 3, Volume 2, these services are intended to reduce incidence of preventable disease and disability and improve access to opportunities and prerequisites for good health. If we believed the Government's rhetoric on prevention of illness we would expect a major increase in

this year's population health services budget. Page 12-9 states that one of the seven key strategic directions is to "make prevention everybody's business". But for 2008-09 the amount has declined by \$48 million, 11 per cent, compared with revised funding from 2007-08. What important services funded under this program will be cut? Page 12-19 identifies them as initiatives to prevent falls, reduce chronic disease risks such as smoking and excessive drinking, reducing obesity and preventing avoidable deaths in older people.

Primary and community-based services cover the provision of health services to persons attending community health centres or in the home, including health promotion activities, community-based women's health, and dental, drug and alcohol and HIV-AIDS services. Page 12-34 says that the provision of grants to non-Government organisations for community health purposes is also covered. According to the budget papers, "strengthening primary health and continuing care in the community" is another of the Government's seven key directions. The Minister for Health mouths platitudes about her newfound commitment to primary health care and the doctors, nurses, other clinicians and organisations who provide it. So, again, one would expect a substantial increase in this budget.

But, as the Council of Social Services of New South Wales [NCOSS] has pointed out, grants to voluntary organisations and agencies provided under this program have risen by only 1.9 per cent. The department has also informed NCOSS that indexation of 2.5 per cent will be applied to the non-government organisation [NGO] grants program. This is inconsistent with indexation rates for 2006-07 and 2007-08 of 3.3 per cent, and NCOSS claims this is inadequate given there will be a 3.5 per cent increase in the Social and Community Services Award. New South Wales Health has informed NCOSS that it is applying a 1 per cent efficiency dividend across the board, including to NGOs. The Council of Social Services of New South Wales does not believe it is appropriate to apply an efficiency dividend to NGOs as they do not have the same infrastructure base as the department. The Department of Community Services, the Department of Ageing, Disability and Health Care and the Department of Housing have all been given 3.3 per cent indexation to NGO grants, despite applying similar efficiency dividends.

Aboriginal Health Services have been allocated only \$446,000 more than was spent last year. That is an increase of only 0.7 per cent over a budget that was already insufficient. Clear evidence of this was revealed on 19 June in the *Sydney Morning Herald* report about failures to tackle indigenous child sexual abuse following the 2005 report "Breaking the Silence"—because of bureaucratic inertia and a lack of funding. The newspaper noted that "there was still only one part time, Aboriginal child sexual assault counsellor in New South Wales" despite the Department of Health plans to hire four counsellors in two locations and acknowledgement that, given the huge need for counsellors, this is unlikely to be sufficient. How can the Government justify cutting expenditure in real terms on Aboriginal health programs when the need to address child sexual abuse is so desperate and given the inequity experienced by the indigenous community in terms of life expectancy, major illnesses and child morbidity?

Mental health services have been given a 5 per cent increase compared with expenditure last year. However, this has to be taken with a grain of salt given that the Rudd Government let the cat out of the bag when it withdrew funding for mental health services in its budget on the basis that the States actually underspent money allocated in the previous year. This is clearly shown on page 12-41, which reveals that \$14.3 of the amount allocated in last year's mental health budget was not spent. Contrast this with every other budget program being overspent. There are 70 years of delays in existing projects in the Health capital works program, which includes 19 years of delays, which became evident in the last 12 months alone under the stewardship of the current Minister for Health. A number of capital works projects had budget underspends from the money allocated in the 2007-08 budget, a total of \$32.986 million. There are a total of \$430 million of blowouts in the final estimated costs of projects in the Health capital works program, which includes \$48.332 million in blown budgets which became evident in the past 12 months under the stewardship of the Minister for Health.

One example of delays, underspent funds and blowouts in the final estimated costs of projects is Ballina hospital rehabilitation unit redevelopment—a one-year delay in completion and \$1.1 million extra to build and \$127,000 not spent this year. I will list others on my website because of time restrictions. Many other important works were delayed, had total budgets blown or funds allocated for this year underspent and included projects such as: John Hunter Hospital in Newcastle, Queanbeyan Hospital, Royal Prince Alfred Hospital stage two, Ryde Hospital upgrade, St George community care, Sutherland Hospital projects and Tamworth Hospital. Even longer delays are uncovered if we go back to the original start date of some of these projects, such as the upgrade of the Royal North Shore Hospital. According to the 2002 capital works budget papers it was scheduled to be completed in 2010, at a total cost of \$407.4 million.

According to this year's budget it will now not be completed until 2014 and the total expected cost has blown out to \$637.4 million. That does not include the new research and education building that is nearing completion at a total cost of \$99 million—and perhaps not surprisingly, given this Government's lack of transparency, the \$30 million donated by Sydney University for that project is not acknowledged in the budget. While some 100 projects are listed in the 2008-09 Infrastructure Statement there is no detail about funding for other needed works including: the Program of Appliances for Disabled People; Bathurst hospital to fix all the faults in the new hospital; dialysis chairs in Deniliquin; maintenance for Bulli Hospital, a dilapidated building that is in a disgraceful state; mental health beds for the Shoalhaven; linear accelerator for the Shoalhaven; the much needed expansion of Shellharbour emergency department; Lourdes Hospital upgrade; maintenance for Queen Victoria Memorial Home; Dame Eadith Walker hospital maintenance to allow renal dialysis services to return; and the list goes on.

This year's health budget provides little information. What is the Minister hiding? I note that in the 2006-07 budget for emergency services we could tell how well the ambulance service was performing in response times; assess the demand on different retrieval services—road, air and helicopter; and see the large increase in revenues from patient fees, and massive increases in ambulance charges. This year's emergency services budget gives us none of those details. In fact none of the health budget programs provide information about revenue sources. Why not? Is the Government no longer reporting the amount it expects to raise in patient fees, to disguise the fact that it expects a major reduction because of the changes to private health insurance made by the Rudd Labor Government? Has the Government increased ambulance charges? We discovered that in last Friday's *Government Gazette*. Is that why it was not reported in the budget papers? In fact, like many of the Government's reports—carefully compiled to prevent comparisons and fashioned to hide unpalatable truths—this budget again lacks transparency and fails to indicate real performance outcomes for the billions of taxpayer funds spent.

I refer to Coalition initiatives which includes its pledge to drive better management and better Government, by: setting clear goals and targets for each State government agency; publicly reporting on the achievement of these targets each year; introducing benchmarking of each agency's costs; and requiring the Audit Office to verify the reporting process. The coalition has also promised to establish the Better Workplaces for Teachers and Nurses Program to deliver improvements in the workplace for our hardworking nurses and teachers. That has been given extensive coverage in the media. It is on my website, and the Leader of the Opposition referred to it in his contribution. The Coalition promised to investigate the viability of introducing a shared equity scheme that reduces the initial cost faced by people purchasing a home. It has also announced a policy to enable children to have greater access to preschool education, by providing up to an additional 25,000 preschool places at an estimated cost of \$50 million annually over four years.

In April this year a review of the cultural grants program found bureaucratic red tape is stifling innovation within the arts sector. Sandra Yates and Michael Collins found a number of inefficiencies. At first glance it appears that the arts industry development budget and the arts accommodation development budget have been increased by 1.5 per cent. But in reality the programs have 1.5 per cent less to spend than they had last year because the revised budget was actually \$20.8 million more than budgeted.

I focus now on the Cultural Arts Institutions Budget Program, which has either flat-lined or been cut by the New South Wales Labor Government over recent years. I will run through them briefly. The State Library of New South Wales has 1.8 per cent less to spend; the Australian Museum has an increase of 1.8 per cent, way below the inflation rate; the Museum of Applied Arts and Sciences has 5.3 per cent less to spend; the Historic Houses Trust has a 1.4 per cent decrease in budget; the Art Gallery of New South Wales has 2 per cent less to spend; and the New South Wales Film and Television Office has 3.4 per cent less to spend than last year. There has been no increase in funding for grants for councils to run libraries in the 2008-09 budget. This follows cuts to funding over the previous three years—in fact the 2008-09 budget is 5.2 per cent less than was actually provided in 2005-06.

I have dedicated very little time to highlighting the Iemma Government's funding initiatives that specifically benefit my North Shore constituents because there is very little to report. The Government has again failed to invest the funds needed to address the traffic chaos on Military Road—remember Seniors Week and the disaster at Spit Bridge. There was no money in the budget for improvements to Spit Road and Military Road, leaving North Shore residents to sit in traffic gridlock for hours each day. We will not see any of the long-promised 150 new buses. The promised upgrade of North Sydney station has blown out, so it will not be completed on time. There is no specific money to upgrade local wharves. As previously mentioned, this year's budget confirms that Royal North Shore Hospital's redevelopment will not be complete until 2014, despite initial promises it would be completed in 2010.

In conclusion, the Labor Government has again short-changed the people of North Shore. Despite its rhetoric it has short-changed our hardworking front-line workers, such as nurses, teachers, ambulance officers, police and others. The budget again lacks detail. There is no relief for families struggling to secure their homes and pay the bills. Services are clearly lacking in health, childcare and other areas. This is once again a Labor budget that is big on spin but short on substance. I commend to everyone the speech by the Leader of the Opposition and urge that they look at the positive alternatives that have been put forward for spending tax bonuses by a future Coalition government.

Debate adjourned on motion by Mr Russell Turner and set down as an order of the day for a later hour.

GALSTON ROAD UPGRADE

Mrs JUDY HOPWOOD (Hornsby) [11.43 a.m.]: I move:

That this House:

- (1) notes the complaints made by local residents about the road and conditions along Galston Road adjacent to the Galston Shopping Village; and
- (2) calls on the Government to immediately upgrade the road and add a pedestrian crossing to ensure improved safety for children and all residents.

Before I begin my contribution I acknowledge the member for Heathcote and thank him very much for his donation for Hush for Homeless. I could not take up the offer of double the money because I cannot be quiet today.

The long-suffering residents of Galston and surrounds have been putting up with an inferior State road adjacent to their shopping village for far too long. This issue has been raised with me many times, including on one occasion when I met the principal of Galston High School, who expressed to me in no uncertain terms extreme concern about the Galston Road stretch in front of the village shops and the need for upgrading of the area, including provision of a median strip to improve safety for cars, pedestrians and school students. He also referred to the need for a security fence.

I have made representations on many occasions in relation to this issue and on many occasions my staff have had to continually remind the Minister and his office that responses to representations on the matter are not being provided in a timely fashion. I might say that since the Federal election last year the responses have been more complacent, reflecting contempt for the constituents of the Hornsby electorate and many others, perhaps because the Government feels it does not need to respond in a timely fashion to such serious concerns because Labor is in power in all States and in the Federal sphere.

Galston Road connects with other roads that are also in need of improvement, including New Line Road, Boundary Road and Old Northern Road, and when things go wrong along Galston Road the impact on New Line Road and Old Northern Road is massive. This whole area needs attention because businesses in Galston are struggling and they need all the support they can get, and there are two nearby schools. This is a State road, so the buck stops with the Roads and Traffic Authority.

The complacency I have just mentioned has been reflected in the media. Before I refer to the letters I have received, some from local residents and one in particular from the president of the Galston Chamber of Commerce—now the Hills Rural Business Chamber of Commerce—I point out that over the past couple of days we have seen headlines such as "A space oddity" in the *Daily Telegraph*. I quote from that newspaper of 25 June:

Now we're even hearing it from the Labor Party itself: Premier Morris Iemma is "living in a parallel universe".

It says that members of his own party are giving him a wake-up call. He is not in touch with local residents. On 25 June the newspaper again referred to Morris Iemma being out of touch and on the path to destruction. It says a lone member of Parliament has finally told Morris Iemma what none of his minders has dared to—that he is out of touch and his Government is on a path to destruction. On 26 June the *Australian*, under the heading "Distress beacons a boost to rebel MPs", stated:

A DIRE opinion poll has confirmed deep unease within the New South Wales Labor caucus over the direction of the Iemma Government, but produced no prescriptions for change.

The Newspoll, which showed the Government trailing the Coalition in voter support and Morris Iemma falling behind Opposition Leader Barry O'Farrell as preferred premier—

Mrs Karyn Paluzzano: Point of order: My point of order is relevance. The motion is to do with Galston Road and the safety of children. I ask you to bring the member back to the leave of the motion.

Mr Andrew Fraser: To the point of order: The member for Hornsby is highlighting the ineptitude of this Government and its poor management on financial issues, which relate directly to why Galston Road has not been improved.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The member for Hornsby could have made that point herself. The substance of the debate is the upgrade of Galston Road, so I hope the member was making only passing reference to other issues. I uphold the point of order. The member will focus on the motion.

Mrs JUDY HOPWOOD: That is exactly why I was pointing it out: this Government is out of touch and this road is being ignored. I refer to an email I received from John Cordina, the President of the Galston Chamber of Commerce, on 17 April last year. He said:

Judy I met with the Advocate this morning at Galston and they could plainly see the problems with the danger aspects of Galston Rd re lack of traffic island and crossing, poor parking etc. We have spoken to RTA to get something done but they say that any improvements are not warranted. Many accidents have occurred at the Village including a child being knocked over. Any help you can provide would be appreciated.

I have acknowledged that and stated I would like to receive a letter from the president of the chamber. On 19 April he wrote to the Roads and Traffic Authority, copying the letter to me:

Dear Mr. Moon,

Re: Road/Parking/Safety Conditions in Galston Village

Further to previous correspondence, we again request the RTA review the road safety conditions in Galston Village as it is abundantly clear that improvements are urgently required.

Notwithstanding the existing conditions, Hornsby Council has just approved a new major Supermarket development on the corner of Galston and Arcadia Roads which undoubtedly will increase the traffic numbers in the Village when the development is complete. With the combination of these factors we consider the following is required as a minimum:

- * New pedestrian crossing.
- * Traffic island/median to improve traffic movement and safety.
- * Improved parking arrangements, e.g. 45 degree angle parking on both sides of Galston Road.
- * Road widening where applicable.

The attached article highlights the current problems in relation to this issue and alludes to an upcoming meeting with Hornsby Council to discuss this important matter. Where possible the Chamber would like to be involved in any discussions and we urge your Department to expedite this matter with urgency.

Frustratingly, the answer was an extremely lacklustre one. It took until 30 July for the Parliamentary Secretary for roads to respond. He stated:

I am advised the Roads and Traffic Authority (RTA) investigated a number of options to determine the appropriateness of installing a pedestrian facility at this location. The most appropriate location for a pedestrian facility was in the vicinity of the bus stop.

However, the installation of a pedestrian crossing or a pedestrian refuge at this location would adversely affect parking arrangements on both sides of this section of Galston Road.

Quite frankly, the President of the Galston Chamber of Commerce is absolutely fed up with being treated like an idiot. This is an insulting response. The president has not only indicated in his letter that a pedestrian facility needs to be created, but also that parking arrangements need to be attended to. I ask the Minister and the Parliamentary Secretary to address that rather ridiculous response. In terms of local residents, I quote from an email—amongst the many letters I have received—from Dave Salmon. On 29 February 2008 he stated:

I take up your offer for assistance as outlined in your recently mailed brochure.

As the 1st Dural Cub Scout Leader and Scout Leader, I spend many unpaid hours and have many interests involving children in my community. I live at 28 Nancy Place Galston and have 2 of my own children. They both walk to school, one to Galston Public and one to Galston High. I find the lack of crossings in Galston disturbing.

I have spoken to council who mentioned some rubbish about not being able to help and the area doesn't have enough population to warrant a crossing. They have passed the buck and advised me to speak to the RTA. I know that they will be difficult to deal with—

that would be an understatement—

and will treat me poorly, just like speaking to Telstra. So I am sending you a brief email outlining my concerns and request your input please.

There is a "median strip/pedestrian sanctuary" built in the middle of Arcadia Rd outside the public school, but no actual crossing. To me, and I have seen first hand, children attempt to cross, unsure if they are doing the right thing and some drivers slow down, some stop and some just keep driving. The poor little kids don't have any idea what to do and make mistakes.

One day a child will be knocked down here, it's just a matter of when.

How many deaths does it take to warrant a crossing?

The same applies outside the shops on Galston Rd, although there is not even a median strip.

Children who live in my area need to feel safe and be safe. I would like very much to hear your opinion on how to achieve these 2 crossings. After all, it is just some white paint on the road and a few signs.

Please respond when you have digested this and can offer something we can use ...

As you can see, this issue has been ongoing for many years. Many people, not only shopkeepers—residents, the principal of the high school, the president of the local Chamber of Commerce—have highlighted issues relating to the need for an upgrade of this road, and it is urgent.

Mrs KARYN PALUZZANO (Penrith) [11.55 a.m.]: I welcome our visitors and note that in the gallery are students from St Paul's Grammar School. "In Christo futurum" is their motto and St Paul's Grammar is one of the largest independent schools in the Penrith area. Welcome to Parliament. I move:

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

"this House notes the work undertaken by the Roads and Traffic Authority on Galston Road, in close consultation with the Hornsby Shire Council and the local community."

I am advised that the Roads and Traffic Authority has resurfaced a large portion of Galston Road in the past four years and has provided kerbing and guttering at the bus stop in question in cooperation with the Hornsby Shire Council. The Roads and Traffic Authority has investigated a number of options to determine whether it is appropriate to install a pedestrian facility at the location in question; however, the installation of a pedestrian crossing or pedestrian refuge at this location would adversely affect parking arrangements on both sides of this section of Galston Road. Therefore, the Roads and Traffic Authority and Hornsby Shire Council considered changes to the existing parking area outside the shops following the final conditions of consent for the proposed development at the intersection of Galston and Arcadia roads.

The Roads and Traffic Authority and the council also investigated the safest location for a pedestrian refuge. The council has advised that a concept plan has been developed in relation to the changes to the existing 90 degree parking outside the shops in order to improve traffic and safety conditions on this section of Galston Road. In addition, as part of the conditions of consent for the supermarket development, a two-metre wide central median island will be constructed on Galston Road between the existing roundabout at Arcadia Road and the westernmost boundary of the site to accommodate increased pedestrian movements to and from the shopping centre across Galston Road. This will include any roadway widening required to accommodate two traffic lanes, each 3.2 metres wide, in both directions. A crossing gap of three metres will be provided in the median island, including two kerb ramps. The Roads and Traffic Authority have worked closely with the local council on this issue and should be commended for their work.

Mr ANDREW FRASER (Coffs Harbour—Deputy Leader of The Nationals) [11.56 a.m.]: How disappointing it is that the Parliamentary Secretary for Roads, who has signed correspondence and is sitting in his chair, has failed to respond and the member for Penrith responds on behalf of the Government on a motion that is not political in its nature in any way, shape or form. She moved an amendment to the motion, yet all this motion does is call for the Government to immediately upgrade the road and add a pedestrian crossing to ensure improved safety for children and residents. This demonstrates the deafness indicated by the member for Camden this week, who said that neither the Parliamentary Secretary nor the Premier was listening to the people of New South Wales. In April this year a child was run over. We are talking about road safety and yet the Parliamentary

Secretary, in his response to the member for Hornsby, and the member for Penrith in amending the motion, are trying to tell the House that parking is more important than the safety of pedestrians and children in that area. What will it take before you get off your backsides and do something—a child to be killed?

I commend the member for Hornsby. I have had several roles in this Parliament over the years—shadow Minister for Small Business, shadow Minister for Local Government and now shadow Minister for Road Safety—and this member knows her electorate better than any other member and she probably knows more about the State and other issues than the Government does. The motion before the House today is a plea for help from Galston Chamber of Commerce and from the people who live in and utilise that area. It is an absolute disgrace that the Parliamentary Secretary sits in his chair without responding. His letter is basically a "do nothing" response saying parking is more important than people. A letter written in April by the member for Hornsby to the Minister is not responded to by the Minister but given to his sidekick—and as I have said, every letter I have had from him has been under a laser signature—and was not responded to until July.

The member for Penrith said that the Government is in discussion with Hornsby council and may do X, Y and Z. Do we get a timeframe? No. We get more excuses. We get an amendment to the motion to commend the Government for working with the council. What a load of rot and nonsense. The Government should be speaking to the local member, who knows her electorate so well. And it should not be the member for Penrith doing it; it should be the Parliamentary Secretary. I keep going to say "shadow Minister" because it will not be long and he will be. He really is ignorant of road safety issues in this State, be it in the Coffs Harbour electorate or in Hornsby.

I have visited those extremely busy areas. A shopping complex that is being developed on the corner of Galston Road will result in increased pedestrian and vehicular traffic. At the end of the day the Government states, "We are considering these issues with council and we do not believe that anything needs to be done." We hear nothing other than excuses from this Labor Government. I say to the Parliamentary Secretary, the member for Maroubra, and to this Government: Be it on your head if another child is hurt, injured or killed because you have failed to listen.

Ms Carmel Tebbutt: That is outrageous!

Mr ANDREW FRASER: It is not outrageous. This week's polls show that the people of New South Wales are fed up with this Government for failing to provide basic safety provisions on straight roads in built-up areas in electorates such as that of the member for Hornsby. People have had a gutful of this Government's excuses and they do not want any more deaths or injuries to occur on these roads. The member for Maroubra is being paid an additional amount to fulfil his role as a Parliamentary Secretary in this Parliament, yet he cannot put pen to paper to sign a letter and provide constituents in the Hornsby electorate with a response. The Parliamentary Secretary should not take these matters lightly.

Mr Michael Daley: What do you think I am sitting here doing now, you boofhead? Do you think this is a ham sandwich?

Mr ANDREW FRASER: For the information of the Parliamentary Secretary, I will show him all the letters he has signed using a laser signature. He does not understand these issues. I have all those letters. During the estimates committee process I will question the Minister for Roads to establish how often he signs a letter. Anyone using a laser signature to sign a letter would not read that letter or understand the issue. As I said earlier, the people of New South Wales have had a gutful of this arrogant and incompetent Government. Government members should get off their backsides, fix this issue and stop offering the people of New South Wales paltry excuses.

Mrs JUDY HOPWOOD (Hornsby) [12.02 p.m.], in reply: It is beyond comprehension why the member for Penrith, whose electorate is some distance from the Hornsby electorate, moved an amendment to my motion. I am not an expert on the roads in her area but she believes that she has enough information about the roads in my area to move an amendment to reduce the serious nature of my motion. I note her contribution to debate on this motion but I do not thank her for it. I am staggered that the Parliamentary Secretary, the member for Maroubra, did not contribute to debate on this motion, though that is not surprising considering this Government's complacency on road safety issues.

Mr Andrew Fraser: It is insulting.

Ms JUDY HOPWOOD: I agree with the member for Coffs Harbour; it is insulting. I thank him for his contribution. Opposition members do not support in any way, shape or form the amendment moved by the

member for Penrith. One year ago I gave notice that I would be moving a motion relating to safety conditions on Galston Road. Now that the matter is being debated in this Chamber there is a cosy arrangement between the Roads and Traffic Authority and Hornsby Shire Council, which is bizarre. All the members in my community to whom I have spoken are disgusted with the slow approach of the Roads and Traffic Authority to perform work on a stretch of road that is in dire need of upgrading.

Galston Road is a throughway for people who are fed up with the appalling conditions on New Line Road—another issue that I wish to draw to the attention of the Parliamentary Secretary and the Minister for Roads. Galston Road is a throughway for people travelling to or from Hornsby or to homes in the western part of my electorate adjacent to New Line Road. This Government has done nothing other than rest on its laurels. I am disgusted with its complacency. It should have addressed these issues in a timely fashion, rather than wait for some futuristic development that will take years to come to fruition. As yet, no firm date has been set for that development. People in my electorate deserve to drive through this area in safety.

I have driven through the area on many occasions and I have observed the movement of traffic on Galston Road from the roundabout and past the Galston shops. I have watched people backing out of the parking areas in front of those shops and attempting to enter the traffic flowing along Galston Road, almost causing an accident on every occasion that they attempt to do so. It is disgraceful that this Government is not prepared to do anything to remedy the problems on this disastrous stretch of road. Rather, it prefers to wait for a catastrophic event or, heaven forbid, a death before it attempts to do anything. The Minister for Roads and the Parliamentary Secretary should have acted more quickly to address my constituents' concerns. I will re-read the statement made by the President of the Chamber of Commerce, who refers to the minimum road safety requirements required for Galston Road:

- * A new pedestrian crossing.
- * Traffic island/median to improve traffic movement and safety.
- * Improved parking arrangements e.g. 45 degree angle parking on both sides of Galston Road.
- * Road widening where applicable.

Those are the minimum road safety requirements. I have attended a number of on-site meetings relating to this road. Unfortunately, Hornsby Shire Council's traffic committee does not meet regularly, although I forced it, kicking and screaming, to hold a recent meeting to discuss issues relating to that area, which council members begrudgingly attended, to talk about the problems on this stretch of road. The Government has been found wanting in its failure to ensure safety on roads in New South Wales.

I have a modicum of pity for Hornsby Shire Council, as generally it does not receive sufficient funding for road maintenance. However, Galston Road, a main regional road that is used by my constituents to travel east and west to Galston Gorge, is the responsibility of this State Government. This Government is responsible for addressing the safety concerns of people in my electorate, including school principals and presidents of chambers of commerce. This Government must upgrade Galston Road as a matter of urgency. Government members should not move petty amendments to reduce the serious nature of such an issue.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 44

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

Noes, 37

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

Pair

Ms Burton

Mr J. D. Williams

Question resolved in the affirmative.**Amendment agreed to.****Question—That the motion as amended be agreed to—put.****Division called for and Standing Order 185 applied.****The House divided.****Ayes, 44**

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

Noes, 38

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

Pair

Ms Burton

Mr J. D. Williams

Question resolved in the affirmative.**Motion as amended agreed to.****BLUE GUM HIGH FOREST, ST IVES****Mr JONATHAN O'DEA** (Davidson) [12.22 p.m.]: I move:

That this House:

1. Notes the substantial and unique heritage significance of Sydney's Blue Gum High Forest, particularly at the Dalrymple Hay Nature Reserve/Browns Forest site at St Ives.
2. Calls on the Government to support the protection of the adjoining Blue Gum High Forest at 102 Rosedale Road, St Ives, and for the land concerned to be transferred to public ownership.

In support of the motion before the House, I point out the unique heritage significance of the blue gum high forest at St Ives and the successful acquisition by Ku-ring-gai Council of the last part of the forest that was in private ownership at 102 Rosedale Road. The blue gum high forest in St Ives is an important natural history asset in the Davidson electorate. It is the last intact remnant sustaining a complete balanced forest remaining from the mighty forest that once stretched in northern Sydney from Lane Cove to Waitara on the Wianamatta shale soils. We now have just 5 per cent of the original forest remaining, and some of that land is retained in reserves.

The remnant forest at St Ives comprises the Dalrymple-Hay Nature Reserve that was established in 1934, Browns Forest and an area of land owned by Sydney Water. In total, there are 17.7 hectares of blue gum high forest. This ecologically balanced area comprises a high canopy of blue gum, blackbutt and ironbark trees up to 30 metres high. Below the gums is a mid-level story of native shrubs and then a ground cover level. The area contains over 200 species of plants, and many birds and small animals. The forest, as the largest remaining remnant of the mighty blue gums, has been declared a critically endangered ecological community under the Commonwealth Environment Protection and Biodiversity Act. It is unique.

If our civilisation is to truly thrive on this planet in the longer term, we must preserve our assets such as cultural heritage, built heritage, living heritage and natural heritage. Without a many-pronged approach to the environment and conservation, the sustainable survival of the human race is threatened. I will briefly touch on each of the conservation areas to which I have referred, and then fit the surviving blue gum high forest into the picture. Our cultural heritage includes the Aboriginal culture that has been maintained on this continent for thousands of years. The Aboriginal peoples trod lightly on the ground and had a method of subsistence food gathering that meant they used only what they needed each day so that they had food for the next day. They were not builders but markers and gatherers, and they had a rich culture of language and traditions. That heritage was badly decimated, but I am pleased that we are now better recognising and preserving Aboriginal culture, including in my electorate of Davidson.

The cultural heritage that first arrived from Britain has been broadened by successive waves of people from all parts of the world coming to Australia. This imported heritage in the main has survived well and has been enriched over many years. For 50 years or more, our built heritage has been recognised as being important to our culture. Increasingly we are focused on preserving our European-style built heritage with a local flavour. Protection has been spearheaded by the National Trust of Australia. In Davidson we have many buildings of considerable heritage conservation value that are worthy of protection. Our living heritage is strongly preserved in Australia, including in this Parliament where we maintain some great traditions of the past but have an eye on today and the future. The Clerk of the House is a special part of Parliament. With a thoroughly modern mind that is as sharp as a tack, he maintains the legal frock coat and breeches of his predecessors many decades ago. Anzac Day is another great part of our living heritage.

Natural heritage has taken a battering in the past century. In the past 70 years our survival instinct appears to have waned, with grim warnings by some of what might happen in the future. Slowly the environment is becoming more a topic of concern, and that is especially so among our youth. In Sydney we have

varying levels of ground pollution right across the city from industrial processes and the styles of living that people have adopted. Today we have the New South Wales Department of Environment and Climate Change; that would have been unheard of 60 years ago. The department is working on solutions and advice, and tagging of pollution sources. I commend the efforts of that department. Fortunately there is a growing band of citizens in New South Wales who share concerns; in turn, there are councils and others who identify environmental problems and remedies.

I turn now to discuss a success story in securing our natural heritage in Sydney—one more piece of the jigsaw. The remnant of Blue Gum High Forest at St Ives is a success story of which we may all be proud. In September 2007 I outlined in detail to the House the history of the Blue Gum High Forest as well as the struggle undertaken by local community groups and Ku-ring-gai Council in an effort to secure preservation of the whole forest. I am pleased to advise the House that the last remaining piece of the jigsaw that constitutes the Blue Gum High Forest at St Ives, which is Lot 102 Rosedale Road, has been acquired by Ku-ring-gai Council. That was made possible by funds provided by the Commonwealth Government and donations from the local Friends of the Blue Gum Forest, but the major part of the funding came from Ku-ring-gai Council. While the previous purchase of Lot 100 Rosedale Road utilised offset funding from the State Government, the State Government did not contribute to the latest purchase of Lot 102 Rosedale Road.

The final raising of the topic and lobbying for the acquisition of Lot 102 Rosedale Road was driven by the Blue Gum High Forest Group, which is led by the chairperson, Nancy Pallin. The group is a coalition of community organisations, including the South Turramurra Environment Protection group [STEP], which is a community environment group, and Friends of Ku-ring-gai Environment [FOKE]. Sydney Water owns an adjoining section of blue gum forest that is used for a reservoir and takes up only part of the Sydney Water site. I acknowledge Sydney Water's cooperation in allowing its unused area of forest to be treated as part of the forest preservation area. I ask the State Government to consider handing over the unused part of that site for inclusion in the broader reserve.

The future management of the forest is being carried out by levels of government under the auspices of the Commonwealth Government National Reserves System. Restoring the ecology of the forest is an ongoing task that is being carried out by the bush regeneration team of the Friends of the Blue Gum Forests, led by Neroli Lock. I acknowledge the team's great efforts and note that next Sunday they will be back on the job carrying out bush regeneration on the Sydney Water land. I express concern over the current planning push for overdevelopment in Ku-ring-gai that will allow five-storey developments to break through the tree canopy in areas where pockets of the Blue Gum High Forest still exist.

While we can preserve some natural areas, such as the surviving Blue Gum High Forest, fauna does not recognise reserve boundaries. Our native fauna are great travellers, each with their own priorities according to the time of day, seasons, weather, food sources, dangers and safe havens. As we slowly preserve what is left of our natural areas, including the remaining Blue Gum High Forest, another task is to link those areas with fauna corridors. Golf courses are ideal fauna corridors, but too often they are overfertilised and the understorey is cleared away—to save golf balls from being lost. Golf courses often do not manage understorey from the point of view of creating biodiversity and a fauna habitat. Pymble Golf Course is a key, but perhaps underappreciated, link in the fauna corridor between the Blue Gum High Forest and Ku-ring-gai Chase National Park. Roseville Golf Course is another area where greater attention might be paid to habitat protection and biodiversity. Many of the issues and principles I have outlined are conservation issues that apply across New South Wales. I commend the motion to the House, not only as an acknowledgement of a small but significant success story relating to the Blue Gum High Forest at St Ives, but also as another part of the jigsaw of conservation in New South Wales.

Mr PHILLIP COSTA (Wollondilly) [12. 28 p.m.]: I commend the member for Davidson for his passion and the people of Davidson for contributing considerable time and sacrifice to protecting the Blue Gum High Forest in the Davidson electorate. I share their passion. The Government is aware of the importance of conservation and the heritage significance of Sydney's Blue Gum High Forest. That is why the Government secured the transfer of land at Lot 100 Rosedale Road, St Ives. In the past I have travelled through that area, having once lived at Bayview.

Mr Rob Stokes: Hear, hear.

Mr PHILLIP COSTA: It is a lovely part of the world, as I am sure the member for Pittwater would agree. I very much appreciate the importance of the St Ives Blue Gum High Forest. I congratulate those who

have worked with the Government to acquire 100 Rosedale Road, St Ives and transfer it into the Dalrymple-Hay Nature Reserve. The Department of Environment and Climate Change was instrumental in securing this land, using funding provided by the Transport Infrastructure Development Corporation to offset the loss of degraded blue gum remnants at Hornsby station. The Government and I appreciate that the community has an interest in also incorporating land at 102 Rosedale Road into the reserve. I assure the member for Davidson—and I will advocate for this on his behalf—that the Department of Environment and Climate Change is willing to incorporate these lands into the nature reserve in the future should funding become available.

I am actively involved in respect of reserves in my electorate. In fact, more than half of my electorate is covered by nature reserves and national park, and a considerable amount of surrounding land requires acquisition. But it is about having the funding not only to acquire that land but to manage it once it has been acquired. It is about getting the funding right. In the meantime, the department is working with Ku-ring-gai Council, which I believe acquired the land, and other North Shore councils to identify and protect existing remnants through a range of protection measures, including offset opportunities. Since Labor came to power in 1995 it has included in the reserve system some 400 parks across the State. That requires considerable resourcing. As I said earlier, it is about not just acquisition but having the funds to meet the ongoing costs of maintenance and management. That is a factor in my electorate. My electorate comprises an endangered ecological system, the Shale/Sandstone Transition Forest. It is not quite as majestic as the Blue Gum High Forest, but it is still a fantastic ecological area. We are in the process of trying to acquire that land, and we face the same problems with acquisition and ongoing funding. The land ranges in area from 10 hectares—in fact, one person might donate a 500-hectare parcel of land, which would be great. That is quite a substantial contribution. However, we must consider also the ongoing costs of managing the land.

I take my hat off to former Premier Carr for his actions in the area of conservation. At present about 8 per cent of the State is designated as national park—which is a considerable tract of land—and 34 per cent of the State coastline is designated as marine park. This Government has a strong and proud history of acquiring and managing ecologically important communities. I agree that the land at 102 Rosedale Road should be acquired some day, but funding must be available not only for its acquisition but for its ongoing management. As I said earlier, the department is working with Ku-ring-gai Council and other North Shore councils to identify and protect existing remnants through a range of measures, including offset opportunities. We look forward to Parliament putting in place over time the necessary protection measures and creating more reserves for our children and our children's children. The Government opposes the motion.

Mr ROB STOKES (Pittwater) [12.33 p.m.]: I support the motion moved by my colleague and friend the member for Davidson. The first part of the motion notes:

... the substantial and unique heritage significance of Sydney's Blue Gum High Forest, particularly at the Dalrymple Hay Nature Reserve/Browns Forest site at St Ives.

As residents from my electorate travel to the burgeoning commercial area of Macquarie Park, to Macquarie University or to schools and jobs elsewhere in Sydney, one of the few respites from the congestion on Mona Vale Road when travelling through St Ives—there is an increasing rash of unit developments throughout the area—is the tranquillity, quiet and majesty of the remaining ancient stand of the Blue Gum High Forest at Dalrymple-Hay reserve. It is a reminder of the majestic blue gum high forests that once covered Ku-ring-gai, Hornsby and Baulkham Hills of which only a few stands remain.

The Dalrymple-Hay reserve stands as a silent testimony to the amazing biodiversity that once existed across the metropolitan region. Every time I pass through the area, I am reminded—as I am sure every member would be—of my obligation to get land management right. The Dalrymple-Hay reserve is an example of how our predecessors in this place got land management wrong. The city developed in an unsustainable manner, whether through avarice or ignorance, and now only a few blue gum stands remain. We can learn from our predecessors a lesson about how to manage our natural land better in the future. That is a big part of reconciliation: it is about reconciling not just with the indigenous inhabitants of this country but with the country itself. We must recognise that we cannot continue to develop unsustainably; we must identify and protect the biodiversity that is left. Last night I was talking to my wife about this motion and she mentioned that her great-grandfather is the Dalrymple-Hay for which the Blue Gum High Forest is named. He was apparently a former commissioner of forests.

The Blue Gum High Forest reminds motorists travelling from Pittwater that it must be protected. The trees are statuesque, and they speak to us. The site is truly magnificent. Tragically, there is silence because the stand is small and cannot sustain much of the area's fauna. We must learn from that the lesson of preserving

enough natural areas and corridors to enable fauna to remain and flourish. As the member for Davidson said, more than 200 years of intensive land use in the Sydney basin bioregion has severely affected the Blue Gum High Forest until less than 5 per cent of the original forest remains. This is why the Australian Government moved to heritage list the Blue Gum High Forest under the processes established in the Environmental Protection and Biodiversity Conservation Act. I note that since 1995 the Federal Government has contributed almost \$500,000 to help protect the remnants of the Blue Gum High Forest.

I note also that this is a wonderful example of how a local community, a local member—in this case, the member for Davidson—State Government agencies, the Federal Government and the local council can work together to secure good conservation outcomes. The member for Davidson should be justly proud of his efforts. I also recognise the contribution by Nancy Pallin, whom I have come to know slightly, in securing the area. It is a great example of community activism and democracy at a local level. The environmental movement is true, local, grassroots democracy. It is encouraging to see it working to preserve this area. I recognise the vision and commitment of Ku-ring-gai Council, which has earned the ire of the State Government on other occasions for opposing levels of urban consolidation. In this case, the council has worked with residents in accordance with its charter under the Local Government Act to preserve the local environment. I commend the motion to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [12.38 p.m.]: I offer my warmest congratulations to the member for Davidson for moving this motion and bringing this important issue to the House. The environment is most important. Of late there has been much media focus on greenhouse gas emissions and carbon trading. Sometime ago I raised in Parliament the issue of declaring the Livingstone forest, as it was then, a State forest in order to protect the land, its fauna and the resource to be found in the ironbark timber. This motion of the member for Davidson is to be commended. There is a little bit of green in all of us. We are all environmentally responsible but the question is how to balance that responsibility with job opportunities, so that people can live and be gainfully employed while respecting the environment and ensuring its protection, which the member for Davidson is certainly working towards.

Ms PRU GOWARD (Goulburn) [12.40 p.m.]: Forests are a dwindling resource given the ever-increasing urban development of our city and State. The Ku-ring-gai Blue Gum High Forest is under the same pressures as all forests but even more so as it is located so centrally, being within the national park closest to the city centre. I support the motion of the member for Davidson to aid the efforts by Ku-ring-gai Council and the local community to purchase vacant lot 102 Rosedale Road adjoining the Dalrymple Hay Nature Reserve in order to ensure the forest's future protection and to create a buffer to secure the biodiversity of the area. The blue gum high forest which once covered significant areas of the North Shore has now dwindled in size and is now limited to only 17.7 hectares. To ensure the last of this unique environment we must act now to safeguard it for future generations.

The people of Ku-ring-gai, mindful of these pressures, have acted to protect this environment by donating their time and significant funds to protect their unique heritage and local environment. Considering the rising density of our cities and suburbs, and the demands on land and the threat of overdevelopment, the State Government should assist this acquisition. It should be a done deal, especially considering the amount of development that has been forced on local government recently. It is a heritage area so at risk that the National Trust felt compelled to nominate it in Australia's top ten most at-risk heritage items. Surely a State Government should extend its support to the community and the cause of the environment by helping with the purchase of 102 Rosedale Road in the heart of St Ives. This blue gum forest is representative of all forests in New South Wales in that it provides value in so many ways.

The benefits of forests are clearly evident. Forests provide key biodiversity and the wildlife and fauna habitats that are vital to the survival of Australia's so many threatened species. Blue gum forests contain over 200 species of plants, birds and small animals. Forests maintain the health of the environment and ensure the quality of air, water and soil. People also interact with the forest as a place of enjoyment and as a place to learn and more generally take on the interests of the environment. This is especially true of the Blue Gum High Forest, of which the people of Ku-ring-gai are so rightfully proud. This forest, a popular bushwalking site, allows respite from the pressures of the city and provides awareness-building opportunities for young people in particular. The local bushcare groups who weed and maintain the forest deserve special mention. Their wonderful civic engagement shows true care for their local environment: their actions speak louder than words.

The least the Government should do to help a local community that has such pride in the environment is to offer support and assistance, not to stonewall. Local groups including the Blue Gum High Forest Group, the National Trust, the Friends of Ku-ring-gai Environment, and Ku-ring-gai Council, have made great efforts to

ensure the forest is protected and in good condition. These local groups by their actions have fought for the interests of the entire State. The State Government must not leave those groups to act alone and should support the protection of this heritage by enabling public ownership of 102 Rosedale Road. The Government's continual avoidance of the simple task of assisting the community with this acquisition demonstrates its shameful disregard of civic spirit.

Mr Barry Collier: The council owns it! The council bought it.

Ms PRU GOWARD: I think we are talking about the buffer zone. In a week in which we have seen changes to the Threatened Species Act that would remove the Land and Environment Court's oversight of the protection of our unique heritage on the Cumberland Plains, the Government chooses to continue its disregard of the interests of the environment. The Government's lack of support, through funding and process, for remnant natural environment in and around Sydney is further evidenced by its lack of interest in assisting with this simple acquisition to protect the Ku-ring-gai Blue Gum High Forest.

Mr JONATHAN O'DEA (Davidson) [12.44 p.m.], in reply: I thank those members who contributed to the debate on this motion. I commend the member for Wollondilly for his stated passion for the environment, particularly in his own electorate; and generally the Government's efforts on a number of worthwhile environmental issues. That should be recognised. The member for Pittwater, as always, spoke eloquently on the importance of various initiatives, including getting land management right, and demonstrated his significant commitment to the environment not only in his electorate but in a broader sense. The member for Goulburn, the shadow Minister for Climate Change and the Environment, highlighted the great work of various local groups, the importance of environmental care and protection, and how this State Labor Government should be providing more support for protection of the Blue Gum High Forest in the St Ives region.

This is an example of a Government opposing an Opposition motion for the sake of opposing it. Too often we see a bloody-minded, silly approach. It is a shame that the Government is not open to debate and opposes the Opposition on this and other worthwhile initiatives for the sake of opposing. Yet it hypocritically criticises the Opposition for opposing Government initiatives when there is good reason to oppose them. I do not understand why the Government opposes this motion. The Blue Gum High Forest is of substantial and unique heritage significance, particularly the Dalrymple Hay Nature Reserve site at St Ives. The site at 102 Rosedale Road, St Ives, if not already transferred, is in the process of being transferred to public ownership courtesy of the previous Federal Coalition Government and the efforts of Ku-ring-gai Council and Friends of Blue Gum High Forest, who helped raise funds from local residents, including me.

The State Government has not provided any funding for the acquisition of 102 Rosedale Road, the last available blue gum high forest, as part of the reserve—and I earlier acknowledged the offset funding provided for 100 Rosedale Road—but I do not understand why the Government does not get on board at this late stage and demonstrate its support for this very worthwhile community initiative. I implore the Government to vote for this very sensible motion to acknowledge the significant efforts of numerous local community groups and thus demonstrate that it is truly interested in assisting local communities and in protecting worthwhile environmental initiatives and assets.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 38

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

Noes, 46

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

Pair

Mr J. D. Williams

Ms Burton

Question resolved in the negative.**Motion negatived.****MURWILLUMBAH HEALTH SERVICE****Mr THOMAS GEORGE** (Lismore) [12.55 p.m.]: I move:

That this House:

- (1) condemns the Government's downgrading of health services in Murwillumbah;
- (2) notes that this downgrading involves moving 3 senior positions, the Executive Officer, Deputy Director of Nursing, and Quality and Safety Manager, to Tweed and that a proposal is in place to combine the children's ward with the adult surgical unit to reduce staffing costs;
- (3) further notes that this decision disregards the fact that Murwillumbah Hospital services 30,000 people who live to the west and south-west of the town and are already travelling up to more than an hour to access this service; and
- (4) calls on the Government, Minister for Health and the North Coast Area Health Service to immediately reconsider the consequences of these decisions and the risks that will be placed on Murwillumbah residents as a result of these ill-advised changes.

It is 12 months to the day since I gave notice of this motion and thank goodness it has come up today or it would have fallen off the notice paper and I would not have had the opportunity to highlight these concerns. Let us not worry about the 12 months preceding my giving notice of motion; let us worry about what has happened in relation to this issue in the past 12 months.

It is ironic that the chief executive officer of the North Coast Area Health Service was on ABC radio this morning making comments about Murwillumbah District Hospital. The Minister was kind enough to receive a deputation in September 2007 and as a result she initiated an inquiry. The Murwillumbah District Hospital Support Committee wrote to the Minister on 22 January 2008 to put on record some of the matters discussed at a 7 December meeting between representatives of the Murwillumbah District Hospital, Chris Crawford and the North Coast Area Health Service. The first issue they wanted to put in writing was the statement by the North Coast Area Health Service that Murwillumbah District Hospital [MDH] was financially inefficient. The response was:

It was acknowledged by Mr Crawford that the issue of financial efficiency is one of management, and that Mr Crawford as the regional CEO accepted responsibility for the financial management of the MDH as part of Tweed area health service delivery.

The second issue raised was of benchmarking of Murwillumbah hospital. The response was:

It was agreed that the C2 grouping for MDH was inappropriate, and as such created an incorrect assessment of the financial performance and efficiency of MDH.

Thirdly, Mr Crawford and Ms Hogan were asked: What criteria is used to assess the level of services required or provided by a hospital—in this case the Murwillumbah District Hospital—and is it based on population and age demographics? Mr Crawford responded that the local population of Murwillumbah was 10,000. The fact is that there are 19,000 people within a 10-kilometre radius of Murwillumbah, which is the Australian Bureau of Statistics data, not ours. Murwillumbah District Hospital services the greater southern region of the shire, which has a population of 30,000 people. The question was asked: Does the future management and operation of Murwillumbah District Hospital take into account future population growth? Mr Crawford was given an update on the predicted growth of Murwillumbah where 500 residential lots are zoned and in the process of being developed. Mr Crawford seemed unaware of local developments driving population growth in the region. I refer to comments that were made in the letter to the Minister. Other issues were raised, which have been well and truly documented.

A special commission of inquiry into acute care services in New South Wales public hospitals was held and the Murwillumbah District Hospital support committee made a submission on 28 April 2008. The support committee highlighted statistics in its submission. The population of the Tweed shire is 80,000, of which 28,000 are over 55 years—I am in that bracket—and there are a further 40,000 to 50,000 people in the Tweed catchments area north of the New South Wales-Queensland border. The support committee recognised that Tweed hospital is clearly the major hospital in the area and that it provides the higher levels of acute health services. The Murwillumbah hospital is substantially underutilised, especially the operating theatre and surgical ward. There is a 35 per cent usage of the operating theatre. In the past few years, prior to me representing Murwillumbah, \$2 million to \$2.5 million was spent on the operating theatre. It would be better than any other operating theatre I have seen in the south of the electorate—and it has 35 per cent usage. The hospital is in A1 condition. I am embarrassed to say that the Lismore Base Hospital is not as good as the Murwillumbah District Hospital with respect to the building and its preservation.

Mr Geoff Provest: Cost-cutting.

Mr THOMAS GEORGE: This is purely a cost-cutting exercise. I have previously seen it happen with Casino, Nimbin and Kyogle hospitals. Services are cut back so people go to other areas. Statistics are then used to wind back the hospital. The only reason the service is not provided at the hospital is because it was taken away. The support committee believes that as a result of poor management of the North Coast Area Health Service there seems to have been a downgrading of these hospitals. This was fully covered in the letter to the Minister. The support committee is a responsible group that has worked hard for the community. It recommended greater utilisation of available operating theatre times at Murwillumbah to reduce waiting lists at the Tweed hospital and to free up beds. For example, most elective orthopaedic surgery could be performed at Murwillumbah, which has an excellent assessment and rehabilitation ward.

Another concern the group had is—in its terms—the misuse of funds from asset sale. I hate using those words, but I am reading what is written in front of me. There were concerns within the community regarding \$213,000 from the sale of the Ewing House. According to her letter, Ms Noreen Hay, the Parliamentary Secretary for Health, said that the money had been spent on airconditioning and \$176,000 that was going to be spent on six palliative care beds is now dependent on determination of the review process. The group advised:

My investigations confirmed that the money was not spent on air-conditioning and the matter of \$176,000 for palliative care beds being dependent on the review process is bunkum and a further ploy by the area health service to hang on to the \$213,000 from the sale of the Ewing property. That money was taken out of Murwillumbah Hospital funds and transferred into the north coast area centre's general fund. The palliative care beds is a matter that could have started immediately after the sale in 2006. I am informed that there was someone chosen to take on the task, but like so many other needs for personal opportunities to fill staff vacancies, they have still not occurred.

The member for Tweed and the member for Ballina will highlight problems associated with the proposed wind-back of hospital services at Murwillumbah. I am pleased to have their support for my motion. People in their electorates travel to and are serviced by the Murwillumbah hospital, especially in the obstetric service. The member for Tweed will comment on the Murwillumbah maternity unit. I will raise some other issues during my reply to the debate.

Mr PHILLIP COSTA (Wollondilly) [1.07 p.m.]: I compliment Murwillumbah hospital, which is an outstanding hospital. My wife is a diabetic and we attended the hospital the last time we travelled north. I advise the House that Murwillumbah District Hospital is not being downgraded. There has been no decision to amalgamate the Tweed and Murwillumbah hospitals and there are no plans to close the Murwillumbah hospital children's ward. The North Coast Area Health Service advises that the Tweed-Byron network has recently

combined the management and elective surgery booking systems of the Murwillumbah and Tweed hospital operating theatres. This was done after consultation with staff with the aim of enabling the operating theatres at both hospitals to work in a more streamlined fashion and deliver the best possible patient care.

Bringing the management of the two hospital operating theatres together is consistent with the integration of surgical services across the Tweed shire. There have been many enhancements in recent times, including \$3.4 million worth of capital works enhancements and upgrades to both operating theatres. In 2006-07 2,120 operations were performed. Extra funding has been allocated to the hospital to enable more operations to be undertaken. The emergency department is now staffed by full-time on-site doctors. In addition, recent purchases of new medical equipment total \$266,000 and include items such as an obstetrics ultrasound, defibrillator, operating theatre equipment and replacement of the general X-ray room.

All hospitals need to operate efficiently so that the amount of health care delivered per dollar can be maximised for the benefit of the communities they serve. Therefore, in consultation with doctors and nurses, the services provided by Murwillumbah hospital are being reviewed to see how they can operate more efficiently. External consultants have been commissioned to undertake this review. Following input from local stakeholders, the draft report recommendations are currently being considered by the Murwillumbah hospital review steering committee. To reinforce its commitment to maintaining obstetric services at Murwillumbah hospital the recruitment process for a second obstetrician position has been undertaken and management has made an offer, which has been accepted by the successful applicant. That is good news for the Tweed. The doctors area of need status is currently being considered by the College of Obstetricians and Gynaecologists and a final decision is expected in the next few months.

Murwillumbah hospital, as part of the North Coast Area Health Service, will benefit from the Iemma Government's \$717 million investment to improve health services and hospital care for patients in the North Coast area of New South Wales. This health budget allocation for the North Coast Area Health Service is \$36.7 million more than the allocation for last year, and part of a record statewide health budget of \$13.15 billion. This Government is getting on with delivering services. Let me reassure the House that the Iemma Government is committed to providing the Murwillumbah community with health services that it clearly needs.

Mr GEOFF PROVEST (Tweed) [1.10 p.m.]: As well as being 100 per cent for the Tweed, I am 100 per cent behind the member for Lismore on this issue. The Iemma Government's decision to downgrade Murwillumbah hospital is nothing short of a disgrace. Chris Crawford, the chief executive officer of the North Coast Area Health Service, said on North Coast ABC radio this morning that the reason Murwillumbah hospital was being downgraded was that its costs were too high and that it was inefficient, which is an appalling statement. The old maternity ward enabled the hospital to deliver medium-risk and low-risk babies, but the new maternity ward will enable the birth only of low-risk babies in a limited time frame between 8.00 a.m. and 5.00 p.m. on Mondays to Thursdays. Women's health cannot be compared with hospital running costs.

How can we determine when a baby will be born? Chris Crawford said that this would result in decreased costs—from around \$700,000 to \$800,000 under the old model to around \$220,000 under the new model. However, those figures are fundamentally flawed, as hospital delivery times will be reduced, and travel costs to the Tweed or the costs of doctors and midwives have not been taken into account. Last year Murwillumbah hospital had between 300 and 400 births. That catchment area is one of the fastest growing catchment areas in the country, but it is not feasible to send the extra patients to Tweed hospital. The Garling inquiry heard evidence to the effect that Tweed hospital, which is already operating at 108 per cent capacity, is unable to handle the overflow from Murwillumbah hospital.

Tweed hospital has already lost one maternity bed and it is now resorting to the use of a tearoom in which to deliver babies. Given that the birth rate in the Tweed electorate has doubled, how could Murwillumbah hospital meet that further demand? I am advised that the Save the Murwillumbah Hospital Group met in Sydney. The Minister for Health and Chris Crawford attended that meeting, which was organised by the good member for Lismore. In a lengthy submission the group condemned the hospital downgrade and sought the rationale for the decision by the Northern Rivers Health Service. I am advised that, as yet, no response has been received from the Minister for Health or Chris Crawford, even though that meeting was held in September 2007.

I have spoken at length to senior doctors from Murwillumbah hospital and they have given me some damning evidence against this reckless decision. They advised me that the basis for the review was the fact that Murwillumbah hospital spent \$2.7 million above the benchmark of its peer hospital. That is where the fault lies.

Murwillumbah is a C2 category hospital, which means it has been compared to hospitals such as Ballina, Macksville and Cowra, which have smaller catchments, perform less complicated surgery, and have smaller budgets. Murwillumbah hospital's \$17.5 million budget is the largest in the peer group and the next biggest budget is only \$11 million. In the words of doctors who work at the hospital:

It is completely inappropriate to compare Murwillumbah with C2 category hospitals. Given its catchment size and budget, it should be part of the C1 peer group hospitals.

The doctors also said:

It is sheer madness to cut the resources of Murwillumbah Hospital. It is located in one of the fastest growing regions in the country, where the population will double over the next decade. It makes absolutely no sense at all.

On 5 July a rally will be held to support Murwillumbah hospital. The last time a rally was held in Murwillumbah about 400 people attended. We expect several thousand people to attend the upcoming rally. The member for Lismore and I will take part in the rally and march with locals from my electorate—from Pottsville, from Cabarita and from Hastings Point. People from those areas all use Murwillumbah hospital. Chris Crawford's comments are disgraceful and disparaging of the hard-working members of staff at Murwillumbah hospital. It seems that Chris Crawford has again been telling porkies. He told the Minister for Health that the airconditioning units at Murwillumbah hospital had been fixed—an issue referred to by the Minister for Health in her recent press release.

Those airconditioning units have not been fixed; Chris Crawford has been lying to his superiors and he did not tell the Minister for Health the truth about this matter. Chris Crawford should stand aside while an independent inquiry assesses his financial management of Murwillumbah hospital. As the member for Lismore said, money has been transferred out of the hospital's account. Chris Crawford is on the record as saying that it was an accounting error. Many tens of thousands of dollars raised by local people have gone missing. Local people and people in the Tweed desperately need this hospital. As I said earlier, I am 100 per cent for the Tweed and I am also 100 per cent behind the motion moved by the member for Lismore.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [1.15 p.m.]: I support the motion moved by the member for Lismore, which condemns any downgrading of Murwillumbah hospital. As the shadow Minister for the North Coast, I advise members that the Murwillumbah hospital catchment area is one of the biggest and fastest growing catchment areas in New South Wales. The proposed downgrading of the maternity unit will result in that unit operating only between the hours of 8.00 a.m. and 5.00 p.m. on Mondays to Thursdays, with other births being referred to Tweed Heads hospital. However, Tweed Heads hospital is already operating at around 108 per cent capacity. In other words, Tweed Heads hospital does not have the capacity to accommodate these additional births, and they should continue to be accommodated at Murwillumbah hospital.

The rationale for the downgrade is that it is a C2 category hospital that has overspent its budget by \$2.7 million. However, compared to other C2 hospitals, Murwillumbah hospital has a much larger catchment area and many people believe that it should be a C1 category hospital. I understand that Murwillumbah hospital has a budget of about \$17.5 million, whereas the next largest C2 category hospital has a budget of about \$11 million. As Murwillumbah is the biggest C2 category hospital it could be argued that it should be categorised as a C1 hospital. As the motion of the member for Lismore indicates, Murwillumbah hospital serves a catchment of 30,000 people who live to the west and to the south-west of Murwillumbah, and who have to travel up to an hour to access the hospital.

I assure the Government that the community will not take lightly the downgrading of Murwillumbah hospital. The member for Tweed said earlier that a big rally is to be held next weekend in protest against this proposed downgrade. The chairman of the Murwillumbah Hospital Support Committee is on the public record as stating that he is opposed to the proposed downgrade. I quote from a statement that he issued recently:

The Murwillumbah Maternity Units supplies a 24 hour a day, 7 day a week Obstetric service for both normal obstetrics and emergency obstetrics including Caesarean Sections. It is the belief of the Doctors in Murwillumbah and the Hospital staff that this 24 hour seven day a week service should continue. Alternative proposals for this service DO NOT allow for the continuation of emergency obstetrics and Caesarean sections out of normal working hours, the new hours are to be Monday to Thursday. This means that if an unexpected complication occurs for a woman in late pregnancy, including women in labour, then that patient will need to be transferred urgently via ambulance to the Tweed Heads Hospital for Caesarean Section or other interventions as required.

Staff at the hospital believe that this is an unsafe system and will put some women at increased and unnecessary risk.

That statement by the chairman of the Murwillumbah Hospital Support Committee clearly indicates that this unacceptable proposal will put at risk the lives of babies and mothers who have to have caesarean sections in the latter part of their pregnancy. The biggest concern I have relates to the fact that the North Coast Area Health Service appears to have been given internal advice that indicates no downgrade should occur. I wish to quote from a document prepared by the North Coast Area Health Service—a Murwillumbah District Hospital operational response to a review of the Department of Obstetrics and Gynaecological Services. Under the heading "General Comments" regarding the report, its contents and recommendations affecting the area, it states:

We advocate strengthening the Obstetric Service at Murwillumbah District Hospital rather than weakening it.

The summary states:

The Medical and Midwife team at MDH acknowledge that change has to come and are very willing to discuss any changes to its role delineation that maybe countenanced by the NCAHS, or expert advisors that it may employ. However, they will not support the destruction of an obstetric service that provides quality outcomes and which is overwhelmingly well regarded by the community that it serves. The current model proposed by the MDH Review is seen as one that will not be welcomed by the community and, in fact, will place birthing mothers at risk.

The proposed system will not save significant money and, in fact, may be more expensive and will undoubtedly impact on the quality of obstetric care currently being supplied.

These comments are from the North Coast Area Health Service. It is recommending not to proceed with the agenda of downgrading Murwillumbah health services.

Mr STEVE CANSDELL (Clarence) [1.20 p.m.]: I shall be brief in my support for the motion moved by the member for Lismore condemning the Government's downgrading of health services in Murwillumbah. Much has been said about the Murwillumbah District Hospital. The member for Lismore is concerned that the downgrading of services involves moving three senior positions—the executive officer, the deputy director of nursing, and the quality and safety manager—to Tweed hospital. A further proposal is to combine the children's ward with an adult surgical unit to reduce staffing costs. This is another way of condemning and penalising country New South Wales health services to prop up problems in Sydney. Unfortunately, the 2008-09 budget did not have to provide much to my electorate because the Federal Government—thank goodness—came through with \$82 million for Grafton Base Hospital and \$5 million for a proposed superclinic.

However, after the election promises in March 2007 we expected a health clinic at Yamba, but no money was provided. There was talk of upgrading the accident and emergency unit at Grafton hospital but, again, no money was provided. However, once again the Feds came through with some money but the State needs to back it up with some of its money. Maclean District Hospital accident and emergency unit needs urgent work not only to provide better service but also to provide a more secure workplace for hospital staff and medicos. While I am referring to my electorate, Murwillumbah hospital staff should look closely at the gradual downgrading of Campbell Hospital at Coraki. Once the downgrading process starts it continues until it reaches the point where the hospital is closed. Campbell Hospital at Coraki is on the verge of closure after being downgraded from 26 beds to 16 and it now faces the possibility of combining with the local nursing home to provide six accident and emergency beds. What a shame!

Returning to the downgrading of Murwillumbah District Hospital, Chris Crawford, has to represent the area rather than the Government. Of course, the Government employed him in this region, but he is paid to supply and provide good health care for the area. If that involves extra costs, he must fight harder and recommend more funding for these vital services to country New South Wales, especially for maternity units. The proposal is to remove specialist care from Murwillumbah to another hospital. The North Coast aged population will have to travel an extra 30 or 40 kilometres to Tweed Heads for specialist medical services—an almost untenable distance for many of them. Many of them will decide to stay at home and not follow up with good medical treatment and, consequently, suffer from that decision. I conclude my remarks by condemning this Government for ignoring country and rural health services.

Mr THOMAS GEORGE (Lismore) [1.23 p.m.], in reply: I thank the members representing the electorates of Wollondilly, Tweed, Ballina and Clarence for their contributions on this important motion. I look forward to reading the speech of the member for Wollondilly in *Hansard* because it sounded quite good. He outlined what the Government is doing and said that these services will not be wound back. No-one will be more pleased than Ian Ross and the Save the Murwillumbah Hospital Support Committee. The proposed changes to the obstetrics services were highlighted by all members who spoke in this debate. Currently the maternity unit at Murwillumbah hospital cares for about 350 to 400 women giving birth every year. If the Government wants to get anyone offside, try getting offside mothers who are about to give birth!

They will be in Murwillumbah on Saturday 5 July to take part in a March commencing at St Patrick's sportsground and proceeding up and down the main street to the town clock, where speakers will inform the

gathering of the proposed changes and seek further community support. The Murwillumbah maternity unit provides a 24-hour, 7-days-a-week obstetric service, including caesarean sections. The doctors and hospital staff of Murwillumbah hospital believe this service should continue. No negotiations will be considered to discontinue the service. Other members referred to the summary of a document released by the North Coast Area Health Service. The summary, in part, states:

The Medical and Midwife team at MDH acknowledge that change has to come and are very willing to discuss any changes to its role delineation that maybe countenanced by the NCAHS, or expert advisors that it may employ. However, they will not support the destruction of an obstetric service that provides quality outcomes and which is overwhelmingly well regarded by the community that it serves.

Recently, a group of mothers from the Tweed electorate visited me. These women reside close to Tweed hospital, but had chosen Murwillumbah District Hospital for the birth of their children because it provides such a good service. Another point raised in the debate was that the costs of Murwillumbah District Hospital are too high. I remind everyone in this House and everyone who reads *Hansard* that the Lismore rehabilitation unit was closed because it was too expensive compared to St Vincent's Hospital. We are now told that even though it is a rehabilitation unit, the inefficiencies and costs of Murwillumbah are too high.

The member for Ballina highlighted that Murwillumbah hospital is in the wrong peer group. The Staff Medical Council and the Support Murwillumbah District Hospital group have asked: Why has no attempt been made to place Murwillumbah in the appropriate peer group? It is because statistics are used to back decisions, and that is how decisions are made within the area health service. Statistics can be used to anyone's advantage, which is what has happened in this instance. I merely want to make the Minister for Health aware that the Murwillumbah community will not accept any cutbacks and will continue to fight them by marching in support of the Murwillumbah District Hospital.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 39

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

Noes, 46

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

Pair

Mr J. D. Williams

Ms Burton

Question resolved in the negative.**Motion negatived.***[The Speaker left the chair at 1.36 p.m. The House resumed at 2.15 p.m.]***QUESTION TIME**

THE HON. JOHN DELLA BOSCA, MLC: IGUANAS WATERFRONT RESTAURANT INCIDENT

Mr BARRY O'FARRELL: I direct my question to the Premier. Will he guarantee that taxpayers will not have to pay for any legal costs relating to John Della Bosca's involvement in the Iguana affair?

Mr MORRIS IEMMA: As I have indicated all this week and last week during question time, that matter is under investigation. Police are conducting their investigation. They will conclude their investigation with a report.

Mr Adrian Piccoli: Point of order: My point of order relates to Standing Order 129. Previous rulings gave Ministers great scope, provided their answer was in any way relevant to the question. The question was very specific—about legal costs—and it bore no relation to any question previously asked. Question time is irrelevant unless the Opposition can obtain answers to at least some questions. This being the last day of the sittings when questions may be asked, I ask you to direct the Premier to answer the question—yes or no.

The SPEAKER: Order! The Premier's response was relevant to the question.

HOUSING AFFORDABILITY

Mr NINOS KHOSHABA: My question is addressed to the Premier. What is the latest information on the Iemma Government's efforts to improve housing affordability in Western Sydney?

Mr MORRIS IEMMA: Housing affordability is at an all-time low across the nation. In 1996 the average home was a big investment, costing four times the annual average wage, and mortgage payments accounted for 18 per cent of average household income. Over a decade later the average home costs seven times the average annual wage, and mortgage repayments are consuming a whopping 32 per cent of average household income as a result of high interest rates—a legacy of Peter Costello's failure to control inflation. The increased costs are making it harder for families to buy their first home and maintain their mortgage repayments.

Across the nation we now have one of the least affordable housing markets in the developed world and a quarter of a million households are currently in housing stress. That is expected to increase to 1 million by 2020, leading to a supply shortfall of 150,000 dwellings. In Sydney, affordability for first home buyers declined by 11 per cent over the past year, with housing affordability levels now at their lowest point in 20 years. We also have the additional challenge of rental property vacancy rates falling below 1 per cent.

The Government is taking steps to actively address this situation. Our work on land release in Sydney and elsewhere is on track, increasing the supply of land to place downward pressure on the cost of housing. Our new planning regime will deliver faster and more cost-effective development approvals. Another key element of the strategy is around public and community housing and the regeneration of existing public housing estates. We have earmarked more than 5,500 new public and private homes on estates for rental and ownership. This will involve projects at Minto, Bonnyrigg, Redfern and the inner west, including the recently announced partnership with the City of Sydney at Glebe. We are also going down the path of proceeding with two urban renewal sites that will give Western Sydney more than 1,000 new, affordable houses.

[Interruption]

As to when that will occur, members should stay tuned. The first of the additional two sites is a \$250 million urban renewal project that will see 600 apartments constructed on a four-hectare site at Riverwood.

They will replace 150 social housing units currently on the site. The project is located approximately 18 kilometres from the Sydney central business district and is well located near existing infrastructure. The Government has identified Riverwood as being an ideal location for this urban renewal project. The second project announced today is the Kamira Court urban renewal project in the electorate of the Minister for Ports and Waterways, which will deliver 427 new public and private units where 111 public units stood previously. The two sites will deliver 1,000 units where there were previously 250 public housing units. The redevelopments will provide a mix of public and private affordable housing for rent and ownership. There will be no net reduction in the public housing unit component of the project. The two developments are part of the Government's provision of 5,500 new units under our affordable housing strategy over the next four years.

Mr Andrew Stoner: What are you doing about land tax?

Mr MORRIS IEMMA: We reduced land tax to 1.6 per cent.

The SPEAKER: Order! Members—including the Leader of The Nationals and the member for Coffs Harbour—will cease interjecting.

Mr MORRIS IEMMA: In last year's budget the land tax rate went from 1.7 per cent to 1.6 per cent. The next question from the Leader of The Nationals will probably be: What did you do about the threshold? We indexed it.

POLITICAL DONATIONS

Mr ANDREW STONER: My question is directed to the Premier. Given that since his front-page commitment to ban political donations Labor has continued to raise \$115,000 on average per week, can the Premier tell us, beyond tinkering at the edges, what progress he has made on real donation reform—or is this another issue that his caucus refuses to support?

Mr MORRIS IEMMA: The Leader of The Nationals does not know because he was asleep when the upper House released its report. I welcome the fact that it backed the Government's proposal to look at a ban on political donations. Also while the Leader of The Nationals was asleep, Parliament passed the first wave of donation reforms—

The SPEAKER: Order! The Leader of The Nationals will put that item away.

Mr MORRIS IEMMA: We said those measures would be in place in time for the council elections. While the Leader of The Nationals was asleep the lower and upper Houses passed the first wave of reforms, which will be in place for the council elections.

The SPEAKER: Order! Members will cease calling out.

Mr MORRIS IEMMA: It is good to see the first report of the upper House inquiry coming down on the side of examining a ban on political donations. The Leader of the Opposition might like to inform the House of the proceeds of the Nick Greiner function that the Liberal Party held not so long ago and of the John Howard anniversary function. Who knows, maybe The Nationals will organise an Earle Page memorial dinner some time!

ILLCIT DRUG USE

Mr BARRY COLLIER: The question is addressed to the Minister for Health. What is the latest information on the Iemma Government's efforts to reduce drug use in our community?

Ms REBA MEAGHER: Drug Action Week commenced in New South Wales and across the nation last Sunday. It is a national week of activities aimed at raising community awareness about the harm caused by the misuse of alcohol and other drugs. It also recognises the achievements of those who commit their lives to working in the areas of drug-use reduction and the treatment of those who have substance-abuse issues. I am pleased to report to the House that the concerted efforts and the serious investment that this Government has made to reduce drug use, particularly since the 1999 Drug Summit, are achieving significant results.

National surveys commissioned by the Australian Institute of Health and Welfare show that drug use nationally and in New South Wales is steadily trending down. The Household Survey 2004 shows that in New

South Wales from 1998 to 2004 the use of any illicit drug was down from 19.8 per cent to 14.6 per cent. Cannabis use was down from 16.7 per cent to 10.7 per cent, heroin use was down from 0.6 per cent to 0.1 per cent, cocaine use was down from 2.1 per cent to 1.2 per cent, and methamphetamine use was down from 3.8 per cent to 3.1 per cent. The Institute of Health and Welfare recently released its 2007 household survey, and again drug use at a national level was down.

Illicit drug use fell to 13.4 per cent, cannabis use fell to 9.1 per cent, methamphetamine use fell to 2.3 per cent and heroin and ecstasy use remained stable at 0.2 per cent and 3.5 per cent respectively. The institute has yet to break down the 2007 report by jurisdiction, but on a population basis it is expected that downward trends will again be reported for New South Wales. Encouragingly, the findings with regard to young people in New South Wales reflect the same trend. The latest secondary schools survey found that amongst 12 to 17 year olds: cannabis use fell from 17.3 per cent in 1996 to 5.7 per cent in 2005; amphetamine use fell from 2.5 per cent to 1.9 per cent; heroin use fell from 2.5 per cent to 1.9 per cent; and ecstasy use remained relatively stable at 1.7 per cent.

To achieve those results the Government has focused on the four key areas of prevention, education, treatment and law enforcement. This multi-pronged strategy is backed by a serious financial commitment of: \$270 million in dedicated funding allocated over the four years of the third drug budget, which commenced this year; \$215 million for treatment; nearly \$27 million for law enforcement; just under \$9 million for education and community campaigns; and \$19 million for prevention and early intervention responses. In total, that equates to an investment of more than \$675 million in additional funding for dedicated drug budgets since the 1999 Drug Summit.

The results of this investment to date have been excellent, but there is always more to do. The theme for Drug Action Week 2008 is "Alcohol is a drug too". The evidence around the need to address the issue of alcohol use is compelling. A report released by the Commonwealth in April found that estimated costs of tobacco, alcohol and illicit drug abuse to Australian society in 2004 was more than \$56 billion. Of that, the social costs from factors such as ill health, premature death, reduced productivity, crime and accidents attributable to irresponsible alcohol use was \$15.3 billion. Just as compelling is the evidence from some of our busiest emergency departments. It showed that in the 12 months to March this year each month an average of 140 young people under 19 years of age were being treated in emergency departments for alcohol-related injuries or illnesses.

That is why as part of Drug Action Week the Government is launching a responsible drinking education campaign aimed at reducing excessive drinking and public drunkenness through the promotion of the responsible consumption of alcohol. The three-pronged campaign will roll out next month and will focus on three groups: "Be part of it, not out of it" will be targeted at adolescents; "Rethink your drink" will be targeted at people over 30 years; and pocket guides for parents and teachers dealing with teenagers will be circulated. Those campaigns will focus on six geographic areas, where they will be supported by local activities, including programs by community drug action teams. The areas are Orange and Cowra, Lake Macquarie, Newcastle, Sydney central business district, Sydney's eastern beaches and Parramatta. I further advise that as a result of the success of the established cannabis clinics across the State a new clinic based on this model is currently being established at Lismore. The clinic will operate out of the existing community health precinct. It is to be backed by an initial investment of \$375,000.

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

Ms REBA MEAGHER: I am disappointed that the Opposition spokesperson for health is continually talking while I am giving this answer. It seems to reflect a general lack of interest in the Health portfolio that I have noticed in recent times.

Mrs Jillian Skinner: Point of order: In fact, I was talking about patient dissatisfaction in relation to a previous answer from the Minister.

The SPEAKER: Order! That is not a point of order. The Deputy Leader of the Opposition will resume her seat.

Ms REBA MEAGHER: It has been 41 days since the Deputy Leader of the Opposition asked me a question on health. Arguably, health is the most important service provided by a government. What do we get from the Deputy Leader of the Opposition? Silence.

The SPEAKER: Order! Members will cease interjecting.

Ms REBA MEAGHER: The world is a different place since the Deputy Leader of the Opposition last asked a question. The Government has brought down the largest ever health budget, Nepal has become a republic in that time and, in fact, South Sydney has won two games since she last asked a question. That is an indication of how long it has been since the Deputy Leader of the Opposition last took an interest in the Health portfolio.

The SPEAKER: Order! Members will cease calling out. I call the member for Terrigal to order.

Ms REBA MEAGHER: Not only does the Deputy Leader of the Opposition not take an interest by asking any questions in the House, she also—

Mr Brad Hazzard: Point of order: I refer to Standing Order 130. The Minister should not be debating the issue about why most of our health questions have been directed to the Premier. When she was not here yesterday it was impossible to ask her a question.

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

Ms REBA MEAGHER: Perhaps there is something in the point of order of the member for Wakehurst. Some have suggested to me that I have been a little harsh on the Deputy Leader of the Opposition when I have suggested that she is lazy. I do not want to misrepresent people, so I looked at her record for hospital visits, which was quite interesting. In the first 12 months after the election the Deputy Leader of the Opposition visited two hospitals.

Mr Brad Hazzard: Point of order: I refer to Standing Order 129 and Standing Order 59. First, the answer of the Minister for Health must be relevant to the question and, second, this tedious drivel has to stop.

The SPEAKER: Order! The member for Wakehurst will resume his seat. I call the member for Murrumbidgee to order. I call the member for Wakehurst to order.

Ms REBA MEAGHER: Since I suggested in this place on 8 May that perhaps the Deputy Leader of the Opposition has been a little lazy in her duties there has been a flurry of activity: she has been to five hospitals.

Mr Adrian Piccoli: Point of order: I refer to Standing Order 129. I have been through my records and the Minister for Health has visited her electorate twice in the last—

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

Ms REBA MEAGHER: What is interesting is not the hospitals the Deputy Leader of the Opposition has been to; it is the ones she does not go to that we should learn from.

The SPEAKER: Order! The member for Bega might want to take his conversation outside the Chamber.

Ms REBA MEAGHER: Bathurst Hospital has been an issue of interest in this Parliament.

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

Ms REBA MEAGHER: The issue has involved topical debate within the Bathurst community and it has been something that the Deputy Leader of the Opposition tried to make much of. But on 11 June the *Western Advocate* reported that the Deputy Leader of the Opposition, during her recent visit, talked to people to somehow create the impression she was doing something. What she did not do was visit Bathurst Hospital. Did she talk to our doctors and nurses about whether the hospital was on track?

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

Ms REBA MEAGHER: We get a lot of huff and puff from the member for North Shore but we do not get much grunt on the ground. It is the same when it comes to drug policy—there has been very little from the

Opposition. That is why I am proud to be part of the Iemma Government. We have committed in our third budget to establish another cannabis clinic on the North Coast at Lismore. We are determined to maintain our commitment against the misuse of illicit drugs.

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

Ms REBA MEAGHER: Importantly, Drug Action Week is also about raising awareness of the dangers of the misuse of alcohol, particularly by young people. We must be vigilant to ensure young people are not putting themselves or their peers at risk by abusing alcohol. We have three very valuable social education campaigns to roll out that will reinforce that message and help keep our community safer.

HORNSBY KU-RING-GAI HOSPITAL

Mrs JUDY HOPWOOD: My question is directed to the Premier. How is it that Hornsby Ku-ring-gai Hospital's budget is so meagre that its general manager has been forced to plead for public donations including, in this letter to me, for a blood gas analyser, equipment which "performs an extremely important assessment of the respiratory function of mothers and babies"?

Mr MORRIS IEMMA: If the member for Hornsby has a genuine question to ask and wants to elicit information she can provide the documentation—

The SPEAKER: Order! Members will cease interjecting.

Mr MORRIS IEMMA: She can provide that information so we can obtain an answer for her.

The SPEAKER: Order! Is the member for Hornsby rising on a point of order?

Mrs Judy Hopwood: I seek permission to table this document.

The SPEAKER: Order! The standing orders do not permit that procedure during question time. The member will resume her seat.

Mr MORRIS IEMMA: If it is a genuine attempt to elicit information, I am more than happy to receive the representations from the member for Hornsby so that—

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

Mr MORRIS IEMMA: —our health services can provide that information. In relation to funding in general, I note that—

[*Interruption*]

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

Mr MORRIS IEMMA: All was very quiet on the other side that night the budget was brought down, and for very good reason, because they did not appreciate the fact that there was a five per cent increase in the Health budget, to \$3.5 billion.

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

Mr MORRIS IEMMA: And the redevelopment of Hornsby hospital has been funded by this Government, and we have provided funding to transform the mental health facilities at that hospital. In general, as the member would well know, hospitals across the State undertake fundraising with their local communities, which is an important way of engaging the community because of the attachment communities have to their local hospital. If the member has an issue, or a genuine question to ask about a piece of equipment at Hornsby hospital, there are many forms in which she can do so. I am sure the health Minister can give the member a detailed rundown of Hornsby hospital's budget. To just get up and make a sweeping statement about hospital funding with whatever it is she has in her hand does not advance her cause one little bit. As every member knows, regardless of which side of the political fence they are on, local communities undertake fundraising for their local hospital—

[Interruption]

It includes lifesaving equipment, defibrillators and monitoring machines. Yes, Barry, that is what happens in hospitals across the State. We have provided a 5.5 per cent increase in health funding, brought down on budget night—that is why the Opposition was so quiet in replying to the budget; 25 minutes of budget-in-reply and nothing at all to say about health and only a passing reference to transport. Members opposite wanted it to go away very quietly because it had been received so well. If the member for Hornsby has a representation she wishes to make on behalf of the general manager of the hospital or a constituent at the hospital, I look forward to her sending it in the normal course of events.

REGIONAL AND REMOTE AREA FAMILY SERVICES

Mr GERARD MARTIN: I address my question without notice to the Minister for Community Services. Can the Minister update the House on the Iemma Government's initiatives to deliver better services to families in regional New South Wales?

Mr KEVIN GREENE: I thank the member for Bathurst for his interest in remote and regional New South Wales, and particularly his concerns for his electorate. In country communities hundreds of workers in agencies such as the Department of Community Services and Health and Juvenile Justice dedicate their lives to helping families, helping kids and providing services that underpin communities. Those jobs are not only hard to perform, they are often hard to fill. Governments around Australia are finding it harder and harder to fill jobs in the most remote and challenging communities.

As internal migration continues to see more and more families moving to cities or regional centres, smaller towns continue to shrink. Coupled with their geographic and social isolation, many communities are now also under pressure from the drought. It is a complex situation and one the Government has repeatedly tried to address, with mixed success. Current incentives, which vary between agencies, are still not reaping the results we would like to see. We need to do more to ensure that families in our most remote and vulnerable communities get the help they need. There is no quick fix to this issue. We need long-term sustainable and innovative solutions delivered in partnership with all levels of government.

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

Mr KEVIN GREENE: The Iemma Government has directed human services agencies to go back to the drawing board to look at innovative ways of delivering services to families in our more remote communities.

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

Mr KEVIN GREENE: The Premier has established a dedicated task force on human service delivery in rural and remote New South Wales made up of senior representatives from key agencies, including the Department of Community Services, Housing, Education, Health, Aboriginal Affairs, the Department of Ageing, Disability and Home Care, and Police. This task force will focus on the key barriers to recruiting and retaining skilled staff, such as incentives; the quality and availability of accommodation; smarter service delivery models that make the job more satisfying and effective; better training, development and career opportunities; enabling young people from country New South Wales to build public sector careers in the regions where they live; and unlocking the great untapped potential of our indigenous communities.

I am pleased to report that we are already seeing promising results. For example, we are about to trial a new, single scheme of rural and remote attraction and retention incentives. These incentives include decentralised provision of housing so that workers do not compete with each other for a limited pool of homes. The task force will report back with a full range of costed options but in the meantime the Department of Community Services will trial a new strategy to improve staffing capacity and service delivery in the far west of the State. This trial and the incentives provided will obviously be evaluated through the task force to gauge its effectiveness and determine how similar efforts could be applied in delivering other human services.

The current Department of Community Services recruitment drive has had some success in the Western Region, providing 32 new caseworkers in just the last three months. However, we still have a number of vacancies and there are other staffing challenges, such as higher turnover rates; providing support and management for inexperienced staff, particularly our Aboriginal caseworkers—who make up 20 per cent of our staff in the Western Region and many of whom have not yet achieved the same academic level as other

caseworkers; ensuring the safety and security of staff in isolated areas; and giving all staff the peer and professional support they need. We need to do more to attract staff to these areas and, once they are in place, develop their skills and keep them in the workforce.

The SPEAKER: Order! There is too much audible conversation in the Chamber. The member for Epping will cease interjecting.

Mr KEVIN GREENE: It is sad because the member for Barwon has raised these issues with me and I know he is paying keen attention. I am sure that if the member for Murray-Darling were here he would also be concerned about this. It is disappointing that other members of the Opposition are not giving this issue the respect it deserves. I appreciate that the member for Burrinjuck is paying attention. We need to focus on the importance of this issue. We need to do more to attract staff to these areas and, once they are in place, develop their skills and keep them in the workforce.

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

Mr KEVIN GREENE: It is hard to keep workers anywhere near the member for Coffs Harbour—I appreciate that—but we are also doing our best in his electorate.

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

Mr KEVIN GREENE: The Department of Community Services has allocated \$1.7 million in this year's budget to provide a range of incentives to attract staff to the locations that are hardest to fill. The communities under consideration to be part of this trial include Bourke, Broken Hill, Nyngan, Coonamble, Walgett, Brewarrina, Cobar, Dareton and Wilcannia. A suite of incentives has been developed, including cash incentives paid fortnightly as well as a cash bonus at the end of every year of service in that location; a professional development plan and financial assistance to help staff who do not have a degree and would like to get one; additional annual financial incentives for professional development and support for all casework staff in these areas. But it is not just about throwing money at the problem, it is about working smarter in these areas. We want to provide continuity and certainty of service to families in these more isolated communities. We want our staff to be safe, supported and well resourced. Working in these communities often requires long and frequent travel.

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

Mr KEVIN GREENE: Again I cannot help but respond to the interjection of the member for Coffs Harbour because when I have visited every one of our 80 community services centres in New South Wales I have seen how far and wide they are disbursed. I have taken the time not only to visit places where we do have offices, but also to travel through centres such as Hermidale, and small communities. The member for Tamworth will remember my trip to Kootingal.

The SPEAKER: Order! The member for Upper Hunter will cease interjecting. He is on two calls to order.

Mr KEVIN GREENE: The member for Dubbo would be aware of my visit to Trangie. I note, and the Minister for Gaming and Racing will also note, that Trangie bowling club won a major excellence award. The member for Lismore accompanied me as I drove through his electorate—I notice him nodding in agreement. The member for Barwon knows the time I spent visiting his electorate. It is important that we do recognise the commitment of all our staff servicing these remote communities. It is very sad for those people that the member for Coffs Harbour treats this issue with the disdain he is showing here today because we want to provide continuity and certainty of service. Working in these communities does require long and frequent travel; additional safety and accommodation resources; and a strong commitment to keeping workers in touch with their peers. By developing new service models we want to work with the community to achieve all of these elements. To help achieve that, the Department of Community Services in the western region has developed a partnership with the Murdi Paaki Regional Assembly to improve its relationships with the Aboriginal communities in these areas.

I attended a meeting in Bourke last year at which an agreement was brokered between the Department of Community Services and the assembly, an agreement to work together, to put the issues of child protection squarely on the agenda of the community leaders. The Government will act, and act decisively and generously, because rural and remote towns and villages are home to 22 per cent of our population and these communities do not deserve to be left behind. That is why the Iemma Government is supporting these communities.

TAMWORTH HOSPITAL REDEVELOPMENT

Mr PETER DRAPER: My question is addressed to the Premier. I note that work has started today on the Narrabri hospital. Would the Premier please update the House on the New South Wales Government's commitment to construct a new hospital in Tamworth during this term of the Parliament?

Mr MORRIS IEMMA: I am happy to confirm for the member that construction will start in this term and the project is on schedule, despite the campaign of misinformation The Nationals are running, and I would remind the House that there were two main candidates at the last election and the member for Tamworth was the only one supporting the redevelopment of his hospital.

Mr Andrew Stoner: That's a lie.

Mr MORRIS IEMMA: Your candidate stood up and said it was a waste of money redeveloping the hospital.

The SPEAKER: Order! The Leader of The Nationals will cease that type of interjection. The Leader of The Nationals is on two calls to order.

Mr MORRIS IEMMA: The \$2 million allocated in the budget to commence the planning of a new Tamworth health campus is on track, is scheduled, and I can confirm for him construction will start in this term. The planning will involve three steps. The first step is the clinical services plan, which will determine the type of services that will be delivered from the hospital.

Mrs Jillian Skinner: You have one?

Mr MORRIS IEMMA: Yes, you do a clinical services plan when you build a hospital. The next bit might surprise you as well: Step 2 involves the project definition plan, and what that is about is determining what type of facilities will be provided at the hospital, for example, the size of the intensive care unit, the size of the emergency department and the number of beds. So the first step is to determine what type of services will be provided from the hospital; the second is to define the type of facilities that will be provided at the hospital; and the third step in the planning phase is the project procurement plan, and that part of the planning determines how you procure the hospital and the actual structure of the hospital. What we are committed to doing in Tamworth is not just rebuilding the base hospital but a health campus because Tamworth is also an important teaching campus. What we will be doing is developing a health campus to service the needs of the community in Tamworth and I am happy to confirm for the member that construction will start in this term, and will keep him updated on progress in this very important project.

WORLD YOUTH DAY

Mr RICHARD AMERY: I direct my reworded question without notice to the Minister for Ageing and Disability Services. Can the Minister outline how Sydneysiders can, firstly, participate in World Youth Day; secondly, avoid World Youth Day; and, thirdly, cope with the crowds at this event; and fourthly, with 19 days to go, is there any information the Minister has not told us about World Youth Day?

Mr Adrian Piccoli: Point of order: Members are able to ask only one question. You do occasionally allow a second question, but there are four parts of this question. I ask that you direct the member to reword it.

The SPEAKER: Order! The point of order is valid. A question is meant to be one question. I have shown the Opposition a great deal of leniency in this regard, but I ask the member for Mount Druitt to restate his question.

Mr RICHARD AMERY: Can the Minister advise the House of what Sydneysiders can do to either participate in or avoid World Youth Day, and of any other information she has yet to provide?

Ms KRISTINA KENEALLY: There is some information I have not provided to the House. I note that the member for Mount Druitt has put a question on the *Notice Paper* asking where the people of Mount Druitt can go to see the journey of the Cross and the Icon and I can advise him that on Saturday 5 July in Rooty Hill and Emerton are the best opportunity for people who live in the electorate of Mount Druitt to see that Cross and Icon as it comes, from 1 to 15 July, right around metropolitan Sydney.

I know that members are excited about the fact that there are only 19 days before World Youth Day—the biggest event to come to Sydney since the Olympics, and the biggest event on Earth outside the Beijing Olympics. Members of the public are asking, "Where can I go to see the Pope?" That is something that members of the public want to know. Today we released a web-based event planner. People should go online—

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

Ms KRISTINA KENEALLY: Members of the public can go online and check out the venues available for the papal boat-a-cade on Sydney Harbour and for the papal motorcade through the central business district on Super Thursday 17 July when the Pope arrives at Sydney Harbour. They can check out venues such as Mrs Macquarie's Point; they can see what venues are available to the public; and they can register an interest in attending those venues. If they register an interest they will receive in the mail public transport information about how to get to those venues. We launched this event planner so that people can avoid disappointment. We do not want people showing up at a venue only to find out that a particular event is only for registered pilgrims.

I encourage people to go online and to register their intention of attending specific World Youth Day events. Let us be clear about this issue: registering an interest in a venue does not guarantee a pass and it is not a ticket to go to that venue. However, it provides information about where people can go to see the Pope or to be part of this big celebration. This process is similar to the process that was used for the Sydney Harbour Bridge seventy-fifth anniversary, which worked quite well. When Sydneysiders have information about an event and about how best to attend an event, they follow that information and we are able to host a great celebration in the city.

I encourage people to go to the event planner at www.wyd2008.org/eventplanner—a joint initiative between the Iemma Government and World Youth Day 2008. Some people want to attend Randwick Racecourse for the final mass. The Seven Cross Precinct for the final mass includes Randwick Racecourse and Centennial Park. I am advised that the Pope will conduct a flyover of Centennial Park and he will then take his pope-mobile through Centennial Park. Many screens will be in place, I am advised that communion will be distributed, and all that will occur in the precincts of Centennial Park. If people want to ensure that they have a spot at the racecourse for that final mass I advise them to register as a pilgrim for World Youth Day. With 19 days to go it is worth reviewing the key messages for World Youth Day—and this is for the benefit of the member for Mount Druitt and all members in this House.

The SPEAKER: Order! If members cease interjecting the House will be provided with all the Minister's valuable information as quickly as possible.

Ms KRISTINA KENEALLY: With crowds of up to half a million people in the central business district for World Youth Day the clear message to those who are not taking part in World Youth Day celebrations and who want to avoid the crowds is: avoid coming into the central business district. There will be significant crowds of people, in particular, on Thursday and Friday. Those not participating in the celebrations should try to avoid the central business district. If they need to come to the central business district they should use public transport and plan ahead.

The SPEAKER: Order! Members—including the member for Willoughby, the member for Castle Hill and the Leader of The Nationals—will cease interjecting.

Ms KRISTINA KENEALLY: Those who want to be part of the World Youth Day celebrations should go to the online event planner at the World Youth Day 2008 website, register their interest in a venue and, in particular, plan ahead, check out the transport information line, and use public transport to be part of this great event. This event will be Sydney's biggest celebration ever. I encourage all members to take note of this information and to ensure that their constituents are informed about how they can avoid, or be a part of, this great celebration in Sydney.

MINISTERIAL OVERSEAS TRAVEL

Mr ADRIAN PICCOLI: My question is directed to the Premier. With the House about to rise for a three-month winter recess, will the Premier confirm that the real reason he will not recall Parliament to sort out the problems in New South Wales is so that his ministry can continue its love affair with extravagant travel, as proven in the documents I have that show that since the election his team has spent close to \$800,000 visiting destinations from Italy to India?

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

Mr MORRIS IEMMA: When I attempted a few weeks ago to inform members about the travel arrangements of the Leader of The Nationals and the shadow health Minister, I was prevented from doing so. As question time is about to end I would be more than happy to detain the House and go through all the travel arrangements and trips of members in the shadow ministry and of backbench members, in particular, the Deputy Leader of the Opposition and the Leader of the Nationals. His inspections of roads all over this State are well known. It is interesting that the member for Murrumbidgee decided to refer today to parliamentary sittings after today's press release about the Parliament—

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

Mr MORRIS IEMMA: The member for Murrumbidgee cannot make up his mind which way he wants to vote when the Parliament is sitting, yet today he is talking about having more sittings. The Liberal-Nationals Coalition needs the Auditor-General to tell them which way to vote on the most important issue facing New South Wales—that is, the electricity supply.

Mr Barry O'Farrell: Point of order—

The SPEAKER: Order! Members—including the Minister for Planning and the Leader of the Opposition—will come to order. All members on calls to order are now deemed to be on three calls. I remind members that this could be the last sitting day of the session.

Mr Barry O'Farrell: My point of order relates to Standing Order 129. Not even Phil Costa can stop you on that own goal, Morris.

The SPEAKER: Order! That is not a point of order.

Mr MORRIS IEMMA: Talking about trips, in mid-2005 the Deputy Leader of the Opposition spent three weeks touring England and Europe, at taxpayers' expense, studying transport in Milan.

[Interruption]

No, she did not go to the San Siro; she attended meetings in France, England and Italy. As education spokesperson at the time she was unable to visit any schools because they were closed for summer holidays. She said, "I learned so much. You cannot get that by a surf on the Internet." This stunt, just like yesterday's stunt, really shows just what Opposition members are about. They have no policies—it is a policy-free zone—and we are still waiting for their health policy. How will they run the hospitals and the transport system better? Opposition members do not have any policies.

Mr Adrian Piccoli: Point of order: I refer to Standing Order 129. This is a serious question about Ministers visiting the French Riviera while Beechwood Homes—

The SPEAKER: Order! The member for Murrumbidgee will resume his seat. That is not a point of order. Has the Premier concluded his answer?

Mr MORRIS IEMMA: Yes.

OPERATION RANMORE

Ms DIANE BEAMER: My question without notice is addressed to the Minister for Police. Can the Minister update the House on the success of the first year of Operation Ranmore, which targets the criminal activities of outlaw motorcycle gangs?

Mr DAVID CAMPBELL: I am pleased to advise the House that the first year of Operation Ranmore has been successful. Operation Ranmore police attached to the Gangs Squad have made significant progress in the fight against outlaw motorcycle gangs. In this its first year, Operation Ranmore has made 539 arrests and preferred a total of 1,292 charges. Offences for which charges have been brought include: assault, drug supply and possession, firearms and weapon offences, and fraud, among others. The New South Wales community is glad that these people are off the streets, as I am sure are all members of this House.

I am pleased also to say that members of outlaw motorcycle gangs are feeling the brunt of the new gang offences, which the Iemma Government brought before Parliament in 2006. Charges have been preferred in relation to 163 offences under that legislation, including participating in criminal groups to assist criminal activity, such as assaults, damage and destruction to property, and assaulting law enforcement officers. It also includes offences for recruiting a person or a child to carry out criminal activity. The Iemma Government has introduced tough gang laws, and 16 people have been convicted of 23 anti-gang related offences. In referring to some of those offences, particularly assault offences, I am not sure whether the member for Burrinjuck, during her travels in 2004-05 to England, Germany, Denmark, Switzerland, Italy and South Korea to study world peace, as quoted in the *Daily Telegraph* of 6 October 2005, learnt anything about outlaw motorcycle gangs and their impact on world peace.

Operation Ranmore is taking drugs and illegal firearms out of the hands of these gang members and off our streets. In March this year the Gangs Squad executed a search warrant on the property of a member of the Rebels outlaw motorcycle gang, who was involved in the manufacture of amphetamines. Police found and seized a disassembled laboratory, five rifles, one pistol, a large quantity of ammunition, two tasers, stolen motor vehicles and cash. They seized also a large quantity of precursor chemical, which could have been used to manufacture over \$2 million worth of amphetamines. The investigation into this offender continues. Operation Ranmore police have seized 24 firearms, including 9 semiautomatics, 2 revolvers, 12 rifles and 1 shotgun.

Outlaw motorcycle gangs are using their clubhouses as unlicensed venues. By this I mean they are selling alcohol at their clubhouses without a licence to attract members and associates and generate profits to use in other illegal activities. Operation Ranmore police continue to raid the clubhouses of outlaw motorcycle gangs and seize that liquor and the proceeds of its sale, along with any illegal drugs and weapons they find there. Just recently, as part of Operation Ranmore, police attached to Blacktown Local Area Command, with assistance from the Gangs Squad, Riot Squad, Bomb Squad and Dog Unit, raided the local clubhouse of the Bandidos, seizing thousands of dollars worth of liquor, as well as a semiautomatic pistol, ammunition, knuckledusters, and cash. Operation Ranmore is yet another example of our police getting out and getting the job done, backed by a Government that has given them tough powers and great resources. I take this opportunity to congratulate Detective Superintendent Scott Whyte of the Gangs Squad and all the officers involved in this operation. I am sure the House would join me in congratulating the New South Wales Police Force on these outstanding results.

Question time concluded.

JANETTE ALLEN RETIREMENT

Ministerial Statement

Mr NATHAN REES (Toongabbie—Minister for Emergency Services, and Minister for Water) [3.13 p.m.]: I place on record the retirement of Janette Allen, recently a staff member of mine but, more importantly, a long-time staffer for a number of different Ministers on both sides of politics. Janette, or Netti as she was more often known, has been something of an institution in the New South Wales parliamentary precinct. Her first job as a staffer was with Frank Walker, but she subsequently worked for Robert Webster, Craig Knowles, Peter Anderson and me. When Peter and I spoke this morning he had this to say about Janette:

No-one could ever ask for a more loyal or capable staffer or friend. Just what you'd expect from a Sydney Girls High girl.

All up, Netti has been a staffer for more than 20 years. I, and many others, have had the honour of working alongside Netti. The fact that she has been able to work on both sides of the political fence is a testament to her honesty, discretion, professionalism and work ethic. Netti has always provided frank and fearless advice, telling you what you needed to hear, not what you wanted to hear; and if you did not hear it, she would tell you again, often with a little more colour. At a practical level, her knowledge of the standing orders was second to none, and she worked the bush telegraph overtime. Netti's instincts are brilliant, and her judgement has been impeccable. In addition, her boost to staff moral over the years has been inestimable.

Netti, your irreverent and sharp-witted humour will be greatly missed. More importantly, you have been a great friend to many of us over the years, and we look forward to catching up with you on the verandah of your new mid-North Coast home, where I am sure the member for Port Macquarie will be welcome on the occasion. Netti, for the record, I believe that you really did see a monkey in the domain that night. In answer to your daily question: "Is it time to go home yet?" Netti, it is time to stay home and enjoy your retirement. On behalf of everyone who has had the pleasure of working with you, thanks a million.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [3.14 p.m.]: As the Minister said, Janette Allen worked for the Coalition, in particular The Nationals, for a long time. She worked for the member for Ballina, who was Parliamentary Secretary Assisting the Minister for Planning and Housing between 1993 and 1995. The member for Ballina advised me that Janette was a most competent adviser, totally trusted by Coalition members and well regarded for her professionalism. He advised also that she was great fun to work with, enjoyed a joke and a drink after work but was always professional. The Hon. Robert Webster, a former Minister, advised me that Janette was a valued member of his staff for more than five years, during which time she demonstrated all the human qualities that made her special. He said that she was intelligent, forthright, knowledgeable, compassionate, outspoken and good-humoured, but above all loyal and hard working. If you can do that for both sides of politics, I think you are doing very well.

Netti, as all came to call her, joined Robert Webster's staff in 1990. His Chief of Staff, Jim Jolley's wife, Marie, worked with Netti and recommended her as a parliamentary liaison officer. She came on board and instantly clicked with all staff at the time, who were a mixed bunch from disparate backgrounds. The Hon. Robert Webster says that Janette is one of those rare ministerial staffers. On behalf of The Nationals and all the staff of the Coalition, Janette Allen, we wish you the very best for a long and happy retirement on the beautiful mid-North Coast.

The SPEAKER: Order! The House joins with the Minister and the Leader of The Nationals in saying congratulations. On this occasion I will allow a clear breach of the standing orders.

Members applauded.

VARIATIONS OF PAYMENTS ESTIMATES AND APPROPRIATIONS 2007-08

Mr Frank Sartor, on behalf of the Treasurer, tabled, pursuant to section 26 of the Public Finance and Audit Act 1983, variations to the Consolidated Fund receipts and payments estimates and appropriations for 2007-08 arising from the provision by the Commonwealth of specific purpose payments in excess of the amounts included in the State's receipts and payments estimates.

PRINTING OF PAPERS

Motion, by leave, by Mr John Aquilina agreed to:

That the following papers be printed:

Report of the Independent Pricing and Regulatory Tribunal for the year ended 30 June 2007
Report of the State Rescue Board of New South Wales for the year ended 30 June 2007
Final report of the New South Wales Grains Board for the period 1 October 2005 to 10 October 2007
Report of the Game Council of New South Wales for the year ended 30 June 2007
Report of the Parramatta Stadium Trust for 2007
Report of the Jenolan Caves Reserve Trust for the year ended 30 June 2006
Report of the NSW State Parole Authority for 2007
Report of the Wine Grapes Marketing Board for 2007
Consolidated Financial Report of Snowy Hydro for the period 2 July 2006 to 30 June 2007
Final report of the Tow Truck Authority of New South Wales for the period 1 July 2006 to 30 November 2007.

COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Report

Dr Andrew McDonald, on behalf of the Chair, tabled report No. 3/54 entitled "Report on the Investigations by the Health Care Complaints Commission into the Complaints made against Mr Graeme Reeves", dated June 2008.

Ordered to be printed on motion by Dr Andrew McDonald.

PETITIONS

Pensioner Excursion Bus Tickets

Petition requesting that South Coast pensioners be able to access the \$2.50 pensioner excursion ticket for bus travel, received from **Mrs Shelley Hancock**.

South Coast Rail Services

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

Hawkesbury River Railway Station Access

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

Pymont to Town Hall Bus Service

Petition requesting a 10-minute bus service between Pymont foreshore via Broadway to Town Hall, received from **Ms Clover Moore**.

Edgecliff Interchange Upgrade

Petition requesting the upgrading of Edgecliff interchange, received from **Ms Clover Moore**.

TAFE Fees

Petition asking that TAFE fees be frozen at the 2007 level until 2011, received from **Mr Steve Cansdell**.

Currawong State Heritage Register Listing

Petition requesting that the entire Currawong site be listed on the State Heritage Register before being considered for redevelopment, received from **Mr Rob Stokes**.

Royal North Shore Hospital Hydrotherapy Pool

Petition requesting that the hydrotherapy pool remain open at Royal North Shore Hospital and that a hydrotherapy pool be included in the redevelopment plans for the hospital, received from **Ms Gladys Berejikian**.

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**.

Shoalhaven Mental Health Services

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

Hornsby Area Haemodialysis

Petition asking that a public haemodialysis centre be established in the Hornsby area, received from **Mrs Judy Hopwood**.

Culburra Policing

Petition requesting increased police numbers in the Culburra area, received from **Mrs Shelley Hancock**.

Grafton Bridge

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

Falls Creek Traffic Arrangements

Petition requesting consultation with residents concerning the intersection of the Princes Highway and Parma Road, Falls Creek, received from **Mrs Shelley Hancock**.

Drought Relief Worker Job Protection

Petition requesting that the jobs of drought relief workers be protected, received from **Mr Greg Aplin**.

Queensland Fruit Fly Eradication

Petition requesting funding for local councils to conduct fruit fly eradication programs in the Albury electorate, received from **Mr Greg Aplin**.

Electricity Privatisation

Petition asking the Legislative Assembly to reject all electricity privatisation legislation presented to it, received from **Mr Steve Cansdell**.

Pet Shops

Petition opposing the sale of animals in pet shops, received from **Ms Clover Moore**.

Sow Stalls

Petition requesting a total ban on sow stalls, received from **Ms Clover Moore**.

Glen Innes Proposed Wind Farm

Petition objecting to the proposed wind farm development at Glen Innes, received from **Mr Richard Torbay**.

Shoalhaven River Water Extraction

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

Port Macquarie-Hastings Council Local Government Elections

Petition asking that the council elections scheduled for September 2008 proceed, received from **Mr Andrew Stoner**.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Graffiti: Opposition Policy**

Ms ANGELA D'AMORE (Drummoyne) [3.19 p.m.]: The motion of which I gave notice should be accorded priority because graffiti is an issue of immense importance to local communities throughout the State. It is an unsightly nuisance, it can create an atmosphere of lawlessness in otherwise peaceful communities, and it can cause further crime problems. Furthermore, cleaning up graffiti can be a very costly exercise. Given the importance of the issue, it is vital that members of Parliament, as elected representatives of the community, put forward sensible and well-thought-out plans for combating this terrible scourge. When members put forward ideas that can only be described as lazy and poorly thought out, it is incumbent upon this Parliament to hold those members to account.

The SPEAKER: Order! The member for Lane Cove and the member for Manly will cease interjecting.

Ms ANGELA D'AMORE: Last week the shadow Attorney General, the member for Epping, put forward a proposal to pay \$2,500 to people who report graffiti crime. The people of New South Wales deserve to have that irresponsible proposal examined in detail and subjected to debate.

[Interruption]

What are Opposition members scared off? When considering the member for Epping's ill-conceived scheme, it is important that the Parliament also considers the responsible, measured and effective plans that have been put forward by the Government to fight graffiti. For the reasons I have stated, the motion of which I have given notice should be accorded priority. I urge members to support it.

The SPEAKER: Order! The member for Barwon will cease interjecting.

Government Leadership

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [3.21 p.m.]: The motion of which I gave notice should take priority over the motion for which priority has been sought by the member for Drummoyne because the real motion the member for Drummoyne ought to be seeking priority for is the \$50,000 she spent on an overseas trip to study regional development—as a member who represents a metropolitan electorate! This parliamentary session commenced with two Labor members caught up in scandals, the Minister for Small Business, Minister for Regulatory Reform, and Minister for Ports and Waterways and the member for Wollongong, and will conclude with two other Labor members, Belinda Neal and John Della Bosca, caught up in a scandal. Despite all the crises that affect New South Wales and all the problems faced by people in this city and in towns across New South Wales, the one connection between the scandals that occurred at the commencement of the session and the current Iguana incident scandal at the conclusion of the session is the Premier's refusal to impose any standards upon his team, to put integrity above mateship, and to show any type of leadership when it comes to problems confronting either his own party, his Ministry or New South Wales.

The SPEAKER: Order! Government members will cease interjecting.

Mr BARRY O'FARRELL: Across the State, members of the public are suffering as a result of inadequate public transport systems in the city and in the bush, our road infrastructure that seems to fail in this city and in the bush on a daily basis, the struggling health system and the hopelessness of improvement without the commission of inquiry called for by the Opposition, the inadequate mental health facilities that members opposite continue to talk up but fail to deliver, the schools across New South Wales without adequate classrooms and proper maintenance, and Aboriginal communities where, despite sexual abuse of children being four times more likely to occur there than is the case in the rest of the community, there are insufficient numbers of child sexual assault specialists providing services. I could go on and on but, instead, the point I make is that families are hurting in south-western and Western Sydney, as well as in western and south-western New South Wales, and people are frustrated by the Government's failure to deliver on the first promise the Premier made after last year's State election—to get on with fixing the problems in New South Wales.

The SPEAKER: Order! The member for Monaro will cease interjecting.

Mr BARRY O'FARRELL: Fifteen months later, the problems are worse than ever. Fifteen months later we still lack leadership from the Premier and his team in terms of fixing the problems. That is because we have a Government in crisis, a Government mired by scandal, and a Government led by a man who is not prepared to lift a finger to do anything about the problems. As today's question time again demonstrated, we have incompetence in key portfolios, mates in critical positions, and factional warlords who owe their place in the Ministry not to their talent but to the Premier's support for them. The Premier is not prepared to lift a finger to replace any of his Ministers with a backbench Government member who could do a better job and who could offer the public some hope of improvement.

We have ongoing factional infighting between Ministers. The Government is so preoccupied by factional infighting that staff have time to do YouTube videos about the downfall of either one Minister or the entirety of the Government. At a time when there are critical shortages across the State in every critical area, public servants are being used to dig dirt to give the Labor Party some political advantage. That is a disgraceful waste of public resources at a time when families are suffering. Irrespective of whether a crisis concerns the Minister for Planning, the Minister for Small Business, Costa or Della Bosca, the Premier of New South Wales is a bloke who is prepared to always put cronyism ahead of public interest and who looks to the Coalition for leadership on key issues affecting the State in relation to matters such as political donations.

Contrary to what the Premier has said today, the Coalition initiated the upper House inquiry. The upper House committee supported the proposal that I promulgated in January this year. The committee of inquiry has not supported the Premier's ban on political donations—a matter on which the Government has failed to take action over the past two months. In respect of electricity privatisation, it was the Coalition that put the interests of taxpayers and rural communities to the fore. In relation to planning, it was the Coalition that proposed a policy that I am pleased to say the Minister for Planning has finally adopted. We will finally get the comprehensive review of the Environmental Planning and Assessment Act that the Coalition has been arguing is better than the piecemeal changes the Government continues to offer.

Conditions on the M5 yesterday and The Spit Bridge last night are a metaphor for New South Wales—a State that is going nowhere. Morris Iemma is a lazy lacklustre excuse for a Premier. When New South Wales wants dynamism and direction, the Premier gives us deception and dithering. He is a lame duck who will soon be a dead duck. [*Time expired.*]

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

The House divided.

Ayes, 46

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

Noes, 39

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

Pair

Ms Burton

Mr J. D. Williams

Question resolved in the affirmative.

GRAFFITI: OPPOSITION POLICY**Motion Accorded Priority**

Ms ANGELA D'AMORE (Drummoynes) [3.34 p.m.]: I move:

That this House:

- (1) condemns the policy of the shadow Attorney General, for his outrageous claims concerning graffiti;
- (2) calls on the Leader of the Opposition to either endorse or sack his shadow Minister; and
- (3) congratulates the Iemma Government on effective and considered initiatives to reduce graffiti.

Graffiti is a difficult crime to tackle. It is a clandestine activity committed in the dead of the night and in hidden-away places. Accordingly, although our hardworking police have charged more than 12,000 people with property damage offences in 2006, identifying and tracking down offenders can be a difficult task. It is therefore necessary to use a range of different strategies. That is why the Government has a comprehensive plan for dealing with the problem, which includes putting in place tough laws to deter vandals; restricting access to spray-paint cans by requiring retailers to keep their stocks in locked display cabinets, with fines for sales to juveniles; and establishing an Anti-Graffiti Action Team comprising major government agencies, public utilities and industry representatives to lead the development and implementation of anti-graffiti policies.

Last year the Government introduced new laws giving police the power to confiscate spray cans from juveniles if they do not have a lawful excuse for possessing them. Police are also working to identify graffiti hot spots and increase surveillance and enforcement. For example, between 10 May 2006 and 31 December 2007 the Police Rail Vandalism Task Force arrested 470 offenders for committing more than 980 offences, including malicious damage, graffiti and trespass in the rail corridor. The Government is always refining our approach to preventing graffiti. We recently set up a pilot project to assess three popular graffiti-reduction interventions. Some \$360,000 in grant funding was provided to help seven local councils implement rapid removal crime prevention through environmental design and volunteer projects. Grants were awarded to Sutherland Shire Council, Wollongong City Council, City of Canada Bay Council—which is in my electorate—Blue Mountains City Council, Penrith City Council, Leichhardt Municipal Council and Gosford City Council. These grants not only are designed to help reduce graffiti in those communities but will provide the Government with hard data on what sorts of initiatives work in preventing graffiti vandalism. That data will help to inform future strategies.

This demonstrates that the Government is committed to initiatives that are proven and cost effective. It is a shame that the same cannot be said for the Opposition. On 22 May the *Dubbo Daily Liberal* reported that the shadow Attorney General, the member for Epping, had suggested that rewards of up to \$2,500 should be offered to people who report graffiti vandalism. The shadow Attorney General's suggestion followed praise for a scheme run by Dubbo City Council that involved offering rewards of up to \$2,500 for information leading to the conviction of any person or persons who commit wilful damage. According to the article, the shadow Attorney General suggested that the program was "so good" it should be applied widely across the State. [*Quorum called for.*]

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

It is a shame the shadow Attorney General is so intimidated by our motion of priority today. He repeated the sentiments he expressed in the House last week, that this is a policy that could be used all across the State. Since the inception of the Dubbo Reward Program not one person has received a reward. Astonishingly undeterred, the member for Epping in his speech to the House last week acknowledged that when he said, "The beauty of Dubbo's policy is that it has reduced the impact of vandalism in the community without paying out even one reward." One has to wonder at the logic behind such self-contradictory nonsense. Let us suppose for a minute that his scheme works. The costs of the scheme to offer rewards of up to \$2,500 to whoever reports graffiti would blow out to monumental levels. In fact, last year there were 10,265 proven charges and on that figure we have costed a rewards scheme, paid by taxpayers, at \$25.7 million. Instead that money could be applied to resourcing our police, councils and community groups. The member for Epping has suggested that we use \$25.7 million of taxpayers' money to fund a program that may not work.

Mr GREG SMITH (Epping) [3.41 p.m.]: There is a saying, "When the paint hits the fan from a leaky spray can, call D'Amore." When I want to scrape the bottom of the can—

Mr David Campbell: Point of order: Time and time again those opposite complain and argue.

The DEPUTY-SPEAKER: Order! What is your point of order?

Mr David Campbell: The point of order is that if the member for Epping wants to make a substantive attack on another member he or she has to have a substantive motion. My point of order is the hypocrisy of the Opposition on these matters and the fact that time and time again points of order are taken on that issue.

The DEPUTY-SPEAKER: Order! I ask the member for Epping to bear in mind the point raised by the Minister for Police.

Mr GREG SMITH: I am flattered by the attention that I receive from Ms D'Amore and from my good friend the Minister for Police.

Ms Diane Beamer: Point of order: The member for Epping is well aware that in this House the correct form is to address members by their title, not their name.

The DEPUTY-SPEAKER: Order! I remind the member for Epping that that is the correct form of address under standing orders.

Mr GREG SMITH: The community of the Epping electorate and various other electorates in this State have been savagely let down by this competent Government. To illustrate its incompetence the Government has moved this spurious motion on the last day before this Parliament rises when members of the Government move off on their overseas trips.

Ms Angela D'Amore: Where are you going?

Mr GREG SMITH: I am not going anywhere. I am working in my electorate. I note that on 8 May the member for Drummoyne went to Amsterdam, Milan and Rome at a cost of \$50,000. I have not cost the electorate anything of that sort at all.

Ms Angela D'Amore: Point of order: My point of order is based on relevance. I want to hear what the member for Epping can contribute to this motion of priority. I ask you to bring him back to the motion.

The DEPUTY-SPEAKER: Order! The member for Epping is well aware of what is required.

Mr GREG SMITH: A number of municipalities in this State have been so desperately worried about graffiti and have offered rewards. Last week the Labor Council of Parramatta resolved to offer a reward of \$1,000 for each successful court conviction to bring a greater willingness in the community to get involved. Interestingly the Government made such a fuss about its special court at Parramatta. What happened to the toilets in that special court? They were graffitied, despite the bragging of the Attorney General that there were 100 security cameras to protect members of the public. The deputy lord mayor, my good friend Pierre Esber, a member of the Australian Labor Party, was photographed with a sign advertising the \$1,000 reward to help stem graffiti because this Government has not offered any assistance in our electorates.

In Epping Rotary has a project to help remove graffiti, assisted by Parramatta council. In Dubbo a \$2,500 reward has been offered but not taken up. The council spent \$220,000 in the last financial year to remove graffiti, an escalation in cost from the previous year. Since the reward was introduced the damage cost decreased to \$33,000, so the program has had an effect. I suggest that the Government might want to be involved in such campaigns. In my local area a \$5,000 reward has also been offered by the *Weekly Times*. Is this Government attacking those initiatives by citizens and companies? Is this Government saying that I should not support my constituents, and municipalities in this State, just because I am a member of the Opposition and the shadow Attorney General? Does the Government have to stop me and humiliate me? I have thick skin.

Recently Kelso Public School in Bathurst was burnt down. The Government has not stopped that from occurring. Dubbo has a solution that has received good publicity. Hunters Hill is being graffitied. The Government's token solutions are getting nowhere. The community is sick of this Government because it has not done very much at all about graffiti except use the valuable time of this Parliament to move a motion to try to condemn a member of the Opposition who applauds good citizens and good councils. When the member for Drummoyne leaves Parliament at the next election she will realise that her voters were not happy because she

did not do enough about graffiti and she supported a Government that wants to waste 12 weeks of valuable time instead of governing and improving matters. Now that the Government is at the bottom of the spray can her voters will reject her. They will say she could only criticise our good councils and citizens who tried to clean up the mess. We have helped to create this mess because graffiti offenders are not given proper punishment but merely slapped on the wrist, which does not deter them. The people of Drummoyne, Epping and other electorates will say that at least the coalition tried. They support the efforts of members of the Opposition who put their money where their mouth is.

Ms DIANE BEAMER (Mulgoa) [3.48 p.m.]: I support this motion. The Iemma Government is committed to a range of effective strategies for tackling graffiti vandalism. Unlike the Opposition, it is not about making reckless and costly commitments that simply will not work. Instead, the Government is delivering on local projects that give communities the support they need to get results in the fight against graffiti. This has included a number of funded projects in my electorate of Mulgoa. Last year the Attorney General provided a grant to Penrith City Council to implement a Crime Prevention Through Environmental Design graffiti reduction project in Glenmore Park. Penrith council selected stone retaining walls at a local park as a reduction site. The walls had been the subject of a lot of graffiti that would be costly to remove.

Following that consultation with nearby local sporting groups, schools and shopping centres, council planted green screening walls across the site and that has been very successful in stopping the site from being graffitied. Council is also patrolling the site to monitor vandalism and has contracted a service to remove graffiti as it occurs. Penrith City Council last year applied to the Government to raise its rates to fight graffiti across its area. I would also like to note some of the other positive initiatives being undertaken by Penrith City Council to combat graffiti in the local community. Council has a hotline and people are rewarded not in cash but by the fact that someone from the council is able to come out and effectively remove graffiti. The council put extra resources into graffiti management and removal and used a "Report it, don't ignore it" program to encourage the reporting of graffiti to local police. It set up a free-call graffiti reporting hotline as well as an online community facility for reporting graffiti. There is also a graffiti removal information package that provides tips to residents on graffiti removal and prevention.

Penrith City Council is one of the many councils across the State taking advantage of the Government's program to force offenders to do graffiti clean-up work. It also received another grant from the State Government for the Queen Street, St Marys project. That project allowed an artist to paint roller doors at night with murals. These murals have never been touched with graffiti. They have been a tremendous success. In fact, this airbrush artist was able to show young people the value of work on roller doors to prevent graffiti. It is a cost-effective strategy and a focused plan for reducing graffiti vandalism in the Penrith local government area. The shadow Attorney General would do well to visit Penrith council to see for himself the good work that the council is doing in partnership with the New South Wales Government and the local community, who fully support and promote the hotline that council set up. [*Time expired.*]

Mr MICHAEL RICHARDSON (Castle Hill) [3.52 p.m.]: I have been in this place for 15 years and I have never seen a more preposterous priority motion brought before this House. It is absolutely extraordinary to think that, according to the member for Drummoyne, the member for Epping should be criticised to the extent that he should be sacked for standing up for his local community and for the Dubbo community. Let us look at what he had to say. He talked about congratulating one of his local papers for starting a graffiti vandalism campaign by offering up to \$5,000 to local residents who do in a vandal. He said:

John Booth, Ulrike and all the team at the *Weekly Times* should be congratulated on their wonderful efforts to try to clean up the streets of the electorate of Epping ...

He also congratulated Dubbo City Council for its similar efforts at reducing graffiti vandalism. I note that Dubbo City Council has reduced its cost of cleaning up graffiti from \$204,000 in 2006-07 to \$33,000 for the first nine months of 2007-08. This is a real triumph. The Government should be lauding that achievement. Clearly, what the shadow Minister has been saying has a lot of merit. This policy could be rolled out across the State because it has a great deal of merit. It does not surprise me that this Government should have brought this rubbish motion before the House. This is the Government that for 10 years, from 1996 to 2006, refused to endorse my lock-up legislation. In 2006 the Government finally endorsed it. The former member for Penrith derided my original legislation as rubbish and nonsense in 1996. Ten years later the Government embraced it with both arms. What do we see today? The Government is deriding the very worthwhile proposal by the member for Epping to do something about this scourge. It is worse than that. I have had a look at what the member for Drummoyne had to say about graffiti in a previous debate in May 2006. Here is what she said:

When I discussed this issue with the police in my electorate, one of the measures they said is most important is that residents and businesses should notify the police and local councils where graffiti occurs and take a photograph of the tag.

She is now condemning the member for Epping for advocating what she advocated two years ago. She went on to say:

That will assist the police and local government agencies to identify common tags on the database and coordinate removal of the graffiti, which is an extremely effective strategy ...

I commend local councils on doing a good job ...

That is exactly what the member for Epping has been doing—commending local councils on doing a good job. While I am talking about local councils, the member for Mulgoa spoke about the only strategy she could find that the Government has employed in her area, which is to allow Penrith council to raise rates to clean off graffiti. That is their strategy. [*Time expired.*]

Ms MARIE ANDREWS (Gosford) [3.55 p.m.]: It gives me great pleasure to speak in support of the urgency motion moved by my colleague the member for Drummoyne. Unlike the previous speaker, the member for Castle Hill, I consider this motion to be quite important because graffiti is becoming a big problem in every area of the State. Sadly, that is the case in my electorate of Gosford, which has benefited immensely from the positive and proactive programs put in place by the Government to prevent graffiti vandalism. Last year Gosford City Council received a grant to implement a graffiti reduction project. The project was aimed at reducing vandalism at a well-known graffiti hot spot, a local youth centre. The centre is near a park and has minimal natural surveillance. Research shows that areas of poor surveillance are often targeted by graffiti vandals. Poor lighting and visibility allows them to hide in the shadows while they commit their self-proclaimed "art".

With funding from the Government's grant, the council has introduced a combination of landscaping, additional lighting, fencing and upgraded surveillance equipment to deter vandals from targeting that site. Council also utilised native plants in a green screen. Monitoring is being undertaken at the site by council staff. Gosford City Council is one of the many councils across the State taking advantage of the Government's program to force offenders to do graffiti clean-up work. The Government believes that criminal offenders should make reparation to the community for their actions. Engaging such offenders in graffiti clean-up work is a great way of doing this. The Department of Corrective Services and the Department of Juvenile Justice work in partnership with local councils such as Gosford council to engage community service order offenders in graffiti clean-up work. This is a very positive way of addressing the problem we are facing. This not only forces local criminals to face up to their behaviour but also delivers tangible benefits to local communities in my electorate of Gosford.

Fighting graffiti vandalism demands targeted, considered and cost-effective initiatives. I am pleased to inform the House that Gosford City Council has in the past received funding from the State Labor Government to purchase a special machine to assist council in its fight against graffiti, which is, quite simply, antisocial and unacceptable behaviour. This is exactly what the Lemna Government is delivering in my electorate of Gosford—positive action to combat the increasing problem of graffiti. I take great pleasure in commending the motion to the House.

Ms ANGELA D'AMORE (Drummoyne) [5.57 p.m.], in reply: I thank the members for Mulgoa, Gosford, Epping and Castle Hill for their contributions to this debate. I note that the Leader of the Opposition has not been in the Chamber to support his shadow Attorney General. Obviously, he has lost some favour with his leader and his party room, which is very interesting to see. Going back to some of the comments—

Mr Daryl Maguire: The Premier is not here to support you either.

Ms ANGELA D'AMORE: He is watching, don't you worry.

The DEPUTY-SPEAKER: Order! The member for Wagga Wagga will not walk into the Chamber and interject.

Ms ANGELA D'AMORE: We are used to it, Mr Deputy-Speaker. He can be a philistine when he wants to be.

Mr Greg Smith: Point of order: The point was taken against me that I should describe members by their seat names. I take the same point of order against the member for Drummoyne.

The DEPUTY-SPEAKER: Order! I uphold the point of order. The member for Drummoyne will refer to members appropriately.

Ms ANGELA D'AMORE: Thank you, Mr Deputy-Speaker. The program that was raised by the shadow Minister—Parramatta council's offer of \$1,000 for every successful conviction—has some merit because it relates to a successful conviction, not someone picking up the phone and reporting an incident. Also, Castle Hill referred to some of my comments. We all know that any area commander you speak to will tell you—

Mr Michael Richardson: Point of order: I am not "Castle Hill", Mr Deputy-Speaker; I am the member for Castle Hill. I ask you to direct the member to address members properly.

The DEPUTY-SPEAKER: Order! The member for Drummoyne will refer to members properly.

Ms ANGELA D'AMORE: The member for Castle Hill referred to my comments on graffiti. Any commander you speak to will tell you that one of the crime prevention strategies with graffiti is to actually report it and remove it within 24 hours. A number of councils around the State would support those comments. I am glad that he put those comments on the record again because many people would agree with them. I refer to the grants outlined by the member for Mulgoa for her local area. What this shows is that the State Government is looking at proactive strategies in providing grants to our local community via our councils to make sure that we are patrolling sites and removing graffiti quickly, and we are running education campaigns throughout our community showing when to report graffiti, how to report it, and to take pictures.

These are successful and extremely effective programs. Programs are being funded in our local communities to educate youth and show them that they can turn their vandalism into art and make it proactive in the community. I thank the member for Gosford, who outlined a number of projects occurring in her local area with Gosford City Council and the grants received from the State Government to purchase machinery to remove graffiti. I note that the shadow Minister's policy would cost ratepayers \$25.7 million, which is slightly outrageous. That is money that could be better channelled into local councils, grants and resourcing local police.

Mr Greg Smith: Point of order: The policy of course—

The DEPUTY-SPEAKER: Order! The debate is concluded. Points of order should be raised during a debate, not after it.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 43

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

Noes, 38

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

Pair

Ms Burton

Mr J. D. Williams

Question resolved in the affirmative.**Motion agreed to.****COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION****Message****The DEPUTY-SPEAKER:** I report the receipt of the following message from the Legislative Council:

Mr Speaker

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

- (1) That the Committee on the Independent Commission Against Corruption, which is a joint statutory committee, inquire into and report on the effectiveness of current laws, practices and procedures in protecting whistleblower employees who make allegations against government officials and members of Parliament.
- (2) That this House request the Legislative Assembly to agree to a similar resolution.

Legislative Council
26 June 2008PETER PRIMROSE
President**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.12 p.m.]: I move:

That:

- (1) The Committee on the Independent Commission Against Corruption, which is a joint statutory committee, inquire into and report on the effectiveness of current laws, practices and procedures in protecting whistleblower employees who make allegations against government officials and members of Parliament.
- (2) A message be sent informing the Legislative Council of the resolution.

Mr ADRIAN PICCOLI (Murrumbidgee) [4.13 p.m.]: The Opposition will not oppose this motion because it requested the establishment of this inquiry in the upper House.*[Interruption]*

Government members know what this inquiry is about. The Opposition sought to establish an inquiry in the upper House, where the Government does not have the numbers. However, Reverend the Hon. Fred Nile and members of the Shooters Party lent their support to the Government and the matter will now be referred to a joint committee—a committee comprising both Government and Opposition members—where the Government has the numbers. This inquiry is about protecting whistleblowers—people who have the courage to stand up and tell the truth when things go wrong. The Minister for Fair Trading can make all the noises she wants, but this committee will inquire into the treatment of Jillian Snedden—a loyal employee who worked tirelessly for the Labor Party.

When Jillian Snedden assisted police in their inquiries and investigations into somebody in the Labor Party—somebody who has since been convicted of child sex offences—she was put in the freezer, not just by the Parliament but by the Labor Party. Reverend the Hon. Fred Nile and the two members of the Shooters Party supported this reference to the Committee on the Independent Commission Against Corruption and that committee, with a majority of Government members, will now inquire into what happened to Mrs Snedden. I cannot believe that a minister of religion would lend support to such a motion. One of the victims who suffered at the hands of Mr Orkopoulos wanted an upper House inquiry.

Jillian Snedden, Bryce Gaudry and the brother of Milton Orkopoulos also wanted this inquiry to be conducted independently by an upper House committee, where the two major parties do not have a majority. They wanted this inquiry to be independent and to be run properly. Will the Committee on the Independent Commission Against Corruption call the Clerk of the Legislative Assembly, Mr Grove, the member for Riverstone and former Speaker, Mr John Aquilina, and the current Speaker, Mr Richard Torbay, to give evidence? The challenge for that committee is to call those people to give evidence. Members of the Legislative Assembly will be able to take part in the inquiry before the joint committee.

If the chair of that committee, the member for Maitland, and the other Labor members on that committee are fair dinkum about getting to the bottom of what happened to Mrs Snedden and how she was persecuted for assisting police, they should call those members to give evidence. If they are fair dinkum the challenge is for them to call those people as witnesses. There are plenty of examples of whistleblowers who should be and who need to be called to give evidence to that inquiry.

The SPEAKER: Order! The member for Coffs Harbour will cease interjecting.

Mr ADRIAN PICCOLI: Another person who should be called to give evidence is Melissa Batten, a whistleblower who recently appeared on *A Current Affair*. Melissa Batten was treated badly by—

The DEPUTY-SPEAKER: Order! The member for Murrumbidgee will direct his remarks through the Chair.

Mr ADRIAN PICCOLI: I apologise. Melissa Batten and the staff at Iguanas should be called to give evidence, as should some of the staff members of Mr Della Bosca and Ms Neal who were at Iguanas that night. The inquiry should investigate whether Melissa Batten and the staff at Iguanas were bullied by Government members or by members of staff in Mr Della Bosca's office, and they should be asked whether they received any communication from the Premier's office. The Premier denied that had happened but this inquiry could get to the bottom of it all. It will be a challenge for the member for Maitland and other Labor members. Will they have the courage to call those people as witnesses? If this is to be a joint parliamentary committee they should have the courage to do that and to conduct the inquiry properly.

I have just been reminded of Mark Aarons. Members might recall that Mark Aarons blew the whistle on the Paul Gibson affair and, coincidentally, he was dismissed the next day. Somebody in the Labor Party who was held in high regard was dismissed the day after he provided information to the Premier relating to allegations about Mr Gibson. The allegations had been dealt with but he was sacked the day after. When we consider the way in which this Government treats whistleblowers it is imperative for Mark Aarons to be called as a witness, otherwise this committee will be doomed to failure.

I said earlier that the Opposition will not oppose the motion, but these issues have to be resolved. If Mark Aarons is not called as a witness I will ask Opposition members in September to conduct an upper House inquiry to resolve these issues—a committee on which the Government does not have the numbers. This will be a challenge for the member for Maitland as he will cop political flak from members on his side of politics. However, I believe that as a former Crown prosecutor he is a man of integrity—

Mr Frank Terenzini: Come on, Adrian. Get on with it.

The SPEAKER: Order!

Mr ADRIAN PICCOLI: It will be a challenge for the member for Maitland. I hope that he rises to the challenge.

Mr JOHN AQUILINA (Riverstone—Leader of the House) [4.17 p.m.], in reply: I am sure that members have every confidence that the member for Maitland will rise to any challenge with which he is confronted. Four-fifths of the contribution of the member for Murrumbidgee was irrelevant as he spoke about matters that are not the subject of this inquiry. I am sure that the committee will carry out its functions with transparency and the utmost integrity, which is what occurs in this Parliament. While we are on the subject of members being called to give reports to the committee, the committee might consider calling the member for Murrumbidgee and asking him all he knows about this matter.

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

Motion agreed to.

FIREARMS AMENDMENT BILL 2008

Bill received from the Legislative Council and introduced.

The DEPUTY-SPEAKER: I advise the House that I have received a written authority from the Hon. Roy Smith, MLC, advising that the member for Tamworth will have carriage of the bill in the Legislative Assembly.

Agreement in principle set down as an order of the day for a later hour.

BUSINESS OF THE HOUSE**Suspension of Standing and Sessional Orders: Bill****Motion by Mr Peter Draper, by leave, agreed to:**

That standing and sessional orders be suspended to permit the consideration of the Firearms Amendment Bill 2008 forthwith or at any other time and for the passage of the bill through all stages at this sitting or at any subsequent sitting, with precedence over any other business.

FIREARMS AMENDMENT BILL 2008**Agreement in Principle**

Mr PETER DRAPER (Tamworth) [4.19 p.m.]: I move:

That this bill be now agreed to in principle.

The amendments in the Firearms Amendment Bill 2008, which was introduced in the other place by the Shooters Party, propose a number of changes to the Firearms Act 1996 and the Firearms Regulation 2006. I congratulate the Hon. Roy Smith and the Hon. Robert Brown on introducing this good piece of legislation. More than 20,000 licensed shooters are registered in the electorate of Tamworth, of which over 6,000 have been licensed since 1996. Many of these people are members of the Sporting Shooters Association of Australia [SSAA], which has increased its base in New South Wales from 35,000 in 1996 to over 50,000 today.

The proposed amendments to the Act and regulations are designed to improve the operation of the system for the legal use and registration of firearms by law-abiding citizens such as those I have mentioned. The amendments aim to remove some of the impediments to legitimate sport shooting, hunting and collecting. Extensive consultation with police, the Firearms Registry and accredited sport shooting, hunting and collecting clubs has led to the developments of the amendments, which I stress will have no impact at all on public safety. As these amendments were first introduced in the other place, a *Hansard* record exists of their detail; however, I take the opportunity to broadly outline their intentions.

The bill proposes an exemption from the need to register antique firearms manufactured before 1900, and allows for possession of certain such firearms without a licence or permit. The exemption from registration applies only to pre-1900 firearms that do not take breech-loaded metallic cartridges, or are firearms for which ammunition is not commercially available. The exemption from licence applies only to long arms of the type described above, and prepercussion pistols. It extends a temporary amnesty that already exists in the regulations for highly prized collectors' items that are all now more than 108 years old. It does not allow for any such firearm to be fired. The amendments will remove the 28-day waiting period that applies to the issuing of a permit to acquire for a firearm, but only when the applicant already has a firearm of that type registered under his or her name. Licence holders will still be required to obtain a permit to acquire for every other firearm they wish to purchase. The amendment removes the mandatory waiting period only for an applicant who already owns a firearm of the same category.

Current legislation prohibits the possession of category C firearms, except under special circumstances such as for members of clay target shooting clubs affiliated with the Australian Clay Target Association. The amendments will allow members of clubs affiliated with other target shooting bodies that have been approved by the Commissioner of Police also to be able to apply for a special category C licence. This will permit the person to use a self-loading or pump-action shotgun only in a recognised clay target shooting competition, and only where they can demonstrate a special need for this exemption. At present people wishing to try shooting as a sport may only do so if they first join a club and then obtain a temporary exemption through the Firearms Registry. Such exemptions apply for a maximum of three months. The amendments will enable unlicensed persons to shoot under supervision at approved ranges without these restrictions. Such persons will have to make a written declaration that they have committed no offences that would make them ineligible for the issue of a licence under the Act. They will be able to shoot only under supervision of a licensed adult, and they cannot purchase or take a firearm or ammunition home.

The bill provides police with the option of dealing with minor offences under the Act and regulations by way of penalty notices. Penalty notices will not be issued for indictable offences. Currently even minor technical breaches can result in a licence holder being unable to renew their licence. The proposals mean that a

penalty notice will not disqualify a person from having a licence or permit unless they elect to contest the matter in court and the court then finds them guilty. This is designed to give police more discretion in dealing with minor breaches. Changes to the type of authority under which a theatrical armourer operates are designed to expedite the way in which they can meet customer requirements. It is proposed to change the way in which they operate from a permit to a type of dealer's licence that will allow them to meet their client's needs quickly. Bill Caley is secretary of the Tamworth Pistol Club and President of the Sporting Shooters Association of Australia, Peel Valley Branch. This branch has some 240 members, and the Tamworth Pistol Club has approximately 190 members. Bill stated to me:

The changes to legislation will have absolutely no impact whatsoever on public safety. We are appalled by the Government's failure to prosecute illegal and criminal usage of firearms while making it very tough for licensed and registered firearms users to pursue their sport. We are totally against persons carrying firearms for personal protection. If kids over the age of twelve are taught firearms safety on licensed ranges they will have a greater respect for community safety and respect for the usage of firearms.

Bill has well summed up the feelings of thousands of accountable people who enjoy the use of firearms for sport and recreation. Those people are sick and tired of feeling like criminals rather than the responsible members of the community they are. Peter Holmes, President of the Tamworth Clay Target Club, who is also a club coach and Firearms Safety Awareness Officer, also applauded the introduction of these amendments in the other place by saying:

This is a small step towards common sense in a difficult and often emotional area. These amendments will bring New South Wales a little closer to laws in other States.

John Taylor is a member of the Sporting Shooters Association of Australia Tamworth Branch and the Northwest Hunting Club, and he is an accredited safety awareness officer with a restricted Game Council licence for State Forests. John has been shooting for nearly 40 years. He pointed out the well-organised nature of sporting and recreational shooting in the Tamworth district, with events held every weekend between clubs. These events have resulted in a marked increase in junior membership and many family groups participating. John told me:

We've been finding the young people want to get a licence and their families come along and they become involved.

The Sporting Shooters Association of Australia runs a complete junior shooting program. It has recently introduced a magazine called *The Junior Shooter*, as well as its monthly magazine *Australian Shooter*. John said:

These changes will not affect the safety of anyone at all. It will only benefit law-abiding citizens who wish to enjoy their chosen sport. It's better to have people involved with our organisations to pursue their chosen sport, as it develops respect and responsibility in handling firearms. Even when we test new candidates for a licence, it's not like a car where you're on your own, we help and supervise them until they are not only fully proficient, but confident in themselves as well.

John referred to many of the wider community events that shooters groups support. They run supervised youth camps at the range at Tilterweira, near Wanaaring; they work with the Department of Primary Industries on fox surveys, and they support organisations such as the Childflight helicopter service. He pointed out also that the shooters movement has people such as Lee Kernaghan, Todd Russell, Glen McGrath and Shannon Noll as responsible role models. Other organisations within or catering for the Tamworth electorate include the Sporting Shooters Association of Australia Tamworth Branch, Tamworth and Peel Valley Rifle Club, Boggabri-Gunnedah Rifle Club, Gunnedah Pistol Club, Moonbi Ranges Clay Target Club, Manilla Pistol Club, Barraba Civilian and Military Rifle Club, Peel Valley Rifle Club, Sporting Shooters Association of Australia Gunnedah, Gunnedah Western Action, Gunnedah Gun Club and Quirindi Sporting Clays.

At the 2006 Commonwealth Games Australia won nine gold, eight silver and six bronze medals in various shooting events. These are fantastic results and can be attributed to the encouragement of the clubs I have mentioned. It should not be so difficult to develop such young talent to a competitive level. These amendments seek to encourage good results into the future. With the introduction of these amendments, I am going in to bat for responsible people. The amendments do not reduce public safety; however, they will remove anomalies and bring New South Wales more into line with procedures in other States by allowing people to try sport shooting. Sporting shooters and hunters are the most legislated, restricted and inspected citizens in our State. Licensed firearm owners are subject to more scrutiny than anyone else in Australia in pursuing their chosen sport. The amendments do not seek to dilute laws designed to protect the general community but are designed to encourage sport and competition, to develop talent at a reasonable age and to ease restrictions on specialists within the field. The bill facilitates this in a very responsible manner. I commend the bill to the House.

Mr DAVID CAMPBELL (Keira—Minister for Police, and Minister for the Illawarra) [4.29 p.m.]: On behalf of the Government, I indicate that the Government supports the Firearms Amendment Bill 2008, which was passed by the Legislative Council on Thursday 19 June 2008. Following considerable debate, the Government moved a range of amendments to this private member's bill, which was introduced by the Hon. Roy Smith, MLC, and the amendments were supported by the Legislative Council. The amendments ensure that existing firearms controls are not weakened and that the principles of the Firearms Act are not diminished in any way.

I understand that a number of issues relating to the bill were canvassed in the Legislative Council. As they already have been the subject of substantial debate in that Chamber, I do not intend to address all the issues again in the House this evening. However, I will say that the Government is committed to improving customer service, reducing red tape, and removing unnecessary or burdensome regulation. Accordingly, the Government considers that a number of the proposals in the bill will assist in streamlining processes for firearms licence and permit holders as well as for the Firearms Registry. Moreover, many of the proposals align New South Wales with other States and Territories and create more consistency with other jurisdictions.

Having said that, I point out that the Iemma Government continues to ensure that the currently existing controls over firearms are not weakened and that the principles of the Firearms Act are not diminished in any way. As I said earlier, it is for those reasons that the Government introduced a number of amendments that were agreed upon in the other place following debate. I will deal with a couple of issues relating to the original bill that the Government opposed and will continue to oppose. The Government opposes the proposal to render firearms held under an heirloom firearm permit temporarily inoperable rather than permanently inoperable.

The responsibilities of an heirloom firearm permit holder are slightly less onerous than are those for a licence holder because it is understood that an inherited firearm may be of sentimental value. However, such items cannot be used, as they are rendered permanently inoperable. In effect, that means that a steel rod must be inserted into the barrel and welded to the muzzle, and the working components of the firearm must be removed or welded so that they cannot be used. It is fairly simple to reactivate a firearm that has been made temporarily inoperable, which is why firearms that are the subject of an heirloom permit must be rendered permanently inoperable. Accordingly, as I have said, the Government opposed that component of the original bill.

Another proposal that the Government opposed is minors being allowed to use high-calibre handguns. The Government strongly opposes minors obtaining access to high-calibre firearms. The Firearms Act restricts minors from accessing certain types of firearms and pistols. Community expectations are that young people will be prevented from accessing highly powerful weapons. If the Government had agreed to allowing children as young as 12 years old to have access to .45 calibre handguns it would have sent the wrong message to the community.

The Government supports provisions in the bill that will enable people to try out the use of firearms at approved clubs or ranges, or undertake instruction as part of a firearms course while under the direct supervision of an appropriate licence holder. This is a sensible proposal that will enable someone to try before they buy, if I may put it that way, and they will be able to do that in a supervised environment. The Government believes that that is a sensible proposal. As we all know, the precision use of firearms not only is a recreational activity but also is a sporting activity that is included in the Commonwealth Games and the Olympic Games. The Government thought that the bill's proposal was appropriate to ensure that people are able to avail themselves of the opportunity of trying out the use of firearms before they buy them.

However, the Government recognises that it is critical for clubs, ranges and firearms instructors to ensure that only appropriate unlicensed persons gain access to firearms. Consequently, in accordance with schedule 2 item [24] clause 110 to the bill, unlicensed persons must complete a statutory declaration to assist in determining whether the person has committed an offence that may preclude them from successfully obtaining a licence should they apply for one. The Government pressed for inclusion in the bill of a provision to ensure that a club, range or instructor must prevent a person from possessing or using a firearm if they are not deemed appropriate as a result of examination of the statutory declaration. Moreover, to emphasise the seriousness of a breach a penalty of 50 penalty units has been proposed.

The Government believes that the bill strikes the right balance between continued appropriate oversight measures for the legitimate use of firearms and protecting public safety. As I have already noted, the bill provides for consistency with other jurisdictions in Australia. For those reasons the Government supports the amended bill that was passed in the Legislative Council last week.

Mr ADRIAN PICCOLI (Murrumbidgee) [4.35 p.m.]: At the outset of debate on the Firearms Amendment Bill 2008 I state that the Coalition will not oppose the bill. The Coalition of Liberal and Nationals parties was the only major political group that included some of the bill's reforms in policies in the lead-up to the 2007 election. That is a significant point because firearms reform legislation can be a controversial topic in some sectors of the community. Occasionally firearms legislation is used to scare people into opposing changes or opposing sensible reforms to firearms legislation.

I hold a firearms licence. Anybody who owns firearms or is the holder of a firearms licence knows the difficulties that arise on a day-to-day basis in complying with some of the quite silly administrative requirements. The difficulties in complying with technical conditions mean that it is easy to break the law. That is a significant issue for me as a person who holds a firearms licence as well as being a member of Parliament. I purposely do not own any firearms because I am conscious of how easy it is to break the law. A member of Parliament who breaks the law certainly gets into lots of trouble.

In the lead-up to the 2007 election the Coalition included in its policies a number of significant reforms that are provided in the bill and that it had intended to introduce. One of the reforms was allowing unlicensed persons to shoot on approved gun club ranges. I understand that statistics show that not one person has been injured as a result of the use of a firearm on a shooting range. I have been told anecdotally that people are more likely to be injured by breaking an ankle walking down a set of stairs than by incurring a wound from the use of a firearm at an approved firearms range or gun club. The reforms provided in the bill will enable people who want to try out the sport or visit a gun club on open days to use a firearm provided they are supervised.

In every case supervision must be carried out by people who have a great deal of experience in the use of firearms and who have been subjected to all the appropriate tests. That is a very safe and sensible provision. As I stated earlier, the issue of firearms can often be used to frighten people, but we must not forget that the use of firearms is an Olympic sport. We are happy to accept the gold, silver and bronze medals when we win in competitions at the Olympics and at various other places, and we are happy to laud our sportsmen. Shooting is a legitimate sport and people should be allowed to try it out and participate in it if they wish. If they like it they can undertake the licensing and purchasing processes. That is a sensible reform and it was part of the Coalition's 2007 election policy.

The second issue relates to the cooling-off period for a person who purchases a second or subsequent firearm. That provision was also part of the Coalition's policy and is a sensible reform. It makes sense, particularly for people who are involved in competitive shooting. It will apply to people who use firearms in their occupations, such as kangaroo shooters, and to people who use firearms for vermin control. For instance, my brother uses his rifle to shoot vermin on the farm. If one of his several firearms is inoperable for whatever reason, it is absurd that he is forced to wait a minimum of 28 days—it is usually two or three times longer than that—before he can purchase another firearm, even though he has already jumped through all the hoops to get a licence and has satisfied the law that he is a person of good character. The Opposition supports this sensible and logical reform.

Both of those measures were in the policy that the Coalition took to the 2007 State election. I understand that the legislation contains a number of other reforms, all of which are sensible and which we support. Changes remain to be made, particularly with respect to the Firearms Registry at Murrumbidgee. I know from experience that the registry has difficulty administering the firearms legislation and the many regulations. One day you will get one answer from the registry and two weeks later a different person will give you a different answer to the same question. That is a criticism not of the registry staff but of the extremely complicated firearms legislation and regulations.

We could introduce many reforms that would make the lives of legitimate firearms owners and users a lot easier. We should make it easier for them to obey the law. The irony is that only law-abiding citizens obey firearms laws. Those who commit crimes using firearms do not go to the trouble of registering their rifle or pistol. Firearms laws make life very difficult for law-abiding citizens, and I believe the law should make it easier for them. The Opposition does not oppose the bill, which contains measures that were part of our policy in the lead-up to the 2007 election, and I am pleased that the Government is supporting several major reforms. However, other sensible, logical changes need to be made in this area that, like this legislation, will not put more firearms into the community or decrease community safety. We should make life easier for the good people who obey the law in New South Wales.

Ms CLOVER MOORE (Sydney) [4.42 p.m.]: I oppose the Firearms Amendment Bill 2008. I oppose its introduction and its passage through all stages in the dying moments of this session of Parliament. This

significant bill, which erodes some of the measures in the landmark legislation enacted in Federal and State jurisdictions, should have been allowed to lie on the table for a minimum of five days. Indeed, it should have remained on the table for the entire parliamentary recess. I am sorry that members who were elected at the last election have experienced Parliament only under the management of this leader. Members should be permitted to assess legislation in a meaningful way. They should have the opportunity to discuss legislation with key stakeholders and their constituents, and to make an informed vote. It is an insult to every member of Parliament—and, consequently, to our constituents—to introduce at this hour and pass through all stages legislation that changes the gun laws. The Government is treating Parliament and our constituents with contempt. I am absolutely opposed to what is happening this afternoon.

The bill will change the firearms legislation that has been so important to our nation. It is beginning to unravel the strict measures that were introduced after the shocking Port Arthur massacre. Gun laws around the nation were changed after 35 people were killed and 37 were wounded on 28 April 1996 by a lone gunman, Martin Bryant, at the historic Port Arthur tourist site in Tasmania. Why are we debating this bill? Why is Parliament even considering these changes? There is general consensus in the community that this is a payola bill. The Government is accommodating the Shooters Party because it accommodated the Government by supporting the appalling planning legislation that passed through the other place with the support of Reverend the Hon. Fred Nile and the two members of the Shooters Party. The planning legislation is undemocratic: it removes people's right to have a say about what happens in their neighbourhood. Some describe it as shanty town legislation, which will lead to the blighting of the urban environments in our towns and cities.

The Firearms Amendment Bill 2008 will reduce gun controls in New South Wales. I understand—I must qualify my comments because the bill has only just been introduced and neither my constituents nor I have had the opportunity to scrutinise it—that the bill will result in breaches of the 1996 National Firearms Agreement and the 2002 National Handgun Agreement. I have long supported strict gun controls to protect citizens and reduce firearms-related deaths and injuries. That is our duty as parliamentarians in a civilised society. I am aware that this is a sensitive issue. I am aware also that the Coalition attributed its election win in 1988 to Barrie Unsworth taking a strong—and, indeed, laudatory—position on gun control. In the early 1990s I served on a gun law reform committee and heard some shocking evidence about gun violence. It came mainly from women who lived with men who owned legal weapons. I was also in receipt of some appalling literature from shooters groups that supported the system that was in place prior to the enactment of the 1996 legislation. I found that literature quite sickening and shocking, as I believe any civilised person would.

It took the tragic Port Arthur massacre in 1996 to achieve historic gun control reforms. The former Prime Minister showed courageous leadership in getting the National Party to agree to the legislation. It was fantastic that all State governments followed the lead of the Federal Government and introduced similar legislation. Then the Shooters Party did a deal with the Government over the appalling planning legislation and introduced this bill. This is a very sad day for New South Wales; it is an erosion of all that we achieved as a result of the shocking and tragic massacre at Port Arthur. It is appalling that it took the murder of all those people to produce the reforms that we should have had many years earlier.

What will this legislation do? I again qualify my comments with "I understand" because I have not had an opportunity to scrutinise this legislation. I understand that currently a person who is a theatrical armourer may apply to the Commissioner of Police to authorise the person to possess, manufacture, buy, sell, transfer, supply and use firearms for the purpose of film, television or theatrical production. Theatrical armourers are limited by this legislation to use blank cartridges only. I oppose the proposal to include theatrical armourers under the title of a firearms dealer. A theatrical armourer is not a firearms dealer, and should not be given the same wide-ranging entitlements. Theatrical armourers should not deal with firearms and live ammunition.

I understand that this bill will also enable people to shoot on approved ranges under supervision without a licence or without an exemption from the police commissioner. The National Coalition for Gun Control says that fewer people will be able to apply for a licence because they can get unlimited access to firearms without one. I understand also that there is a proposal to remove the 28-day waiting period for licence renewals or applications for a new firearm of a type that someone already owns. The waiting period allows the police to check whether someone is a danger to the community or to themselves, whether the circumstances have changed and whether someone should no longer own a firearm or should not own more than one. The proposal contradicts the principle that gun ownership in Australia is a privilege and not a right. This Parliament should stand strongly behind that principle, which is now being undermined by this bill. I repeat that principle: gun ownership should be a privilege, not a right.

The Commonwealth banned the importation of all self-loading and pump action shotguns after those weapons were used in the Port Arthur massacre. Those firearms are extremely dangerous, military-style weapons. Under resolution one of the 1996 National Agreement on Firearms, all jurisdictions agreed to ban the sale, resale, transfer, ownership, possession, manufacture and use of those firearms other than in exceptional circumstances. New South Wales is already in breach of resolution one of the national agreement by allowing the use of those weapons for clay target shooting. I oppose the proposal to enable the Commissioner of Police to approve bodies, other than those affiliated with the Australian Clay Target Association, to authorise a person to use a self-loading or pump action shotgun in a recognised clay target shooting competition. Expanding the bodies with which an applicant's shooting club may be affiliated will increase the number of people with access to prohibited firearms that have been used in several massacres.

I am concerned that this bill will allow firearms and firearm barrels to be sent by mail between firearms dealers. The Australian Institute of Criminology noted in a 1999 report that mail is one of the main methods of illegal acquisition of firearms by individuals. According to the report, allowing firearms to be sent through the post will increase the likelihood that firearms and firearm parts will be stolen and diverted into the black market. The need for firearms dealers and collectors to apply for a permit to participate in a gun expo should not be removed. The current permit system ensures that applicants are subject to the proper safety checks and must adhere to strict safety regulations.

I understand also that the bill introduces a proposal to allow minors who are members of an approved pistol shooting club, and who have held a minors target pistol permit for at least one year, to get a permit to use large calibre pistols in shooting competitions. I understand that children as young as 12 years will be able to use high-calibre semiautomatic handguns. How can that be in the public interest? Where is the Parliament's duty of care if it passes this bill? I qualify all of my remarks by saying that I have not had sufficient opportunity to scrutinise this bill, which will pass through all stages today. That is a real indictment on the processes of this Parliament. Under the 2002 National Handgun Agreement, all jurisdictions agreed to ban these handguns after a student armed with two high-calibre handguns opened fire at Monash University in Melbourne, killing two people and injuring five others. We cannot condone the use of high-powered handguns by young children.

I also understand the bill will remove the police commissioner's power to revoke a club's licence if it fails to disqualify a member after becoming aware that the member has been convicted of a firearms offence. All clubs have a responsibility to ensure that they have done everything possible to ensure the safety of their members and the public, and need to be made accountable for their responsibilities. The National Coalition for Gun Control is also concerned about the removal of the requirement to include the name and address of a firearms dealer in advertisements to sell firearms. Those details help police in tracking down illegal firearms transactions and inform consumers about the legitimacy of firearms dealers. Why should that requirement be removed when all licensed dealers of other goods are required to provide such details when advertising?

Have we become comfortable because firearms-related violence has reduced as a result of the reforms that were led by what was a visionary reaction by the former Federal Government? Have we forgotten the devastating incidents that led to the reforms, such as the Hoddle Street and Queen Street slaughters, which left 15 people dead and 29 injured in 1999, and the Port Arthur massacre in 1996, which left 35 people dead? I have to agree with the cynics that it is no coincidence that this bill is being supported by Parliament at this time when the Government needs the support of the Shooters Party. I believe that we should be working with the Commonwealth and the other States to end firearms-related violence, not threaten the safety of our citizens by passing legislation that undermines the visionary Federal legislation that we all supported in the 1990s.

Mr ROBERT OAKESHOTT (Port Macquarie) [4.55 p.m.]: I also oppose the Firearms Amendment Bill 2008, not so much because of its content—members are not aware of what is in it—but strongly on the grounds of the process. At the start of this session we were told that we would be working under a family friendly regime. In the last hour of the session a firearms bill has been introduced into this Parliament, but we have not been given the chance to discuss it with our families or our electorates. That is a disgrace, and it is a poor reflection on the way the Executive treats local members of Parliament in this Chamber—a point I continue to raise. It is disappointing that a dodgy deal has been done. This legislation is being rammed through all stages in one hour in what can only be called a dodgy process.

Mr Gerard Martin: That's your opinion.

Mr ROBERT OAKESHOTT: Let me talk about the normal process. The member for Bathurst seems to think that under the standing orders it is normal for a bill to be introduced and rammed through without

giving local members time to consider the legislation. Normally, a bill is introduced into this Chamber and then it sits on the table for five days, which has been agreed to by all members in this place for a good reason. That enables members to return to their electorates to discuss the bill's content with their constituents, to engage their communities, to give a bit of ownership to communities on what we call democracy. Then we have an informed debate on the bill before it is passed by the Parliament. That should be compared with the process this afternoon. On the very last day of this session the Government introduced this bill into the Parliament at 4.10 p.m., to be rammed through in one hour, when most members of Parliament are otherwise engaged. This smells of a very sneaky deal!

Mr John Aquilina: Point of order: A couple of members have now made the point that this legislation has been introduced in this Parliament now. That is not correct. I want to correct honourable members.

Mr ROBERT OAKESHOTT: Is this a point of order?

Mr John Aquilina: It is a point of order because it is a point of fact. This legislation was introduced into the Legislative Council some time ago. It has not been introduced into this Parliament now.

Mr ROBERT OAKESHOTT: On the point of order: Technically, this is the first time members in this Chamber have seen the bill. The Legislative Assembly got this bill at 4.10 p.m. It is an absolute disgrace that it is being rammed through. What is the urgency? What is the deal?

Mr John Aquilina: Point of order: The member specifically said "introduced into this Parliament" not "introduced into this Chamber". He is deliberately trying to convey the impression that the bill was introduced into the Parliament this afternoon and that is simply not true.

Mr ROBERT OAKESHOTT: Are we still on this fantasy point of order?

ACTING-SPEAKER (Mr Matthew Morris): Order! The point of order of the Leader of the House is relevant to the debate in a technical sense. I will allow the member for Port Macquarie to continue.

Mr ROBERT OAKESHOTT: Technically then, to correct the record, 96 members of this Chamber have seen this bill for the first time—

Mr Gerard Martin: Ninety-three members.

Mr ROBERT OAKESHOTT: Ninety-three—whatever the number. I cannot believe that it seems to be accepted that this will be the due process from now on under this Government or that members of Parliament are defending this Chamber by pushing through a bill that all of us in the lower House received, technically, for the first time at ten past four today.

Mr Gerard Martin: I read it weeks ago.

Mr ROBERT OAKESHOTT: I did not realise the member for Bathurst was a member of the upper House.

Mr Gerard Martin: You should know what is going on up there. If you spent a bit of time around the place, you'd know.

Mr ROBERT OAKESHOTT: Are you a member of the upper House? Why do bills lie on the table for five days as part of the normal process in this Chamber? It is an abuse of normal process to introduce a bill at 4.00 p.m. on the last sitting day of the Parliament. This legislation is a substantial reform, and I am sure if the bill were allowed to lie on the table for five days it would generate enormous interest in the community. I have not even started to talk about the content of the bill. Whilst I have read it quickly, I would like to return to my electorate and engage my community to find out what people think about it. The Shooters Party may think that it is great; families may be a bit worried. I do not know. No-one in this Chamber can say that with confidence because the bill was introduced 50 minutes ago. None of us has had the chance to look at it in detail. The Leader of the House, who seems to have made up a point of order, appears to think that technically we should all have known about this bill for a long time. The bill has just come into this Chamber—there has to be agreement on that—and it is outside the normal process, and there has to be agreement on that.

The fundamental question all of us want answered is this: what is the urgency? Why is this bill being treated differently from any other bill? I do not know whether anyone in the Government will answer that question or whether the private member who introduced it will answer that, but it is a fundamental question that the whole community wants answered. It points to a very dirty little deal that has taken place over the last fortnight whereby the planning laws got through the upper House by 18 votes to 17. Anyone who can count knows that there are two members of the Shooters Party in that House. To get that bill across the line, the Government needed to cut a deal. This looks to be—I qualify my comments because we got the legislation only 50 minutes ago—the end product of a very dirty little deal to get Minister Sartor's planning laws through. This looks to be confirmation that we in New South Wales live under government by vested interests for vested interests; public interest comes a distant second. All of us who give a damn about representing the public are frustrated. All members of this Chamber should take this matter seriously. If they do, they hang onto the process. The process is that when a bill comes into this Chamber it is put on the table for five days; during that time members engage their communities and then come back here and discuss the legislation with some sense, knowledge, logic and reason. This is a stitch-up job and I strongly oppose it.

Mr ANDREW CONSTANCE (Bega) [5.05 p.m.]: I endorse what the member for Port Macquarie has said about the way the Government is managing this place and the legislation. The point is, as the member for Port Macquarie said, this bill has just been introduced into the Parliament. There should be a process of community consultation. Like the member for Port Macquarie, I would be happy to engage my constituency on this legislation. I am sure that members of the shooting fraternity in my electorate would have been very happy to look at this legislation before it was introduced this afternoon.

I say up front that New South Wales should be seeking to have a system of regulating firearm ownership that without doubt puts community safety first but without punishing safe and law-abiding firearms owners. I say that as a member of Parliament representing a country electorate, and I am sure all members from country and coastal areas would agree with that principle. We have heard nothing from the Labor Government this afternoon in relation to what it is doing about illegal firearm use in this State to ensure that those engaged in illegal firearm use are brought to justice. One need only refer to illegal firearm use in parts of Sydney and the statistics on gun crimes to know that this Government is not doing enough. One need only look at the way the Government is penalising criminals caught committing crimes with firearms. The criminal court statistics for 2005 show that only 6 per cent of persons convicted of an offence involving the use of a weapon received a prison sentence.

The Liberals and The Nationals are keen to see this Government start to focus on illegal firearm use without punishing law-abiding firearms owners who have to deal with complex regulations. The member for Murrumbidgee referred to this earlier. The regulations are complex and quite often cockies and sporting shooters find adhering to them very tricky. We also want to see a degree of consistency and uniformity in this legislation across the States. That is why, on the basis of what we have seen of the administrative provisions of this legislation as debated in the upper House, we will support it.

The question remains: what is the Labor Party doing about illegal firearm use in this State? At the last State election we put a number of sensible measures on the table to deal with illegal firearm use. We hope that the Government will start to look closely at those proposals. For instance, let us look at some of the rewards on offer for information leading to a conviction for unsolved serious gun crimes. Let us look at the rewards for information leading to a conviction for gun theft.

Mr David Harris: Point of order: The member's comments are clearly outside the ambit of this bill. Whilst I do not disagree with what the member is saying, it does not relate to this bill and is therefore irrelevant.

ACTING-SPEAKER (Mr Matthew Morris): Order! A number of speakers have been allowed latitude but I ask the member for Bega to make his remarks relevant to the bill.

Mr ANDREW CONSTANCE: I thank the member for Wyong for agreeing with me that the Labor Party is not doing enough about illegal firearms.

Mrs Barbara Perry: That is not what he said.

Mr ANDREW CONSTANCE: He just said he agreed with me.

Mrs Barbara Perry: Point of order: The point of order relates to representation of assertions that have been made. There was clearly a misrepresentation of what was said, and it is improper.

ACTING-SPEAKER (Mr Matthew Morris): Order! Again, I ask the member for Bega to restrict his remarks to the bill.

Mr ANDREW CONSTANCE: We have made it clear we will not oppose the legislation. From my perspective as a member representing a country seat—the member for Wagga Wagga and the member for Tweed are also here in the Chamber—we want to see a system of regulation that is fair to law-abiding gun owners in this State and that continues to uphold community safety. That is why I make the point that the Government is not doing enough about illegal firearm use. I also make the point—again, this needs to be put into the context of this debate, and it is a matter on which I would prefer to have some consultation—that the firearms registry is ministering very badly to firearms owners in New South Wales. It is not resourced properly and it is not catering to their needs and ensuring that their requirements are met.

Reference has been made to the 28-day waiting period for people who want to purchase firearms. That is a minimum. People who are licensed to own firearms in this State are not waiting 28 days but 40 and 65 days—and in some cases a number of months—because of the administrative nightmare created by the Firearms Registry. A licensed firearms owner who wants to purchase a second or subsequent firearm should not be subject to a 28-day cooling off period because they are already licensed. It is nothing more than a measure to enable an under-resourced Firearms Registry to try to get through its work.

Mr Geoff Provest: They are under-resourced.

Mr ANDREW CONSTANCE: That is right. The Firearms Registry is in the Tweed electorate, which adjoins Lismore electorate. The member for Tweed has raised concerns about the need for sensible firearms regulations, given the resources of the Firearms Registry. You need only to look at what is happening in other States. The Victorian Government offers overnight permits to acquire firearms electronically. The Western Australian Government allows its police to issue permits to acquire certain firearms without delay if the applicant meets the necessary criteria. Queensland's waiting period for similar second and subsequent permits to acquire a firearm is merely the time taken to send a form and receive a reply by mail.

This legislation is a sensible measure, and I support it. I know that the shadow Minister also expressed that view this afternoon. The 28-day rule is designed to try to cater for the under-resourced Firearms Registry, whose resources do need to be bolstered. It is a great shame that the Labor Party this afternoon tried to gag me because I simply raised illegal firearm use, which law-abiding shooters in this State want addressed by the Government. Those shooters are amongst the most vocal about illegal firearm use being addressed by the Labor Party, which has been soft on this point for a very long period of time.

Mr PETER DRAPER (Tamworth) [5.12 p.m.], in reply: I thank the members who contributed to today's debate, the Minister for Police for his support, the member for Murrumbidgee, and the members for Sydney, Port Macquarie and Bega. The original legislation is still protected. Everybody was very much aware of the reasoning behind the original legislation. This will not encourage another Port Arthur massacre. It does not reduce gun control in New South Wales. It does not change handgun regulations. It will not affect firearm-related deaths. If you look at how many firearm-related deaths there have been on licensed ranges, I think you will find it is zero. It does not give unlimited access to people who do not have licences. If you want to try to shoot a gun, you cannot buy one, you cannot take one home, you cannot use one, unless you are on a registered firearm range and under the direct supervision of a qualified person. This is always an emotive topic and I understand that passions run high, but this is a good piece of legislation and I commend it to the House.

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

Division called for and Standing Order 181 applied.

Noes, 3

Ms Moore
Mr Oakeshott
Mr Piper

Question declared resolved in the affirmative.

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

Bill declared passed and returned to the Legislative Council without amendment.

**PARLIAMENTARY ELECTORATES AND ELECTIONS AMENDMENT (TRUTH IN
ADVERTISING) BILL 2007**

Agreement in Principle

Debate resumed from 15 May 2008.

Mr DONALD PAGE (Ballina) [5.18 p.m.], in reply: I thank all members who participated in this debate. In all, 24 members participated in the debate and I thank the members for Bega, Manly, Vaucluse, Pittwater, Albury, Davidson, Tweed, Goulburn, Barwon, Orange, Port Stephens, Clarence, Burrinjuck, Baulkham Hills, Murray-Darling, Coffs Harbour, the Leader of The Nationals and member for Oxley, and from the Labor side the members for Drummoyne, Camden and Monaro, and Independent members for Tamworth and Dubbo.

The Coalition members have made particularly cogent contributions in support of this much needed truth in political advertising legislation. However, the few Labor members who have spoken have given nothing but lame excuses in defending the status quo, which the *Daily Telegraph* so aptly stated on 31 March 2008 in its headline, "Labor defends right to lie".

I will deal in a moment with the arguments put forward by the Labor Government in support of its position that it should be allowed to continue to lie in political advertising and get away with it. There is no question about public opinion on this issue. Overwhelmingly, members of the public want truth in advertising, and they want that across the board in relation to all political parties and individuals. On 31 March 2008 the *Daily Telegraph* ran a poll. Voters were asked, "Should misleading political advertising be banned?" Voters had two options: yes, truth is vital, and no, it is impractical. Of the 574 people who voted, 562, or 98 per cent of voters voted yes, truth is vital, and only 12, or 2 per cent of voters voted no. In effect, 98 per cent of the public supported this legislation. It is little wonder that many people in this State are saying that this Government is out of touch or on another planet.

Despite overwhelming support for this legislation in the community and despite the fact that identical legislation has been operating successfully in South Australia since 1985, the New South Wales Labor Government will use its numbers to vote down this good legislation, which is vital to protect the integrity of our electoral system. I remind members that this bill will make it an offence for a person to authorise, cause or permit the publication of an electoral advertisement containing a statement of fact that is inaccurate or misleading, to a material extent. It subjects political advertising to the same standard of probity and honesty as commercial advertising under State and Commonwealth law.

This legislation will eliminate the double standard that applies to the business community on the one hand and to politicians on the other—a double standard that should not exist. It is imperative that we restore the public's faith in the accuracy of political advertising because people in a democracy are entitled to expect honesty and accuracy in political advertising as a basis for making decisions about how they vote. In my agreement-in-principle speech I outlined strong arguments in support of the legislation, so I will not canvas that material again, except insofar as it relates to answering the arguments advanced by the Government in opposing this bill.

The New South Wales Labor Government's first reason for opposing the legislation is that it said it was unworkable. Clearly, that is rubbish because the legislation has been working successfully in South Australia since 1985, so it has been in operation for 23 years. The second argument advanced by the Government is that it will restrict political communication. This legislation restricts the lies that political parties can put in their communications, which is a good thing. So long as political communication is truthful and not inaccurate or misleading to a material extent, there is no restriction on political communication. Surely the electorate has a right to honest messages, not lies and deceit?

The third argument advanced by the Labor Government in opposition to this legislation is that it could lead to vexatious or frivolous complaints. However, the legislation is quite specific, in that it only applies to misleading and inaccurate advertising that is material. In other words, frivolous and vexatious complaints, by definition, are not material and, therefore, will not be an issue or a problem under this legislation. I repeat: this legislation applies to advertising that is inaccurate and misleading to a material extent, and does not allow frivolous or vexatious complaints to be considered. There was also a suggestion that this legislation might be used unreasonably to disrupt an opponent's advertising campaign. However, in South Australia, where this legislation has been operating for 23 years, there is no evidence that this legislation has been used for those purposes.

The other argument advanced by the Government is that requiring truth in political advertising would offend the implied right of freedom of expression in the Commonwealth Constitution. However, that argument has no validity because this issue was settled in 1995 in the case of *Cameron v Becker*, which involved an appeal to the Full Court of the Supreme Court of South Australia. Specifically the court held:

The constitutional free speech defence failed because the limitation imposed by S113 is manifestly proportionate to the legitimate object of ensuring that what is represented is factual material published in political advertising in political advertisements is accurate and not misleading.

The South Australian law, on which this legislation is based, was found to be constitutionally valid by the South Australian Supreme Court. It has not been challenged in the High Court. The fact is that the legitimacy and constitutionality of the bill have been subject to legal and parliamentary scrutiny across a range of jurisdictions and have been found to be workable. If we as politicians continue to argue for a lower standard of honesty than we impose on others, we are not only hypocrites; we also bring our profession into further disrepute. In conclusion, the Labor Government has no valid basis for opposing this legislation.

In his contribution to debate on this bill the member for Monaro complained about inaccurate or misleading advertising by The Nationals at the last election—a claim repeated by the member for Tamworth. However, those arguments support the introduction of this legislation. This legislation will apply to all political parties and to individual members. Complaints about inaccurate and misleading advertising by Government members serve to highlight the importance of passing this legislation, not rejecting it. I have demonstrated that there is no valid reason to oppose this legislation.

The Labor Government is opposing this legislation because it wants to continue to have the right to lie during election campaigns, as it did so blatantly at the last election. However, the people deserve better: they deserve to have this good legislation passed. Similar legislation has been working successfully in South Australia since 1985. The people of this State deserve to receive political advertising that is honest and not misleading to a material extent. I urge all members to support this legislation.

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

The House divided.

Ayes, 36

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

Noes, 46

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

Pair

Mr J. D. Williams

Ms Burton

Question resolved in the negative.**Motion negatived.****SHOP TRADING BILL 2008****SPORTING VENUES AUTHORISATION BILL 2008****Message received from the Legislative Council returning the bills without amendment.****PRIVATE MEMBERS' STATEMENTS****Question—That private members' statements be noted—proposed.****HOMELESSNESS**

Ms CLOVER MOORE (Sydney) [5.35 p.m.]: Tonight I will speak on an issue of great importance not only to my electorate but also to New South Wales. Government in a civil society must ensure effective, compassionate solutions for the most disadvantaged members of our community. Homelessness has not disappeared since 2000, when the New South Wales Government developed an Inner City Homelessness Plan in response to the crisis in Woolloomooloo when up to 70 people were sleeping rough, resulting in conflict and a death. About 100,000 people across Australia are homeless or on the edge of homelessness, with 10,000 under 12 years of age, 36,000 aged between 12 and 24 years and 6,000 over 65 years of age.

The New South Wales Government and councils must work together to meet the needs of homeless people. The City of Sydney plays an active role in alleviating homelessness, despite this not being a traditional local government responsibility. The joint City of Sydney-Housing New South Wales funded Inner City Homelessness Outreach and Support Service helps homeless people get off the street by patrolling streets and parks, contacting rough sleepers, building trust and providing practical help. The service has had nearly 8,500 contacts since February 2006, worked with 343 people on the street and provided ongoing support to 367 people.

Nearly all chronically homeless people have serious physical and mental health problems, and many homeless people with high levels of need and complex problems are caught in a revolving door between health, mental health, welfare and homelessness services, and the law. Inner-city agencies are working together through the Complex Needs Coordination Project to provide housing with ongoing support, based on the successful Housing First model that enables homeless people with a mental illness and/or drug problem to get and keep stable housing.

The City of Sydney is a leader in the provision of homelessness services with its ambitious Homelessness Strategy 2007-2012 aiming to end chronic homelessness by 2017. The strategy includes online training for police and volunteers in homelessness services, and a new public space liaison officer to solve problems and improve amenity by working with people who sleep rough, residents and businesses. Council supports the advocacy group Homeless Voice, which is run by and for homeless people. The Homelessness Brokerage Program responds quickly to people who are homeless before they become entrenched in a cycle of homelessness. Since 2002, funding from the city and Housing New South Wales to the YWCA has helped more than 8,500 clients achieve good outcomes, such as rooms at the YWCA or fares to travel back home.

Each year, the city's statewide Homeless Persons Information Centre takes more than 50,000 calls from homeless people and links them with accommodation. Council officers convene the CBD Homelessness Coordination Group and work with mobile food services. St Vincent's Hospital's Community Outreach Medical Emergency Team manages acute medical problems outside of the hospital to reach people living on the street or in boarding houses. This vital program should be expanded to service people who do not generally go to hospitals or doctors.

My Lord Mayor Salary Trust funded a dual diagnosis worker at Lou's Place in Kings Cross, and the service now has funding for a three-year project to help homeless women who have both a mental illness and a drug problem. During two years of operation, the Kings Cross Youth at Risk Project helped in 800 instances to keep young people out of sex work and off illegal drugs, and to get them back home to their families, into accommodation and help with parenting.

I commend the clinical nurse consultants at St Vincent's Mental Health Service who work with homelessness services to manage the mental health needs of homeless clients. I applaud also the psychiatry registrar position established to work with the Haymarket Foundation Clinic and Albion Street Lodge to help homeless people with a mental illness.

However, local government and community organisations cannot tackle homelessness alone. It is very exciting to see the Commonwealth Government now committed to action after years of inaction and disinterest at Commonwealth level. Sharp drops in housing affordability and the long-term cuts to social housing have put more people at risk of homelessness, and the Commonwealth and New South Wales governments must expand social housing and improve housing affordability. The Government's Homelessness Green Paper "Which Way Home" is a positive step, recognising that the whole community and all levels of government must act on homelessness.

I have long argued for more resources to the Supported Accommodation and Assistance Program, which turns away up to 80 per cent of those seeking help because there are no beds. The program's services must be funded to deal with crisis needs, but all government agencies should take responsibility for homelessness, with a focus on prevention and early intervention, including health services, prisons and Centrelink. It is vital that all levels of government work to prevent homelessness, and that we expand and reform services for homeless people to help them quickly get back on their feet.

SHOALHAVEN RIVER WATER EXTRACTION

Mrs SHELLEY HANCOCK (South Coast) [5.39 p.m.]: I have spoken many times in this place about the Shoalhaven River and the Iemma Government's determination to massively increase extraction of water from the Shoalhaven River in order to quench Sydney's thirst. Today I again object to the Government's misguided and indecisive plans over a number of years to resolve the issues of Sydney's dwindling water supplies and, in particular, the ongoing issue of water extraction from the Shoalhaven River. I have been concerned for some time that the residents of Sydney simply do not know where their water comes from. Many of them would be concerned to know that it is the Shoalhaven River that supplies their needs and not any recycling or stormwater harvesting projects allegedly undertaken by the Iemma Government.

The Government's announcements and actions have been minimal and halfhearted, and their television advertising misleading. Warragamba Dam levels have risen over recent months not due to increasing rainfall alone but because pumping from the Shoalhaven system is undertaken regularly and at alarming levels. I am pleased to see the member for Kiama in the House. This Government relies on the Tallowa Dam system alone to resolve the serious problems Sydney faces in the future, notwithstanding the construction of a desalination plant at Kurnell. The member for Kiama knows this and does nothing to represent his community in this place. On 31 August 2006 the member for Kiama stated that consultation had occurred regarding changes to the

Shoalhaven transfer scheme that would increase the long-term available water supply to Sydney by approximately 30 billion litres per year without raising Tallowa Dam. He said that significant consultation had been undertaken regarding raising the Tallowa Dam and he had fought against the proposal.

Firstly, raising the Tallowa Dam would have proceeded had not the Coalition, the Greens, the Kangaroo Valley community and the Urunga task force spoken out and alerted the Government to the disastrous consequences of such a move. There had been no consultation! Secondly, the member for Kiama did not attend the public meeting held on site and did not even bother to send a representative to the first meeting to listen to the community. He did not fight against his Government's plans at all. The Shoalhaven community was not consulted and the member for Kiama did not stand up for his community in this place.

The member for Kiama continues to defend the intended massively increased water extraction from the Shoalhaven River to be undertaken by his Government by stating that the new transfer regimes will be better for the river. Those operational changes that allegedly will enhance the river environment could have been undertaken at any time without the need to increase extraction rates. The whole exercise undertaken by the Government with respect to the Shoalhaven River has been a huge public relations exercise aimed at silencing the community and conning the people of Sydney that the Government is actually serious about recycling and stormwater harvesting in Sydney. It is not. The member for Kiama has been complicit in this campaign to dupe the people of the Shoalhaven and convince them that the proposed fish way is the panacea for the environment of the river. His recent comments in the media highlighted his absolute ignorance of the situation—he actually stated on WIN Television—

Mr Matt Brown: Point of order: The member for South Coast knows the standing orders well enough to know that the House is currently dealing with private members' statements. This is not the time to entertain a debate. It is not the time to cast aspersions on another member of this Chamber. She is well aware also that under the standing orders if a member in this House wants to make a sustained attack against another member he or she must do so by substantive motion. I ask you to please direct the member for South Coast to stay within the standing orders and talk about matters pertaining to her electorate, not her obsession with my every single move.

ACTING-SPEAKER (Mr Wayne Merton): Order! I do not know whether she has such an obsession but, notwithstanding those comments, I am certain the member for South Coast will not waste any more of her time and will return to the leave of private members' statements.

Mr Matt Brown: She wakes up thinking about me.

Mrs SHELLEY HANCOCK: This is typical of the seriousness of the member for Kiama and his lack of understanding on the issue. I am talking about water in the Shoalhaven River and he takes spurious points of order. He is concerned about it and he knows that his community is concerned about it. The recent announcement by the Minister for Water regarding the easing of water restrictions in Sydney has angered the people of the Shoalhaven because they alone know that the people of Sydney have no idea where their water comes from. Whilst we all have relatives and friends living in Sydney, as I do, Sydney residents should understand that the water they use does not come from increased rainfall in the Warragamba Dam catchment; it comes from the pillaging of a river just to their south. It is time the member for Kiama understood this issue and responded to his constituents. I certainly am not obsessed with his every move. Do we have a candidate for you!

PRINCE OF WALES HOSPITAL, ROYAL HOSPITAL FOR WOMEN AND THE SYDNEY CHILDREN'S HOSPITAL CAMPUS

Mr MICHAEL DALEY (Maroubra—Parliamentary Secretary) [5.44 p.m.]: I refer to the wonderful hospital campus the people of my electorate are privileged to have. I refer to the Prince of Wales Hospital, the Royal Hospital for Women and the Sydney Children's Hospital at Randwick on the northern border of my electorate. I had cause to visit the campus a few weeks ago. On Sunday morning my wife and I awoke to discover that our 18-month-old daughter, Olivia, was covered in a nasty rash. Fearing meningococcal and all those other things parents are vigilant about, we rushed her to the Sydney Children's Hospital at Randwick. The staff was terrific: she was seen within about 15 minutes by a doctor, whose name sadly escapes me, but who was a lovely lady. She provided us with a confident diagnosis and medication with which to treat our daughter.

The diagnosis and medication proved to be spot on and within 24 hours all was well. I am extremely thankful that the hospital is close to my electorate and to my home, and for the wonderful service we received at

7.30 a.m. on a Sunday. This was firsthand proof of the terrific health care the people in my electorate receive from these three hospitals. The co-location of these hospitals on the Randwick campus has created a valuable network of health facilities, services, infrastructure and knowledge that has resulted in the provision of the highest quality health care for the people of the Maroubra electorate and the rest of Sydney.

The Prince of Wales Hospital is a tertiary referral and teaching hospital. Its areas of excellence include oncology, cardiac, renal transplant, neuroscience, subspecialty medicine and surgery, HIV-AIDS, aged care, emergency and intensive care, community health and rehabilitation as well as a new \$5.2 million specialist aged care facility that provides acute care. The Royal Hospital for Women is the oldest women's hospital in Australia and the only specialist women's hospital in New South Wales. The services at this specialised referral hospital include breast care, gynaecology, gynaecological oncology, maternity, maternal foetal medicine, menopause, newborn intensive care and reproductive medicine. Of course, the Sydney Children's Hospital, which is run by my good friend Professor Les White, is internationally recognised as a centre of excellence for child health and paediatric teaching centre. It provides a full range of specialist services for children across New South Wales and Australia, including cancer, trauma, HIV-AIDS, congenital abnormalities, heart disease and respiratory disorders. The hospital is one of three tertiary centres for child health in New South Wales.

Of course, the Sydney Children's Hospital also houses the Sydney Cord Blood Bank, which I visited on 30 April at the invitation of my mate, Jack Kassis, who has helped to save more children from cancer than most people in Australia. Professor Marcus Vowels and Dr Michael Brydon gave me a tour of the facility. It is a terrific facility that makes umbilical cord blood available to patients and pursues research to extend the medical applications of cord blood Australiawide. Some of the statistics in respect of patient care at these hospitals are mind-boggling. My quick calculations based on 2006-07 figures reveal that the Prince of Wales Hospital and the Sydney Children's Hospital admit about 60,000 patients each year. Combining that number with the number of people who only attended the hospital results in a figure in excess of one million people for those three hospitals on campus.

The statistics for the Royal Hospital for Women also are terrific. For 2006-07 birth rates increased to an estimated total of 4,400, the hospital cared for more than 600 premature babies, treated more than 400 women for gynaecological cancer, and provided surgery for more than 80 women with breast cancer—a topical subject given Jane McGrath's passing this week. Also in that year the hospital attended to more than 450 women requiring acute care services and assisted more than 600 women through endogynaecological procedures. This hospital also runs the Malabar Community Midwifery Link Service about which I spoke in this House a few weeks ago. On behalf of the people of my electorate I can say that we are lucky to have these three world-renowned hospitals in our midst. I thank all the staff for their terrific work.

DISABLED PARKING SPACE USE

Mr RUSSELL TURNER (Orange) [5.49 p.m.]: Tonight I speak about disabled parking. Although we all agree that disabled parking is a wonderful facility that is made available for those with a disability, I am concerned, and I raise the concerns of my constituents, that although disabled parking is for those with a genuine disability it is becoming increasingly apparent that people are abusing the privilege. Recently I received a letter from a constituent, part of which states:

I'm writing this letter in regard to what I saw with my own eyes last Thursday the 19th of June, in the car park outside the K-Mart entrance of the Metro Plaza.

We had parked in the first car park next to the disabled car park spot, and at that time there were no cars yet in any of those three available car parks, when a young lady about twenty drove in and parked. I didn't look and notice until her passenger, a worker about the same age as her came back after already going into the centre, came back to the driver's side of the car a few minutes later in a Coles supermarket uniform to kiss her goodbye. This then grabbed my attention and made me a bit angry and annoyed because she looked quite young and well, although you couldn't see if she had [a walking disability] or anything else as to why she might have had a disabled sticker in her window. It makes you question though if it is really hers, or it belongs to a relative and is being illegally used.

Another thing is even if it is legit, why should she park there to drop off her boyfriend and hold up the car park when she didn't get out of the car and other people with the same need can't get a car space?

The next car was full with four passengers. Two adults and two teenage girls in the back seat.

The father and one of the girls got out and went into the centre. He looked quite normal, fine and well.

It makes you wonder. If one of the other occupants sitting in that car is the disabled passenger, and if they're not going to get out of the car, then why do they need that parking space this close, when the driver who could just be their supporter is fit enough to walk.

It holds that car space up for other people. Within that time two other cars came but couldn't use the car parks as these cars had already maybe misused them.

The letter goes on, but because of the time I will refer to a letter to the editor of the *Central Western Daily* on Tuesday 24 June. Part of that letter states:

I would like to express my anger at Orange drivers who park in disabled car spaces and then get out of the car as good as any normal person.

My husband has the misfortune of being in a wheelchair. We are becoming prisoners in our home as most times when we go to the shops we can't get a wide wheelchair car park and have to go home.

These parking spaces should only be for people with wheelchairs and walkers.

We need a wide space to transfer the person. In a normal space, we haven't enough room to open the car door.

My husband is 85kg and I am 60kg. If I had to push him from a far-away place like the library it becomes very difficult on uneven foot paths, too-steep gutters and, if you don't go down backwards, you tip the person out of the wheelchair. There's also a slope to get to the main street.

Give this a thought the next time you park in a disabled space. Put yourself in our position.

I had to get out of the car and ask a lady, who was sitting in a disabled space reading a book waiting for the able-bodied person to finish at the shops, to move. When the person did return they were still going to take that space and go and do more.

The woman did move when I explained my problem. I thanked her, but why park there at all?

Roads Minister Eric Roozendaal has been reported as having said that in a crackdown on abusers of disability parking council rangers will be able to confiscate disabled parking cards, while holders could be banned—and I ask why that is not will be banned—for lending cards. The Minister said the scheme would come into force in November and would include a three-strikes-and-you're-out system targeting those who lend passes to family members and friends. The three-strikes policy would ban people from re-applying for the card once it had been revoked for a third time because of misuse. As I said before, a disabled sticker should be seen as a privilege that should not be abused. It is taking away that right from others. I ask that the Minister stress to councils, who have the ability to issue fines, that in November when the new scheme comes in the rules be enforced.

SILVERDALE ROAD

Mr PHILLIP COSTA (Wollondilly) [5.54 p.m.]: Today I bring to the attention of the House a recent tragic event in my electorate. On 3 June this year a special lady, Donna Jurazyck, a mother and wife, lost her life due to a car accident on a notorious section of road in my electorate—Silverdale Road at Baines Hill. Since this accident I have received around 250 letters and emails from constituents in my area asking that something be done about this stretch of road. Silverdale Road, Baines Hill is the main road into Warragamba and Silverdale from Wallacia. The only other route residents can take is via Cobbitty, a journey of around 60 kilometres, which is not satisfactory. Currently the road is classified as a local road and, as such, is the responsibility of the local council—Wollondilly shire.

In February last year road counts were conducted of eastbound and westbound vehicles on this stretch of road at Baines Hill. The study indicated that on average 4,047 vehicles travelled eastbound along the stretch each day and 4,081 vehicles travelled westbound. This is a rather busy road for that area, with inherent problems causing great concern in my community. I have been lobbied by many people including Elaine Bonning, who has dedicated much of her time to researching the incidents along this stretch of road. Over the past few years she has gathered statements from accident victims and recorded every accident, and I thank her for her interest.

The general consensus from accident victims was that they were not speeding or doing anything dangerous; they simply slid out and lost control because the road was so slippery that their wheels could not get traction. The surface of the road is a major problem when wet, as it is when nearly all the accidents occur. Heavy vehicles also frequently use the road and some drop diesel, causing a problem on the road. Ms Bonning has advised me that since November last year there have been approximately 40 accidents and since 2006 there have been four fatalities, unfortunately, along this stretch of road, as well as many other accidents in which victims have been critically injured. After reading these statements collected by Ms Bonning from accident victims who have come to grief along this road it is evident that more work must be done on this notorious section of road. A statement from a driver involved in an accident in 2002 summarises most people's concerns. It reads:

Travelling towards Wallacia along Silverdale Road, as I came around the last bend I saw a car coming up the hill towards us and it seemed to have lost control. It was swerving all over the road. I slowed down but as there was nowhere to go I just had to hope it wouldn't hit us. Unfortunately it did hit the rear right side of my car impacting with a lot of force which spun my car around and we slid down the hill sideways coming to a halt further down the hill.

Reports such as this resulted in Wollondilly Shire Council allocating funds to realign and reconstruct one of the bends where most of the accidents have occurred. Unfortunately, the last fatality was further west of this new work. I have lobbied council to have Silverdale Road reclassified as a regional road, as this is fundamentally what has evolved over time. This is the main link from the north to the south of Wollondilly and has become a major transport corridor. Wollondilly Shire Council has allocated funds to Silverdale Road over the years, redeveloping most of its 40-kilometre length. The short stretch left on the northern end of this road, which includes Baines Hill, requires significant funding and I understand Wollondilly Shire Council is doing all that it can to make funds available. I will continue to work with council and the community to seek reclassification and deliver, in partnership with council, a resolution to this serious problem.

A public meeting was held in Warragamba last night to express concern about this stretch of road. I will meet with council next week to work through the options and deliver whatever assistance I can in its quest to make the people of this community safe. Warragamba in particular has a long and important history within the Sydney Basin and over the years there has been significant activity in Warragamba to improve the major piece of Sydney's infrastructure—namely, Warragamba Dam—for the benefit of all Sydneysiders. This has resulted in significant traffic generation over time and there is still a shortage of funds for this stretch of road. It is time that the wider community showed support and compassion for the people of Warragamba together with the council and me. Ms Bonning said:

The residents of Warragamba and Silverdale desperately need this road to be made safe as it is the lifeline to the area and every one who lives here must use this stretch of road every day. It is the only way in and out of Warragamba. We need help.

I look forward to working with Wollondilly Shire Council and the Government to try to find a solution for the good people of Warragamba and Silverdale.

WINGECARRIBEE COMMUNITY SERVICES CENTRE

Ms PRU GOWARD (Goulburn) [5.59 p.m.]: As I stand in the Chamber this evening, Graeme Day, who is a presenter at Radio 2ST in the Southern Highlands, is preparing to spend his second night bedded down at the radio station. It is not the most comfortable place to sleep, as I am sure members can imagine—it is hardly a home away from home—but Graeme is committed to spending three nights there to raise money towards the construction of the Wingecarribee Community Services Centre. The idea is that the centre will gather under one roof Meals on Wheels, Adult Day Care, the Dementia and Alzheimer's Advisory Centre, Care Assist, which is part of Schizophrenia Fellowship New South Wales, and Volunteering Wingecarribee. It will be a hub for major care organisations in the Wingecarribee shire—that is, however, if the building of the centre is ever completed.

To provide the House with some background information, I mention that in 2003 the President of the Moss Vale Rotary Club, Mrs Nova Miller, carried out some research into the population make-up of shire residents and established that 18 per cent of the population of Wingecarribee are 65 years old or older. It is estimated that 300 people with moderate to severe dementia are living in the community. Members of the Moss Vale Rotary Club made the decision to throw their support behind the idea of constructing a centre that could house both respite and carer facilities.

When Wingecarribee Shire Council became aware of the plan, it donated land for the building and contributed \$270,000 towards the construction of the centre. It was then that additional care services became interested and the plan grew to encompass those I have already mentioned. Fundraising began and local clubs, organisations and foundations joined in the endeavour with Moss Vale Rotary. With amazing community support, more than \$676,000 was collected. A successful application for a dollar-for-dollar grant was made to the previous Federal Government's Regional Partnerships Program. With more than \$1 million in hand, construction of the centre began.

Everything was proceeding according to plan until the builders discovered an underground well, which threw the best laid plans to the wind. Drainage, excavation and redesign of the footings were required. Revised construction costs blew the budget. In May this year, builders estimated that an additional \$85,000 would be required to complete the centre. The change of Federal Government precluded a variation to the original regional partnerships contract. Peter Hammon, the President of the Wingecarribee Community Services Centre Incorporated, believes the State Government does not fund infrastructure of this kind, which I find difficult to believe. I wrote to the Premier asking for assistance with funding for the project. Why would the State Government not want to help?

The centre is a perfect example of community members supporting each other and taking pressure off State Government revenues. If carers have a meeting place where there is also support for the person for whom

they are caring, it is a relief of pressure and stress for everyone—including State services. It delays the day when people will need to be admitted to receive much more expensive residential care. In the meantime, the community rallied. Rotary and Lions clubs, chambers of commerce, the A. W. Tyree Foundation and Ted Springett and the Springett Foundation have all continued to fundraise and make donations. Richard Rufus and Gerry Kroon, who are owners of the Empire Theatre in Bowral, are holding a special fundraising presentation of *Lawrence of Arabia* tonight, which unfortunately I cannot attend, with proceeds going towards outfitting the Community Services Centre.

This brings me back to Graeme Day, the radio broadcaster who has confined himself to the Radio 2ST studio, which is a very small studio indeed—where I hope the heating is working, Graeme! He is not there just to raise money: he is doing it to draw attention to the situation of many people in the community who are confined to their home and cannot leave without support from others. Support is a commodity that has been demonstrated with incredible generosity in the Wingecarribee shire. I hope the New South Wales Premier will demonstrate his Government's support with an offer of assistance to help with the completion of the Community Services Centre in the sum of \$85,000.

BLACKTOWN HOSPITAL SERVICES

Mr NATHAN REES (Toongabbie—Minister for Emergency Services, and Minister for Water) [6.03 p.m.]: This evening I provide a 2008 half-term report on Blacktown Hospital, a 350-bed acute care hospital that has provided more than 40 years of service to the Toongabbie electorate as well as to the electorates of Riverstone, Blacktown and beyond. Since the hospital opened in April 1965 with 160 beds, Blacktown Hospital has grown, and its major clinical services cover general medicine, surgery and obstetrics and gynaecology as well as a 24-hour emergency department, a full intensive care unit and a critical care unit. The hospital enjoys very strong support from the community it serves. I applaud the many local groups that regularly present significant donations to the hospital. Local licensed clubs and business groups—there are too many to mention—have been terrifically supportive of the hospital. I acknowledge them as a vital part of its success.

Blacktown Hospital also has 24-hour medical imaging and pathology services on site. Since October 2007 it has been a teaching hospital of the University of Western Sydney's Blacktown-Mount Druitt Clinical School and University of Sydney's Western Clinical School. The importance and significance of the training services for the people of Western Sydney cannot be overstated. The Blacktown local government area has some of the highest rates in Australia of heart disease, diabetes and other serious ailments. Establishment at the Blacktown Hospital of key university clinical schools will be essential for the delivery of services in the future.

Essential to the training at the hospital is the simulation and skills centre that is currently under construction. The centre will provide doctors, nurses and students with state-of-the-art technology to enhance their clinical skills. Computer-linked simulations will provide realistic medical scenarios for training. It is a valuable and practical learning tool, and yet another resource the Government has provided as it endeavours to provide clinicians in New South Wales with the best training and equipment.

In addition, earlier this year a new liver clinic commenced operation in the outpatients department of the hospital. This section enables Blacktown Hospital to deliver a range of services to people with liver diseases. Currently 400,000 Australians are affected by hepatitis B or C—that is, one person in every 50—and it is vital that they have access to specialised liver disease diagnosis and treatment services, particularly those with viral hepatitis and liver cancer. Locating the clinic at the Blacktown Hospital is a boon for locals, as early diagnosis and treatment is essential to successful treatment of cirrhosis, which can lead to liver failure and cancer.

I remind the House that currently the city of Blacktown has a population in excess of 280,000 people. It is one of the largest local government areas in Australia. Population forecasts suggest that by 2026 more than 340,000 people will reside in the Blacktown local government area. The Iemma Government is providing first-class services for the people of the area now, and is planning to ensure proper health care provision in the future.

In the recent budget, the Iemma Government announced budget spending totalling \$1.34 billion for health services in Sydney's west, representing an increase of \$51.3 million from the previous budget. That guarantees further valuable support for Blacktown Hospital, and those who depend upon it. It is 15 months since I was elected as the member for Toongabbie. This is just a one of a number of stories that can be told about the rich, diverse and vibrant area that is encompassed by my electorate. Its people and its services will enable me to deliver many more reports on progress. I look forward to bringing them to the House.

PERMO-DRIVE TECHNOLOGIES LIMITED

Mr DONALD PAGE (Ballina) [6.07 p.m.]: Tonight I draw the attention of the House to the plight of a Ballina company, Permo-Drive Technologies Limited, which is facing collapse. The Ballina-based company recently announced it would cease operating on 7 July, unless it received renewed investment in the vicinity of \$7.5 million. Permo-Drive has spent \$25 million over the past eight years developing very exciting energy-saving technology for vehicles. The technology reduces fuel costs and greenhouse gas emissions by 25 per cent.

The company is on the verge of commercialisation of the technology, but has been thwarted by the Rudd Government's decision to axe the Commercial Ready research and development grant scheme. The company partly blamed the Rudd Government's abolition of the scheme in its May 2008 Federal Budget because that denied Permo-Drive the opportunity to apply for a grant of up to \$5 million when it was on the cusp of commercial success. This occurred at the same time as the Federal Government's consideration of a \$35 million subsidy to a foreign multinational company, Toyota, to support its fuel-saving hybrid vehicle.

Permo-Drive was established in 2000 and has its head office and engineering centre in Ballina. Permo-Drive is a public company with more than 1,900 shareholders. Currently the company is not listed on any exchange. Permo-Drive evolved on the North Coast and has been strongly supported by a large number of mum and dad local investors. The demise of the company will have a devastating effect on those people. They made their investment believing that they were supporting the Australian and local economy through potential job creation and development of innovative technology that will reduce greenhouse emissions and fuel consumption.

The regenerative drive system technology developed by Permo-Drive captures energy that is usually wasted as heat during braking and reuses the same energy to accelerate the vehicle, thereby reducing fuel and emissions by 25 per cent. The technology is ideally suited for urban commercial vehicles, such as garbage trucks and delivery vehicles, but can be applied to other types of vehicles. It is estimated that the fuel savings to the user will pay for the system within three years. The technology can be installed easily into new or used vehicles.

At a time of skyrocketing fuel prices, it just does not make sense to allow an Australian company to sink when its technology can reduce fuel consumption and emissions by 25 per cent. Unlike hybrid technology, Permo-Drive's regenerative drive system technology has superior power-to-weight ratio. This means that the heavier the vehicle is, the greater the advantage becomes. Heavy vehicles need high power to move their load and to stop. This requires high-powered hybrid system motors, controllers and storage systems that hydraulic components can provide readily and that batteries cannot. Hydraulic hybrids, such as the regenerative drive system, are considerably lighter than electric hybrids for urban commercial vehicles. The weight advantage maximises payload, improves fuel economy and provides considerable market advantage.

The Federal Government has justified axing the Commercial Ready research and development grant scheme instead of phasing it out by saying that Permo-Drive had not made an application to the scheme. However, the scheme required a dollar-for-dollar contribution from the applicant. With the Federal Government's knowledge, Permo-Drive was in the midst of negotiations with investors to secure the required funding and was at the point of submitting its application when the scheme was axed in the recent Federal budget. This caused investors to withdraw their support.

The decision to axe the scheme denied Permo-Drive the opportunity to apply for up to \$5 million in grants when it is on the verge of commercial success. As an alternative, the Federal Government has suggested that Permo-Drive apply for a climate-ready grant. However, applications are not available until August, which will be a month after the members' voluntary winding-up meeting on 7 July 2008 and too late to save the company. The development of the base regenerative drive system technology is complete after investment of eight years and funding of \$25 million. Future progress is concentrated on the application of the regenerative drive system into specific vehicle makes and models. The United States Army has even tested this technology over 34,000 kilometres with no problems. However, unless a solution is found, Permo-Drive will fall \$7.5 million short of realising its dream of commercialisation.

My North Coast colleagues, the member for Lismore, the member for Clarence, the member for Tweed, and I have written to the Prime Minister urging him to support Permo-Drive through this difficult time so that it can commercialise the technology, reduce our reliance on fossil fuels, cut greenhouse gas emissions and create Australian jobs, especially on the North Coast where unemployment is still far too high. The loss of

Permo-Drive to the North Coast, New South Wales and Australia will be a tragedy because of the loss of environmental benefits and employment potential. What a tragedy it will be if this Australian technology cannot be commercialised in Australia and is lost to an overseas company.

I urge the Federal Labor Government to act before it is too late. I also urge the Premier of New South Wales and the Minister for Climate Change in New South Wales to make urgent representations to their Federal colleagues, in particular, the Prime Minister, to try to save this company, which has the technology to reduce fuel consumption and greenhouse gas emissions by 25 per cent. This is exactly the sort of technology our Federal and State governments should support.

MAITLAND JUVENILE JUSTICE OFFICE

Mr FRANK TERENCE (Maitland) [6.12 p.m.]: On 17 March 2008 the electorate of Maitland was visited by the Minister for Juvenile Justice, the Hon. Barbara Perry, who announced the opening of the newly refurbished Juvenile Justice Office in St Andrews Street, Maitland. The office has undergone a \$200,000 refit and will be used by eight new Juvenile Justice officers who will work with young people in Maitland who undertake important programs designed to reduce youth reoffending in Maitland and the Hunter region. Unfortunately, the cycle of youth crime is a problem in most electorates and it is great that Maitland will now have this facility to house officers who can deal this important issue.

Staff working at the new office will include Juvenile Justice officers, alcohol and drugs counsellors and violent offender program counsellors. Some of the programs to be implemented include: targets for effective change, a Juvenile Justice flagship program for medium and high-risk offenders to be run out of the centre in conjunction with the police citizens youth club; the breakaway post-release program, run in conjunction with Mission Australia for young people after they exit custody; and the IMPACT Youth Accommodation Service, run with Centacare to provide supported accommodation and living skills support.

All these programs have one overarching common theme: if there is a chance of turning lives around, we must intervene at an early stage in a young person's life to tackle the causes of that person's reoffending. The law relating to young offenders recognises the importance of taking every measure to ensure that our young people become good citizens. The guiding principles contained in the Children (Criminal Proceedings) Act aim to provide young offenders with every opportunity to get back on the right track. They should be treated differently from adults, unless the nature of the crime is too serious.

The Maitland Juvenile Justice Office will be part of a network of facilities in the Maitland area, such as the police citizens youth club, the youth crisis centre, the Woodberry Family Centre and the Family Relationship Centre, to offer assistance and support to families in hard times and to young repeat offenders before they become too entrenched in a life of crime. As the State member for Maitland, I am very pleased to see the development of a range of facilities to assist these people in our community.

It is in the interests of all the community that we help and guide our young citizens who show signs of entering a life of crime. It is well known that once a young offender is taken into custody, he or she finds it extremely difficult to break the cycle of crime. The Juvenile Justice Centre will reach out to at-risk young people in the area and work at increasing their chances of successfully reintegrating themselves back into mainstream society. This will be done by identifying and tackling some of the factors associated with juvenile crime.

The office in Maitland will have the resources and facilities to intervene and break this vicious cycle. Everyone in the Maitland electorate is grateful to have this essential service in the community. I congratulate the hardworking and committed Minister for Juvenile Justice on this great announcement and thank her for providing Maitland with this facility. I congratulate the staff at the Office of Juvenile Justice in Maitland on their great work in looking after our young people. I look forward to a future association with them to see how they are progressing in looking after our young citizens.

PRINCES HIGHWAY CORONIAL INQUEST RECOMMENDATIONS

Mr ANDREW CONSTANCE (Bega) [6.16 p.m.]: I speak about a serious matter of concern to members throughout the Illawarra and South Coast regions, particularly the Bega electorate. I note that the Minister for Housing is at the table and I ask him to refer this matter to the Minister for Roads. I refer to the findings of the State coronial inquest into the Princes Highway that were handed down on 13 June 2008. Back in

2005 the State Coroner, John Abernethy, agreed to investigate a number of road accidents along the Princes Highway. He agreed to conduct an examination of 38 cases and chose to undertake inquests into 15 fatalities. A number of sections along the route were involved in those examinations.

Over the years a number of people have lost their lives and a horrendous number of accidents have occurred along this stretch of roadway. During 2004-05 the number of lives lost on this highway increased substantially and as a result of pressure from the local community and the local highway patrol a coronial inquest was conducted. As a result of the inquest the Deputy State Coroner made two recommendations. He first recommended that the State Government undertake a statewide program to erect speed advisory signs and adopt an education campaign encouraging drivers to adhere to those signs. Significant science has gone into the development of such signage and it is important that drivers be encouraged to take heed of it.

The second recommendation related to the state of the highway, in particular, the 15.1 kilometre stretch between Victoria Creek and Dignams Creek. On page 272 of the report the Deputy State Coroner found that sections of the Princes Highway were not of an acceptable standard. He reported that in parts the lanes were narrow—impossibly so by modern standards; there was little or no paved road shoulder; there were obstacles in clear zones; there were unprotected drops; and the road was winding.

The Deputy State Coroner went on to say, "The consequences of simple driver error in such an environment may be catastrophic". The reality is that there is no margin for error on the Princes Highway. As a result, there has been a significant number of accidents and, unfortunately, fatalities. One fatal accident involved Les Peterson's son, Darren. Les has campaigned for the State Government to commence major upgrade work between Victoria Creek and Dignams Creek.

This year's budget sets aside separate planning funding for Victoria Creek and for Dignams Creek. But the State Coroner recommended that the entire 15-kilometre section between Victoria Creek and Dignams Creek be upgraded. It is up to the Minister for Roads to take the bull by the horns and secure funding from Canberra and make it available for this purpose. I thank the Deputy State Coroner, Carl Milovanovich and counsel assisting for their work. I also thank members of the various community organisations, from the NRMA to the South East Australian Transport Strategy, that provided information to the State Coroner and highway patrol officers, who have done an enormous amount of work. The Government must take this coronial inquest very seriously; it cannot put the findings in the bottom drawer. I hope that the Minister for Housing will join me in encouraging the Minister for Roads to adopt these serious recommendations. The Minister for Housing knows that Federal funding, as recommended by the Coroner, and State funding is needed to make the highway safe.

DEAF FOOTBALL AUSTRALIA

Mr NINOS KHOSHABA (Smithfield) [6.21 p.m.]: On 21 June I attended a gala ball for Deaf Football Australia at Club Marconi in Bossley Park in my electorate. It was a fantastic evening and an event not to be missed. More importantly, it was for a very worthy cause. More than 250 people attended the gala. There were many distinguished guests, including the President and Secretary of Deaf Football Australia, Michael Katzakis; the secretary, Brian Seymour; the national coach of Deaf Football Australia, Danny Abboud; former Socceroos player Paul Wade—he was also the guest speaker, and delivered a fantastic, emotional speech—and other former Socceroos Robbie Stanton and Abbas Saad. Also in attendance were the Mayor of Holroyd, Dr John Brodie, and Councillor Elizabeth Culgan.

The night was an opportunity to recognise the Australian deaf football team and its quest to win the first Deaf Football World Cup, which will be held in Greece in a couple of weeks. It was a complete success, and raised \$21,501. The funds will be used to support Deaf Football Australia in providing much-needed funds to establish school development programs for hard-of-hearing and deaf children, national and State camps, and national tournaments for men and women. Deaf Football Australia is recognised by Football Australia, Deaf Sports Australia and the New South Wales Department of Sport and Recreation as the national body responsible for the administration and promotion of deaf football. In 1978 the first meeting was held to discuss the formation of a deaf soccer body. Representatives from across Australia attended and helped to form the inaugural committee. Over the years the organisation has had several name changes to reflect that of the national body for soccer in Australia. Hence, in 2007 it changed its name to Deaf Football Australia.

Deaf Football Australia acknowledges the worldwide values of self-respect, sportsmanship and competition that go beyond the boundaries of age, gender, race, religion, political beliefs and nationality. It also believes that, through deaf football and recreational opportunities, football training, football coaching and

football competitions, deaf and hard-of-hearing footballers can benefit physically, mentally, socially and spiritually in an environment of acceptance, equality and mutual respect. Deaf Football Australia continues to work towards the goal of its players to match the highest-ranked deaf footballers on the globe. With government-funded programs and school activities, Deaf Football Australia has the capability to become a top-tier management team. There is also a women's team, which has the short-term ambition of establishing itself in the mainstream leagues and developing many world-class players to help Australia win international honours.

Communicating on a football field can be difficult at the best of times, so I can only imagine how these young men and women overcome this obstacle and communicate with one another in the midst of a game. They face these obstacles each day, and their strength and commitment is a credit to them and to the passion they have for the game. As I mentioned earlier, Mr Danny Abboud is the national coach, and he has spent the past eight months scouting for and assessing players to fill his squad. He recently held a camp at Valentine Park in Western Sydney to select the team to represent Australia at the Deaf Football World Cup. Former Soccerroo Alex Tobin, an ambassador with Deaf Football Australia, has worked closely with Mr Abboud and shared secrets about national team selection. Alex Tobin has been an inspirational asset to the team, and assisted with its formation.

As I said earlier, the Deaf Football World Cup is to be held in Greece this year. Our team, which is completing its final preparations, will compete against 17 other countries. I understand that the team left the country last Wednesday. I highlight the fact that Australia's deaf football team has qualified for the inaugural Deaf Football World Cup, and I wish the players every success. I am sure they will do well and make us proud. Upon the team's return I hope we will hold further events in south-west Sydney, in which I would like to be involved. I thank Deaf Football Australia for its kind invitation and wish the team every success.

LAKE MACQUARIE NEWS CLOSURE

Mr GREG PIPER (Lake Macquarie) [6.25 p.m.]: The closure of the local newspaper, *Lake Macquarie News*, is an important issue in my electorate. On Tuesday this week the editor of the *Lake Macquarie News* undertook the sad task of calling many people in the Lake Macquarie community to report that the newspaper was to close. She had been informed on Monday afternoon that the edition just finalised would be the newspaper's last. I raise this matter in the House today not at anyone's request but because of my concern that this decision will lead to the electorate and the city losing a vital part of its fabric. No other weekly or free newspaper has succeeded in linking, or even attempted to link, the lake's communities through such a thorough presentation of local news, advertising and reader opinions.

Last week's edition of the newspaper reported on a feature film being shot at Blacksmiths Beach; a major regional shopping centre under construction at Charlestown; the importance of Swansea bridge, in the electorate of the member for Swansea; the Glendale transport interchange and State funding for a new police station at Glendale, both of which are in the electorate of the member for Wallsend; improvements to Morisset railway station; and criticism of the State's planning reforms and the Minister's explanation of how they should work. Today's issue, as well as carrying a brief front-page eulogy for the newspaper, includes other matters important to the local community, such as a balanced review of the recent changes to planning legislation, an article on increased public transport usage that quotes the Minister for Transport extensively, a letter to the editor from the Minister for Tourism—it is a wonderful contribution—and, most importantly, a weekly column by the mayor of the city.

No other local weekly newspaper covers this breadth of topics across the entire local government area of almost 200,000 people. The *Lake Macquarie News* enabled reader involvement through its opinions section, and at times fostered healthy debate on contentious issues. The newspaper, through its articles, editorials and letters, has been an important forum for information and debate. On its website, the *Lake Macquarie News* modestly details a significant history of more than 50 years. It started life as the *Belmont-Swansea Gazette* in the late 1940s and merged with the Toronto-based *Lake Macquarie Advocate* in 1992 to become the *Lake Macquarie News*—the only newspaper in the region that dedicates its coverage entirely to the City of Lake Macquarie. The newspaper publishes opinions and stories on news, sport, motoring, real estate, and entertainment that are backed up with frequent specialised features. It includes full coverage of local council news, police reports and all the nitty-gritty news items that tie a community together.

The newspaper fully supports several community-based events throughout the year, from the arts and sport to the annual *Lake Macquarie News* Business Achiever Awards. The web page that gives a description of

the newspaper also proudly details Lake Macquarie's development into a major hub for business and employment, and boasts that the lake is one of the State's most important sailing venues and a fast-growing tourism attraction. I have had the opportunity to discuss the newspaper's closure with the member for Swansea, who is similarly shocked and disappointed. With the *Lake Macquarie News* having been distributed within five State electorates and two Federal electorates, I am confident that other members, as well as councillors, will have the same sense of loss.

The *Lake Macquarie News* helped maintain a sense of community throughout a widely distributed population over a large and diverse geographical area. I have written to Mr John Webster, General Manager of Cumberland Newspapers, stating my disappointment and requesting that the decision be reviewed. I understand that this has been a difficult commercial decision and therefore I understand that there would be resistance to reversing it. Lake Macquarie is a large city with strong growth projections and, from my perspective, continuing the paper would constitute a good long-term investment. It is appropriate for me to at least comment on the loss of a much-appreciated community newspaper and to voice an objection on behalf of the community. The final edition of the newspaper was published yesterday. Its demise will leave a void that no other newspaper will fill without considerable effort.

While other reputable weekly newspapers cover parts of the city, at this stage none of them fulfils the role that has been carried by the *Lake Macquarie News*. Perhaps the demise of the *Lake Macquarie News* will, in time, result in an extension of coverage, with other weeklies picking up the important role of linking communities throughout the city. There is clearly an opportunity and I hope that the lost broad geographical coverage is taken up by either a reborn *Lake Macquarie News* or by expansion of one of our other weeklies, the *Post*, the *Lakes Mail* or the *Newcastle Star*. I acknowledge and thank the editor, Terry Collins, the manager, Scott Dibben, and all the staff whose professionalism has provided an objective and informative newspaper.

HOLY SPIRIT PRIMARY SCHOOL, CARNES HILL

Dr ANDREW McDONALD (Macquarie Fields) [6.30 p.m.]: On 21 June 2008 I attended the first Holy Spirit parish annual ball, held at the Liverpool Catholic Club. The organising committee was Alice Grabowski, President, Lea Leota, Anna Sarpi, and Roseanne Zaccagnini. I commend the committee for the great night had by all. I also commend Liverpool Catholic Club, which yet again demonstrated its support for the community. Directors Michael Coffey and Denis Williams, and vice-president Silvio Marucci also attended. Holy Spirit Church was built in 2007. Cardinal Pell officially opened and consecrated the new church on Sunday 15 July 2007. The church currently has a debt of \$900,000. Father Pat Hurley is the parish priest. The church and school stand on land that was once farmed by my family, who, like the current day parishioners, came to Liverpool as it was the land of opportunity.

Various multicultural groups—Italians, Filipinos, Samoans and Timorese—represent the parish. The young Samoan dancers from the Liverpool area who performed on the night were simply fantastic. They will soon entertain the Pope as part of World Youth Day, and I am sure they will do our area proud. I also met Alice's husband, John, who raised with me a most reasonable idea that a public swimming pool in the west Hoxton area would improve both the amenity and health of the area. While acknowledging that is a multi-million dollar project, I will take it up with Liverpool council once it is elected. Holy Spirit Primary School, across the road from my electoral office, opened in February 2002. In 2006 the school moved from a temporary site to the permanent site on Main Street, Carnes Hill.

Holy Spirit Primary School draws most of its students from Greenway Park, Carnes Hill, West Hoxton and Horningsea Park. In 2008 Holy Spirit school has a student population of 488 children in 18 classrooms. The school should reach its maximum capacity of 21 classes by 2011, when it will cater for approximately 630 children. The school has an innovative open plan design, and is clean, light and airy. The information technology available is first class. During 2007 Holy Spirit school installed a new server and created a school network. Three networked laser printers were purchased for staff and student use and 35 new laptops were purchased. The school now has three or four computers in each classroom, as well as nine laptops, to meet the information and communication technology needs of the growing school population. I recommend that members look at the school website for a photomontage of the history of the building works. Stage four, the administration building, was completed in May 2008.

In 2007 new SMART boards were installed in three classrooms, taking the school total to 10. I have seen them, and they are fantastic. More than one-third of year 5 students achieved band six in literacy and numeracy in 2007. Most students come from within the boundaries of the Holy Spirit parish at Carnes Hill.

Students come from some 23 different nationalities, and approximately 69 per cent of students come from homes in which English is not the first language. Earlier this year I visited year 4 and year 6. They are a wonderful bunch of young people whose parents must be extremely proud. The principal, Tony LoCascio, and his staff are an impressive, fun and motivated group of professionals. As he said, "our teachers do amazing things with the children presented before them each day. I am truly proud of their efforts and results".

Interestingly, when I met Mr LoCascio last year he also raised the increasing number of children with autism who are presenting to all schools, private and public, at kindergarten entry. This was part of the inspiration for my private member's statement on autism last year; I also mentioned autism in my inaugural speech. Great things happen in my electorate every day. The parish ball and the ongoing work at Holy Spirit school give me great hope for the future of our area. I commend them both to the House.

Mr JOHN AQUILINA (Riverstone—Leader of the House) [6.35 p.m.]: I join with the member for Macquarie Fields and congratulate the Holy Spirit parish and the Holy Spirit school. The member for Macquarie Fields noted that Cardinal Pell blessed the parish on 15 July 2007. Given the glowing report by the member for Macquarie Fields, I extend my sincere congratulations to Holy Spirit on its first anniversary. The Holy Spirit parish school has made great inroads in the local community since its establishment. It has 488 students spread over 18 classes and it is predicted to grow to approximately 620 children spread over 21 classes. The member referred to the cultural and ethnic diversity of his community and the contributions from Italians, Samoans, Timorese and Filipinos who settled in the area following the wave of previous settlers who farmed the land. The land has been subdivided and developed with appropriate infrastructure, including schools with outstanding modern technology. I congratulate the school principal, Tony LoCascio, to whom the member referred, and the school and parish communities on their outstanding work. I also congratulate the member for Macquarie Fields who has given such strong support to his parish, school community and electorate.

Question—That private members' statements be noted—put and resolved in the affirmative.

Private member's statements noted.

ADJOURNMENT

Motion by Mr John Aquilina agreed to:

That this House do now adjourn.

The House adjourned at 6.37 p.m. until Friday 27 June 2008 at 10.00 a.m.
