

LEGISLATIVE ASSEMBLY

Thursday 18 June 2009

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

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

RESIDENTIAL TENANCIES AMENDMENT (MORTGAGEE REPOSSESSIONS) BILL 2009

Message received from the Legislative Council returning the bill with an amendment.

Consideration in Detail

Consideration of the Legislative Council amendment.

Schedule of amendment referred to in message of 17 June 2009

Page 3, schedule 1 [1], proposed section 71A (3), lines 20–24. Omit all words on those lines. Insert instead:

The former tenant who is holding over after termination of the residential tenancy agreement:

- (a) is not, during the period of 30 days following the date on which the tenant is given the notice to vacate, required to pay any rent, fee or other charge to occupy the residential premises, and

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [10.01 a.m.], on behalf of Ms Virginia Judge: I move:

That the House agree to the Legislative Council amendment.

Mr GREG APLIN (Albury) [10.02 a.m.]: I lead for the Opposition in debate on the Legislative Council amendment. I put on the record the Opposition's support for this amendment because this is exactly what we were calling for in our response to the introduction of the Residential Tenancies Amendment (Mortgagee Repossessions) Bill 2009. The Government had 18 months and more to draft this bill but it left flaws in it that were discovered in one week by the Opposition. Those flaws were brought to the attention of the Minister and that resulted in this amendment being moved last night in the other place. I refer to the second point made by the Minister in her agreement in principle speech, where she said:

The Government has conducted a comprehensive review of existing tenancy laws. During the consultation period urgent legislative reform regarding the plight of innocent tenants caught up in the crossfire between banks and landlords received almost unanimous support.

Comprehensive consultation might well have been undertaken but, unfortunately, it did not prevent the flaws that have been found in the bill. That in itself is incomprehensible, given the time it took the Government to introduce this bill. I recall the point I made when replying to the Minister's agreement in principle speech. I said that this bill contains only two of many aspects that need to be addressed relating to residential tenancies. The Minister said:

That is why the Government believes it is absolutely critical that these amendments be given priority. Specifically, the bill has three main objects: firstly, to require mortgagees to give tenants at least 30 days' notice—

I emphasise the reference by the Minister to the fact that tenants will be given "at least 30 days notice" if mortgagees wish to recover vacant possession of a rental property—

secondly, in cases where a tenant is told to leave by a mortgagee, to specify that no rent is payable during the period of notice given;

It would be clear to anybody listening to the Minister's agreement in principle speech or reading her comments that the period of notice was at least 30 days and that no rent was payable during the period of the notice. I am sure blind Freddy would realise that that period could extend way beyond 30 days. The Government and all those who had sight of this provision failed to notice that. As I said earlier, the Opposition picked it up in the week in which it had an opportunity to examine this bill. The Minister also said in her agreement in principle speech:

The bill will now allow mortgagees to give tenants more than 30 days' notice to vacate or to extend the notice period given already.

Once again, that signals the problem Opposition members drew to the attention of the Government only two nights ago when we said that the problem was not limited to only 30 days. It was accepted that the notice period could be longer and the Minister stated that the rent-free holiday period would accompany that notice period. That is exactly why Opposition members drew the attention of the Government to this flaw. The Minister went on in her agreement in principle speech to say that the provision of a rent-free period for those tenants who find themselves caught up in this difficult situation was an area in which New South Wales differed from other States. She went on to say:

The bill provides that when a tenant is given notice to vacate by a mortgagee, they will not be required to pay any rent, fee or other charge during the 30-day notice period, and they can recover any rent that they may have paid in advance.

It keeps coming back to an understanding on the part of the Minister that this would be 30 days but, unfortunately, the bill, as drafted and presented to this House, did not clarify that point at any stage. It was something that the Opposition raised and brought to the attention of the Minister and it asked for clarification and certainty. I refer to one other point in the Minister's agreement in principle speech, where she said:

Other groups such as the Real Estate Institute and the Australian Banking Association also support these reforms.

I will return to that comment later. Towards the conclusion of her speech she said:

There will also be those who will suggest these laws should have been introduced earlier.

The Hon. Catherine Cusack made that point clearly in the other place last night. She said that the period from 2004 to the introduction of the 2007 paper was the time that it should have been considered. Following the 2007 paper there was no reason why these laws should not have been introduced earlier. We are looking at only two points of the vast array of points from that briefing paper in September 2007 that are being considered under this residential tenancies legislation, so it is clear that these laws should have been introduced earlier. Last night the Hon. Catherine Cusack capably took the Government to task on that issue. The Minister continued:

The Government does not accept that it should have rushed through hasty, ill-prepared legislation just for the sake of being seen to do something.

For heaven's sake, what an incredible statement! That is exactly what has happened. The former Minister with responsibility for this issue said in June 2008 that this was a matter of priority. It has taken the Government a year since that commitment was made to introduce what has now been shown to be ill-prepared legislation just for the sake of being seen to do something. The important aspect here is that the Opposition has supported this legislation. In fact, we called for this legislation. I implore the Government at least to get it right. The Minister said:

We have taken the time necessary to examine all of the complex issues and potential ramifications to ensure that no unintended consequences result from these amendments.

In retrospect, if I were the Minister, I would withdraw that comment, because the bill has now been amended by the Government to clarify those complex issues and to remove the unintended consequence that she stated in this House had already been considered and addressed. Clearly, the Government overlooked that point and it was up to the Opposition to clarify the issue and to call for this amendment. For that reason we will of course support it. The Minister continued:

These changes are important not only for tenants but for landlords and mortgagees as well. They deserve proper consideration.

They certainly do. That is exactly the point that the Opposition made. I will refer to the section that is being amended because I am pleased to say that the amendment has provided the exact clarity that the Opposition requested. The original amendment inserted after section 71:

71A Mortgagee repossessions of rented properties

(3) Former tenant may withhold or recoup rent etc

The former tenant:

- (a) is not, during the period in which the former tenant is holding over after termination of the residential tenancy agreement, required to pay any rent, fee or other charge to occupy the residential premises

The Government has now substituted:

The former tenant who is holding over after termination of the residential tenancy agreement:

- (a) is not, during the period of 30 days following the date on which the tenant is given the notice to vacate, required to pay rent, fee or other charge to occupy the residential premises

That is absolutely right. In her reply the Minister said:

The bill can be summarised as follows: it will require mortgagees to give tenants at least 30 days' notice if they wish to recover vacant possession of the rental property; specify that no rent is payable during the period of the notice given in cases where a tenant is told to leave by a mortgagee...

Clearly, at that point in her reply the Minister had not taken on board the concerns raised by the Opposition. She continued later in her reply to say:

We have indeed taken the time to consult widely on this issue and to examine closely the complex issues involved to prevent unintended consequences; the Government makes no apology for doing so.

I am pleased that the Government has now apologised for the unintended consequence, has realised the error of its ways and has introduced this amendment. The Minister went on to say:

It would be inappropriate to rush through any other changes before this process is finalised.

Yet, the day after making that statement the Government has rushed through an amendment because it has recognised the hole that the Opposition revealed. The Minister went on to say:

With respect to the point raised by the members for Albury and Pittwater regarding the rent holiday, these amendments will not worsen the position of landlords.

That was the statement made one night, but one day later, having had a chance to think about the point raised by members of the Opposition, the Government realised that a hole had been exposed and that the position of landlords had been considerably weakened. It took on board the comments that I made in leading for the Opposition, ably supported by the members for Pittwater, Baulkham Hills and Ryde.

The Minister said in her reply:

Importantly, the rent holiday will only kick in when the mortgagee has officially taken over and the landlord is no longer on the scene.

She went on to say later:

With mortgage stress set to increase as a result of the looming impact of the global recession, the Government has drafted this bill with the intention of not making life any tougher for struggling property investors.

I have good news for those struggling property investors: The Opposition has possibly just saved them hundreds if not thousands of dollars in lost rent that could have continued to accrue had this bill been passed as it was originally drafted. I am pleased to have played a role in that; that is the role of the Opposition. I am glad that the Government has recognised that the Opposition raised considerable concerns as a result of its consultations. If the Government had done the same consultation it might well have found the same holes.

The Minister went on:

With regard to process, these reforms have been subject to widespread community consultation and have been in the public arena for a number of years.

That proves that the Government's consultation has been only on the surface. It has not been thorough enough to recognise the true problems. The Minister stated:

Despite this, the concerns expressed by ... the member for Albury, have not previously been raised.

For heaven's sake, it took the Opposition one week to examine the bill and to recognise the issues. Unlike the other issues I have raised, those problems were not discovered as a result of consultation. For some strange reason the Minister believes that the Consumer Credit Legal Centre raised these issues. In fact, the centre was not concerned about them; it was concerned about trying to save landlords who were in difficulty and retrieving mortgages. I acknowledge the Consumer Credit Legal Centre for raising that issue, but the Opposition is solely responsible for raising the extension of the 30-day period of notice.

The Minister continued:

The bill is only concerned with the relationship between the mortgagee and tenant once the repossession proceedings have been finalised.

That says that the Minister is ignoring the landlords and the repercussions that could accrue if the extension of the rent holdover period under mortgagee repossession were to continue well beyond 30 days. As I said, through negligence or malice it could extend to many months. The Minister said:

The main issue ... appears to relate to when the rent holiday period for the tenant starts. The bill provides that rent is not payable for the period the tenant is holding over once the mortgagee becomes entitled to possession.

That is what the Minister believes and that is what she has been informed. Unfortunately, the bill as drafted did not state that. The Minister went on:

We are the only State to provide for a rent holiday ... our position on the length of the rent holiday is clear—30 days, no more and no less. I am advised—

I am glad she said, "I am advised"—

that this is properly provided for in the bill.

It was not provided for in the bill. Clearly, that is why this amendment is now before the House. The Minister said:

The intention of the Government is that the rent holiday period should commence when a mortgagee issues to the tenant a valid 30-day notice to vacate.

That is the Minister's understanding, and, yet again, it is not what is in the bill. The Minister then tried to clarify the position by saying:

I am advised that the Government's intention is made clear under the bill as it stands. As with any legislation—

the concern is starting to creep in that perhaps the Opposition had it right and that the Government should be worried—

the Government will monitor the implementation of these reforms closely. If any practical implementation issues arise, the Government will address them in the broader package of reforms that will be released for public consultation later this year.

The flag was raised immediately; there was a warning that there was a problem. A day later we have this amended bill. I am interested in the way in which the amendment was put. The Parliamentary Secretary stated in the other place last night:

The Government believes that the bill as presently drafted is sufficiently clear in all aspects. However, in recognition of the bipartisan support for these important measures the Government will be moving an amendment to clarify one provision.

Let us look carefully at that clarification. The Parliamentary Secretary stated:

The amendment makes clear the commencement date of the rent holiday period for tenants who are asked to leave by a mortgagee. There appears to be some confusion, particularly among members of the Opposition, as to when the rent holiday period is meant to start.

If there is confusion, I would suggest that it is the Minister and the Government who are confused. The Opposition clearly identified this hole, which is now being covered over. I am sure that the suggestion that the Opposition is confused was tongue in cheek. I take it as an affront because the Opposition has assisted landlords and mum and dad investors in rental properties in this State. We have saved them thousands of dollars in lost rentals. If there is confusion, then let us sheet it home to where it belongs—to the Minister and her department. The Parliamentary Secretary went on to say:

This amendment spells out that the tenant is only entitled to stop paying rent once he or she is given the 30 days notice to vacate by the lending institution.

The rent holiday period was never intended to commence, as suggested by the member for Baulkham Hills in the other place, as soon as the owner falls behind with repayments, or when the mortgagee issues him or her with a notice of default, or when the lending institution applies to the court to foreclose. Nor was it meant to start when the Supreme Court makes a judgement or order or issues a writ of possession.

She continued:

The rent holiday period was never intended to commence, as suggested—

by the member for Baulkham Hills—

in the other place, as soon as the owner falls behind with their repayments, or when the mortgagee issues them with a notice of default, or when the [lending institution] applies to the court to foreclose. Nor was it meant to start when the Supreme Court makes a judgement order or issues a writ of possession. The rent holiday period is meant to apply only when a mortgagee gives notice to the tenant to vacate. Naturally, in most cases this will be shortly after the court order is made, which means there is essentially little difference between the two time frames in most cases.

Of course, this is all supposition. This was how the Government operated because, obviously, the matter had not been drafted clearly. That is the reason this amendment is presented only one day after the bill was introduced. The Parliamentary Secretary continued:

However, the Government accepts that from time to time there may be some delay from when the court makes its order to when the mortgagee issues a notice to vacate to the tenant.

That precisely was the point the Opposition raised. It will not happen from time to time; the issue was raised as a possibility to take advantage of, if you like, the bill. Clearly, this is why the amendment was required. The Parliamentary Secretary said:

This Government amendment will remove any doubt—and potential for legal argument ...

The Opposition will support the amendment, as I have indicated; it is exactly what the Opposition called for. In closing, I refer to the Government's attitude to consultation. The Minister said she had consulted with the Real Estate Institute of New South Wales. I met with senior members of that organisation in consultation on this bill. They told me that no consultation occurred with the Real Estate Institute of New South Wales except at the concept level some 18 months earlier. That puts the lie to the Government's claim of recent consultation. Quite possibly, appropriate consultation could have exposed the flaw and the Government would not have been embarrassed. The institute said it was consulted at the concept level when it was invited to make a submission. They said this legislation had come out of the blue at a fast pace and that six weeks of industry consultation was required to get it right.

The Real Estate Institute of New South Wales was concerned at the rapid introduction of the bill; it had waited 18 months for a draft response to the 102 points in the original paper. Now it faced a rushed bill that identified just two points, one of which now has been amended. The institute claimed that the bill was far too important to get it wrong and needed more industry consultation and drafting. The institute envisaged that under the bill's provisions consumers would suffer considerable detriment because finance could become tighter. The institute representatives said that banks may respond to the legislation by tightening lending to cover any losses sustained by rental losses and that the rental crisis could get worse. Under the provisions of the initial bill landlords and possibly mortgagees faced considerable loss of rental. This is all self-evident, but the Government failed to take it on board and failed to protect this nation's investors or provide for tenants. People do not invest in rental premises with a social conscience to provide housing, as the Government seems to think. Landlords want return for their investment. Paraphrasing the Treasurer, no landlords equals no tenants, which equals problems for this Government in providing housing.

Mr ROB STOKES (Pittwater) [10.22 a.m.]: I speak on the amendment to the Residential Tenancies Amendment (Mortgagee Repossession) Bill 2009. The Opposition sought clarification on this issue after

examining the speeches of its members. The main issue related to certainty of the rent-holiday period. In the interests of the tenant on one hand and the borrower landlord on the other, both of whom are in weak positions in these sorts of matters, it is important to have certainty surrounding the extension of the rent holiday. That is why the Opposition was at pains to point out that from its reading of the bill the rent holiday was open-ended. That is, the mortgagee in possession could extend the rent holiday for as long as it felt appropriate or wanted. The Opposition pointed out the deficiency in the bill that needed to be fixed. Yet, in reply to my contribution, the Minister said:

Let me also correct the member for Pittwater ... our position on the length of the rent holiday is clear—30 days, no more and no less. I am advised that this is properly provided for in the bill.

I am happy to be corrected, as is every Opposition member. The role of the Opposition is to ask questions, to seek clarification on bills and to represent the interests and concerns of our communities. Indeed, given the enormous resources available to the Minister, it is expected that from time to time we may be incorrect when we seek clarification of a matter. However, in this case we were right. The Minister was wrong to say that we were wrong. That is the reason she subsequently moved to fix the bill. It is of concern when Ministers clearly are not au fait with their brief. We must get legislation right otherwise it ends up in court and court judgements often refer to Ministers' speeches. If the Minister's statement "Our position on the length of the rent holiday is clear—30 days, no more and no less" was clear, why is the amendment necessary? It was not clear. The issues the Opposition raised were correct. I note one of the Minister's advisers rolling her eyes at me from across the Chamber. It is extremely important to get legislation right: people's rights, tenants' rights, borrower landlord's rights and mortgagee's rights are involved. Legislation should be clear and certain. It is incumbent on the Minister to get it right the first time.

Ms SONIA HORNER (Wallsend—Parliamentary Secretary) [10.26 a.m.]: I am responding to some questions of Opposition members. No doubt further questions will be asked. For the information of those opposite, the Government is not concluding the debate. Why were these laws not introduced a couple of years ago when interest rates were high and the Opposition offered bipartisan support? The Government does not accept that these reforms have been unnecessarily delayed or could have been introduced earlier. When Catherine Cusack was the shadow spokesperson for Fair Trading she said that if the Government introduced a bill the following week, the Opposition would support it. That was when the Government had released a report outlining proposed reforms to tenancy laws. The public consultation period had not closed and most submissions had not been received let alone analysed.

Before changing the law the Government needs to know the views of the community. We have taken the time to consult widely on this issue and to examine closely the complex issues involved in order to prevent unintended consequences. The Government makes no apology for doing so. Its commitment to helping tenants in these difficult situations is shown by the way these amendments have been introduced ahead of the major package of reforms. These reforms have been introduced because of the obvious unfairness of the current system to tenants, the general consensus support for the changes and the fact that mortgagee repossessions are likely to increase due to the global financial crisis.

The Government acknowledges that other changes to the tenancy laws are required. However, given the complex and contentious nature of many issues involved, further consultation will be required before these changes can be introduced. The Government intends to release an exposure draft bill for public consultation. At this stage it is expected that the draft bill will be released before the end of the year. This will provide the public with an opportunity to look at the precise detail of the proposed reforms in context. Feedback on the draft bill will need to be assessed before the new tenancy laws are introduced into Parliament for debate. It would be inappropriate to rush through any other changes before this process is finalised.

The Opposition's concerns and other concerns they have repeated in the House have come straight from the Consumer Credit Legal Centre, which is important. The concerns presented by those opposite range from the plagiarised to the puerile. The concerns should not be about self-promotion and grandstanding. Let us support the tenants and landlords of New South Wales.

Mr WAYNE MERTON (Baulkham Hills) [10.29 a.m.]: I do not regard this amendment as grandstanding. I do not regard it as trying to attract political attention or kudos.

Mr Kerry Hickey: What is it then?

Mr WAYNE MERTON: I appreciate that good question, and you will be given the right answer. It is an amendment that we said was urgently needed to this legislation to define, to qualify and to make certain what

the obligations of a tenant were and what the obligations of a landlord were when there was a default and the property had been repossessed by a mortgagee. This legislation was clearly inept, inadequate and absolutely completely unsatisfactory. It had the potential to ruin thousands of Australian property owners and, secondly, had the potential to cause distress to tenants who really did not know where they stood in the circumstances. They could be seeking legal advice as to whether they had a liability to pay rent, and that legal advice could not be given with any degree of certainty due to the obvious deficiencies in this legislation. That in itself is a simple reason why the Opposition made the points it did when this bill came on for debate.

We clearly said we agreed to a 30-day rent holiday but the question was when was that rent holiday to commence? I will not go through the four scenarios again but the legislation as drafted was capable of four scenarios as to when that rent holiday would commence. What the Government intended, and this has been confirmed by the amendment, is that the rent holiday was to start from the date of service of the notice, which I understand is the effect of this amendment before Parliament today. As drafted, the bill had the potential to go back to the time when the default is made under the mortgage, which could well have been six, nine or 12 months earlier, if not longer.

Bear in mind that this legislation says that the tenant has the right to recoup moneys that had been paid, which would be regarded as moneys paid in advance. In other words, someone could be paying rent to a landlord for 12 or 18 months and the point could be made that the tenancy was terminated and it was only a monthly tenancy by virtue of the fact that the default had happened 12 months ago. That would mean that the landlord, the property owner, would have to refund something like 12 or 18 months rent—and this is a person who has had the mortgagee step in because he cannot make the payments. They already have one financial crisis on their hands when their investment property is being repossessed and, secondly, in many cases there is a collateral mortgage over their home to secure the borrowings for the rental property. That means their home and their investment property could well go and then they would be faced with having to refund up to 18 months rent, or whatever it might be, to a tenant.

This sounds preposterous, and it is, but it is preposterous because of the clumsy drafting of this legislation. I do not blame the parliamentary draftsman; I blame the people who gave him the instructions because those instructions must have been vague, to say the least. It is a simple matter. If you are going to give someone a rent holiday—and the Opposition never at any stage opposed a 30-day rent holiday—

Mr Alan Ashton: That is what you are doing though.

Mr WAYNE MERTON: We have never opposed a 30-day rent holiday. Today our position is the same and it always will be. We would oppose a 12- or 18-month holiday. But that is not all. The vulnerable tenant that the member for Riverstone spoke so well about—and we all endorse the difficulties of the tenant—was in an equally uncertain position. The tenant did not know when his liability for rent ceased or whether he might be entitled to a refund. It would have gone to some court and a disillusioned landlord would walk away or a disillusioned tenant would walk away, both incurring substantial legal fees, which could have been avoided if this legislation had been drafted correctly.

Mr Alan Ashton: Point of order: As a temporary speaker, the member for Baulkham Hills knows he should address his comments through the Chair. I feel rather intimidated that he is addressing me in such a nasty way.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! I see this point of order as a friendly reminder to the member for Baulkham Hills. He will address his comments through the Chair.

Mr WAYNE MERTON: It is not intimidating the member. He would be very difficult to intimidate. Secondly, I would never suggest anything unfriendly of him. I happen to have personally a high opinion of him. His politics are a different story. That is a choice he has made in life. We all make mistakes, and he has in this instance. As I said to him the other day, there is always time for the vilest offender and sinner to reform and he still has time. Let us get back to this important point: the tenant did not know what was happening with any degree of certainty; the landlord did not know what was happening. Our position today is the same as it was in the debate on Tuesday. Yes, we believe a vulnerable tenant, when there is a mortgagee sale and someone knocks on the door and says, "I want your house back in seven days," should be given a reasonable time. We say 30 days is a reasonable time. We have never disputed that.

We believe in the circumstances maybe a rent holiday is due. However, where a lease expires, and the tenant is on a month-to-month arrangement, and the owner decides to sell the property, the owner only has to

give 30 days notice of the sale, and when the place is sold, the tenant has to move out. There is no rent holiday in that situation at all. I am not suggesting there should be; I am just trying to point out the overall complexity of balancing the merits. When a guy knocks on the door after a mortgagee sale and tells a vulnerable tenant to be out by next Friday, that is completely unacceptable. The Opposition has always opposed that situation, but it should be defined. The Government has done that now. It realised there was a problem with the bill and, to its credit, has done something about it. That is good. We all make mistakes; let us move on from there.

When we speak of landlords, the Government has a vision of a vast real estate company, but the majority of landlords are mums and dads who have borrowed to the hilt and bought an investment property, often putting their own home on the line as collateral security. That is the correct perception of landlords, not as a multinational real estate company. When investors have problems with the mortgagee and are facing repossession, they have enough problems without those difficulties being compounded by clumsily worded legislation that says the tenant may be able to stop paying rent when the landlord commits a default under the mortgage, which may go back to the time that they missed their first payment—which could be 18 months previously. That had to be rectified; the Government has rectified it.

I make one other minor comment concerning this legislation, and it was raised by the member for Ryde, who is a very good member. The Legislative Council has dealt with the situation of a mortgagee in possession when a former tenant remains in the premises, enjoying the 30-day rent-free period, which the Coalition supports. The rent-free period gives former tenants an opportunity to save, get the bond sorted out, look for another property and go on with their life. But then there is the issue of the sale inspection of the property during that 30 days. I suggest the Government is setting up a situation that could well be regarded as unfair to landlords. During the period that the former tenant remains in the property following termination of the rental arrangement, the mortgagee is entitled to enter the residential premises to show the premises to prospective purchasers on a reasonable number of occasions, but only if the former tenant is given reasonable notice of each such occasion and agrees to the date and time of the inspection. On the surface, that appears to be fine.

Mr Gerard Martin: That is reasonable.

Mr WAYNE MERTON: The member for Bathurst is a fair man, but what is the process if a tenant becomes unreasonable and says it is not reasonable to inspect? What means of redress are there if a mortgagee has set up five appointments but the tenant says, "No, I'm sorry, you can't do it. I'm not available." The reality is that the mortgagee's efforts to sell a property during that 30-day period can be absolutely frustrated. It is very difficult to sell a property without an inspection, and that can happen under this legislation. One can say, "Ah well, it's a mortgagee. It's a bank. It's a building society. So what?" But that is not really the position.

Mr Victor Dominello: It is the landlord.

Mr WAYNE MERTON: It is the landlord, the borrower and mortgagor, who will pay the price of the delay in the sale of the property. The landlord will have to meet another month's interest and another month's payment. In the current economic climate, unfortunately there are many landlords who are in a negative equity position. As a result of this legislation, landlords in that position, who will have to wait another month while the sale is delayed, will incur another month's interest and another month's payment. The member for Ryde is absolutely correct. The Opposition wants to know why the Government did not amend the legislation to address that problem in the upper House. Why did the Government not address that problem while it was addressing other problems in the upper House?

Mr Gerard Martin: It was not suggested.

Mr WAYNE MERTON: It was suggested by the member for Ryde. I am not privy to what happened in the upper House—nor is the member for Bathurst, for that matter—but the important point is that the Government recognised the reality of the earlier point. The point I am discussing is of equal importance. The matter could have been rectified while the legislation was before the upper House to provide some mechanism by which to define a reasonable time for inspection of the property. The legislation as it stands is completely silent in that respect. However, at least landlords and tenants know where they stand. The tenants will have a rent-free holiday. They know when that period commences, and they know when that period finishes. Until this morning, there was no way in the world that anyone knew with any certainty where they stood. The Legislative Council amendment has overcome those difficulties.

Consideration in detail adjourned on motion by Mr Alan Ashton and set down as an order of the day for a later hour.

EDUCATION AMENDMENT (PUBLICATION OF SCHOOL RESULTS) BILL 2009**Bill introduced on motion by Ms Verity Firth.****Agreement in Principle**

Ms VERITY FIRTH (Balmain—Minister for Education and Training, and Minister for Women)
[10.44 a.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the Education Amendment (Publication of School Results) Bill 2009. This bill will permit the public reporting of school results in new national student tests on a nationally consistent basis. This bill will further cement the Rees Government's policy of providing meaningful information to parents about school performance, and will do so in a manner that is educationally responsible. The bill also is necessary to implement the agreements reached by the Council of Australian Governments in 2008 and by the Ministerial Council on Education, Employment, Training and Youth Affairs, known as MCEETYA. All State and Territory Governments and the Commonwealth have agreed that for the first time in 2009 there will be nationally uniform reporting about the results of individual schools. The Ministerial Council on Education, Employment, Training and Youth Affairs endorsed the principle that:

The provision of school information to the community should be done in such a way as to enhance community engagement and understanding of the educational enterprise.

The capacity to report on the results achieved by schools in the New South Wales education system has been the subject of a regulation since 1997. This prevents the publication of school test results in a manner that ranks or otherwise compares the results of individual schools. It also protects the publication of results that reveal the results of particular students without their consent. The Rudd Government was elected on a platform of greater transparency about school performance. In 2008 the Council of Australian Governments agreed to implement a new school performance reporting framework from 2009. The Council of Australian Governments agreed that greater transparency and accountability for the performance of our schools is essential to ensure that every Australian child receives the highest quality education and the greatest opportunity to achieve through participation in employment and society. The Council of Australian Governments also agreed that high quality accountability and reporting is important for students, parents, carers and the community.

This reporting framework encompasses streamlined and consistent reporting on national progress; an annual national report on the outcomes of schooling in Australia; national reporting on performance of individual schools to inform parents and carers, and evaluation by Governments of school performance, plain language student reports to parents and carers, and an annual report being made publicly available to each school community on the school's achievements and other contextual information; and performance indicators about progress towards achieving agreed outcomes and specific reporting on outcomes for indigenous students and students from low socioeconomic status communities.

This was a historic national decision, but it also reflects developments that have taken place in New South Wales over the past 10 years or more. It is important to understand some of this history to appreciate why the regulation on publishing school results, which is unique in Australia, has been in place, and why this bill retains its best elements. Since 1997 all public schools in New South Wales have been required to publicly report about their performance and, in particular, to publish information about their performance in externally conducted tests, such as the Basic Skills Tests in literacy and numeracy in primary school, the English Language and Literacy Assessment test and the Secondary Numeracy Assessment Program—ELLA and SNAP—in junior secondary, as well as the School Certificate and the Higher School Certificate in senior secondary.

Since 2008 the Basic Skills Tests, the English Language and Literacy Assessment test and the Secondary Numeracy Assessment Program have been replaced by equivalent tests under the National Assessment Program—Literacy and Numeracy, or NAPLAN. Since 1997 schools have reported their literacy, numeracy and other external test results in annual school reports that also let schools explain their performance in context. Over time, a culture of frank disclosure of performance has grown. By 2007, every school annual report was required to include the school's performance over time with optional reporting against the State average. More than 60 per cent of schools also report their test results against a group of schools with similar background characteristics, and hundreds of schools proudly publish their reports on their websites.

A key concept in these reports is that of mandatory "value added" and growth reporting. If we examine the performance of a group of students in year 10, for example, how does the same group of students perform in year 12? If a group of students in the bottom third of performance in year 10 reaches the State average by year 12, then the school has added value. Take one example of a 2008 report from one Sydney high school—I will not name the school. The report frankly illustrates, both in text and in graphical form, how students performed in the Higher School Certificate in comparison with the same students' performance two years earlier in year 10. The report clearly demonstrates that their average-achieving students had improved the most by year 12, while their higher-achieving students performed at about the same level as they did in year 10.

A matter of concern is that the report clearly indicates that the school's lower achieving students did not perform as well in year 12 as they did in year 10. This will be an issue of focus for the school over the next year. There is frank disclosure of both good performance and lower than expected performance in the same school. That is vital for the school community to know in order to take steps to improve, without sacrificing what it does well. Such information would be completely hidden, if a single number on a simplistic league table was all that was reported.

Over the last decade, schools have become much more comfortable in understanding their performance using hard data. In many schools, the involvement of teachers, parents and students in analysis of the school's performance has become a very tangible way in which the school community can come together to support student achievement. We have been able to achieve honest reporting to parents about the school their children attend, without allowing the potentially harmful and destructive effects of crude and simplistic league tables. Since 1997 the regulation under the Education Act has provided that school results relating to individual schools will not be publicly revealed in a way that ranks or otherwise compares the results of individual schools. That is, the method in which a publication of school results will occur is not to be one that allows, in a single publication, direct comparisons between individual schools.

The publication of a single school's results in an annual report does not infringe this requirement, nor does the publication of a school's results in comparison to measures like the State average or the average for a group of schools. But such comparisons differ from league tables. They do not allow a school's achievement to be whittled down to a single score. What is wrong with a league table? We briefly went through that experience in 1997 here in New South Wales. Following a freedom of information request, the tertiary entrance rank of the top student in every school was published. The tertiary entrance rank was a predecessor of the university admissions index, which as we now know has been replaced by a national index.

Only one school in the list had a top student whose tertiary entrance rank was below 50 per cent. A photograph of that school's year 12 was printed on the front page of a metropolitan newspaper under the heading "the class we failed". It was immensely hurtful and distressing to those individual students to have their identities known and their performance publicly revealed and criticised. This was not an analysis of their performance. It was public humiliation, pure and simple. That is the worst consequence for a school community if a crude league table is published. The league table concept is one that labels whole schools as either winners or losers. It is unfair, damaging, hurtful, anti-educational and not in the public interest.

All State and Territory Ministers have endorsed the important principle that public reporting should not be by way of crude league tables. Instead, the national agreement replicates the best features of the system we have developed in New South Wales—individual reports for each school, with rich information, rather than a single numeral. The protocols agreed by the Ministerial Council on Education, Employment, Training and Youth Affairs on 12 June specifically state:

Governments will not publish simplistic league tables or rankings, and will put in place strategies to manage the risk that third parties may seek to produce such tables or rankings.

The new Australian Curriculum, Assessment and Reporting Authority, a body that works to the Ministerial Council on Education, Employment, Training and Youth Affairs direction, will be supplied with the information necessary to enable it to publish relevant, nationally comparable information on all schools. That body will be subject to protocols and directions endorsed by the Ministerial Council on Education, Employment, Training and Youth Affairs. The Australian Curriculum, Assessment and Reporting Authority will make public information on each school in Australia, government and non-government. This will include a page of information about each school's performance, compared with a grouping of schools with similar characteristics.

Information about the schools within relevant groupings would be separately publicly available. It will include national testing results and school attainment rates, student population characteristics, teaching staff and

financial resources. The information will be published on the Australian Curriculum, Assessment and Reporting Authority website. This will not be a simplistic league table. Rather, it will be conceptually similar to information that has already been made public by New South Wales schools for some years in their annual school reports. This has occurred consistently with the regulation and without any of the undesirable effects of simplistic league tables.

Because an argument may be made that provision of the results to the Australian Curriculum, Assessment and Reporting Authority by educational systems may of itself amount to publication in a way that allows comparisons of individual school results, there is some risk that it would breach the current regulation. If the Commonwealth then went on to make the relevant results public, that Government may also potentially be in breach of the existing regulation. There is doubt about whether the Australian Curriculum, Assessment and Reporting Authority would be constitutionally beyond the regulation's reach. This amendment will provide certainty by permitting New South Wales to provide such information to the authority if it is done in accordance with a national protocol or arrangement to which New South Wales is a party.

A further constraint that the bill would overcome is a 1997 protocol as part of the New South Wales public school teacher's award. This provides that the Department of Education and Training is not to "publish or broadcast, or aid in the publication or broadcast of any information or achievement which allows comparison between individual students or which will allow schools to be ranked in any publication or broadcast". That restriction may prevent New South Wales providing the information to the Commonwealth because there would be no absolute control over how third parties published or broadcast publicly available information. The bill therefore overrides this provision of the award.

The bill will continue to provide protection to the results of identified individual students. Their results will not be published without the consent of them or their parents, except in the context of recognition of excellent performance as currently occurs for Higher School Certificate results. To be clear, the bill allows de-identified data about individuals to be provided to the Australian Curriculum, Assessment and Reporting Authority for the purposes of analysis. National discussions have confirmed that the information enabling matching of particular students over time will be destroyed after the analysis is performed. These security safeguards will guard individual students' privacy in accordance with the requirements of the bill.

The existing regulation also prevents third parties from obtaining information from government in the form of a league table under freedom of information legislation. This will continue under the provisions of this bill. The Government has formed the judgement that this is one of the cases in which the public interest in publishing the information in a particular form is clearly overridden by the public interest against it. This information will be retained as an overriding secrecy law within schedule 1 to the new Government Information (Public Access) Bill 2009 introduced yesterday by the Premier.

Finally, the provisions of the existing regulation, subject to amendment, are moved into the principal Act. This is to ensure they cannot in future be watered down by regulation without the agreement of both Houses of Parliament. To make it clear, new section 18 (A) (3) maintains the existing New South Wales protection that school results must not be publicly revealed in a way that ranks or otherwise compares the results of particular schools, except as authorised by or under a relevant national agreement. The only change being introduced here is to allow the New South Wales Government to provide raw data to the Commonwealth. All other protections remain in place.

This bill gets the balance right. It builds on the record of increasing transparency about school performance, a record that New South Wales is proud of. Parents in New South Wales should have the right to detailed information about the performance of their child's school; information that presents a fair comparison of their school's performance against other similar schools—information that will not be used in a punitive manner, but information that will be used to drive continued improvement in school performance and to target additional resources to the schools; information that will allow us to work with school communities to target resources and programs and to use data on student performance as a diagnostic tool to inform teachers and drive better results for our students. At the same time this legislation leaves in place in New South Wales the protections that have been developed to prevent simplistic rankings that are not in the public interest.

It is vital for the education of children across New South Wales that this bill is passed urgently by this Parliament. New South Wales is required to provide this data to the Commonwealth under the terms of the national education agreement. Tied to this national agreement is \$4.8 billion in funding over the next four years. That is around \$1.2 billion per annum, or roughly 20 per cent of the annual cost of employing public school teachers and other school staff.

It is necessary to pass this bill now to be able to provide the relevant data to the Commonwealth in accordance with the agreed time line. That information needs to be provided to the Commonwealth within weeks to enable national publication towards the end of the year. If the State does not provide the data in accordance with the agreed time line, it will not satisfy the conditions for receipt of the funding. In short, failure to pass this bill would place this funding in jeopardy. More fundamentally, it would deny parents access to information about the performance of schools to which they should be entitled. I commend the bill to the House.

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

APPROPRIATION BILL 2009

APPROPRIATION (PARLIAMENT) BILL 2009

APPROPRIATION (SPECIAL OFFICES) BILL 2009

STATE REVENUE LEGISLATION AMENDMENT BILL 2009

Agreement in Principle

Debate resumed from 16 June 2009.

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [11.00 a.m.]: I remind the House that there cannot be a strong community without a strong budget. I remind the House that the New South Wales Liberal-Nationals have always understood that without a vibrant and productive private sector there cannot be a strong economy. I will use this budget reply to outline the priorities that the Liberal-Nationals would use at this point in time to return growth, restore opportunity and repair services for the people of this State. Above all, I remind the public that members on this side of politics, the New South Wales Liberal-Nationals, are determined to put people first, to refocus government on supporting their needs and ensuring that New South Wales is again the premier State.

Labor's latest budget is characterised by deception and failure. It is a budget based on fraudulent claims, fanciful figures and financial sleights of hand. It is a budget confirming the Rees Government's preparedness to allow New South Wales to continue to fail, and it lacks any plan to secure the State's future. With New South Wales in recession, with one of the worst unemployment rates in the nation, and with families and businesses experiencing an unprecedented low point in government-provided critical infrastructure and services, there has never been a more important time to present practical plans to restore economic growth, opportunity and services.

The people of New South Wales need real stimulus measures, not rhetorical beacons of hope and Labor's usual taxpayer-funded, post-budget advertising blitz. This sums up the fundamental difference between the New South Wales Liberal-Nationals and Labor. The alternative government, those on this side of the House, is determined to rebuild New South Wales economic prosperity and put people first. Labor's bottom-of-the-barrel Government is desperate to try to restore its political fortunes and, as usual, is putting the public last. Labor never learns, and in this budget it is at it again—blaming all the problems facing New South Wales on the global financial crisis and not Labor's woeful 14-year record in office; spinning figures and forecasts to try to cast a better light, despite the evidence of a dire past performance; and pretending that it is all about protecting jobs, when it is only interested in those jobs across the Chamber.

Labor is not honest. It is not dealing honestly with the people of New South Wales. Even the spin is unbelievable. Labor is asking us to believe that, despite expense growth running at an average of 5.9 per cent over the past 12 years and 8 per cent this financial year, it can bring the budget back into the black by curtailing the same expense growth to an average of just 2.9 per cent from 2010-11 to 2012-13. Labor is asking us to believe that, despite the State's unemployment rate being higher than the national average for the past four years, next year it will be lower than the national rate forecast by the Federal Government. Labor is asking us to believe that New South Wales is the engine room for infrastructure growth in the nation, and that it will deliver its latest version of a record infrastructure spend when its own budget papers reveal that last year it failed to spend \$250 million of what was set aside.

Labor is asking us to believe that it is a jobs bonanza when its own budget papers reveal that the number of unemployed people across the State is set to rise to 300,000—up from 173,000 when Nathan Rees

became the Premier just last September. Higher unemployment is not just an economic issue; it is a personal, painful issue for individuals and families sitting around kitchen tables, worrying about finances, not knowing when or where they will find work. Higher unemployment is also a social problem, with repercussions for Department of Community Services and health workers, police, the non-government sector and local communities. That is why the Liberal-Nationals refuse to do what Labor is doing—shrug our shoulders and blame the global finance crisis. It is why we have been arguing strongly for a State stimulus package built around payroll tax relief, halving the delivery time of major infrastructure and creating industry action plans for key emerging sectors.

We understand that at times like this community and business alike want government working hard for them. That point is highlighted today in the latest Sensis Small Business Confidence Index that, for the twenty-first consecutive quarter, marks down this State Labor Government. The public knows that New South Wales is the only State without its own stimulus package. It knows that without a massive injection of funds from the Federal Government the New South Wales budget position would be worse. Without the additional cash from Kevin Rudd, this year's budget deficit would have been \$2 billion, and we would be staring down a \$4.4 billion deficit next year. People know that New South Wales is going into recession. The Rees Government has not woken up to the need for measures to assist businesses and families doing it tough across this city and across this State today.

But Labor never learns its lessons, and it is always the people who suffer the consequences. Labor has never learnt what every family and business in New South Wales know: constantly spending more than you earn is a recipe for disaster. Three years ago the Stokes-Vertigan report, commissioned but ignored by this Government, warned that expenses were consistently growing faster than revenue and said that it needed to be fixed. In 2006 Stokes and Vertigan were worried about a 1 per cent gap between expenses and revenue. Over the past two years that gap has widened to 1.8 per cent and then 3 per cent. The New South Wales Liberal-Nationals are committed to budget discipline. We have committed ourselves to closing the fiscal gap, but our approach is much more than closing the fiscal gap. It is about a new energy, a new urgency on boosting this State's economic growth.

Boosting economic growth is the underlying driver of revenue growth. By making the pie bigger, we can responsibly fund expenditure growth without increasing taxes. And we will increase the efficiency of government. We are committed to cutting waste and inefficiency to help bring the rate of expenditure growth under control. The displaced employee list will go, saving \$46 million a year. Wasteful Government advertising, like the taxpayer-funded, politically motivated advertising running on television and radio this week, or the forthcoming budgeted metro advertising blitz, will also go. We will put an end to Labor's dysfunctional system of infrastructure delivery. One project alone, the Parramatta to Chatswood rail link, cost taxpayers \$1 billion extra, had commuters wait an additional three years and delayed forever, some think, Parramatta's chance of ever getting that link.

We will cut all the ways that government has wasted or mismanaged finances—everything from excessive ministerial office and car expenditures through to unchecked information technology and legal costs. Unlike the Labor Party, we know that over the long term we have to live within our means. The Labor Party will say it cannot be done but what it is really saying is it cannot do it: it is about financial discipline and making hard decisions. We will do it, and after 14 long, hard years we know that Labor cannot. Labor's latest effort at restructuring government departments is just the latest example. It is evidence of the further revolution of Labor's centralisation of the bureaucracy that has damaged services and disconnected communities from government.

That is why, for instance, in our health initiatives we will reduce the power of the Miller Street, North Sydney, centralised health bureaucracy, remove the bloated area health services and give power back to the people. We are committed to smaller health districts with local boards that reconnect communities to hospitals and clinics across this city and State—boards that value, and will include, the input of those health professionals who work in our hospitals and who will be empowered to help make those local decisions. We know that local communities can be trusted to make decisions and are best placed to make decisions that respond to local needs.

Today I commit the New South Wales Liberal-Nationals to further measures aimed at tackling the tough times, rather than just talking about them as an excuse. These plans squarely aim at strengthening the New South Wales economy to put growth at the centre of government activity. And make no mistake, the New South Wales Liberal-Nationals are determined to put economic growth firmly back on the agenda of government in this State. We know that without economic growth there cannot be a strong community. We understand that

economic growth is not an end in itself, but that it is the key to allowing individuals to achieve. It provides the jobs and the living standards that people rely upon. It provides the revenue for governments to provide the basic services upon which people depend—schools, hospitals, buses and trains, safe communities, emergency services and the community support they need.

Labor's complacency about economic growth—from its earliest days under Bob Carr through to the present—has hurt our State's economy, our community, our families and their hopes for their future. In the economic State of origin we are not staring down our fourth straight series loss, we have been out-performed by our two closest competitors, Victoria and Queensland, for more than a decade. While New South Wales delivered a budget deficit, in the face of the same economic conditions, Victoria delivered a surplus. While Victoria has spent a decade improving productivity and the delivery of government services, New South Wales squandered its chances. While Victoria has followed a consistent infrastructure plan through changes of government and changes of Premier, here in New South Wales the plans have changed from day to day, from month to month and from year to year, and too little has ever been delivered. And Victoria has not loaded its taxpayers up with the same level of debt and liabilities that will take decades to pay off here in New South Wales.

As Queensland and Victoria worked hard to keep their taxes low, red tape under control and bureaucracy focussed on the economic needs of their States, the New South Wales Labor Government got lazy and complacent. New South Wales Labor took its eye off the ball. While the Premier and the Treasurer like to try to blame the State's poor finances on the international financial conditions, the public knows the truth. Labor's mismanagement of the State's finances and failure to maintain economic growth at the heart of the Government's agenda has cost New South Wales \$17.5 billion in windfall receipts from the economic good times, neither invested in infrastructure nor put away for use in tough times like now. Labor's incompetence has seen New South Wales confront these difficult times in a weaker position than other States.

Labor's introduction of new or increased taxes—whether a vendor tax, stamp duty or land tax—to cover for its financial mismanagement has been disastrous, all culminating in New South Wales becoming less attractive for business investment and a far harder place in which to conduct business compared with our interstate competitors. Despite all the pre mini-budget promises, Labor's bungling of the mini-budget, increasing taxes and charges, and cutting infrastructure projects hurt, not helped, the State's economic interests. The loss of the economic State of origin trophy, the erosion of the attractiveness of New South Wales for business investment and growth is a problem for us all in government, in the community, in business and in the not-for-profit sector. It is especially a problem when, thanks to Labor's waste, mismanagement and complacency we are in the red and we are going to get deeper into the red.

Under Labor's economic stewardship the State's total net financial liabilities will be a massive \$105 billion in 2013. That is \$36,330 for every household in the State; it has more than doubled since 2004. That is a debt that has to be repaid. Labor might like to spend today like there is no tomorrow, but the public knows that they, their children or grandchildren, bear the responsibility of repaying that debt. That is another reason the New South Wales Liberal-Nationals are strongly committed to returning economic growth to this State. To repay Labor's debt will require a strong economy, and a vibrant and productive business sector. It will require a government that prudently applies taxpayers' funds to provide the basic services upon which people rely and the economic infrastructure upon which business depends. It will require a government that focuses all the energies of the public sector upon advancing the economic goals of the State and delivering the services people deserve. As I have said, a strong economy builds a strong community.

The Liberal-Nationals believe this budget was the time to stimulate the economy and start to get New South Wales back on track. Last year, we outlined an economic framework for New South Wales. It includes our economic goals for this State to lead Australia in sustainable economic growth, to be Australia's twenty-first century State, Australia's first place to do business and to make regional New South Wales a place of equal opportunity in this State. We are committed to maintaining a triple-A credit rating, ensuring we fix the State's expense revenue problem, restoring and enhancing the level of front-line services and restoring the accountability of Cabinet Ministers for fiscal direction and infrastructure delivery. As I argued at the time of the mini-budget, without such clear goals decisions can be taken, as they were under this Government, that worsen the State's economic prospects.

In line with our goals, a New South Wales Liberal-Nationals budget on Tuesday would have included a 15 per cent cut in payroll tax for the 2009-10 financial year. It is a stimulus that would assist those small, medium and other businesses that employ two-thirds of all New South Wales employees to maintain their

existing workforces. We know that having a job will determine how the State's families get through these tough times. Cutting payroll tax is also a move that would make New South Wales competitive again by making it more attractive for business investment. Cutting payroll tax is fiscally responsible. As the budget papers demonstrate, for every 1 per cent increase in private sector employment revenues to government increase directly by \$76 million. Payroll tax cuts will stimulate the economy. They will protect jobs and offer incentives to increase employment.

Whether visiting businesses in the Illawarra or the Hunter, Sutherland shire or Wauchope, the same point is made time and time again: Why is government taxing us for employing people? It is a point that small and medium business operators have again made in today's Sensis index, which listed payroll tax as the key reason for their lack of confidence in this State Government. Now is the time to take decisive action in favour of business. Now is the time to take decisive action to protect jobs and grow the economy. Despite Labor's one-size-fits-all global financial crisis excuse for inaction, we should not assume the international economic situation has hit evenly. My concern is that while the New South Wales economy will eventually recover from the global financial crisis, there is potential for long-term scars on communities, and pockets of long-term unemployment that translate into a range of social, economic and personal problems across the State. We need to make sure that money we spend stimulating the economy strengthens communities, particularly communities that are most in need.

To be a government with a conscience, a government that cares and a government that is able to deliver for those who need support, those who face unemployment challenges, those with a disability, the frail, the aged, children at risk, those who need quality medical care and those who need the best education system in the world we have to get the economic levers right. That is why, in a budget delivered by the New South Wales Liberal-Nationals on Tuesday, we would have announced an additional 5 per cent for new or existing businesses in areas of high unemployment, whether in western Sydney, the Illawarra, western New South Wales or other regions of the State, as well as our 15 per cent across-the-board payroll tax cut. With the New South Wales unemployment rate the nation's highest and with a budget forecasting 80,000 job losses next year, cutting payroll tax as I have outlined is a practical, effective way to help families and businesses, but those families and businesses need improved infrastructure and the services that that infrastructure provides.

A failure to effectively plan and deliver infrastructure has a cost—a cost to families, whether in Penrith or Dubbo; a cost to businesses, whether in Tamworth or Camden; and a cost to the State's next generation, wherever they live. At worst, the Labor Party has shamelessly lied to the people of New South Wales about what infrastructure will be delivered and when it will be delivered. At best, the State Labor Government has consistently displayed utter incompetence in the delivery of infrastructure vital to the future of New South Wales, its businesses and its families. On every front—transport, roads, hospitals, schools—New South Wales residents have learned that they cannot trust Labor to deliver.

Earlier this year I announced a review of the barriers to better infrastructure delivery. I said there would be a can-do approach and we would find solutions to the challenges of providing New South Wales residents with the infrastructure they need and deserve. The initial stages of the review have identified the need for a better way to identify, prioritise and deliver—on time, on budget, every time—the infrastructure that this State needs. The New South Wales Liberal-Nationals will establish a new body of independent specialists along the lines of Infrastructure Australia, to be known as Infrastructure New South Wales. Using those with expertise from the public and private sectors, it will identify public infrastructure needs, establish priorities and recommend timelines for delivery; advise on project procurement, contractual arrangements, best practice, delivery and funding models; and ensure that government is armed with the necessary information to give the green light to the State's infrastructure recovery program.

Infrastructure New South Wales will be a one-stop shop that industry, business and even the Federal Government need to re-establish a trusted relationship with the New South Wales Government. It will be the conduit for renewed energy and interest in planning and delivery of infrastructure across this State. Within the first six months a New South Wales Liberal-Nationals government will introduce legislation to establish Infrastructure New South Wales. It will build on the best practice of PartnershipsUK, Partnerships Victoria, Partnerships British Columbia and Infrastructure Australia. Its chief executive will be the State's Infrastructure Co-ordinator General. The co-ordinator general will oversight a highly professional expert staff drawn from both the private sector and the public sector, including Treasury, the Roads and Traffic Authority, Health, and State and Regional Development. An independent board of experts, including people drawn from the regions, will oversight it. Whether the critical project is in the Illawarra, the Hunter, south-western Sydney, the mid North Coast or other regions of the State, its focus will be statewide. I will ensure that my government acts on

every recommendation of Infrastructure New South Wales, or that a public explanation is given on any variations made to those recommendations. Importantly, Infrastructure New South Wales will report directly to me.

No-one should have any doubt that I intend to make infrastructure renewal a cornerstone of my government. We cannot afford to repeat Labor's past mistakes. We cannot afford to miss out again on once-in-a-lifetime Federal funding to help overcome the State's backlog of infrastructure works. Equally, we cannot afford Labor's future mistakes. Nothing better symbolises this out-of-touch Labor Government or Nathan Rees's pig-headedness than the determination to press ahead with the \$5 billion Rozelle metro. Despite critical infrastructure needs across the existing CityRail network, despite the need for rail improvements on the South Coast, in the Hunter, on the Central Coast and elsewhere, Labor insists on pressing ahead with this project—the train to nowhere with carriages that will be as empty as Nathan Rees's promises.

This is a project, the only purpose of which is to save a Labor seat; a project that characterises all that is wrong with Labor's infrastructure planning and delivery, and one that reinforces the need for our Infrastructure New South Wales approach. At a cost of \$5 billion this project could fund the construction of the south-west rail link and a rail link to the north-west from Epping, rail links that would support Labor decisions that have seen populations the size of Canberra visited upon both those growth regions, rail links that have been promised by Labor at every election. Like the Federal Government that refuses to fund it, the New South Wales Liberal-Nationals oppose the Rozelle metro. It does nothing for parents who are spending too much time sitting in traffic gridlock trying to get to work or for young people from south-west or north-west Sydney trying to get to university or jobs. Today I reaffirm that the Liberal-Nationals' commitment to build the south-west and north-west rail links remains firm. I reaffirm our commitment to not proceed with the Rozelle metro. But the sad reality is that the public can expect to see made-for-media signing and sod-turning ceremonies from Labor, along with taxpayer-funded advertising campaigns, prior to the next election, even if little actual progress has been made by March 2011.

Today I call on the Premier not to bind taxpayers into an irresponsible contract without appropriate termination provisions, but instead to include termination provisions like those he oversights as Minister for Water Utilities for Labor's desalination plant, provisions that on a \$2 billion contract provided for the maximum termination payment of \$20 million. Today I say this to provide clarity and certainty: in government we will seek to transfer, through negotiation and agreement, the contractual obligation from the metro project to the proposed rail links we will complete to Sydney's south-west and north-west. Failing that, we will seek to terminate the metro contract. Today I place the onus on the Premier to enter into a responsible contract, one that reflects the electoral cycle and our determination to win the next election, one that acknowledges an incoming government's right to reassign resources to reflect the community's transport priorities—the New South Wales Liberal-Nationals transport priorities—and puts its money where the people most need it: in south-west and north-west Sydney.

Not all of the State's transport needs require billion-dollar solutions. Not all of them are suitable for media drops or packaged doorstops. Perhaps that accounts for them being forgotten. As the parties who stand for the forgotten people of this State, the New South Wales Liberal-Nationals are determined to demonstrate their commitment to such causes and those communities. We know that access to public transport is important. For the most vulnerable in our community, access to public transport is an increasingly difficult challenge. I am talking of people living in rural or regional communities, those who are ill, seniors and those with a disability. That is why it is vital that the New South Wales Government adequately resource its own community transport program. State-funded community transport groups report that 90,000 requests a year for transport services are refused.

Today I announce that one of the priorities of a Liberal-Nationals government will be to boost community transport. In consultation with the community transport organisation we will increase funding to the New South Wales Community Transport Program run by the Ministry of Transport by \$12 million over the next four years. That represents a doubling in funding for that vital program. It would extend services to tens of thousands of transport-disadvantaged people who have missed out on access to these important transport services. The program has been ignored and forgotten by this Labor Government. As its own Ministry of Transport website says, there has been no growth in funds allocated to the Community Transport Program in the past 10 years. We are also absolutely committed to establishing a single point of contact within the Ministry of Transport for the community transport groups to improve communication, data collection and efficiency, and reduce unnecessary administration costs. We will establish an appropriate driver accreditation framework to ensure the utmost safety of volunteers, employees and clients alike.

A budget is an important milestone in the public affairs of New South Wales. It is when a government needs to show the people of New South Wales how it is managing their hard-earned dollars and how it plans to address the challenges confronting our community. In the midst of a recession, with thousands of our citizens concerned about their jobs and their quality of life, there can be no more important task or test for a government. It is a test that those opposite have failed—failed by not being honest about our financial situation; failed by not stimulating and growing the economy and the communities it makes strong; failed by producing no plan for today and no plan for the future; and failed by just doing more of the same, which we have regrettably come to expect from Labor. It has put its political interest ahead of the public's interest.

The people of New South Wales can no longer afford this failure. As they go about their lives and seek opportunities for themselves and their families, and as they grow their businesses, they want a government that is on their side—a government that works as hard as they do and tells the truth, like they do; that believes in a better future, like they do; and that plans for the future and not just for tomorrow. The New South Wales Liberal-Nationals side firmly with the hardworking honest people of our cities, towns and regions. Today we recommit to positive and practical plans to restore our once great State, especially the 100 per cent pursuit of a strong economy and the strong business investment that enables strong communities.

For each of the next 92 weeks and well beyond, our focus will be unchanged and unyielding. We will always put the people of New South Wales first—their hopes, their aspirations, their opportunities. We will do so by understanding that economic growth is the major driver for this economy, the major driver for their future and the major driver for the future of this State. We will never forget the people of this State.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [11.31 a.m.]: "A Labor budget to its last dollar". These were the only believable words that came out of the Treasurer's mouth on Tuesday. It was a budget that saw the Rees Labor Government hoist the white flag and accept that unemployment will rise to 8.5 per cent, costing 70,000 more hardworking people their jobs. The Government has resigned itself to negative growth and an economy in recession. It was a budget that sought to spin the truth rather than deal with substance. It was based on fantasy figures, a work of fiction that would have made Lewis Carroll or Robert Louis Stevenson happy. It was a budget that will force future generations to pay for 14 years of waste, mismanagement and incompetence. It projected that total State sector net debt as a percentage of gross State product will rise to levels higher than in any of the past 14 years, despite the benefit of a decade of \$17.5 billion in windfall tax revenue.

Today the Leader of the Opposition and I outline the alternative budget of an O'Farrell-Stoner government. At its core it reflects our belief that expenditure has to have a purpose, not just to build a stronger economy but also to build a stronger and more cohesive society. So, just as this budget was a Labor budget, in that it was delivered by a Government that has given up on its responsibilities, our alternative budget is every inch a Liberal-Nationals blueprint based on the absolute recognition that the best support we can give individuals, families and communities is a strong economy, and our belief that at the heart of good government is compassion. As I said, it will comprise plans that are designed not just to ensure New South Wales gets through the global financial crisis but that we come out a better and stronger society.

Labor's budget is a document of pure fiction, full of unbridled creativity that would have made the Brothers Grimm blush. I am not talking about Joe and Eric—they are the "Brothers Dodgy". It is a document that shows that Labor is still more worried about fixing the headlines than about fixing the problems. The New South Wales Liberal-Nationals have already expressed our disbelief that a Treasurer who brought expenses growth in at 8 per cent, despite promising six months ago it would be 5 per cent, would now ask people to believe that in just two years he can rein in this figure to 2.8 per cent.

We have expressed our disbelief that a Government that has only once restrained employee expenses growth below 5 per cent, in the year that Michael Costa axed 5,000 public service jobs, now claims that in the year after the next election employee expenses will be miraculously restrained to 3.9 per cent, apparently without a single job loss. When it comes to deceiving people at the ballot box, Labor has form. In 2007 they lied about the state of the budget and they lied about electricity. In the absence of a better explanation we can assume the Rees Labor Government is being loose with the truth again. The only explanation for these figures must be that if Labor somehow wins government in 2011, Nathan Rees will take an axe to public sector jobs.

This was a particularly bad budget for country and coastal New South Wales. To understand Labor's complete contempt for country people we need look no further than the budget for State and Regional Development. Six months ago Nathan Rees announced his Building Country New South Wales program, telling

people he would inject \$85 million of new money into regional New South Wales. This budget showed his announcement was a complete scam. The funding for the program was largely taken from the payroll tax incentive scheme, a scheme that operated in regional areas. What the Government has given with one hand it has taken away with the other.

This week we also saw another demonstration of wrong priorities, with total neglect of rural and regional New South Wales. Long-promised upgrades to country hospitals such as Tamworth, Port Macquarie, Parkes and Dubbo went missing, with health infrastructure funding slashed by a whopping 28 per cent. Funds desperately needed for country roads were simply not there, with the budgeted \$3.1 billion a decline in real terms and a proportional cut in the overall roads budget compared with last year. And this is in a year when the road toll has increased dramatically. At the start of this month there had been a 48 per cent increase in vehicle occupant deaths in New South Wales compared with the same period in 2008. The only response from the rookie roads Minister was to call another summit and outsource the blame for his own mismanagement. It is the sort of media stunt that might have worked a decade ago but the public are now well tuned for Labor's smoke-and-mirrors show.

Country schools will also pay the price. This Government made a commitment to the Federal Government that it would not use the Federal stimulus package to cost shift its responsibility. However, true to form, it has cut the State Government's contribution to school maintenance in real terms, meaning many country kids will continue to learn in substandard conditions and demountable classrooms. However, one area that escaped funding cuts is Labor's advertising budget. Despite delivering less infrastructure per capita than Queensland or Western Australia and despite cutting funding to areas such as health infrastructure and indigenous affairs, Nathan Rees has not hesitated to allocate millions of taxpayer dollars to buying media time. It is straight from the Labor playbook. Do not worry about fixing the problems; just try to fix the headlines.

This budget was not just about a flawed plan, it was also about a flawed man. As many in the Labor caucus and Cabinet agree, Nathan Rees is not the man to lead New South Wales. He lacks the vision for the future and the authority to implement change. Six months ago Nathan Rees asked the people of New South Wales to trust him as he brought down a mini-budget that purported to impose tough decisions for difficult economic times. What we got was tough decisions for everybody except New South Wales unions and Labor mates. While the people living in coastal New South Wales wore \$360 million of cuts to Pacific Highway funding, Nathan Rees could not get Sussex Street to agree to basic reform in the management of two of 31 prisons. The prison officer branch of the Public Services Union rolled him and members of his own caucus joined protests in Macquarie Street, making a mockery of his leadership.

While Sydney commuters pay \$40 million in tolls on the Sydney Harbour Bridge, Nathan Rees lacked the respect of his lacklustre ministry to get it to restrain its profligate spending. John Robertson, the Minister for nothing, scheduled a \$500,000 refurbishment of his office. Joe Tripodi ran up an astronomical \$300,000 in travel expenses in the junket of a lifetime. While public sector employees were asked to consider a wage freeze, Nathan Rees lacked the political capital to cut the size of his Cabinet—a Cabinet that has more Ministers than any other cabinet in Australia, and a Cabinet that has more Ministers than the President of the United States of America has secretaries.

The question now stands: Six months after a disastrous mini-budget—a mini-budget that punished hard-working families but protected Labor's mates—why would the community believe that Nathan Rees is the man to deliver reforms in the best interests of New South Wales? If the Premier's own caucus and Cabinet do not have faith in him, why should the community? Today the New South Wales Liberal-Nationals have continued to roll out positive, practical policies—policies that will not only ensure that we get through this economic crisis but also ensure that we get through it as a stronger and more cohesive society. In January we announced a one-off 15 per cent across-the-board payroll tax cut to long-suffering New South Wales businesses to enable them to employ more people. An arrogant Government dismissed that, but it was well received by the experts and by the community. Stephen Halmarick of Citibank said:

We're going to see a marked increase in unemployment right over the course of this year; if you can lower the cost of employing people, that can help to stem the rise of unemployment.

Kevin MacDonald from the New South Wales Business Chamber said:

Payroll tax is a tax on jobs and a disincentive to business to keep hiring. NSW employers are doing it particularly tough at the moment and they are looking to their elected leaders to provide constructive, prudent and responsible measures to ease the pressure on their businesses.

Paul Howes, National Secretary of the Australian Workers Union, said:

Yes we need to consider ideas which would normally be anathema to Labor Governments—such as payroll tax cuts.

Six months on from this announcement the need for a fiscal stimulus package in New South Wales has not diminished. Economists are predicting positive global growth in the second half of the year and businesses are looking to restock inventories and plan for expansion. We need to target this growth in New South Wales. Today I am delighted to join the Leader of the Opposition in announcing targeted payroll tax cuts of up to 20 per cent to areas of high unemployment for 2009-10. That is an additional 5 per cent reduction in targeted regions of the State.

No-one should assume that the global financial crisis has hit all communities evenly. Regional communities, which rely on industries such as agriculture and manufacturing, have missed out on much of the economic growth of the past decade, but they have been hit equally hard from the economic downturn. Areas such as Taree, Nambucca, Kyogle, Inverell and Gunnedah are experiencing unemployment rates well above the State average. We all know that New South Wales will get through the global financial crisis but the question the Government needs to ask is: How long lasting will the scars be? New South Wales cannot afford to have a generation of young people miss the opportunity to learn a skill or a trade.

We cannot afford to let some towns and cities bear the brunt of high unemployment and all the social problems associated with it. In short, we cannot afford to let the global financial crisis become a social crisis. Targeted payroll tax cuts are exactly the type of measure that people in the community, from western Sydney to western New South Wales, expect the Government to deliver. These communities can be easily identified through the Australian Bureau of Statistics small area labour market statistics. We believe that by injecting an additional \$77 million into the community through targeted payroll tax cuts we will help an estimated 25 per cent of New South Wales towns and suburbs doing it tougher in these tough times.

This initiative would not come at the expense of any other tax incentive scheme or regional development program because, unlike Labor, we do not believe we can fix the problem simply by re-branding buckets of funding. This will be an initiative as warmly welcomed in country and coastal communities such as Wellington, Kempsey and Kyogle as it will be in western Sydney suburbs such as Blacktown, Penrith and Campbelltown, as well as towns in the Hunter, Illawarra and the Central Coast. Today the Liberal-Nationals have announced another policy aimed at helping the elderly and disabled. These are people doing it tough and putting up with second-rate and third-rate government services.

Community transport provides non-emergency transport to members of the community who cannot travel by car or public transport. Services include assisting transport-isolated people to medical appointments, social and recreational activities, basic chores such as grocery shopping, and access to social services. Each year community transport groups carry more than 139,000 passengers over two million trips and travel nearly 29 million kilometres. Of those trips, 680,000 are health related. Community transport groups estimate that they are forced to refuse 90,000 requests for transport to health services every year, which is a disgrace.

The Liberal-Nationals know there is an inequity in funding for community transport providers, in particular in regional, remote and isolated rural areas where there are little or no transport alternatives. Many providers do not receive recurrent funding, resulting in having to turn away people in need of a service taken for granted in the city—that is, transport. This is no surprise considering that there has been no increase in funding since 1998. We can and we must do better. The Liberal-Nationals will increase funding to community transport via the Ministry of Transport by \$12 million over four years. This represents a 100 per cent funding increase over the period.

Whether it is a neglected community transport sector, patients in our public hospitals, children relying on the Department of Community Services, or pensioners who until last week were being slugged for so-called free travel vouchers, too many people have fallen through the cracks under this Labor Government. Our policy reflects the Liberal-Nationals core belief that a strong economy is worthwhile only if it pays a human dividend—delivering quality services to the people in our society who need them most. This morning the Liberal-Nationals also announced that it would efficiently deliver infrastructure in government. We are committed to the creation of Infrastructure New South Wales, an independent agency reporting to the Premier.

As a member of Parliament who represents an electorate that includes a long and dangerous stretch of the Pacific Highway I have seen at close quarters Labor's sheer incompetence in the delivery of infrastructure. It

beggars believe that in 1996 Labor made an ironclad commitment to upgrade the entire Pacific Highway to dual carriageway by 2006. Fourteen years later only 40 per cent of the upgrades have been completed. Through my role as Leader of The Nationals and shadow Minister for Roads, Ports and Waterways, I regularly hear the private sector vent its frustration at doing business in New South Wales. Chief executive officers who call New South Wales their home and who are proud of this State worry that scarce capital is being allocated to projects in other Australian States. The Labor Government in this State is simply too lazy and arrogant to work with them to see their projects through.

The Liberal-Nationals have a fundamentally different approach to the role of business in our community. We do not see business as the enemy; rather, we see it as a valued partner. It is possible to harness its innovation and experience without selling out taxpayers' interests. We cannot let Labor's mishandling of the Cross City Tunnel and Lane Cove Tunnel colour the public's perceptions of business partnerships. It worked in almost every other State where governments put taxpayers' interests ahead of political gain. If we truly value business as a partner and are serious about attracting global capital to New South Wales, we have to start listening to business when it tells us how to improve.

The consistent message from business is twofold. It wants certainty about the project we intend to deliver, which allows business to plan for the future and allocate resources appropriately; and it wants a single seamless point of contact with government. No-one disputes that dealing with government can be like negotiating a complex maze with different agencies, departments and personalities. But the onus should not be on business to unravel the maze. Infrastructure New South Wales will provide business with certainty, project delivery and a one-stop shop for interaction with government. Its independent board will ensure projects are promoted on merit rather than personal expediency. Moreover, this board will include dedicated representatives from regional and rural New South Wales. This will mean that, unlike life under Labor, country and coastal people will have a seat at the table and a strong voice in decision-making.

This budget week has been a tale of two teams. Eric Roozendaal delivered a budget that was Labor to its last dollar. It resigned New South Wales to unemployment and recession, put spin before substance and left future generations to pay off a burgeoning debt. Like a house built on sand, this budget will unravel with time. In contrast, the Liberal-Nationals parties continue to outline positive and practical plans that will not just make sure New South Wales gets through tough economic times, but ensure that we emerge on the other side a stronger and better society with initiatives like targeted tax cuts, streamlined structures of government and more funding for the services to the elderly and disabled. An O'Farrell-Stoner government has two important tenets: the best support you can provide an individual, family or community is a strong economy and a job, and at the heart of good policy additions lies compassion.

Question—That these bills be now agreed to in principle—put and resolved in the affirmative.

Motion agreed to.

Bills agreed to in principle.

Passing of the Bills

Bills declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bills.

BUDGET ESTIMATES AND RELATED PAPERS

Financial Year 2009-2010

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [11.52 a.m.]: I move:

That this House take note of the budget estimates and related papers for 2009-2010.

Pursuant to resolution debate adjourned and set down as an order of the day for a future day.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Routine of Business

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [11.52 a.m.]: I move:

That standing and sessional orders be suspended to permit consideration forthwith of the Legislative Council amendment to the Residential Tenancies (Mortgage Repossessions) Bill 2009 and the Land Acquisition (Just Terms Compensation) Amendment Bill 2009.

The Legislative Council passed amendments to these bills last night. The House was considering the Legislative Council's amendment to the Residential Tenancies (Mortgagee Repossessions) Bill 2009 when Government business was interrupted to allow the Leader of the Opposition and the Leader of The Nationals to present their responses to the budget. I propose that consideration of the Legislative Council amendments continue until their completion.

Mr DARYL MAGUIRE (Wagga Wagga) [11.53 a.m.]: Traditionally the Opposition would oppose this motion. Today is private members' day, which means that members on this side of the House have the opportunity to introduce matters of importance to their electorates. Indeed, members on the other side have the same opportunity. However, these Legislative Council amendments are important and must be dealt with. Bearing that in mind, we will not oppose this motion. However, I place on record that traditionally we would oppose it because private members' day is important to every member in this place. It provides the opportunity for members to highlight critical issues, whether they are budgetary issues or matters affecting the health and social wellbeing of people in our electorates. We do not oppose this motion. The Legislative Council amendments are important and we are keen to discuss them.

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

Motion agreed to.

RESIDENTIAL TENANCIES AMENDMENT (MORTGAGEE REPOSSESSIONS) BILL 2009

Consideration in Detail

Consideration of the Legislative Council amendment resumed from an earlier hour.

Mr VICTOR DOMINELLO (Ryde) [11.55 a.m.]: I am grateful that this amendment will be passed. It is a sensible amendment that brings clarity to the Residential Tenancies (Mortgagee Repossessions) Bill 2009. I have been in this place for only about six months and I am frustrated at the Government's attitude about legislation. As a lawyer my idealism was that both sides of this Chamber worked hard to improve legislation. In the past six months I have worked out that this side definitely works very hard; the other side is absolutely arrogant to the core. Government members should be ashamed of themselves. They walk out of the Chamber because they do not want to hear what I am about to say. I throw back the words Government members used when this bill was introduced. The Minister Fair Trading said a lot of time was spent considering the legislation before introducing it—even though the bill comprises only two pages! It is a disgrace! What on earth is going on?

What annoys me most are the constant stupid comments from the Minister for Emergency Services, and Minister for Small Business. Apparently that is all he has in his repertoire. I am annoyed further when Government members arrogantly respond to our constructive criticism by saying, "Yeah, that's okay." Quite frankly, it is not okay. On Tuesday the member for Baulkham Hills quite rightly said that this legislation has a major problem with the concept of the 30-day free rent period, as it were. The Government responded by saying, "The Government does not accept that there is a need for a clarifying amendment when the law as presently drafted is already perfectly clear." What a joke.

Last night the Government did a complete backflip. How long did it take to work out that the law was not perfectly clear? The Government should have listened to the member for Baulkham Hills and this side of the Chamber. Government members should listen, grow up and make responsible decisions. Government members continue to walk out on their responsibilities not just to this Chamber, but also to the community. It is an absolute joke. That is why I and the people of New South Wales are frustrated. For the sake of the people of New South Wales, I ask Government members to act responsibly for the remaining time they are on those benches. When the Opposition makes responsible and constructive criticism about legislation, the Government should not be as arrogant as it has been for the past 14 years. It takes only a second to take a breath and listen to the sensible ideas from members on this side of the House.

Mr STEVE WHAN (Monaro—Minister for Emergency Services, and Minister for Small Business) [11.59 a.m.]: The Opposition may choose to waste the time of Parliament by making silly speeches—including that last performance, when the Opposition planted an Opposition member on the Government side of the Chamber to giggle at appropriate moments and applaud at the conclusion of the speech by the member for Ryde—but how weak is that? Do we need to see that sort of conduct? The Opposition has taken an opportunity

to make some bipartisan amendments and has tried to turn it into a self-promotion exercise. The Government's overriding concern is to amend the legislation without delay. The amendment provides important protection for tenants and breaks new ground in Australia by the manner in which the issue is being approached. It is the first rent holiday for tenants who are affected by mortgagee repossession, and it is the only arrangement of its type in Australia.

The Government accepted in good faith expert advice that the bill as drafted was sufficiently clear in all its aspects. However, in light of concerns raised by the Consumer Credit Legal Centre, it is entirely reasonable and sensible to clarify a provision that was misunderstood by members opposite. The amendment will remove the unlikely potential for this very sound protection for tenants to be exploited. As we have noticed, that is not enough to prevent members opposite from trying to exploit the amendment. They have been trying to have a silly little game with it. A short while ago we witnessed a ridiculous speech by a very new member of the Opposition. The amendment will clarify the commencement date of the rent holiday for tenants who are asked to leave the premises by a mortgagee. It will make it clear to a tenant that the tenant is entitled to stop paying rent only when the tenant has been given 30 days notice by the bank to vacate the premises.

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

Mr STEVE WHAN: The rent holiday period was never intended to commence as soon as the owner fell behind in repayments, as has been suggested by members opposite, or when the mortgagee issued a notice of default, or when the bank applied to a court to foreclose. The Government's amendment will remove any potential for legal argument and will clarify that the tenant must continue to pay rent until the time the tenant receives 30 days notice from the mortgagee. The rent holiday lasts only for the period of the notice. Parliament really did not need to see the Opposition's silly stunt. The Opposition even planted an Opposition member to sit on the Government side of the Chamber to giggle at appropriate moments and try to stir things up. In contrast to that, the Government is presenting a sensible amendment. Let us process the amendment and get the legislation working for the benefit of tenants in New South Wales. That is what governments do—we make good laws for the good government of New South Wales—whereas members opposite just whinge, whine, giggle and try to amuse themselves.

Mr GREG APLIN (Albury) [12.02 p.m.]: I did not intend to speak again in debate on this amendment but after the Minister's contribution, if one may call it that—it was the most puerile defence of an indefensible position one has ever seen in this House—I must point out that this bill was amended because the Opposition pointed out a serious problem with the legislation when it was introduced on Tuesday night. It was a problem that took me one week to identify and my colleagues only a couple of hours to amplify in the House. As the member for Ryde pointed out, effectively the Government has had 18 months to consider just two points on one page, yet in the 18 months the Government has taken to bring the bill before the House, somehow through a lack of consultation, errors slipped through. During my contribution to debate on the bill, I referred to a lack of consultation on the bill. People whom the Government said it had consulted told me they had had no consultation over the past 18 months since the first concept discussion took place.

If the Government had engaged in proper consultation, it would have found the mistakes in the legislation and corrected them. But instead of recognising the Opposition's constructive contribution, when I implored the Minister to correct the flaws in the legislation on behalf of landlords let alone tenants in New South Wales, the Government chose not to recognise that approach. The Minister in the Chamber has attempted to put down the Opposition's constructive approach to legislation. In doing so, he brings no credit to himself. It is a pity that the Minister for Fair Trading, Minister for Citizenship, and Minister Assisting the Premier on the Arts is not present in the Chamber because on Tuesday night, when realisation of the error suddenly occurred to the Government, she cleverly backed down from stating with certainty that there had been a flaw in the legislation. My exact words were, "Here lies a problem." I elucidated the problem and it was amplified by the member for Baulkham Hills very adequately. We pointed to a problem that existed and would create a lack of certainty. If there is one thing that the State lacks it is the certainty of delivery by the Government.

As we heard from the Leader of the Opposition and the Leader of The Nationals in their reply on the State budget, the lack of certainty attaching to the Government's programs is what holds back the State and undermines every activity undertaken by the spin masters opposite. In this instance, the Opposition sought to inject some certainty into the legislation. We recognised there was a flaw and we pointed out what needed to be done. Protection had to be provided for the landlord because the mortgagee in repossession otherwise would have pursued the landlord for repayments during the so-called rent holiday. The period of the rent holiday,

which on the understanding of the Minister was 30 days, was not defined in the bill as a period of 30 days. The legislation was left open ended. There was no certainty. The significance is that the rent holiday could have extended for two months, three months or four months.

Mr Steve Whan: This is tedious repetition.

Mr GREG APLIN: I pointed this out earlier. The Minister at the table complains about tedious repetition. I reiterate the point because he failed to understand it the first time, and the message still has not got through to him. The Minister should have recognised that there was a flaw in the legislation. The Minister should have been saying, "I recognise the issue. I am glad we were able to amend it." How many times does the Government amend its own legislation? The Opposition has achieved an amendment on behalf of the citizens of the State. A thank you to the Opposition would have been more appropriate from the Minister. The Opposition does not oppose the amendment, because the Opposition asked for clarification. The amendment will bring certainty. I am pleased to have made a contribution to a more sensible legislative outcome. In future, however, I will look for more cooperation from the Government.

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

Motion agreed to.

Legislative Council amendment agreed to.

Message sent to the Legislative Council advising it of the resolution.

LAND ACQUISITION (JUST TERMS COMPENSATION) AMENDMENT BILL 2009

Message received from the Legislative Council returning the bill with an amendment.

Consideration in Detail

Consideration of the Legislative Council amendment.

Schedule of amendment referred to in message of 18 June 2009

Page 4, schedule 1. Insert after line 11:

5 Restriction on compulsory acquisition of land by councils for re-sale

Before approval is given to the acquisition of land by a council for the purposes of resale without the owner's approval because of an acquisition at the same time of other land vested in the council as referred to section (188) (2) (a) of the *Local Government Act 1993*, the council must provide a written explanation to the Minister administering that Act as to the purpose (not being the purpose of resale) for which the other land vested in the council is being wholly or partly compulsorily acquired.

Mr STEVE WHAN (Monaro—Minister for Emergency Services, and Minister for Small Business) [12.06 p.m.], on behalf of Ms Carmel Tebbutt: I move:

That the Legislative Council amendment be agreed to.

Mr CHRIS HARTCHER (Terrigal) [12.07 p.m.]: The Land Acquisition (Just Terms Compensation) Amendment Bill 2009 was introduced as a consequence of a High Court decision involving the Parramatta City Council. The legislation's stated purpose is to resolve issues relating to council powers and issues relating to native title. The Government again and again adamantly insists that the legislation does not in any way affect the High Court's decision in relation to the Parramatta City Council and the Parramatta Civic Place, and that the Government is simply seeking to ensure removal of ambiguity in the interrelationship of a council's powers under the Local Government Act and a council's powers under the Land Acquisition (Just Terms Compensation) Act. The New South Wales Coalition took advice from the affected parties in the High Court case of *R & R Fazzolari Pty Limited v Parramatta City Council*; *Mac's Pty Limited v Parramatta City Council* and from the Parramatta City Council. The Opposition received a letter from the Lord Mayor of Parramatta, which was read into the *Hansard* record of the Parliament. According to the Lord Mayor, the council was not relying on this legislation in relation to its proposal for the Parramatta Civic Place.

Nonetheless, the advice given to us by Senior Counsel, Mr Bret Walker, and the advice provided by Hunt and Hunt, the firm of solicitors engaged by Fazzolari, raised serious concerns about the consequences of the amending legislation in relation to the High Court decision, especially relating to the power of councils to combine the inter-relationship of the Local Government Act and the Land Acquisition (Just Terms Compensation) Act to acquire land not for a community purpose but for the purpose of resale to a developer. That is anathema to the Coalition parties, and the Coalition parties made it clear that they would not, and could never, support legislation of that nature. In accordance with that principle, the Coalition parties divided the House when this matter was determined by the Legislative Assembly only yesterday.

When the bill was first before the Parliament two weeks ago the State Government, through the Deputy Premier, the Premier's office and the staff of the Premier's office, undertook to look at the legal advice to see if it had the consequence that was attributed to it—that is, that it would enable councils to use the power to resume land that they already owned, such as roads, and then act to interrelate that resumption power with adjoining land and so compulsorily acquire the adjoining land even though it was not for a community purpose but for the purpose of resale. Yesterday the State Government indicated to the New South Wales Coalition parties that it would agree to an amendment to be moved in the Legislative Council to clarify its repeatedly stated position that this legislation did not affect the Parramatta City Council case, and that it did not widen councils' powers by ruse to resume land that they already owned which adjoined land that they wished to acquire and therefore acquire that land for the purpose of resale.

Parliamentary Counsel sent a draft amendment at 6.30 last night, but then at approximately 7.50 p.m. sent a further draft that ensured that the amendment was to the land acquisition Act and not the Local Government Act, as originally drafted. The matter then came on for debate in the Legislative Council. In the Legislative Council the Hon. Greg Pearce, on behalf of the Coalition parties, made it clear that the Coalition would never support legislation that allowed councils to resume properties simply for the purpose of a commercial dealing with developers. The Coalition maintained the view that councils' powers to resume land should be only on just terms for a community purpose. We will maintain that principle.

At the same time it must be understood that the compulsory acquisition notices issued by Parramatta City Council had expired. They were not revived by this bill and therefore had no relationship to the bill. According to the legislation and the Government's legal interpretation of it, the powers of Parramatta City Council would not be expanded or enhanced by this bill. So the issue relating to the parties who contested in the High Court the compulsory acquisition notices issued by Parramatta City Council would not be changed or affected. This does not stop Parramatta City Council seeking to further negotiate with the owners for the purpose of the construction of the civic square. As is made clear in the letter from the lord mayor, Parramatta City Council intends, as a public-private partnership, to work with the existing owners, including the owners who brought the High Court action, to resolve the matter and to ensure that the civic square goes ahead. At no stage has Parramatta City Council indicated to the Parliament or to the Coalition parties that it will somehow seek to use an imputed power which the legislation may, on some constructions, have given to it to overturn the High Court decision or to ensure that it resumes the Fazzolari and Mac's land simply for the purposes of resale.

The Government's position, stated repeatedly, is that this legislation will not affect the parties in Civic Place and that it was designed to achieve two objectives: to ensure the ongoing position of councils to resume land for community purposes, and to ensure that issues relating to native title are resolved. Accepting that understanding in good faith, accepting advice from Parliamentary Counsel that the amendment was designed to achieve that, and accepting the Government's clear statements time and time again that this will not in any way act as an affectation, the New South Wales Coalition agreed that the amendment should be assessed in Committee in the Legislative Council. That view was adhered to not just by the Coalition but also by a number of crossbench members. On behalf of the Shooters Party the Hon. Robert Brown said:

After inspecting the amendment I am sure it will fix the problem. The Government has assured me that it believes that to be the case and that it will support the amendment. I hope everybody has told us the truth tonight.

On behalf of the Government, the Hon. Henry Tsang said:

The Government is confident that the bill did not go further than intended ... The Government remains satisfied that the Local Government Act is unambiguous: councils can acquire land only for a purpose related to the exercise of a council function. Nonetheless, the agreed amendment will make councils' obligations crystal clear. The Government agreed to this amendment because it is vital that the scope of a public authority's powers to acquire native title interests is clarified by the bill, regardless of one's views about the Civic Place project in Parramatta.

That is the Government's stated position, that is the crossbencher's stated understanding, and that is Parliamentary Counsel's advice about the amendment. On the basis that councils' powers to acquire land, and

certainly not to acquire land for the purpose of resale to a developer, will not be extended, the amendment was accepted by the New South Wales Coalition in the Legislative Council. If that turns out not to be the case, the New South Wales Coalition, when in government, will move to have the legislation appropriately amended. If the Government has acted in bad faith—I do not attribute bad faith to the Government—or if it turns out that the advice given to the Government is wrong, and if the legislation and the amendment, which was moved to ensure that the legislation was made clearer, are wrong and councils, by interaction of the Local Government Act and the land acquisition Act, have a power they should not have, that is, to acquire land predominantly for the purpose of resale to a developer, that is anathema not only to the Coalition but also to the people of New South Wales. A Coalition government would never tolerate that. Certainly, a Coalition government would not rest until the legislation was overturned and the problem was rectified. The Coalition will never resile from that position.

The Coalition has the advice of Parliamentary Counsel and the ongoing assurances of the Government, and is also aware of the continuing position of Parramatta City Council, as stated by the Lord Mayor, that it does not seek to use an artifice in relation to the legislation, or to rely upon the legislation for that purpose. That has been stated by speaker after speaker, by me, by the member for Barwon and by the Hon. Greg Pearce in the Legislative Council, on behalf of the Coalition. The Coalition adheres to and accepts the principle that public authorities have the power to acquire property for a public purpose, but they have no power to acquire for a private purpose, which includes simply a resale to a developer. The Coalition and its actions should be clearly understood and seen in that light.

If the amendment does not achieve that purpose, the Coalition will not only raise its voice but will take the appropriate action to ensure that the legislation never vests such a power in councils. The mere wording of the amendment makes it clear. It is headed "Restriction on compulsory acquisition of land by councils for re-sale". A matter of concern to some crossbench members in the Legislative Council was the wording "the council must provide a written explanation to the Minister administering that Act as to the purpose (not being the purpose of resale)". In other words, even before a council can ask a Minister to issue a compulsory acquisition notice, which the council cannot do itself without the Minister's permission, it must make it clear to the Minister that it is not seeking to do so for the purpose of resale. That is set out in the amendment. A notice would therefore clarify whether an acquisition is for profit or a private purpose.

That step is now spelt out in the legislation. I do not attempt to give ad hoc legal advice, but surely, following on from the High Court's decision, if a council acts mala fide, in bad faith, and gives a false written explanation to the Minister to justify the issue of a compulsory acquisition notice, so that the acquisition notice is designed to achieve the purpose of resale for a private purpose, that could be overturned in a legal challenge because the council would have acted outside its own powers, which are limited to acquisition for a community purpose. The legislation and the amendment, on the advice given, seek to clarify that point.

I understand the concerns of some people, but the Coalition's position is not simply one of opposition. The Coalition upholds both the right to hold private property and the right of public authorities to take private property on just terms, where it is required for a public purpose. The Coalition does not acknowledge any other right in public authorities. The Coalition relies upon the assurances given in Parliament that this legislation, once clarified by the amendment, does not extend to councils a power to acquire land for purposes that are private and not public. Relying on that assurance, the Coalition has accepted the legislation and the amendment. But if it becomes clear that that is not the case, the Coalition will certainly be taking appropriate action in Parliament to have it overturned.

Mrs JUDY HOPWOOD (Hornsby) [12.25 p.m.]: I will speak briefly to the amendment, headed "Restriction on compulsory acquisition of land by councils for re-sale", to the Land Acquisition (Just Terms Compensation) Amendment Bill 2009. I do so in light of the Housing Strategy presented to the community in Hornsby, and I would be abrogating my responsibility as its representative if I did not do so. When this legislation was first mooted and introduced it set off alarm bells for people everywhere who own property which is facing potential rezoning by council. The Government's expectation of Hornsby council, in particular, is that it will increase the area's population density by providing for an additional 11,000 dwellings by 2031. When Hornsby council placed on exhibition the housing strategy on 16 March it caused horror and alarm up and down the length and breadth of the Hornsby electorate.

Literally hundreds of people have expressed their concern in letters and emails to the Leader of the Opposition, the member for Epping and me. People are alarmed that their area will be changed so dramatically by the introduction of five-, eight- and ten-storey dwellings. When I noted the content of this legislation I was

horrified. It may have been introduced for other reasons, in light of what is happening in Parramatta, but its impact on the people in Hornsby could be absolutely catastrophic. I will not go into the chronology so eloquently described by the member for Terrigal, but I will read the amendment:

Before approval is given to the acquisition of land by a council for the purposes of resale without the owner's approval because of an acquisition at the same time of other land vested in the council as referred to section (188) (2) (a) of the *Local Government Act 1993*, the council must provide a written explanation to the Minister administering that Act as to the purpose (not being the purpose of resale) for which the other land vested in the council is being wholly or partly compulsorily acquired.

I too hope that the Government's intent with this legislation that areas compulsorily acquired by council will not be for resale to a developer will allay community fears. If not, it will completely destroy any semblance of faith in the Government by my community, if it is not already destroyed. Whilst the Opposition does not oppose this legislation, and takes on board the assurances of the Government and the advice of Parliamentary Counsel, it definitely upholds the right of private property owners that if land is compulsorily acquired it will be for public use and not for resale or private purposes. I will give information to my community that the legislation, on the advice of the Coalition, has been re-looked at by this Government. We all hope that the Government has acted in good faith by changing this piece of legislation and that it will not let down the people of New South Wales if the legislation does not achieve its objectives.

Mr STEVE WHAN (Monaro—Minister for Emergency Services, and Minister for Small Business) [12.28 p.m.], in reply: In relation to the Land Acquisition (Just Terms Compensation) Amendment Bill 2009, I will reiterate some of the points made by the Hon. Henry Tsang, the Parliamentary Secretary, in the Legislative Council last night in Committee. The Government remains satisfied that the Local Government Act is unambiguous. Councils can only acquire land for a purpose related to the exercise of a council function. Nonetheless, the amendment is supported as it simply makes councils' obligations in this regard crystal clear. The Government supports the amendment because it is vital that the scope of the powers of a public authority to acquire native title interest is clarified by the bill as soon as possible.

There was a rather long and tortuous explanation from the Opposition as to why it has done a backflip from opposing this bill outright in this place the other day and opposing the jobs that were going to come with it to a position where now, with an amendment agreed with the Government, it is willing to support it. I will not go into that too much. However I note that this Government remains absolutely committed to creating jobs in New South Wales and assisting communities to avoid the worst of the worldwide recession. I commend the amendment.

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

Motion agreed to.

Legislative Council amendment agreed to.

Message sent to the Legislative Council advising it of the resolution.

SHOALHAVEN RADIOTHERAPY SERVICES

Mrs SHELLEY HANCOCK (South Coast) [12.30 p.m.]: I move:

That this House:

- (1) notes the community support and fundraising efforts for the provision of a linear accelerator in the Shoalhaven area;
- (2) calls on the Treasurer to approve an initiative of the area cancer plan which supports the provision of a linear accelerator in the Shoalhaven; and
- (3) calls on the Member for Kiama to support the linear accelerator project in the Shoalhaven area and support his community on this issue.

It is very timely that, a year after giving notice of this motion, it has finally reached this place for debate. The State budget that was handed down on Tuesday not only failed to include any funding for a linear accelerator for the Shoalhaven but also failed to provide any kind of strategic plan for the provision of the 27 linear accelerators required in New South Wales by 2012, as indicated in the New South Wales Cancer Council report. Only two

weeks ago in this place I raised the problems identified by the New South Wales Cancer Council in a report it released this month. Its conclusions are indeed serious. In short, the report indicates that only 36 per cent of patients in New South Wales will receive the radiotherapy services they need due to the lack of facilities.

Very often the problems they face are due to the distance they have to travel to access those facilities, including the cost of having to travel to a facility that is some distance from their home and the effect of that on their families. The Cancer Council report also indicated that between 1996 and 2006 something like 51,000 cancer patients who were eligible for radiotherapy did not receive it due to a lack of resources. This amounts to nearly 40,000 additional years of life lost in New South Wales during this period because patients did not receive radiotherapy. These are indeed serious statistics and something that the Government has failed to respond to adequately.

Further to these statistics, the Cancer Council indicated that the projected number of new notifiable cancers is 43,450 by 2012, rising to 50,690 cases by 2017. Disturbingly, according to the Cancer Council these figures relating to radiotherapy services indicate that by 2012 New South Wales will require an additional 27 linear accelerators. It does not seem that the Government has any plan at all to address that issue. The Cancer Council report is an indication that the Government has failed to plan for radiotherapy services in New South Wales and the Minister's response to the report reveals that he obviously has no real concern for cancer patients in this State. In his response the Minister talked about recovery rates from cancer in this State, without any reference to patients who may not survive due to the lack of services in this State, and the State's negligence and failure to plan for health facilities.

With respect to my motion today I will focus particularly on the Shoalhaven region and the fundraising efforts of the Shoalhaven community to date, which have resulted in the raising of almost \$800,000 towards the provision of a linear accelerator in the Shoalhaven area. The linear accelerator will enhance cancer services presently provided at the Milton hospital and the Shoalhaven hospital. Donations large and small have come from a wide variety of sources, from all sectors of the community, a community that has willingly rallied behind the cause of the provision of a linear accelerator in the Shoalhaven.

Some years ago—I have spoken previously about this in this place—Shoalhaven City Council formed a linear accelerator committee, which oversees funding and continues lobbying the Government for the project. I pay tribute in particular to the late Ray Cleary, who witnessed the trauma suffered by his wife Zita, who was forced to travel to Wollongong for therapy. He was determined that he would work towards the provision of a radiotherapy service unit in the Shoalhaven. Ironically, Ray was to lose his life to cancer, but his wife, Zita, who has survived cancer continues Ray's work and has dedicated herself to this cause. The former mayor of the Shoalhaven and indeed the current mayor, Paul Green, are also strong advocates. Everyone, from the council to the communities who have raised funds and willingly given, feels much frustration because of the lack of response from this Government in respect of the linear accelerator unit.

Radiotherapy services are required urgently in the Shoalhaven due to considerable and stressful travelling times for patients who must commute to Wollongong on a daily basis. For patients south of Nowra it could be a six- or seven-hour round trip for very brief, but tiring and stressful, radiotherapy treatment. I make reference to an area cancer plan, which has not yet been released—as many suggest, it is probably sitting in the health Minister's bottom drawer—which suggests that a linear accelerator in the Shoalhaven is justified due to growing population and the relatively high number of new cancers diagnosed each year. Key cancer clinicians formulated the plan—they know it exists, they have seen it—and they feel enormous frustration with the Minister's negligence in not releasing it and not supporting its provisions.

This morning on ABC Illawarra one of the region's most senior cancer clinicians was, to say the least, highly critical of the Government's negligence regarding the provision of linear accelerators, not only in the Shoalhaven but also in the Illawarra. The latest announcement by the Minister of a new unit in Wollongong failed to mention that this was a replacement or upgraded unit, leaving cancer patients in the Illawarra region with long waiting lists and waiting times to access treatment. Members opposite from the Wollongong area might be interested to know, although they are not listening, that this morning a cancer patient from Wollongong rang to say that she has been informed that she will have to wait nine weeks for radiotherapy services. She has just completed chemotherapy, but the waiting time to access radiotherapy in Wollongong is nine weeks. I suggest that every member opposite would agree that that is totally unacceptable. They should show some sympathy and compassion for cancer patients, not only in their region but also in the Shoalhaven.

The Government needs to plan strategically and urgently for the provision of linear accelerators in this State. If it does not and if it believes the Cancer Council, it will continue to put patients' lives at risk.

Government members should read the report; I doubt that they have. I have called on the Minister many times to release his area plan and to respond to the Shoalhaven community, but to date there has been only stony silence from the Government, which continues to dismay and discourage those in the community who have so willingly supported this cause for many years. I note the member for Kiama is in the Chamber and I look forward to hearing his response on behalf of his community.

I turn to paragraph (3) of my motion, which calls on the member for Kiama to support the provision of a linear accelerator in the Shoalhaven. The northern areas of the Shoalhaven form part of the electorate of Kiama, which is a something that the member for Kiama sometimes forgets. People diagnosed with cancer and living in the towns and villages of North Nowra, Bomaderry, Kangaroo Valley, Cambewarra, Meroo Meadow, Bolong, Berry, and even Kiama, all of which are within the electorate of Kiama, would benefit from receiving radiotherapy services in the Shoalhaven. Following my comments this morning I would expect the member for Kiama to be jumping to his feet to support this initiative, but I have been very surprised by the member for Kiama of late, who has continued through his silence—and his continued silence on this issue—to fail his constituents. I have called on him before and requested that he join the linear accelerator committee and become involved in the fundraising process. I hope that the comments that he is about to make in this House show that he supports this initiative.

In conclusion, I reiterate the critical need for the Government to address the shortage of linear accelerators throughout New South Wales. There is no response in the budget to the need for another 27 linear accelerators in this State, let alone the additional need in Wollongong and the Shoalhaven, or at least the need for a radiotherapy unit in the Shoalhaven. The case for a linear accelerator is justified. The statistics have been compiled. They were part of a consultation process with key clinicians in the area many years ago. That process has taken into consideration the population numbers and the population growth, so the case is quite clear. I reiterate that the distance to Wollongong that many members of my community and the community of Kiama must travel means that many patients do not access radiotherapy services. They face travel for long distances and extra costs, which affect family lives. This means that lives are being lost or at least that recovery rates are not as good as they could be, contrary to what the Minister has said previously in this place.

Mr MATT BROWN (Kiama) [12.40 p.m.]: I am pleased to be able to speak to this motion. It is unfortunate that it has been politicised and that the member who moved it has engaged in adversarial politics. But that is the way the member for South Coast wants to deal with these quite complicated matters, which are very sensitive to the communities that she and I represent. It is the outcomes in the battle against cancer that matter; we are doing extremely well on the South Coast and in fact throughout New South Wales.

I reassure patients and their families who are dealing with the diagnosis of cancer that New South Wales has one of the best cancer treatment systems in the world. For the member for South Coast to say that there is no plan is a slap in the face for all the hardworking clinicians and staff who work in this area. I suggest that she apologise to them. I have spoken to many of them in the past and they are very committed to positive outcomes and to providing services to those in the community who are suffering from cancer. They are working very hard to ensure that there is a plan. They acknowledge that it is very tough for people who are battling this insidious disease. In an area of clinical services such as cancer treatment there is always more that can be done.

I am certainly aware that the community that I represent and the greater Shoalhaven community have a Shoalhaven linear accelerator and cancer treatment fundraising committee. It was initially chaired by the former mayor and is currently chaired by the present mayor and managed through the general manager's office of Shoalhaven City Council. In fact, I have attended those meetings in the past and have always been very supportive of the efforts of this committee. I often meet delegations from council and other members of the committee to try to progress the need for a linear accelerator based at Shoalhaven hospital. I do not try to politicise this matter in a way that will be counterproductive for the many people who are putting so much time and effort into the committee.

I support the outstanding efforts of members of the Shoalhaven community who have been advocating for increased cancer services in the region and who continue to raise funds. It is testament to the importance of this issue that nearly every charitable group in the area donates funds to the linear accelerator fundraising committee. These are not just service clubs such as Rotary or Lions; these include garden clubs, Country Women's Association groups and the like. The whole community is very focused on raising funds for a linear accelerator based in the Shoalhaven.

I recognise there is a need for radiotherapy services on the South Coast and the need is growing. I am committed to working with the Government and those in the community who are fair dinkum about this to

secure the provision of these services for the Shoalhaven. I can inform the House that public cancer patients in the Shoalhaven area requiring radiotherapy are generally referred to the Illawarra Cancer Care Centre unless more specialised services at alternative facilities are required. We have to take into account the best possible services to patients in the Shoalhaven who require them. There is an impact on any family with a member who requires this sort of care because it involves extensive travel every day, but the most important thing is the outcome of the treatment. Hopefully it will be successful. I also acknowledge the wonderful work that Ray Cleary has done and about which I have spoken in this Chamber.

Currently the Illawarra region has two linear accelerators based at Wollongong Hospital. One of these linear accelerators is currently being replaced to ensure access to the latest technology to deliver radiotherapy. There is no doubt about the expense of this sort of treatment, but it is important that we provide the citizens of the South Coast with the very best that technology has to offer. The Government has supported significant investment in these services over the past 10 years and is committed to appropriate infrastructure development to respond to future growth in demand for cancer services.

The recent Federal budget commitment of \$560 million to build a network of up to 10 regional cancer centres across Australia is welcome news. The New South Wales Government will be well placed to submit tenders for these centres once the process is finalised. We are working closely with the Federal Government to improve the treatment options available to cancer sufferers across New South Wales. The Government certainly acknowledges the role of radiotherapy as a method of treating cancer and recognises that there is always room to improve. There is room to improve the technology in our hospitals, room to improve the training of our clinicians, and there is definitely room to improve in reducing travel times and other factors that make this sort of treatment very difficult for many patients.

I have had numerous meetings about this proposal over the years. I am still committed to this goal. I have spoken to the heads of area health services, the Director General of Health and the Minister for Health and supported all those communities that are raising funds. For the member for South Coast to try to politicise this matter and speak in the most aggressive tones in this Chamber about this most sensitive program does not assist the cause at all. Therefore, I move:

That the motion be amended by leaving out paragraphs (2) and (3).

Both the Government and I remain committed to responding to the need for services as part of a statewide approach to improving patient care for the members of all communities in New South Wales. The community that I have a lot of empathy and concern for is the community I represent, particularly those residents in the Kiama electorate who live in the Shoalhaven.

Mr DARYL MAGUIRE (Wagga Wagga) [12.48 p.m.]: Lack of response from Government with regard to access to radiotherapy is nothing new. I can speak from great experience, having had to head a fundraising campaign to build a radiotherapy centre in Wagga Wagga with a private entity, which public patients can access. I speak from experience when I say that the road that this community has to travel is long and tough. I congratulate the committee, all the people involved and the local member on helping to drive this centre. I am disappointed that the member for Kiama has not sought to be part of this campaign. Indeed, the committee came to visit our radiotherapy centre just a month ago and I was disappointed to note that the member for Kiama did not attend. He was invited to attend to see firsthand how these radiotherapy centres work.

I took umbrage at the earlier comments of the member for Kiama relating to travel. Patients who are severely unwell are required to travel daily for up to six to eight weeks to receive their treatment, which is why it is important to build a radiotherapy centre in the Shoalhaven electorate. Up to 30 per cent of patients choose not to access such treatment and, sadly, that results in unnecessary deaths. That is what was occurring in the Riverina region because the Government chose not to respond. We built our linear accelerator and we are treating up to 60 patients a day using a model that suits our community. Members of the Shoalhaven community have decided that a publicly funded model is the right model for them and they are putting their shoulders to the wheel to raise the millions of dollars that are required to build that facility.

I am disappointed in the member for Kiama who said that this important motion had been politicised. This motion has been moved to highlight this Government's inability to respond to important issues that have been raised. It would be a travesty for all communities in New South Wales if their elected members were no longer able to raise and to air such important issues. Members of the Shoalhaven community visited Wagga Wagga and were taken through the whole process that our community went through. Sadly, other communities

who were discussing the possibility of establishing linear accelerators in their towns are still waiting because of this Government's procrastination. This Government has refused to negotiate or to enter into sensible dialogue to achieve these desired outcomes sooner rather than later.

As I said earlier, people who are unwell are required to travel in order to receive their treatment. Travelling to obtain the necessary radiotherapy and renal dialysis services saps the energy of these extremely ill patients. There is also a cost to the Government in the form of the Isolated Patients Travel and Accommodation Assistance Scheme—a cost that could be saved if a linear accelerator were built in the Shoalhaven electorate. Rather than amending this motion the member for Kiama should have said, "I understand the need for this linear accelerator and I want to be a part of this project." The member for Kiama was right: all those community groups will rise to the challenge and raise the necessary funds because they understand, and the member for South Coast understands, the importance of this project.

I will take the member for Kiama on a tour of the Wagga Wagga radiotherapy centre where he will see for himself that up to 62 people are being treated each day. People from New Zealand, Queensland and all over Australia attend that radiotherapy clinic because the other clinics are clogged. Wollongong will benefit if all members support the establishment of a radiotherapy centre in the Shoalhaven. It will free up the backlog by enabling patients to be treated in Nowra, and it will enable the treatment of additional patients in the region and relieve the pressure on other radiotherapy centres. It will bring excellence to the town, as doctors and others who treat cancer will be located there. It will also bring skilled staff to these areas and, believe it or not, those communities will gain out of something as sad and as debilitating as cancer.

People from outlying areas would also require accommodation. Wagga Wagga raised \$2 million to build the required accommodation and it raised \$4 million to build the radiotherapy centre, but not a dollar of government money was received for those projects. For a number of years we fought tooth and nail to enable public patients to access chemotherapy services in the radiotherapy centre. The model that we chose has proved to be a great success. I urge all members to support the models that are chosen by their communities and to be a part of such important projects. The member for Kiama said earlier that the member for South Coast politicised this debate, which is untrue. This forum is the place in which we bring urgent matters to the attention of the Government. I urge the member for Kiama to support this motion.

Ms NOREEN HAY (Wollongong) [12.53 p.m.]: I draw to the attention of the member for Wagga Wagga the gaping hole that was left in Wollongong Hospital by the former Liberal Coalition Government. It did not complete the promised cancer unit and it left the hospital with nothing. The New South Wales Labor Government completed the building of the promised cancer unit. The former Coalition Government left Shoalhaven hospital in a state of disrepair and decay but the New South Wales Labor Government rebuilt the hospital into the fine facility that it is today—a facility that is able to offer the kinds of services and facilities to which members have referred today. Radiotherapy services are highly specialised, require large investments for their establishment, and require a specialised workforce.

Radiotherapy is usually delivered in conjunction with surgery and chemotherapy, and radiotherapy services are to be delivered as part of a comprehensive cancer care service. It is important to remember that radiotherapy is one method of treating cancer. A patient's doctor will recommend a course of cancer treatment that can include any treatment, or a combination of surgery, chemotherapy and radiotherapy. A specialised workforce of doctors, allied health professionals, scientists and nurses are required to run these services. To establish a two-bunker public sector service initially with one machine operational would cost in the order of \$25 million to \$30 million in capital funds. The estimated recurrent funding per annum per linear accelerator is \$2.3 million.

Planning and developing new radiotherapy services is undertaken in a way that considers demand across the State. Consequently, these services cannot be provided in all hospitals. Major cancer services are networked with other cancer services across New South Wales to ensure that people have access to carers close to home, wherever possible. New South Wales has some of the best outcomes for cancer patients in the world. Reports from the New South Wales Cancer Institute show that over the past decade cancer death rates have fallen by 16 per cent in men and 10 per cent in women. But we are always mindful of the fact that we can do more to improve these survival rates.

This Government has overseen real increases in access to cancer services with the number of linear accelerators in the public sector increasing from 25 in 1997 to 34 in 2008. That is an increase of more than 30 per cent over the past 10 years. New South Wales has more radiotherapy machines per head than our

neighbours in Queensland, the United Kingdom and much of Europe. There are now 13 public radiotherapy treatment services across New South Wales, including Port Macquarie, Coffs Harbour, an additional linear accelerator at Royal Prince Alfred Hospital, and two additional machines at Calvary Mater Newcastle hospital. These are all recent examples of achievements in an important area of health service delivery.

As the member for Kiama said earlier, we want to see as many services and resources as possible in this important area. However, I remind members that the New South Wales Labor Government brought state-of-the-art treatment closer to people in electorates such as Wollongong and Kiama. I remind members that under the former Liberal Coalition Government patients in Shoalhaven would have had to travel to Sydney for treatment, as no treatment facilities were available in the Shoalhaven or in Wollongong. The former Liberal Coalition Government sat back and allowed patients to travel from Shoalhaven to Sydney. I note the recent report of the Cancer Council. The Government is anticipating the Auditor-General's review of the management and provision of radiotherapy services in New South Wales. I am sure that will be a comprehensive assessment.

In the battle against cancer it is outcomes that matter, and this Government is doing extremely well. I reassure people and families dealing with the diagnosis of cancer that New South Wales has one of the best cancer treatment systems in the world. This Government acknowledges the role of radiotherapy as a method of treating cancer and it recognises that there is always room to improve. This Government is moving forward, improving and providing state-of-the-art facilities as best it can in these difficult economic times. It is galling for Opposition members to criticise Government members on their achievements in this area.

Mrs JUDY HOPWOOD (Hornsby) [12.58 p.m.]: What a pathetic deliberation from that side of the House about the massive need to improve access for cancer patients. In my 34 years of nursing experience I have seen firsthand the absolute need to provide adequate cancer treatment for people in New South Wales. Many experts agree entirely with that. The pathetic amendment of the member for Kiama that seeks to remove the responsibility of the Government to provide a linear accelerator in the Shoalhaven is a glib comment on the needs of local people. His amendment will remove the New South Wales Government's responsibility to provide essential care to that region. It is absolutely astonishing that the member's amendment seeks also to delete paragraph (3) of the motion, thereby removing his responsibility to ensure that the linear accelerator is provided to the community that needs it. That is an appalling abrogation of healthcare responsibility in this State. I am absolutely shocked that two members, who should know better, do not support the motion of the member for South Coast.

Mr Daryl Maguire: They have abrogated their responsibilities

Mrs JUDY HOPWOOD: As the member for Wagga Wagga says, they have abrogated their responsibilities by amending this important motion.

Mr Daryl Maguire: Weasel words.

Mrs JUDY HOPWOOD: Their comments are weasel words. Their response to this important motion is absolutely appalling. I call on the Government to re-examine its ethics and examine its contribution to providing the necessary adequate care for those with cancer. When cancer is diagnosed it is one of the most concerning and worrying times in the lives of patients, their family and friends—it is distressing and stressful. Obviously, the member for South Coast has received many representations about the need for this equipment. But the Government blithely wipes them away as if they are not important. The Government simply removes its responsibility to accede to the requests of the people of New South Wales to provide a linear accelerator. The member for Kiama has abrogated his responsibility also. What exactly has he done—attended a few meetings, or perhaps one meeting? Is he lobbying the Minister for Health or the Parliamentary Secretary Assisting the Minister for Health? I have not heard about it. His remarks are glib and mean and certainly do not reflect people's expectations of excellence in health care in this State.

Mrs SHELLEY HANCOCK (South Coast) [1.01 p.m.], in reply: I note that the member for Kiama has left the Chamber, as has the member for Wollongong. Perhaps the member for Kiama does not want to hear my comments about him. He accused me of being political, adversarial and aggressive about cancer treatment. On the issue of cancer, those three attributes could not be further from my mind. I take cancer and its treatment extremely seriously. My daughter was diagnosed with cancer three years ago. I am not aggressive, political or adversarial about cancer. This is the only way I can raise the issue in this House and get the member for Kiama—who has now fled the Chamber because he wants to have his lunch—to tell the people in his community whether he supports the provision of a linear accelerator. But all he has done is move an amendment to my motion that indicates he does not support a linear accelerator. He has no intention of lobbying the Treasurer for the provision of a linear accelerator. Off he goes; he does not care.

The absolutely puerile and pathetic comments by the member for Kiama during the debate were beyond belief. It is not true that I am being political and adversarial on this serious issue. The member for Kiama said people are doing well on the South Coast. Indeed they are, because we have wonderful nurses and doctors working in this field. It is a lie to suggest that I am slapping clinicians in the face and criticising them. That is a puerile statement from the member for Kiama. I talk to cancer clinicians, doctors and nurses almost daily. I am a member of the Regional Cancer Council Advisory Committee. No other member from the Illawarra—or any other member of Parliament for that matter—serves on that committee. It is just me. The member for Wollongong and the member for Kiama do not support the enhancement of cancer treatment in their own electorates. The member for Kiama has a lot to answer for, but he has no response so he has fled the Chamber.

The member for Kiama talked also about meeting with the linear accelerator committee, lobbying the Minister and lobbying the area health services director. What a failure! If the member for Kiama has been on his hobbyhorse lobbying all those people, he has obviously failed to deliver. This project has been around for four or five years. Supposedly, the member for Kiama has spent all that time lobbying, yet he has failed to secure the support of his Treasurer and his health Minister for the project. I am not aware of any of his lobbying efforts. In fact, he never makes a public statement about this issue. Yet he accuses me of using this topic as a political football. This is the only way I could draw him out on the issue. Now, by his comments, he has indicated that he does not support the provision of a linear accelerator.

I am amused by some of the things that the member for Kiama said this morning. He said that public patients are referred to the Illawarra Cancer Centre. Yes, of course they are—that is the whole point of this debate. Sometimes that involves a six- or seven-hour round trip for patients who are already distressed, having just completed chemotherapy. The member is admitting that the lengthy trips will continue. He failed to address some of my comments about waiting times at Wollongong. A lady who rang the local radio station this morning said that she has to wait nine weeks to commence radiotherapy treatment in Wollongong. Would it not relieve the situation if radiotherapy services were available in the Shoalhaven? Of course, the member for Kiama did not even respond to that point. All he could do—like every other Labor member in this place—was read from his typed speech. The member for Kiama recognised that more could be done and he recognised the need. He said that he has spoken to many people, but obviously he has failed to do so. His amendment to the motion is extraordinary as it removes his responsibility to stand up for his community.

I referred to the number of villages and towns in the northern Shoalhaven area, even as far north as Kiama, where cancer patients would benefit from local radiotherapy services. The point is that people are opting out of radiotherapy services because they have to travel long distances, which affects their families. Sometimes it is too costly. It is just too difficult. It is extraordinary for the member for Wollongong and the member for Kiama to suggest that radiotherapy is just one kind of treatment—as if it is an optional extra—because 50 per cent of cancer patients require radiotherapy. The Cancer Council report suggests that 36 per cent of patients will not access radiotherapy services because of a lack of facilities. Yet the member for Wollongong and the member for Kiama say this Government is doing well in providing radiotherapy services. They went into ancient history and talked about what the Coalition did not do in government. The point is that cancer patients are suffering now, and this Government is doing nothing.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 46

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

Noes, 31

Mr Aplin	Mr Hartcher	Mr Roberts
Mr Baumann	Mr Hazzard	Mr Smith
Mr Besseling	Mrs Hopwood	Mr Souris
Mr Cansdell	Mr Humphries	Mr Stokes
Mr Constance	Mr Merton	Mr J. H. Turner
Mr Debnam	Ms Moore	Mr J. D. Williams
Mr Dominello	Mr O'Dea	Mr R. C. Williams
Mr Draper	Mr Page	
Mrs Fardell	Mr Piper	<i>Tellers,</i>
Mr Fraser	Mr Provest	Mr Maguire
Mrs Hancock	Mr Richardson	Mr R. W. Turner

Pairs

Ms Firth	Mr George
Mr Lulich	Mr Kerr
Mr Rees	Mr Piccoli
Mr West	Mrs Skinner

Question resolved in the affirmative.

Amendment agreed to.

Motion as amended agreed to.

SEWERAGE CONNECTION

Mrs JUDY HOPWOOD (Hornsby) [1.17 p.m.]: I move:

That this House:

- (1) notes that in 2008 there are too many areas in the metropolitan area that are without sewerage connection;
- (2) condemns the Government for its inadequate program for installing sewerage connections;
- (3) condemns the Government for its failure to include recycling facilities when connection is taking place;
- (4) calls on the Government to expedite sewerage connection to Galston and Cowan.

Although I have mentioned this problem many times in the House over the past 7½ years, it seems that the Government still is not listening. It is absolutely incredible that halfway through 2009, a number of areas are still not connected to a sewerage system—and some of those are metropolitan areas. In the Hornsby electorate, Cowan and Galston are without sewerage. Many representations have been made to me over the past 7½ years, and I know that Opposition members who spoke in the earlier debate have received similar representations. In this century, people should be connected to a facility that many others take for granted, such as a sewerage system.

When I was first elected to Parliament, the Brooklyn and Dangar Island areas were not connected to a sewerage system. Many people sent letters and called on me to fight on their behalf to have a sewerage system provided. At that time another report was submitted on the poor condition of the Hawkesbury River, showing that the condition of the river was unsatisfactory. The Hornsby Shire Council's sewerage committee was working on the connection of some areas of the shire to sewerage facilities, but it was the community that made strong representations. I led a delegation to meet the then Minister for Energy and Utilities, Frank Sartor, and we had a very open and informative discussion about the need for sewerage connection for Brooklyn, Dangar Island and adjacent communities.

I believe the Minister listened, because shortly thereafter it was announced that Dangar Island and Brooklyn would be connected to the sewerage system and a sewage treatment plan would be constructed in Brooklyn. Local constituents were relieved when work got underway. Although they were no longer worried about pump-out, they had other issues.

People had to endure exorbitant costs for their pump-out. The days of pump-out were extraordinarily difficult for them because Brooklyn Road has only a single lane in each direction. So everyone breathed a sigh of relief, and connection to the sewerage system for Brooklyn and Dangar Island is almost complete. More than \$57 million has been spent on this project, which is wonderful for local communities. At the time I pointed out—and I do so again—that lack of recycling is an issue. On numerous occasions I lobbied another Minister for Water Utilities about spending an extra \$3 million to place pipes in the ground for recycling at the same time as laying the sewage treatment pipes. Unfortunately, I was told, "If there's no money, there's no money." That is the story of this Government. It did not spend that \$3 million and recycling is not possible at this time.

The village of Cowan situated between Berowra and Brooklyn—which are both connected to the sewerage system—is being left behind. Properties in Cowan could have been connected to the Brooklyn sewage treatment plant, with the assistance of gravity. Cowan could have moved into the twenty-first century but it has been left behind, and it has ongoing problems. Galston, which is a rural area, is another area in question. The residents of Galston have been crying out for sewerage connection for many years. The areas I am talking about are adjacent to national parks. Often there are problems with heavy rain or septic tanks not being properly maintained, and there are reports of leakage and bad odours. The people of Cowan and Galston should not have to put up with these problems.

Many residents of Cowan and Galston have been advised that they are in the final 10 on the priority 2 sewerage connection list. They have been told that some planning has been done in the Cowan area but planning for Galston is not expected to start until 2011. That is unsatisfactory because they have expenses. I have received letters from people who live adjacent to precious national parks. Neil and Carol King, who live in Cowan, wrote to me on 14 March stating:

We have met on numerous occasions regarding the expensive pumpout system that we were forced to adhere to some 40 years ago. We have been on the priority list for sewerage for almost that length of time and still nothing has been achieved.

Can you "PLEASE" help us. We have been sold out by the Hornsby Council who have referred our pumpout service to a private company, Premier Pumpout at Mt Kuring Gai. Sorry but we suspect that it was a really good deal for someone in there.

Apart from that I am an invalid pensioner and my husband is a self funded retiree. I have been in touch with both Premier Pumpout and Kevin Rudd to try to work out the promise for some assistance with utilities. The local council have abandoned any assistance, the private company Premier do not think they have any responsibilities for any rebate.

These people are now facing a 3.8 per cent increase in the cost of their pump-out. They are a captive audience. They live in the tiny village of Galston and they cannot afford a huge increase in costs. Many of them are retired and live on pensions. On 1 June I received a letter from a resident of Galston, Anna Peters, which stated:

Re: Septic Pump Out & Sewerage

There have been quite a few articles in the paper recently regarding connecting Cowan to sewerage as a matter of priority.

Whilst this is admirable, if Cowan is accepted as a priority then Galston once again gets shifted to the back of the line.

We purchased our land and built in Galston in 1975 and was advised at the time by the Real Estate agent that we would be connected within 5 years (our inexperience and naivety was obviously quite evident!!) as we are still waiting even though we are always being advised that we are on the plans soon.

In the past 29 years that we have lived in Galston we have seen it grow from a small quaint rural town to a suburb with Townhouses and now a supermarket.

This growth and expansion has been overlooked when planning for roads, transport service (now nearly non-existent) and connection to sewer.

If anything, I believe Galston should be the priority for once and hope a bit more research is done when deciding who should be next as a priority.

I received a letter from Matthew Lay of Cowan, which states:

I am a new resident of Cowan and seek your advice & comment on the proposed Priority Sewerage Connection-Stage 2 for the suburb of Cowan.

I have been in contact with Sydney Water over the last few months on the progress of the planning and implementation of the program.

Sydney Water has recently advised me that planning started this year and that this will take upto 24 months, with proposed funding to be sought from the state government in 2012—

conveniently, that is after the next election—

Are you able to provide any information from your end in relation to the program and whether the state gov't has put any funding aside for this?

Also are you aware of any community groups that are petitioning the government to speed this process up and if not, should I initiate such a group with a petition. (would this help?)

In my view and comments from my neighbours, sewerage connection for Cowan has been promised before and it seems that this will take more than the 3-4 years as advised by Sydney Water. My neighbours advice is "not to hold my breath" as they have heard promises on this for over 10 yrs or more.

Those resident have called on the Government to look at this problem. They believe connection to the sewerage system is in the never-never. I have received petitions on this issue. In all my years in this place I have urged people to sign petitions, which I have duly presented in Parliament, calling for Cowan and Galston to be connected to the sewerage system. The need is absolutely desperate. This is the twenty-first century, and these people are sick of hearing excuses. It is time for the Government finally to put its money—if it has the money—where its mouth is and sewer these valuable areas.

Mr PAUL McLEAY (Heathcote) [1.27 p.m.]: A number of properties in my electorate are yet to be connected to the sewerage system, and those residents look forward to the continuation of the priority sewerage program. Bundeena, where I live, was connected to the sewer several years ago—indeed, the area had one of the highest sewerage connection sign-up rates. Between 75 per cent and 80 per cent of properties connected to the service within six months. We set the benchmark in encouraging local communities in the area to do the same. The northern towns and coastal communities of Coalcliff, Stanwell Park, Stanwell Tops and Otford were connected only recently to the sewerage system. The circumstances of their connection were unusual.

Sewage usually flows by means of gravity—it starts at the top and works its way down through pipes to pumping stations, which then pump it away through the network. Because of geotechnical issues, Sydney Water introduced an innovative program in the coastal towns that involved installing a pod in people's front yards. The waste is masticated on site and stored in the pod. That is then pumped out, releasing the waste into a smaller conduit, as opposed to the traditional sewerage system. This meant that smaller plastic pipes could be used that could withstand higher pressure and were flexible enough to go up and down hills and withstand landslips. The program has been extended to areas where sewerage connection was considered to be technically difficult—although the problem was probably cost; engineers say they can do anything but then run out of money before they finish.

I applaud those communities for accepting the new approach. There was a lot of discussion and negotiation over several months with citizens to ensure that they understood the high-pressure sewerage system. It was a completely new way of doing things. People will continue to use electricity. If the pods in their front yards break down it sets off both audible and flashing alarms. People were concerned that if their pod broke down while they were away the alarm would disturb the neighbours. Many issues had to be worked through.

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

[The Acting-Speaker (Mr Matthew Morris) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

BUSINESS OF THE HOUSE

Postponement of Business

Business with precedence postponed on motion by Mr John Aquilina.

BUSINESS OF THE HOUSE

Routine of Business

[The person interjecting was removed from the Chamber by the Serjeant-at-Arms.]

QUESTION TIME

[Question time commenced at 2.24 p.m.]

PAYROLL TAX AND JOBS

Mr BARRY O'FARRELL: My question is directed to the Premier. With the New South Wales unemployment rate the highest in the nation, why will the Premier not listen to employers such as Westray in the Sutherland shire and Expressway Spares in Wauchope, just two of many businesses that have been calling for payroll tax reductions to assist businesses to maintain jobs and create jobs, as the Coalition is proposing?

Mr NATHAN REES: Earlier today the Leader of the Opposition gave his reply to our comprehensive budget plan, some \$62.9 billion underpinning 160,000 jobs for the next four years. The nonsense that he seeks to pass off as a responsible reply ought to be condemned. A billion dollars in proposed payroll tax cuts would come from one place and one place only—and that is from the axing of jobs. What was produced in reply to our comprehensive budget, triple-A reaffirmed, was absolutely extraordinary. Today the Leader of the Opposition promised a billion dollars in payroll tax cuts, which he simply cannot pay for. At the same time he has promised to not go into deficit. That means a billion dollars worth of cuts to the budget. So the question is very simple: Is he going to cut the record Health budget?

The SPEAKER: Order! I call the House to order.

Mr NATHAN REES: Is he going to cut the record Education budget? Is he going to cut the record Roads budget? Is he going to cut the record public transport budget? It is straightforward: 12,000 jobs gone with that irresponsible promise.

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

Mr NATHAN REES: There would be 12,000 jobs gone to satisfy only 9 per cent of the business community. That is the reality. Around 91 per cent of the business community in New South Wales do not pay payroll tax. The Opposition's plan is reckless and irresponsible, and it will cost 12,000 jobs. Business groups right around New South Wales have had good things to say about the New South Wales budget this week. I quote from Mark Goodsell, the New South Wales Director of the Australian Industry Group, who had this to say:

Business welcomes the strengthened spend on the State's infrastructure. This will improve efficiency and amenity in the State over the longer term while providing a much-needed boost to business activity in the short term.

The Property Council of Australia has welcomed the housing construction acceleration plan in the 2009-10 State budget handed down by Treasurer Eric Roozendaal, which will provide a much-needed kick-start for residential construction, jobs and economic activity across the State. I could go on. Earlier today I stood with the member for Liverpool, the member for Menai and the Minister for Health at Liverpool hospital. There will be a massive expansion of that hospital for it to become one of the largest tertiary hospitals in Australia—855 beds and 60 intensive care beds upon completion. Construction is underway. I spoke to around 100 of the men—they were almost all men, except for Maureen working in the canteen—working on the formwork to prepare for the pouring of concrete. It will be one of the largest hospitals in Australia and it is currently under construction. That is our response to the global recession, not the slashing of 12,000 jobs to serve the private interests of only 9 per cent of the business community.

PRISONER DAMAGES ACTIONS

Mr MATT BROWN: My question is addressed to the Premier. What is the latest information on prisoners challenging the nature of their detention in New South Wales prisons?

Mr NATHAN REES: I thank the member for Kiama for his question and his longstanding interest in this matter. Bassam Hamzy and Emad Sleiman may not be names immediately familiar to New South Wales residents, but these men are indeed two of the State's most hardened and notorious prisoners. Sleiman brutally knifed a young man, Jason Burton, who was out with friends celebrating his birthday in Parramatta, a birthday which tragically turned out to be his last. It was a brutal and senseless killing in every way, for which Sleiman

deservedly received a 16-year sentence. In a similar vein, Bassam Hamzy killed a man outside a Darlinghurst nightclub in 1998. He conspired to kill a key witness and fled abroad, where he organised the importation of cocaine to Australia before being captured. He is serving a 14-year sentence, every day of which is well deserved.

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

Mr NATHAN REES: The crimes and misdeeds of these men did not stop at the prison gate. Learning nothing from their fate, they continued to breach the law once jailed. They concealed an illegal mobile phone in their cells and used it to organise drug deals on the outside. Prison authorities believe that they are recruiting fellow inmates for Islamic jihad. In fact, prison authorities tell us that Hamzy made some 19,000 calls from jail, coordinating a drug operation worth a quarter of a million dollars a week. Few prisoners have been more disruptive to the good order of the New South Wales correctional system than Sleiman and Hamzy.

The House would not be surprised to learn that these men have been separated within the correctional system to prevent their illicit activities and to stop other prisoners being dragged into their web of crime and deceit. No reasonable person would doubt that the Department of Corrective Services is justified in using different conditions of custody to ensure these men are appropriately contained and that the jails they are in, in turn, are properly run. But Hamzy is no reasonable person. This drug-dealing murderer and his sidekick, Sleiman, have had the gall to attempt to sue the New South Wales Corrective Services Commissioner over their placements in jail. Both prisoners are seeking damages from the State of New South Wales and under the law as it currently stands they may succeed.

This case turns on what most people would regard as a technicality—the distinction between two different concepts of inmate management, namely segregated custody and separation. Segregated custody is a legal process allowing inmates to be formally ordered into segregation if they pose a risk to the safety of other persons or to the security and good order of the correctional centre. Separation, by contrast, is part of the normal day-to-day management of prisons, which may require constraints or restrictions regarding association with other inmates, the number of hours confined to their cell, access to telephones, the ability to work in prison jobs and so on.

Hamzy and Sleiman argued that they were separated from the mainstream prison population without a formal segregated custody order being made. Therefore, they claim that it is unlawful and they can sue for deprivation of liberty. Their case was given the green light to proceed in a judgement by the Supreme Court in April, which means their lawsuit could come before the court soon. My reaction to their grab for cash is one of revulsion and utter disbelief. As far as I am concerned not one cent of taxpayers' money will end up in the hands of these vicious disruptive thugs. We will legislate to confirm the reasonable practices of the Department of Corrective Services and close the loophole.

It is well-grounded penal practice in New South Wales that inmates may be separated and managed according to their needs and the requirements of the Corrective Services Commissioner. We will therefore legislate to uphold the right of Corrective Services to manage prisoners and to keep absurd lawsuits like the Hamzy-Sleiman case out of the courts. We will not have legitimate prison management being second-guessed by criminals in the Supreme Court and we will not be handing out taxpayer dollars in return for this kind of complaint. I commend this measure to the House and look forward to its receiving bipartisan support and attention.

PAYROLL TAX AND JOBS

Mr ANDREW STONER: My question is to the Premier. As the Government seems to be able to find money to throw millions of dollars at taxpayer-funded advertising, will the Premier put the interests of the public ahead of the Labor Party and use that money to fund payroll tax cuts targeted at businesses in towns and areas of high unemployment?

Mr NATHAN REES: We make absolutely no apology for letting the taxpayers of New South Wales know exactly where their \$62.9 billion is being spent right around the State. This campaign—a combination of advertisements, websites and so on—will allow every person in New South Wales and, indeed, in Australia to find out exactly—

The SPEAKER: Order! The Leader of the Nationals has asked his question. He will remain silent while the Premier answers it.

Mr NATHAN REES: It will allow the people of New South Wales to find out exactly where and when stimulus package money, State budget money, is going to be spent right around the State. On our schools program—

Mr Andrew Stoner: What about jobs?

Mr NATHAN REES: We will come to that. On our schools program, spending of \$4.4 billion is already well underway. There are 9,000 jobs in that program. Schools right across New South Wales are benefiting from that. The tenders will be on the website so people can apply for those jobs and so that businesses can seek work in towns right around New South Wales. It is the same with the \$600 million-plus capital works program for our Health budget. It is the same with our \$4.4 billion record Roads budget. Every person in New South Wales will be able to access this website and get information about tenders and contracts—

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

Mr NATHAN REES: —and apprenticeships coming up in areas right across New South Wales. There are 4,000 apprenticeships and 2,000 cadetships that we announced earlier this year. All of this will be detailed on the website, which outlines every capital works project in New South Wales, exactly where it is going to be, when it is going to be constructed and how much work will be involved. The people of New South Wales are entitled to know all of this. They are entitled to know where the 160,000 jobs we have outlined are going to be, when they are going to commence and how they can be part of it. We have not yet gone down the alternate route, which is establishing a website for where all the jobs might be cut across New South Wales, but it would be a relatively straightforward task. We would simply write a letter to Max the Axe.

The SPEAKER: Order! Members on both sides of the House will cease interjecting. I place the member for Clarence on two calls to order.

Mr NATHAN REES: The Opposition outlined \$35 billion of unfunded capital works yesterday in this House. There was not a skerrick of detail about how it would fund its approach to capital works. Instead, it comes in here and asks us to believe this pap about payroll tax cuts being the salve in the face of global recession. We have already committed to substantial payroll tax cuts—\$2.7 billion, from memory—over the next five years. The threshold for payment of payroll tax will be indexed—

The SPEAKER: Order! The member for Epping will come to order.

Mr NATHAN REES: —a responsible approach in the face of global recession and part of the reason we had our triple-A rating reaffirmed this week and the negative outlook returned to stable. We are one of the rolled gold economies of any jurisdiction in the world.

TRANSPORT SERVICES AND JOBS

Mr BARRY COLLIER: My question is to the Minister for Transport. What action is the Government taking to deliver better transport services and support jobs?

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

Mr DAVID CAMPBELL: I appreciated the company of the member for Miranda as we inspected the upgraded lifts and railway station at Kirrawee just a few weeks ago. Today there was another great example of the Rees Government delivering on its commitment to provide better transport services for the people of New South Wales while also stimulating local economies and creating jobs. This morning I took a ride on the first of the Government's 300 brand-new growth buses, which will create jobs for 400 bus drivers.

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

Mr DAVID CAMPBELL: The House will remember that the Government committed to delivering the 300 new buses last November. We said they would begin rolling out this year and we are seeing through that commitment on time and on budget. The first of the new buses are being delivered to commuters in Sydney's north-west. This region will receive 113 buses of the total 300. Buses will also be delivered across Sydney, the Central Coast, the Hunter and the Illawarra. The allocation to Hillsbus in the north-west will create around

170 jobs, 30 of which have already been filled. Of course, it is not just through these buses that the Rees Government's investment in transport infrastructure is creating jobs and injecting a much-needed boost into local economies. The Government's massive investment in rail infrastructure and rolling stock is also creating jobs and stimulating the economy. The first stage of the south-west rail link is underway, despite the whingeing, whining and complaining of those opposite.

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

Mr DAVID CAMPBELL: That was a stupid and inane interjection from the member for Willoughby. She has not read the budget papers. This year's budget has allocated \$804 million for stage 1 of the south-west rail line. That will allow for increased and more reliable train services through the construction of a rail flyover north of Glenfield station and additional signalling and track works. It will provide additional parking spaces, as well as a modern, safe and accessible station and interchange facilities for commuters. The Government's \$3.6 billion investment in 626 carriages is the largest order of rail carriages in Australia's history. It is injecting around \$200 million into the Hunter economy and creating around 300 jobs, with private sector contractors contracted to commence delivery of these train carriages from next year. Our clearways program is also creating jobs and improving services for commuters, not that the member for Cronulla is interested in any of that.

The SPEAKER: Order!

Mr DAVID CAMPBELL: However, I know that the member for Miranda is interested in this issue. He reminded me that this \$344 million project is the largest single public transport project in the history of Sutherland shire. Key milestones for that \$344 million Cronulla line duplication have been met and are making a difference for passengers in the Cronulla region.

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

Mr DAVID CAMPBELL: New lifts are operating at Kirrawee and Woolooware and both stations have had their platforms upgraded, not to mention all the other significant work that is underway as part of the project.

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

Mr DAVID CAMPBELL: The member for Epping reminds me of the Epping to Chatswood rail link.

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

Mr DAVID CAMPBELL: The member for Epping is celebrating this Labor Government's investment in the \$2.3 billion Epping to Chatswood rail link. Let me go back to the shire. None of this work on the Cronulla line duplication would be happening if the Liberals were in charge, would they Mr Kerr? The member for Cronulla is quoted in his local paper today as saying that the money invested in this project would have been better spent elsewhere. That is what he said today in the *St George and Sutherland Shire Leader*. He is not interested in infrastructure investment that is creating jobs and stimulating the local economy and, most importantly, delivering better access to public transport for passengers. He is happy to say anything to get a line in the paper, but I bet he would not have the courage to tell his constituents that he thinks the disabled and pram access lifts are not worth it.

Let me advise members about Sydney Metro. Sydney Metro is the future of transport in this State. It will create 2,000 jobs for families in New South Wales every year of its construction, but the Leader of the Opposition is not interested in that. Let us be clear about the Opposition's proposal and about the ramifications of it. If the \$4.8 billion for Sydney Metro were invested in the Opposition's announcement the people of Sydney would receive very limited benefits.

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

Mr DAVID CAMPBELL: Stage two of the south-west rail link could be put on the back of stage one and with the remaining money Opposition members could build a bit of the original north-west rail proposal but they would get only three extra stations past Epping before they ran out of money. That is a far cry from the false hope that the Leader of the Opposition and members of the Opposition are peddling. The cost of what they have promised is approximately \$6 billion. Under the Opposition's proposal, whether it went to The Hills Centre or all the way to Rouse Hill, it would be building a white elephant.

The SPEAKER: Order! Members will cease interjecting including the member for Bega and the member for Castle Hill.

Mr DAVID CAMPBELL: To make the north-west rail link a functional—

The SPEAKER: Order! The member for Willoughby will come to order. I call the member for Castle Hill to order.

Mr DAVID CAMPBELL: To make the north-west rail link a functional rail line the Opposition would need more rail capacity through the central business district. Opposition members have not costed that in the plan that they announced today. They need to provide a link across the harbour and they have not done that in what they announced today. Without that link across the harbour they could run only two trains an hour to the north-west, which is hardly a peak service. That is the fraud of what they will be peddling as a result of what they announced in the Chamber this morning. If they do not build a harbour crossing they will get two trains an hour across that rail link.

The other essential element that is required to make the north-west rail functional is the central business district rail link from Redfern to Chatswood—the second harbour crossing—and that would cost a further \$8.5 billion. That brings the project that Opposition members are peddling to a cost of about \$14.5 billion. During the last election the photocopier of the Leader of the Opposition broke down so he did not have to reveal the costs, and this time he is hiding components—

The SPEAKER: Order! Members on both sides of the House will cease interjecting.

Mr DAVID CAMPBELL: Back in March I put some simple questions to the Leader of the Opposition when he made a mistake and started talking about this project. The simple questions were: How does he intend to pay for this? What taxes will he raise, or what services will he cut to find the \$14.5 billion to which he is committed on this project? In the meantime this Government—the builders—will get on with the job.

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

BUDGET PROMOTION

Mr MIKE BAIRD: My question is directed to the Premier. How can the public believe the Premier's promises to cut expenditure growth when his first action after handing down the budget was to go out and spend taxpayers' money—not on better services or infrastructure, but on promoting a budget with alleged reforms that Michael Costa described as "just a stunt"?

The SPEAKER: Order! The House will come to order. The Premier has the call.

Mr NATHAN REES: Talk about leading with his chin! The member for Manly talked about stunts. Has he seen YouTube? I have some sympathy for the member for Manly. He is a principled man, he knows how to count and he has to contend with a Leader of the Opposition who refuses to outline a responsible fiscal strategy for New South Wales. What a complete and utter lack of discipline! I remind the House of an article in the *Sydney Morning Herald* on 29 December 2008. When asked how big a deficit he would run, the Leader of the Opposition said, "How long is a piece of string?" The member for Manly, as shadow spokesperson on Treasury matters, has a difficult and unenviable task if that is the sort of leadership being shown by the current Leader of the Opposition.

During the 2007 State election campaign, when the Leader of the Opposition was shadow Treasurer, he miscalculated the Opposition's costings by claiming that their promises were "in the ball park" of \$7.2 billion. That was reported in the *Sydney Morning Herald* on 20 March 2007. A few days later he revealed that he was \$3 billion out in that estimate. I quote from a 22 March 2008 report on National Nine News that reveals:

The costs of the New South Wales Opposition's election promises has blown out to \$9.8 billion, almost six times that of the Labor Government.

Of course, the Leader of the Opposition ultimately went on to say that the photocopier broke down when he was asked for some detail. The member for Manly has a difficult task of dealing with the Leader of the Opposition's sloppy approach to financial management, embodied in the "How long is a piece of string?" approach to running a budget deficit. It is absolutely extraordinary! One would have thought that the shadow spokesperson on

Treasury matters would have been front and centre with the Leader of the Opposition in the run-up to today's budget reply, and in response to our fiscally responsible budget delivered on Tuesday. One would have thought—

Mr Brad Hazzard: Point of order: The Premier has been speaking for 4½ minutes and not once has he mentioned Michael Costa and the fact that he said it was "just a stunt". My point of order relates to Standing Order 129. The Premier should be directed to answer the question.

The SPEAKER: Order! That is not a point of order. The Premier was asked a general question.

Mr NATHAN REES: Indeed, he is right. I have not mentioned Michael Costa—but now I have. At a time when the shadow spokesperson for Treasury should have been front and centre, standing alongside the Leader of the Opposition in response to our budget, where was he? He was missing in action. This man of principle was also absent in the vote on the lotteries legislation. He is the man of principle; the Leader of the Opposition is the man of flim-flam. In clear defiance of the Leader of the Opposition on a matter of policy, a clear pattern is emerging. The Leader of the Opposition probably needs to deal with it.

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

SMALL BUSINESS AND JOBS

Ms TANYA GADIEL: My question is addressed to the Minister for Small Business. What action is the Government taking to support small businesses and their employees?

Mr STEVE WHAN: The member for Parramatta is a keen advocate for small business in her area, unlike the Opposition, which seems to have only one policy. This morning the Leader of the Opposition said that he would plan for the future, not for tomorrow.

Mr George Souris: Tone it down a bit.

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

Mr STEVE WHAN: I am sorry to keep the member for Upper Hunter awake, but he is in Parliament.

The SPEAKER: Order! Members will cease interjecting.

Mr STEVE WHAN: This morning the Leader of the Opposition said that he would plan for the future, not for tomorrow, yet his only policy was a short-term cut of 15 per cent to payroll tax for just one year. We get more wind from the Leader of the Opposition offering nothing in his budget reply speech. He offered no alternatives. He, like Joe Hockey, could not nominate the sort of budget deficit or stimulus package he wanted in the budget. Yet again we get more wind from the Opposition. The Leader of the Opposition refused, as he always does, to acknowledge that the Rees Government already has cut payroll tax. Payroll tax is coming down in line with cuts we announced previously.

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

Mr STEVE WHAN: Over 90 per cent of businesses in New South Wales pay no payroll tax. For those businesses that do, the rate has been reduced from 7 per cent, which was the rate under the last Coalition Government, to less than 6 per cent under the Labor Government. We reduced the rate to 5.75 per cent from 1 January 2009 and it will be reduced to 5.5 per cent from 1 January 2011. The Leader of the Opposition does not want to acknowledge that.

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

Mr STEVE WHAN: The member for Pittwater in responding to an interjection last night in this place about payroll tax said, "It has been cut, in the last budget." It was good to hear the member for Pittwater acknowledge the Labor Government's reduction of payroll tax. The member for Pittwater is right; this Government has cut payroll tax. It was lovely to hear the honesty from the member for Pittwater.

Mr Joseph Tripodi: The only one who can read.

Mr STEVE WHAN: Perhaps he should be the Opposition spokesperson on small business because he probably can find the website. On 1 July 2008 this Government increased the payroll tax threshold from \$600,000 to \$623,000. This threshold will increase to \$638,000 on 1 July 2009, with further increases indexed each year in line with the consumer price index—again, this Government providing relief from payroll tax for business. Together with real cuts to payroll tax this represents a \$1.9 billion stimulus to the New South Wales economy over five years to 2012-13—on top of our record \$62.9 billion infrastructure investment.

But we have gone further. Since November 2005 the Government has reduced workers' compensation premium rates by an average of 30 per cent. These reductions will directly improve the bottom line for New South Wales businesses with total savings of around \$1 billion in 2009-10. We have made it easier for businesses to support young staff by introducing a \$74 million package so that apprentice wages are not used to assess an employer's workers compensation premium. The benefits to employers are significant with a first-year junior apprentice earning \$17,128 per year saving \$1,089 in annual premiums.

The Government is committed to reducing red tape and reducing the tax burden on small business owners. We have policies and we have plans. We have been working hand in hand with our Federal friends to support small business through this difficult economic time. All the Opposition can do is carp and whine. It will not support stimulus packages. The Opposition is just like its Federal counterpart. This morning we heard them again refuse to even nominate what they would do to stimulate the New South Wales economy. As the Premier just said, yesterday we saw another display of the divisions opposite when the shadow Treasurer could not bring himself to vote with the Opposition on the lotteries bill.

Mr Mike Baird: No, that is not true.

Mr STEVE WHAN: It is not true, he says. His name is not on the division list, he was not in the Chamber for the vote and he did not have a pair. He simply absented himself because he was not willing to support his leader.

The SPEAKER: Order! Members will cease interjecting. I remind the member for Epping that he is on two calls to order.

Mr Barry O'Farrell: Read his speech.

The SPEAKER: Order! Members will cease interjecting, including the Minister for Gaming and Racing.

Mr Andrew Fraser: Get someone to read his speech.

Mr STEVE WHAN: Opposition members are calling out, "read the speech". Face it, because the record is in *Hansard*. We know who voted for the bill and who voted against, and we know who did not have the guts to support his leader.

Mr Andrew Stoner: Point of order—

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

Mr Andrew Stoner: My point of order relates to Standing Order 129. The Minister is talking about a debate that has concluded. The question clearly was about small business. We would like to hear his plan for small business.

The SPEAKER: Order! I draw the Minister's attention to the question before the House.

Mr STEVE WHAN: I understand the sensitivity of those opposite on this issue. One Opposition member acknowledges our payroll tax cuts, another misses the vote on a bill that he philosophically opposes, one is still trying to find the small business website and this morning Barry offered nothing for the people of New South Wales. They are very much like the Federal Opposition, which called the Federal Government's \$14.7 billion investment in school halls and libraries bad spending and ridiculous. The fact is that that spending helps small business in New South Wales. This State Labor Government through its Ministers is working to ensure that small businesses get a share of that expenditure.

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

Mr STEVE WHAN: The State Opposition along with the Federal Opposition opposes stimulus packages. There is not much difference between Barry and Joe Hockey. Joe Hockey is a bit more affable.

Mr Andrew Stoner: Point of order: Standing Order 75 requires that members refer to other members by their seat or official title.

The SPEAKER: Order! I uphold the point of order. The Minister will refer to members by their correct titles.

Mr STEVE WHAN: I acknowledge that point of order. There is not much difference in the rhetoric of the Leader of the Opposition and Joe Hockey. This morning Barry got very excited; he looked passionate.

Mr Andrew Stoner: Point of order—

The SPEAKER: Order! I believe I can pre-empt the point of order of the Leader of The Nationals.

Mr Andrew Stoner: The Minister is canvassing your ruling.

The SPEAKER: Order! I remind the Minister to refer to members by their correct titles.

Mr STEVE WHAN: I apologise for being so friendly to the Leader of the Opposition.

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

Mr STEVE WHAN: I shall touch briefly on another important aspect of this Government's support for small business—that is, manufacturing in western Sydney. Western Sydney accounts for one-third of this State's manufacturing employment with almost 100,000 employees, which is equal to about 17 per cent of the entire western Sydney workforce. That is 100,000 jobs that the Rees Government is working hard to protect. The region is a hub of smart manufacturing industries and provides advanced engineering for aerospace, defence, automotive and transport equipment, information and communications technology, biotechnology, food processing and building and construction materials, some of which will go into construction of our new schools, as the Minister of Education and Training has pointed out, and that is excellent.

Ms Verity Firth: Yes.

Mr STEVE WHAN: I am very pleased to inform the House that recently, accompanied by the member for East Hills, I visited a business in western Sydney, Emergency Transport Technology in Milperra. Emergency Transport Technology is part of the Byron Group, and employs 115 people in Australia and 140 people globally. It is a world-leading ambulance and emergency vehicle manufacturer and provides ambulance service vehicles internationally. This company received more than \$20,000 worth of funding assistance from the Rees Labor Government to exhibit at this year's Arab Health Expo, which was held in Dubai. That is further evidence of the way in which the Government's policies are helping small business in this State to expand. Our policies have been formulated to assist small businesses, not destroy jobs in the way that Opposition policies would.

PROCUREMENT POLICY ECONOMIC MODELLING

Mr GEORGE SOURIS: My question is directed to the Premier. In the face of both his refusal to release economic modelling on his procurement policy and complaints made by the Federal Minister for Trade, the European Union, the United States and China, whom should the New South Wales public believe—Simon Crean, the European Union, the United States and China, or the most inexperienced Premier ever to occupy the Government front bench?

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

Mr Alan Ashton: Is that it?

Mr NATHAN REES: It is a champagne Opposition!

The SPEAKER: Order! Government members will cease interjecting, including the member for East Hills.

Mr NATHAN REES: During a week in which the Government has delivered a \$62.9 billion infrastructure spend that is linked to 160,000 jobs, when the State had its triple-A rating reaffirmed, and when the State returned to a stable outlook, one would have thought that that was good news for the people of New South Wales—the Government certainly knows that it is—but the relentless negativity of the Opposition, led by the Leader of the Opposition, is absolutely extraordinary. What gives the lie to that negativity is that last week I visited Eastwood Public School in the company of the Deputy Prime Minister, Julia Gillard, and the New South Wales Minister for Education and Training, Verity Firth.

The SPEAKER: Order! The Leader of the Opposition will cease continually interjecting. His behaviour does him no credit.

Mr NATHAN REES: The Deputy Prime Minister, the State Minister of Education and Training and the local Federal member of Parliament, Maxine McKew, visited Eastwood Public School, and we stood there with the school captains, Teddy, Connor, Abi and Nicola. They showed us exactly where six new classrooms will be built as a result of \$3 million being provided from the Federal Government's stimulus package funding and delivered by New South Wales authorities, underpinning 9,000 jobs right across New South Wales in the education sector.

While Government members dutifully present themselves in the House to be exposed to the red-letter scrutiny provided by members opposite, we put up with the confected outrage and the manufactured nonsense that passes for opposition in this Chamber. But what gives the lie to the Opposition's real approach? Among the crowd last week was the member for Epping, who was welcoming the stimulus package, welcoming the Government's construction program and, to his credit, welcoming the jobs that they will generate. I am willing to bet that the member for Epping will not be the last Opposition member to attend such an opening. He will not be the last Opposition member to welcome an injection of funds and jobs into an Opposition electorate—delivered by the Labor Government. The presence of the member for Epping gives the lie to the confected outrage and nonsense that the Opposition comes up with each and every question time.

Each member of the Opposition will attend an opening. They know that. They know that the jobs in their electorates are welcomed. They know that their constituents will benefit from the contracts and government tenders, and ultimately that they will be employed on government projects. They know that, and they also know, to their great embarrassment, that the Opposition has no equivalent plan.

HOUSING AND JOBS

Mr NINOS KHOSHABA: My question is addressed to the Minister for Housing. What action is the Government taking to deliver more housing and to support jobs?

Mr DAVID BORGER: I thank the member for Smithfield for his question and for his commitment to jobs and housing in his electorate. Boosting the housing and construction industries in New South Wales is absolutely critical to moving the economy forward and securing jobs. That is why the State's budget for the next financial year includes investments by the Government of \$2.6 billion in the housing industry. That is the biggest yearly increase in housing infrastructure in recent New South Wales history.

In the Opposition's reply to the budget, members opposite made no mention of how they would help to stimulate the housing sector in New South Wales. That does not surprise me. At the most recent State election, the only Opposition policy on public social and community housing was to sell the lot. That is right: They would have sold the whole of community and social housing in New South Wales. That does not surprise me, either, because the Federal shadow Minister for Housing, Scott Morrison, completely opposes the entire stimulus package when it comes to social housing. Presumably, so does the Opposition, which has not refuted the view expressed by its Federal colleagues. That does not surprise me, either, because in the Howard years, New South Wales lost more than \$1 billion in public housing funding, and members of the State Opposition did not pick up the phone to protest to their Federal colleagues.

In stark contrast, the Government is spending \$1.8 billion above its 2008-09 expenditure to secure jobs in New South Wales. To put that figure in context, approximately 400,000 disadvantaged people will benefit directly from our 2009-10 budget, and that means the construction of approximately 6,629 homes will be either

started or completed. The New South Wales and Commonwealth governments are embarking on one of the largest social housing infrastructure programs in decades. The Federal Government is investing \$2 billion as part of its stimulus plan to build houses.

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

[Interruption]

Mr DAVID BORGER: The member for Epping should not worry because there will be some built in Epping too. I will send him an invitation to the opening ceremony. On top of 6,629 social housing dwellings in New South Wales, the New South Wales Government is investing \$1 billion to build an additional 3,000 homes. The stimulus plan already is having an effect for the people who work in trades, the building industries and manufacturing supply industries. More than 5,000 jobs already have been secured in New South Wales as a direct result of that plan, and that is good news. Contractors are now telling us that prior to the introduction of the stimulus package they were considering laying off employees, but now they have to employ additional staff to meet the demand.

When I accompanied the Premier to the south Granville area of my electorate, a builder said, "This is great. We get fed, our families get fed, contractors get fed, and do you know what? The shop down the road, they can feed their family too." Members opposite are against the creation of these jobs. They do not like them, and they are against the social housing dwellings because they do not believe in them. However, others quite rightly have welcomed the Government's investment. Chris Martin from the New South Wales Tenants' Union said:

This is the sort of economic stimulus we need: Investment that keeps builders and trades persons employed now, and that delivers the rental housing that will remain affordable for the long-term.

The budget is about investing in and supporting jobs. Unlike members of the Opposition, the Government knows that the construction industry—the builders, the tradies, the building manufacturers and suppliers—are the ones who help to keep the economy ticking over. That is why part of the Government's strategy is a six-month housing construction acceleration plan. Under this bold initiative, stamp duty will be cut by 50 per cent per dwelling for people who are buying newly constructed properties worth up to \$600,000. That is a massive shot in the arm for the State's construction industry.

It is important to keep in mind that first home buyers in New South Wales have the most generous to first home buyer package of any State in the country. Almost \$42,000 is the top amount in financial assistance for people who are buying their first home. In addition, there is a full stamp duty cut and a home ownership boost from the Government as well. We are already hearing that our strong measures to protect jobs and stimulate the market are having the required effect. The head of the New South Wales division of the Property Council of Australia, Angus Nardi, has said that our 50 per cent cut in stamp duty and other measures will result in a dramatic change. I know that members of the Opposition are not interested, but people who want to buy homes are interested. Angus Nardi said:

I think the Government has implemented a handful of measures that should bring about a boom in the residential market.

The Urban TaskForce called our stamp duty reduction the strongest measure undertaken by any Government in Australia to support new home construction, and said that our robust support for construction was unprecedented. The difference between the Government and the Liberal-Nationals approach to boosting the housing industry and securing jobs could not be more stark. While those opposite wilfully choose to do nothing—no policies, no commitment—we are embarking on the biggest housing infrastructure program in decades, securing jobs and homes for thousands of people in need.

PORT MACQUARIE BASE HOSPITAL

Mr PETER BESSELING: My question is addressed to the Premier. Will the Premier update the House on planned upgrades to Port Macquarie Base Hospital?

Mr NATHAN REES: I thank the member for his excellent question and for his interest in this matter. Port Macquarie Base Hospital is one of the abominations of the last Coalition Government. First, the hospital was privatised but then it had to be bought back by taxpayers. This week's budget includes plenty of funding for Port Macquarie Base Hospital, including \$900,000 for this financial year for the \$1.3 million new emergency

department. That will create a new triage and treatment area, including two spaces dedicated for children, new public areas and a new entrance for ambulances. I can also reveal that \$114 million of the \$485 million response to the Garling special commission of inquiry will be rolled out over the next financial year, and Port Macquarie hospital will receive some \$528,000 for six clinical support officers. That initiative will help relieve doctors and nurses of paperwork and get them back where they belong—treating patients.

The budget also includes nearly \$400,000 for three full-time and one part-time clinical initiative nurses—nurses who will help patients and their families in the emergency department. Port Macquarie Base Hospital will also share in a statewide roll-out of electronic medical record technology and in funding for additional clinical trauma staff. The member has raised this issue on a number of occasions. I will be delighted to have further discussions with him on some of the detail. I am happy to arrange an appropriate time to visit Port Macquarie—it is a terrific part of the world but it was ignored in the budget reply from the Opposition—to talk about other possible initiatives relating to education, policing and so on.

LOW-INCOME EARNER LOANS

Mr GERARD MARTIN: My question is addressed to the Minister for Fair Trading. What action is the Government taking to help New South Wales families affected by the global recession?

Ms VIRGINIA JUDGE: I thank the member for Bathurst for his caring question, and I thank the Bathurst community for the warm welcome we received at last week's Cabinet meeting. While in Bathurst, I had the pleasure of meeting Mrs Mimi O'Reilly, who is chair of the management board of the Josephite Foundation, which has run a no interest loan [NIL] scheme in the central west since 1999. The member for Bathurst knows what a fantastic job the foundation has been doing. The no interest loan scheme, founded by Good Shepherd Youth and Family Services, provides low-income earners with access to loans from the National Australia Bank of up to \$1,200 for essential items, such as washing machines, stoves, refrigerators, basic things that are important to people, particularly when they are under financial stress.

Ms Katrina Hodgkinson: Point of order: It is difficult to hear the Minister because of all the noise in the Chamber.

The SPEAKER: Order! There is too much audible conversation in the Chamber. I ask the Minister to speak into the microphone.

Ms VIRGINIA JUDGE: As such, the scheme provides an important safety net for many people who may otherwise rack up credit card debt, and keep the most desperate away from the ever-circling loan sharks. It is not charity. It reflects core Labor values of social justice, compassion, respect and dignity. This is a government with plans to weather the storm and to give hope to the most vulnerable people in our communities. Julie Yawanis from Bonnyrigg is a single mum. She is a refugee who came to Australia in 1995. She survives on Centrelink payments to support her four children, including twin boys. Julie applied for no interest loans in 2004 and 2006. She has now paid off both loans at \$20 a fortnight, which allows her to provide for her children without being trapped by high interest debt.

Mr Brad Hazzard: It's quicker than the State Government would.

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

Ms VIRGINIA JUDGE: It is absolutely appalling but it is typical of members opposite. They do not care about vulnerable families. It is disgraceful. As I was saying before I was so rudely interrupted—

The SPEAKER: Order! Members will cease interjecting.

Ms VIRGINIA JUDGE: Julie told me, "Everyday I wake up and count my blessings that I live in New South Wales where the Government wants to help people like me. If it wasn't for the New South Wales Government my children would still be sleeping on the floor and I would be washing my clothes by hand." It is appalling that members opposite are laughing at that. Today I am pleased to inform the House that the Rees Government is committing an additional \$1.8 million over the next two years in new funding for the scheme, extending the program until 30 June 2011. I am sure the hardworking member for Bathurst will pass on this news to Mimi O'Reilly, as the Josephite Foundation will receive an additional \$69,452 to run services throughout the Central West.

The member for Albury, the member for Burrinjuck, the member for Manly, the member for Myall Lakes, the member for Orange and the member for Wagga Wagga will back the Government's support for families in their electorates through new funding for no interest loan schemes. This funding boost reflects the commitment of the NAB, which last month announced that it would increase no interest loan capital by \$5 million, from \$10 million to \$15 million nationwide. Mr Richard Peter, head of community finance and development, expects the program to double or triple in size over the next three years, thanks to our Government's support. That is why the Rees Government is spending a record \$5.4 million on financial counselling services in the coming financial year. This funding represents a total commitment of \$19.68 million over the next three years for financial counselling services and the no interest loan scheme. That is new funding of \$6.6 million for both of those important programs.

The member for Wyong, the member for The Entrance and the member for Gosford will be pleased to hear that the San Remo Neighbourhood Centre will receive \$54,300 to assist Central Coast families in need. I trust that the member for Terrigal—he has run away and left the Chamber; he does not care about this—will also back the Rees Government's initiative 100 per cent. The increased funds will allow for an extra 33 full-time counsellors to be employed in the financial counselling sector, and will give approximately 17,000 additional New South Wales residents access to financial counselling services each year. According to Vicki Geraghty, President of the Financial Counsellors Association of New South Wales, to whom I spoke today, financial counsellors are working around the clock to help those in need. Vicki has worked as a financial counsellor since 1991 and she said she has never known times like these. She said:

Financial counselling is often a last resort, but with these extra resources from the NSW Government counsellors will be able to get to these people before it is too late. I am thrilled the Government is taking an important initiative so that we can extend a lot of the existing services and look at setting up new services where they are needed the most.

The Rees Government is committed to helping New South Wales families—even if the mob opposite are not—to see out these tough times with the dignity and respect they deserve. Indeed, we stand shoulder to shoulder with those who provide practical and emotional support to families experiencing financial stress, because building stronger communities is what the Rees Labor Government is all about.

Question time concluded at 3.18 p.m.

TRANSPORT SERVICES AND JOBS

Personal Explanation

Mr MALCOLM KERR, by leave: I wish to make a personal explanation. Earlier the Minister for Transport sought to impugn my reputation by alleging an article appears in today's *St George and Sutherland Shire Leader* indicating that I would have preferred the money used for the duplication of a railway line to be used for a reduction in payroll tax. In order to establish the facts, I seek the leave of the House to suspend standing orders to enable me to table the relevant article.

Leave not granted.

I am therefore compelled—

The SPEAKER: Order! The member for Cronulla cannot debate the matter. He must explain how his character has been impugned. He has the opportunity to correct the record. He will then resume his seat.

Mr MALCOLM KERR: That is what I am seeking to do. I therefore need to explain to the House that the relevant articles states:

However, Cronulla MP Malcolm Kerr said the project was more than two years behind time and well over budget.

That money could have been spent on stimulating jobs by cutting payroll tax and providing other help to businesses, he said.

PETITIONS

National Parks Tourism Developments

Petition opposing the construction of tourism developments in national parks, received from **Ms Clover Moore**.

Wagga Wagga Base Hospital

Petition requesting funding for and the commencement of construction of a new Wagga Wagga Base Hospital in this parliamentary term, received from **Mr Daryl Maguire**.

Tumut Renal Dialysis Service

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

Tumut Hospital and Batlow Multiple Purpose Service

Petition asking that vital equipment be provided immediately to both Tumut Hospital and Batlow Multiple Purpose Service, received from **Mr Daryl Maguire**.

Tumut Hospital Anaesthetic Services

Petition asking that anaesthetic services at Tumut Hospital be made available immediately, received from **Mr Daryl Maguire**.

Bus Service 311

Petition requesting improved services on bus route 311, received from **Ms Clover Moore**.

Brooklyn Police Station

Petition opposing the closure of Brooklyn Police Station and requesting an increase in the number of officers to man the station, received from **Mrs Judy Hopwood**.

Caged Birds Trade

Petition requesting that legislation be introduced to stop the trade of caged birds, and ban trading and selling of Australian native birds, received from **Ms Clover Moore**.

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**.

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (General Notices) Nos 1 to 6 on the Business Paper for Wednesday 17 June 2009 lapsed pursuant to Standing Order 105 (3).

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**State Budget**

Mr MIKE BAIRD (Manly) [3.22 p.m.]: Earlier I gave notice of my motion that reveals the truth about the budget that was delivered this week. We need to start with that well-known economic commentator and former member of the New South Wales Parliament and Treasurer, Michael Costa. What did he say? He attacked the budget handed down by his successor Eric Roozendaal and suggested it is over-ambitious. He said reforms to the public sector are just a stunt. He also said that Nathan Rees declared his first State budget a winner. Mr Costa raised doubts. There are some very ambitious figures, particularly in terms of controlling

expenses. He is also critical of the Government's plan to amalgamate 160 State agencies into 13 super departments. The Government has said this measure is the largest public sector reform in 30 years, but Mr Costa says it is just a stunt.

That sums up this budget. The problems that we are facing today are evident for everyone to see. When Eric Roozendaal handed down the budget he said that the Government will undertake a disciplined savings program that will turn this State around and take it back to black. Within 24 hours this Government, whose reputation is built on glossy brochures, advertised on radio and television that it is doing a fantastic job. The Government's advertising sounds very much like a script from *The Hollowmen*. These are the Hollowmen in action. The new logo on the budget papers is fantastic and everyone loves it. The Government forgot to put a logo on the document but the Hollowmen came to its assistance. The Government has to tell everyone about what a fantastic job it is doing because if it talks about jobs and stimulus people might start believing it.

The people of New South Wales are on to the Government. So much for a budget that was supposed to reign in expenditure. The Government has forecast that expenditure growth will be 7.6 per cent in 2009-10 and will come down to 2.8 per cent between 2010 and 2012. The Government knows it will not achieve that forecast, which is a problem for everyone in this State. The underlying deficit in this State is sitting at \$8 billion. If the Federal Government's money is taken out, New South Wales is \$8 billion in deficit, and we have to rely on this Government to bring this State back to black. How will the Government do that and implement a savings program when, on day one, it starts to spend? That is how the Government implements savings programs—it starts to spend.

It is time for something different in this State. It is time we started to see a vision. It is certainly time that we started to see promises delivered. Today we heard the new vision of Leader of the Opposition. He said that infrastructure in this State needs to be delivered. Where are the hospitals in the north-west, Wagga Wagga, and on the Northern Beaches? Where is the North-West Metro? Where is the south-west rail link at Camden? Every person in this State knows of a piece of infrastructure that has not been delivered. The Leader of the Opposition outlined a vision that for once will deliver projects. Members of the Government know that the Leader of the Opposition has put together a plan in Infrastructure NSW that will identify public infrastructure needs. It will establish priorities or recommend time lines for delivery. It will advise on project procurement, contractual arrangements, best practice, delivery and funding modes. It will ensure the Government is armed with the necessary information to re-energise and deliver the State's infrastructure program.

The people of this State have waited for too long for infrastructure to be delivered. The Leader of the Opposition has a plan that will start to get this State moving again. When the Government has an opportunity to help businesses, it does not listen if it does not understand. The Sensis Business Confidence Index states that for the twenty-first quarter in a row New South Wales has ranked last. If a business wants to employ people and invest it must have confidence. Sensis said that the reason that this State is last, and that it has no confidence in this Government, is payroll tax—taxes are killing businesses and costing jobs. A budget that is supposed to deliver jobs does the exact opposite and the Government starts to spend. The Premier needs to listen to the Leader of the Opposition, who understands that infrastructure needs to be delivered and businesses need to be assisted. That is how the State will start to move again.

Infrastructure Investment and Jobs

Mr DAVID HARRIS (Wyong) [3.27 p.m.]: My motion deserves priority because in New South Wales there are two distinct and diametrically opposed views on this great State. The Opposition's view of the world is of wrecking, opposing, talking down the State and base political opportunism, gaining power even at the ruin of the State economy. That is rank hypocrisy. On the other side is the view of the Rees Labor Government, of building better infrastructure, improving services and projecting the fact that New South Wales is the premier State. That is done in a fiscally responsible fashion, through sensible borrowing and good financial management. My motion needs priority because, astoundingly, the Opposition has now turned to Michael Costa to give advice and to be part of its financial management team. However, when he was a member of Parliament the Opposition rubbished everything he said and now he is a financial adviser to the Opposition. It is absolute hypocrisy.

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

Mr DAVID HARRIS: The two approaches are in stark contrast, and this motion deserves priority because in the most difficult financial times in 75 years the people of New South Wales need to hear about how their Government is supporting their hopes and aspirations. There is nothing more vital than delivering important services to families and meeting the needs of a growing community. The community should hear that

the Rees Government has delivered a record budget of \$15.1 billion in Health, \$14.7 billion in Education and Training, \$7.1 billion in Transport, \$4.4 billion in Roads, \$1.6 billion in Community Services, \$2.6 billion for Police and \$903 million for Emergency Services. This is delivered in the most difficult economic circumstances in 75 years, supporting jobs, jobs, jobs—160,000 jobs a year. That is why the motion deserves priority today.

For the people of the Central Coast and the Hunter, two very important regional areas experiencing high levels of growth, the budget delivers on important community priorities: jobs, new infrastructure and services. The motion deserves priority because it is absolutely vital that our communities understand the Government's recognition of the importance of our regions as they grow and provide economic and social benefits to New South Wales. The budget delivers. It delivers on health, education, roads, law and order, and community services for the people of the Hunter and the Central Coast. The motion recognises the Government's commitment to these important areas.

The motion deserves priority today because the Opposition once again has dragged out its tired old negative rhetoric. It will give the Opposition the chance to explain what it would do for the Central Coast and the Hunter. The Central Coast was not even mentioned in any of the replies today—not a single mention. That reinforces, like the Opposition leader's reply to the budget, the conclusion that the Opposition has no new ideas, and is in a financial fantasy. It brings to mind the old adage: Just because you say something often enough does not make it right. As I have said in this place before, Labor members work tirelessly to ensure that the needs and wants of their communities are represented. They do so with commitment and passion. They diligently promote the concerns of their communities. This motion deserves priority today because the budget recognises their work and delivers significantly for their communities through increased funding in vital areas in a fiscally responsible way. The motion deserves priority and I commend it to the House.

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

The House divided.

Ayes, 40

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

Noes, 47

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

Pair

Mr Lulich

Mr Piccoli

Question resolved in the negative.**Question—That the motion of the member for Wyong be accorded priority—put and resolved in the affirmative.****DISTINGUISHED VISITORS**

The SPEAKER: I acknowledge Councillor Stephen Mudd from Maitland City Council, and his wife, Rosalind, as guests of the member for Port Stephens.

INFRASTRUCTURE INVESTMENT AND JOBS**Motion Accorded Priority**

Mr DAVID HARRIS (Wyong) [3.40 p.m.]: I move:

That this House:

- (1) congratulates the New South Wales Government on supporting 160,000 jobs through a record \$62.9 billion building program over the next four years, the largest infrastructure investment in New South Wales history;
- (2) welcomes the Government's investment in Central Coast hospitals, roads and schools in the New South Wales budget, supporting jobs for Central Coast tradespeople; and
- (3) calls on the Opposition to get behind the record budget designed to support local jobs in the global recession.

This budget delivers on jobs. It is a budget for consolidation, recovery and growth. Over the next four years, \$62.9 billion will be spent on infrastructure. As the Premier said on Tuesday, this Government's reputation as a responsible economic manager is confirmed. Our triple-A credit rating is intact, contrary to what the Opposition predicted or indeed wanted. It was looking for the triple-A rating to be downgraded. Without a fiscal strategy or any serious policy of its own, the Opposition was praying for this to happen. Its negative strategy is not beneficial to our State. Remember, those who have a triple-A rating can borrow money at the lowest possible cost. This budget has delivered for communities on the Central Coast. I will speak particularly about Wyong, but I know that other members from the Central Coast will speak about their electorates. The budget reaffirms the Government's commitment to the Central Coast and ensures that many projects that are underway will be finished. We are certainly thankful to the Rees Government for continuing to deliver for our local area.

I refer first to health. Not only has this Labor Government delivered a brand new, \$95 million hospital for Wyong, it has also delivered a brand new emergency department, put in place a high-dependency unit of eight beds to serve patients who need extra care, and opened a medical assessment unit that will serve 20 patients at a time, again increasing services at Wyong Hospital. There is a further \$792,000 for nine clinical support officers for Wyong Hospital to enable doctors and nurses to spend less time on paperwork and more time caring for patients. This is certainly welcome. There is \$434,000 for three full-time and one part-time clinical initiative nurses to provide care and treatment in the emergency department. Wyong has one of the busiest emergency departments in the State. This is again recognition of the work that is done at Wyong Hospital. Staff will benefit from a range of other initiatives, including electronic medical records and computerisation of staff rostering systems so that they can be freed up to do the job they are put there to do, which is to look after patients.

If the Wyong Shire Council finally approves the development application, the Government has allocated \$8.8 million to begin construction on a new \$14.6 million Wyong police station. This is a very important part of policing in the northern part of the Central Coast. It will mean services will be consolidated on one site and police will be better able to interact with each other. Prisoner security will be improved because with the station right next to the courthouse they will be able to lock up prisoners overnight instead of having to drive them to Gosford. We want to see this project up and running to support law and order in our community and also to support our hardworking police who do an incredible job in the northern part of the shire. As well as

that, \$3.5 million has been allocated to implement a child wellbeing unit at Tuggerah, which will manage child protection matters and direct them to local services. It is expected to receive up to 60,000 reports a year from across the State. We certainly welcome that new service in our area as well.

The Government is continuing its record allocation of money for roads on the Central Coast. We made sure that in the mini-budget process \$300 million of projects committed to by the Government would continue to be funded, and this budget reflects that commitment. It means that \$13.8 million has been allocated in this budget to make sure projects in the Wyong electorate like Tuggerah Straight are finished, investigation work on the Pacific Highway through Wyong is carried out, and work is done on the major intersection at Wyong Road and the Pacific Highway. Also, planning work on Sparks Road will begin, which will be one of the biggest arteries on the northern Central Coast, connecting the new Warnervale township to the freeway. I welcome all of those initiatives. Work will continue at Tuggerah railway station to install new security and to provide more car parking spaces for local commuters. Work will start at Wyong railway station to provide 150 new parking spaces for commuters. The list goes on and I will refer to it again in my speech on the budget.

I draw attention to what the Opposition has promised in relation to the Central Coast, or more correctly what it has not promised. The member for Terrigal is in the House and I want to help him out today. Apparently he was on local radio this morning saying that no money had been allocated to the North Warnervale railway station. He was asking why the more than \$47 million figure was not in this budget. We will be in big trouble if the Opposition gets into government. If the Coalition puts the full amount for every project in the budget it will show its lack of economic understanding. When a project is undertaken the funding is staged. It is not all funded up front. It is staged so that it happens piece by piece in a realistic way. One certainly does not commit the total funds for the project in the first instance. Page 21-11 of Budget Paper No. 3 Volume 2 certainly mentions North Warnervale railway station and the planning that needs to be done. The member for Terrigal failed to say on radio this morning that the council has not yet approved the development application for the project.

Mr Chris Hartcher: It is a part 3A project.

Mr DAVID HARRIS: No, it is not a part 3A project. Get it right! The station was not part of the part 3A project. The member is wrong again. The member for Terrigal is on the record, wrong again. What else has the Opposition been saying? It has opposed every revenue measure that the Government has put up. It wants every amount for every project put in the budget. We all know that would spell financial disaster. This State would be bankrupt. Let us hear from members opposite what they will do for the Central Coast.

Mr CHRIS HARTCHER (Terrigal) [3.47 p.m.]: I move:

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

this House:

- (1) notes that despite Government claims to support 160,000 jobs the State of New South Wales has the highest unemployment rate in Australia; and
- (2) notes that despite Government claims of record infrastructure investment, New South Wales received less infrastructure investment from the Federal Government than Victoria due to Government incompetence.

The member for Wyong said, "Let's talk about health." What is the biggest item that the people of the Central Coast were waiting for in the budget? What is the item that the Federal member for Robertson, Belinda Neal, has been taking up petitions for? What is the item that every member has spoken in support of, including the member for Wyong? It is a publicly available radiation oncology centre at Gosford. The member for Wyong is nodding his head. What was in the budget for those hundreds of cancer sufferers who have to go from the Central Coast to Royal North Shore Hospital, a long and painful journey, or up to John Hunter Hospital at Newcastle to get their radiation treatment? What was in the budget for those hundreds of cancer sufferers on the coast with the largest elderly population in New South Wales? Zero, zero, zero!

Cancer sufferers living on the Central Coast are suffering because of the inept and negligent attitude of the member for Gosford, the member for The Entrance and the member for Wyong. They talk about radiation oncology therapy, but they do nothing to achieve it. The solution to the problem of the Federal member for Robertson, whose husband happens to be the Minister for Health, is to stand outside Gosford Hospital and get signatures on a petition. Has she not heard of pillow talk?

The next matter we heard about was Wyong police station. Wyong police station would have to be the ultimate story. In 2004 the Government promised to build the police station and the completion date was to be 2009—that is, this year. The money was allocated in 2009. When the Government promised this police station in 2004 and said it would be completed in 2009, it meant that the money would be allocated in 2009.

Mr David Harris: Point of order: The member for Terrigal is misleading the House. The money was allocated in the last budget. The council did not approve the development application; therefore it could not start.

Mr CHRIS HARTCHER: I am coming to that. That money was allocated in the last budget. In the last budget an amount of \$7 million was allocated—

The DEPUTY-SPEAKER: Order! Is the member for Terrigal speaking to the point of order?

Mr CHRIS HARTCHER: No. The Deputy-Speaker can uphold the point of order. In the last budget \$7 million was allocated—

The DEPUTY-SPEAKER: Order! I uphold the point of order. The member for Terrigal will continue.

Mr CHRIS HARTCHER: Thank you, Madam Deputy-Speaker; I knew that you would. In the last budget \$7 million was allocated but in this year's budget only \$921,000 was spent. That is what the budget papers show. If members look at the budget they will find that \$7 million was allocated and \$900,000 was spent as a result of the ineptness of this Government, even when it allocates money. Most of the time it does not allocate any money, but, when it does, it does not know how to spend it. Some \$7 million was allocated but only \$921,000 was spent. This Government is now allocating \$8.9 million for Wyong police station, which brings forward \$6 million from last year's budget. All we get from Government members is constant spin. The bottom line is that a police station was promised in 2004 but in 2009 it still has not been completed. The completion date for Wyong police station has now been extended to 2011.

Only last week the member for The Entrance was reported in the newspapers. He made a rare appearance in the local press and said that the problem with the sinking of the HMAS *Adelaide* off the coast—another promise from the Labor Party that is not happening—arose as a result of a bureaucratic stuff-up that had nothing to do with the Government. The Government is at arm's length from the bureaucracy in New South Wales. It has no control over it and it has nothing to do with it. The member for The Entrance somehow implied that it could all be solved and that all that was needed was \$3 million. Where is the \$3 million in the budget? It is not there. No mention has been made of the HMAS *Adelaide* and no mention has been made of the Government's many promises. I am looking forward to the day when the member for The Entrance goes for a dive on the HMAS *Adelaide*.

Mr Grant McBride: Point of order: I am bemused by that statement, as is every other member in the Chamber. I have made repeated statements about this issue. As I said in the media—

The DEPUTY-SPEAKER: Order! There is no point of order. The member for The Entrance will resume his seat.

Mr CHRIS HARTCHER: Where is the money? The tidal wave I spoke about yesterday—the tsunami—is gathering out at sea and it is heading right for The Entrance. The member for The Entrance will not be standing for re-election in 2011, but I will talk about that later. The biggest single issue in the electorate of the member for Gosford is the west Gosford intersection. She and I have attended protest meetings.

Ms Marie Andrews: Point of order: The member for Terrigal is deliberately misleading the House. There is an allocation of funding for the west Gosford intersection. The member for Terrigal should withdraw those comments.

The DEPUTY-SPEAKER: Order! Will the member for Terrigal withdraw those comments?

Mr CHRIS HARTCHER: No. It is not a point of order.

The DEPUTY-SPEAKER: Order! The member for Gosford asked the member for Terrigal to withdraw those comments. She said that the member for Terrigal misled the House.

Mr CHRIS HARTCHER: I have not misled the House.

Ms Marie Andrews: You have.

Mr CHRIS HARTCHER: Do Government members have the budget papers? The point is that the west Gosford intersection—the biggest single item in the electorate of the member for Gosford—has not been addressed in the budget papers. There is an issue about whether it gets an overpass and not some land resumptions, which is what is contained in the budget papers.

Ms Marie Andrews: Point of order: The member for Terrigal continues to mislead the House. There is definitely an allocation of funding for that intersection in this year's budget.

Mr CHRIS HARTCHER: The member for Gosford is rightly worried because she has failed to—

The DEPUTY-SPEAKER: Order! Is the member for Terrigal speaking to the point of order?

Mr CHRIS HARTCHER: No, I am not. It is not a point of order.

The DEPUTY-SPEAKER: Order! The member for Gosford raised a serious allegation. She said that the member for Terrigal is misleading the House.

Mr CHRIS HARTCHER: Madam Deputy-Speaker, that is nonsense. You know that it is not a point of order. If you were an effective Deputy-Speaker you would simply have sat her down.

The DEPUTY-SPEAKER: Order! The member for Terrigal will resume his seat.

Mr CHRIS HARTCHER: I will resume my seat not because of your direction but because my time for speaking has expired. [*Time expired.*]

Mr ROBERT COOMBS (Swansea) [3.54 p.m.]: Opposition members can no longer claim to be the champions of small business. Members of the community would be aware that over the past 48 hours or so this Government has adopted the principled policy of supporting small business in this State. We have gone so far as to put in place—

Mr Chris Hartcher: Point of order: The member for Swansea is misleading the House. This debate is about jobs and investment, and about the amendment that I moved to the motion. The member for Swansea is talking about small business. Madam Speaker, I ask you to invite him to—

The DEPUTY-SPEAKER: Order! The member for Terrigal will resume his seat. There is no point of order.

Mr Chris Hartcher: Why did you not say that to other people?

The DEPUTY-SPEAKER: Order! The member for Swansea had been speaking for only 20 seconds before he was interrupted by the point of order of the member for Terrigal. The member for Swansea has the call.

Mr ROBERT COOMBS: Madam Deputy-Speaker, you are right. Opposition members are embarrassed because they have been exposed for not supporting a sensible policy to be included in this Government's procurement policies—that small businesses in New South Wales should be given prior consideration and, as a result, receive much-needed work. In addition, jobs will be created in this State. Earlier the member for Upper Hunter, who was hosting visitors from the United States and Chinese consulates, criticised this Government for having the audacity to support businesses in New South Wales.

Mr Grant McBride: Small businesses.

Mr ROBERT COOMB: That is exactly right. I would have thought one of the major functions of this State Parliament was to ensure that small businesses in New South Wales were well and truly supported. We need to support them by ensuring that they get work that is contracted out. It is the business of every government in Australia to support small businesses, which are a critical part of our economy. When I return to

the Swansea electorate one of the first things I will do is inform my constituents that Opposition members opposed this motion. I will say to those tradesmen who are battling, trying to keep on employees and ensuring that they receive a weekly or fortnightly wage that the Opposition does not support the stance taken by this Government. Opposition members would sooner support small businesses overseas. [*Time expired.*]

Mr JONATHAN O'DEA (Davidson) [3.57 p.m.]: Surprise, surprise! This is another motion from the Government congratulating itself. Every day the Government attempts to congratulate itself. It is arrogant, appalling, and amateur—AAA—and that is the only triple-A rating it will protect. After the Federal stimulus money the level of infrastructure from this Government under the current budget did not increase by 1¢ in real terms. In fact, in real terms it goes backwards. There is not one extra dollar for infrastructure and not one extra dollar to create an additional job. Having lost more than 200 jobs a day under Premier Rees the outlook for job seekers in New South Wales continues to be very bleak.

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

Mr JONATHAN O'DEA: Even this Government has predicted that the number of people in employment in New South Wales will reduce by a further 1.75 per cent in the next financial year, which is worse than the forecast of the Federal Government. The budget papers predict that the unemployment rate in New South Wales will increase to 8.5 per cent by 2010-11, up from the present 6.4 per cent. Another 70,000 to 80,000 people will be searching for employment, with families across New South Wales—

Mr Grant McBride: The Central Coast.

Mr JONATHAN O'DEA: —including the Central Coast, struggling to put food on the table whilst facing substantial increases in electricity and water charges. That means 300,000 people in New South Wales will be unemployed. That is equivalent to roughly the total population of the Central Coast, which is just under 320,000. Imagine the entire population of the Central Coast being unemployed; that is the number of unemployed people this Government predicts will suffer under this current administration. I visited the Central Coast recently to attend a demonstration. The member for Wyong was also at the demonstration, and he stood up against his Government. Let us see whether he stands up when it matters: in a vote in this place. I visit the Central Coast regularly for holidays and other reasons, like campaigning in Wyong to get rid of the member who is part of a corrupt Government—"corrupt" in the sense that it is decadent.

Mr Grant McBride: Point of order: I ask the member to withdraw that remark.

Mr JONATHAN O'DEA: I withdraw the word "corrupt".

Mr Grant McBride: Withdraw it now.

The DEPUTY-SPEAKER: Order! The comment has been withdrawn.

Mr JONATHAN O'DEA: The Central Coast has a lack of infrastructure. Where is the commitment to the F3-M2 link? Where is the commitment to schools? Government members supported a tax on student travel. Let those schools who visited this place today know that the member for Wyong supports taxing their students. [*Time expired.*]

Ms MARIE ANDREWS (Gosford) [4.00 p.m.]: It gives me great pleasure to support the motion of the member for Wyong. The record expenditure of \$62.9 billion over the next four years on infrastructure will translate into hundreds of jobs for the Central Coast. This budget, as claimed the other day, is a Labor budget every inch of the way. In my electorate the redevelopment of Gosford Hospital continues with an allocation of \$6.6 million— [*Quorum called for.*]

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

The redevelopment of Gosford Hospital continues with an allocation of \$6.6 million for the continued construction of the new mental health unit on the hospital site, an allocation of \$1 million for additional intensive care beds and an allocation of \$1.7 million for up to six additional acute hospital beds. In addition, \$1.76 million has been allocated for 20 full-time clinical support officers to be employed at Gosford Hospital. [*Time expired.*]

Mr DAVID HARRIS (Wyong) [4.04 p.m.], in reply: I thank the members representing the electorates of Gosford, Swansea, Terrigal and Davidson for participating in this debate. Once again I was not surprised by

the Opposition's response. Those opposite did not propose one extra idea or cent for the Central Coast. Nor did they acknowledge all the projects underway on the Central Coast. We hear the Opposition's criticism all the time, but with the Minister for Disability Services sitting behind me I refer specifically to the \$41.639 million redevelopment of the Peat Island large residential centre. The local builder said he has so much work that he had to employ extra people, including apprentices. Opposition members need to get over their own rhetoric and poor ideas of how things operate and get out into our areas to see what is being done on the ground. Go to Tuggerah railway station and see the heavy equipment that is being used to do the work. Go to Wyong Hospital and see the new services being put in place. Go to Gosford Hospital and see the massive rebuilding project. They are real projects. They are not Opposition fantasy projects. New roads, hospitals, police stations and fire stations are being built on the Central Coast. I will take the member for Terrigal on a tour and show him all the projects.

The member for Terrigal has the audacity to criticise the Government when two major road projects are underway in his electorate. He should be saying, "Thank you, Rees Government, for looking after my part of the world as well." His constituents will have the advantage of the Gosford Hospital upgrade by being able to access the extra mental health services available at that hospital. They can see the Paediatric Ambulatory Care Centre, the Cancer Care Centre and the new mental health section at Wyong Hospital—all delivered by this Government. Opposition members walk around this State blindly; they do not see any of these projects. They just look for things that are not being done. How will the Opposition pay for its road commitment projects of more than \$20 billion? How will the Opposition pay for its \$16 billion transport commitments? It cannot pay for it. The Opposition will not recognise what is being done or acknowledge the hundreds of projects around this State. We are builders; they are wreckers. The Opposition has now turned to Michael Costa as another of its financial advisers, which damns everybody on that side of the House.

Question—That the words stand—put.

The House divided.

Ayes, 48

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

Noes, 39

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

Pair

Mr Lulich

Mr Piccoli

Question resolved in the affirmative.**Amendment negatived.****Motion agreed to.**

The SPEAKER: Order! Debate on the motion accorded priority having concluded, the House will now consider General Business Orders of the Day (for Bills).

GARLING INQUIRY (CLINICIAN AND COMMUNITY COUNCIL) BILL 2009**Agreement in Principle****Debate resumed from 3 April 2009.**

Ms NOREEN HAY (Wollongong) [4.16 p.m.]: I speak against the Garling Inquiry (Clinician and Community Council) Bill 2009. While this private member's bill is intended to provide parliamentary oversight of the implementation of the Garling report's recommendations, it fails to do so. It provides for a six-monthly report to Parliament for a two-year period only, and does not provide any detail about the method by which monitoring and evaluation would occur. It fails to provide for the expert assistance needed to properly assess, analyse, review and benchmark the implementation process conducted by the Government. The bill establishes the barest bones of a structure for oversight without any of the substance necessary to ensure that oversight has a meaningful outcome for the community.

In contrast, the Government's strategy will seek clinician and community involvement and consultation as well as independent and external monitoring and evaluation of the implementation of the health action plan. The bill was announced by the Opposition after the Government had announced its comprehensive and transparent monitoring arrangements. We will establish an independent Community and Clinicians Advisory Council to provide advice directly to the Minister for Health and the director general. An independent audit of the progress of implementation will be commissioned by the Government. An independent panel reporting to the Minister for Health will monitor implementation progress, report every six months for three years, and analyse the independent audit to be commissioned by the New South Wales Government. A health subcommittee of New South Wales Cabinet will oversee implementation.

The Government's comprehensive approach will ensure that the relevant experience and skills are engaged at all levels of the health system and that clinicians, in particular, are involved in monitoring, evaluating and reporting, as well as championing and driving the changes needed to implement Caring Together. The Minister recently announced the chairpersons and members of the independent panel and Community and Clinicians Expert Advisory Council. The panel will be chaired by John Walsh. John is a partner in the risk and value practice of PricewaterhouseCoopers. He has extensive experience as a consulting actuary in general insurance accident compensation and the health industry. The panel includes clinicians as well as people with expertise in cultural change, systems information, trend analysis, and governance and administration. The Independent Community and Clinicians Expert Advisory Council will be chaired by Dr Michael Keating. Dr Keating is a former head of the Australian Public Service and other senior Commonwealth departments, including Secretary of the Department of Prime Minister and Cabinet.

The panel and council will ensure comprehensive advice and monitoring of the health action plan. In contrast, this bill demonstrates the Opposition's approach to health: all spin and no substance. Members would be aware that the Government recently announced a series of major health initiatives worth \$485 million over four years to improve patient care and safety in the State's public hospitals. "Caring Together: The Health Action Plan for New South Wales" is the Government's response to the Garling report—the most wide-ranging inquiry ever undertaken of acute care services in New South Wales. The Government has accepted 134 out of 139 recommendations, and we are consulting further about another three. The health action plan is the first of a three-stage response to ensure that our excellent public health system can better respond to the challenges of a growing and ageing community.

The Caring Together action plan is the prescription of doctors, nurses, allied health personnel and the community. The first phase of our approach is about immediately putting in place commonsense initiatives that go to the heart of the recommendations in the Garling report, including changing the role of senior nurses and midwives to become a nurse in charge or midwife in charge and removing much of the burden of paperwork, allowing them to focus on coordinating services and care around the needs of each patient. The nurse-midwife in charge will also be responsible for responding immediately to any deterioration in a patient's condition, supervising the work of junior staff, ensuring patients and their families understand what is happening with their care, making sure patients' meals are served appropriately and making sure that ward areas are clean and hygiene standards are being maintained.

The initiatives also include providing an extra 500 ward-based clinical support officers—an investment of \$176 million over four years—to allow doctors and nurses to focus more on patient care; improving infection control in wards and units, with an extra \$6.3 million per year to be spent on extra cleaning staff for all major metropolitan and regional hospitals; investing \$22 million over four years to expand out-of-hours and weekend coverage of allied health staff, who play a vital role in supporting the needs of patients; building on existing training programs with a \$25 million transition-to-work program for graduate doctors, nurses and allied health workers; providing an extra 20 trainee specialist places in outer metropolitan and regional areas; and providing another \$8 million over four years to support more senior doctors to specialise in hospital care.

The initiatives also include requiring health executives to publish information such as budget and performance so staff can use it for planning and improvement at a local level; establishing a Bureau of Health Information to independently provide information on the performance of the health system, and fast-tracking health information technology systems; and establishing an executive medical director position in each area to improve communication with staff and give staff more of a say in decision making at a local level. In contrast, the Opposition's plan is to more than double the number of area health services, from eight areas to 20. That is precisely what Commissioner Garling recommended we do not do. Recommendation 134 was crystal clear:

I recommend that there be no alterations to the current area health service governance structure.

The Opposition has ignored the most comprehensive review in New South Wales history. New South Wales used to have 17 areas but we cut them back to direct those funds into services—a fact recognised by the commissioner. Now the Opposition has said that this policy does not come with any extra funding, so internal savings must be found to support 20 area health services with 20 sets of support staff, 20 offices and 20 chief executives. It is a plan with a barrel of bureaucrats and nothing for patients. The Opposition's plan is centred on bureaucrats; the government's plan is centred on patients. Members opposite want more bureaucracy and red tape—20 area health services instead of eight. We want more services, better treatment and better care. They have a six-point plan; we have a comprehensive plan that accepts 134 of the 139 recommendations in the Garling report.

The Coalition's six-point plan includes \$300 million for administrators and bureaucrats; we are delivering \$485 million of new services such as pharmacists, more rural doctors, executive medical directors, clinical initiatives nurses, and nurses in charge. The Government opposes this bill because it fails to deliver. And just like its six-point plan, this bill will not deliver the monitoring and support needed to implement the type of change Garling envisaged and the Government has begun implementing. I oppose this bill for the reasons outlined.

Mrs JUDY HOPWOOD (Hornsby) [4.26 p.m.]: I strongly support the Garling Inquiry (Clinician and Community Council) Bill 2009. I congratulate the shadow Minister for Health on a speedy response to what could be seen as an inadequacy in the Government's response to the Garling report by setting up a lukewarm committee. This object of the bill is to establish a council that will be responsible for monitoring, evaluating and reporting to the public, through Parliament—I stress "through Parliament"—on the implementation of the recommendations of the Special Commission of Inquiry into Acute Care Services in NSW Public Hospitals. An outline of the provisions shows that the council will be established and the Minister will appoint its members. However, the council will not be subject to any ministerial control or direction. The bill states:

Clause 5 requires the Council to report biannually to Parliament, during the 2-year period following the commencement of the proposed Act, in relation to its activities (including a description of the extent to which the recommendations of the Garling inquiry have been implemented).

It is no wonder the member for Wollongong has left the Chamber. She made the most appalling contribution I have ever heard from her. It was misleading at best; it showed that she had not read the bill. If that is the case,

perhaps another Government member should have contributed to this debate. It is disappointing that the Government cannot see its way clear to support this legislation. We have had a few examples of the Government being embarrassed for ignoring constructive legislative proposals from the Coalition. Today the Government will be embarrassed again when it votes down this important legislation introduced by the shadow Minister for Health. I briefly refer to Vanessa Anderson. I still have not recovered from the appalling display when Government members voted down Vanessa's law. Warren Anderson and his family have not recovered from the way Government members entered the Chamber while he was sitting in the public gallery. Their behaviour during a serious and sensitive time for the Anderson family was disgraceful.

When a very important and sensible piece of legislation was being debated Government members entered the Chamber laughing, giggling and chatting even though they knew Warren Anderson was in the public gallery. Mr Anderson was extremely distraught—I have not seen him in that state since the death of Vanessa. He has shown untold strength and selflessness during the trials and tribulations that he and his family have had to endure since the death of Vanessa. He has spent a lot of time earnestly trying to make the Government realise that all is not well in the health system, although we did not need to be told that. He has spent countless hours meeting with people and health professionals, attending inquiries, and the coronial inquiry into the death of his daughter. I sat with him, his family and friends for some of that inquiry, which took many months.

The Coroner put the clincher on the need for this Government to look long and hard at the way in which it delivered health services to the people of New South Wales. As a result a Special Commission of Inquiry on Acute Care Services in New South Wales was set up, overseen by Commissioner Garling who produced the Garling report. Over many months and years the Liberal-Nationals Coalition has urged the Government to take a long, hard look at the delivery of health care generally. I believe that that pressure and the recommendations of the Coroner who inquired into the death of Vanessa Anderson were pivotal to Garling being commissioned to undertake the inquiry. In relation to the need to set up a Clinician and Community Council, it is not enough that the Minister has seen fit to set up an advisory body that will report to him. It is certainly not transparent enough. It is extremely important for the public to have faith in an independent body that will oversee the implementations of the recommendations, and report to Parliament on its own observations and recommendations.

The Garling Inquiry (Clinician and Community Council) Bill 2009 needs to be passed because obviously the Rees Labor Government wants to filter information about how well it is implementing the Garling reforms through the office of the Minister for Health and NSW Health. Information about implementing the Garling recommendations needs to be delivered directly to the public, not filtered through the Minister's office. The shadow Minister for Health, the Deputy Leader of the Opposition, has introduced this bill in response to calls from respected doctors, nurses and other health professionals who have asked her to support a council that reports directly to the public through Parliament. The Coalition agrees with health professionals that a body with real community and clinical appointments to report to the public through the Parliament on the Government's progress on implementing the Garling recommendations is absolutely needed.

The model of the Minister for Health is all about controlling information and keeping the Government's true progress secret. If the Minister for Health were fair dinkum about the implementation of the Garling recommendations, his council would report to the public and not just to him. I have not given up hope in relation to Vanessa's law, and the need to address issues associated with children being admitted into adult wards. I do not believe that the guidelines that were put out into the public arena through a media outlet on the morning after the Vanessa's law legislation was announced to the public are enough. We already had guidelines that are just basically gathering dust on a shelf or locked in a cupboard. The general public needs to have more confidence that when a child is admitted to a tertiary or teaching hospital there will be an oversight of that admission.

I do not for one minute believe the argument that the paediatrician who is consulted and oversights the care of that child in an adult ward becomes the lead doctor. I have had 34 years' experience as a nurse and I know full well that on many occasions patients have consultations with a number of experts. If a patient is in intensive care, a number of doctors and specialists will oversee various issues associated with organ failure or the condition generally. The bill simply and plainly provides that a child who is admitted into an adult ward in a tertiary hospital is to have an oversight. The guidelines published the day after the Government became aware of the Opposition's intentions are flawed in that they have a reference to an obsolete Department of Health memo. I am disappointed that I have not seen a re-write of them. To demonstrate the lack of confidence of the general

public in this Government's ability to implement the Garling recommendations, I refer to some media releases. I refer to the *Sydney Morning Herald* of 31 March. Under the heading "Garling's recommendations must not be lost in policy quagmire", Julie Robotham, medical editor, wrote:

When the Government says it is supporting a recommendation, what it means is a little different from the way most people would understand the word.

According to the Premier, Nathan Rees, the Government has accepted 134 of 139 recommendations made by Peter Garling, SC, after his commission to reinvigorate the ailing health system. For example, the Government has "supported" the recommendation to create a clinical innovation and enhancement agency.

But that support does not mean the agency will come into being. It just means the idea will go through a further loop of review. "Consultation indicates that further consideration be given to this recommendation in relation to functions," the fine-print of the Government's response notes. This is critical, because Garling regards this agency as the first of his "four pillars of reform"—organisations that would re-empower clinicians, whose role in setting the health agenda has been sidelined.

Peter Saul, a senior intensive care specialist at John Hunter Hospital and the Director of the Clinical Unit in Ethics and Health Law at the University of Newcastle, wrote an opinion piece titled "We need to talk of death in our perfect health storm". He stated:

Crisis, what crisis? We all love a crisis; the excitement, the whiff of danger, the hope for something better. But is acute health care in NSW in crisis? ...

Ahead lies a perfect storm of an ageing and expanding population with a high burden of chronic disease. Spending on diabetes and dementia alone is expected to rise fourfold in the next 25 years ...

There are signs the storm is rapidly approaching. Recent reports of bad things happening in overstretched emergency departments and poor oversight of some doctors' work, etc, are straws in the wind. The crisis is not one for the demographers and health economists of the future—it has arrived.

Is the NSW health system robust enough to carry us through this impending crisis? It certainly has some unusual design features. Partly paid for by the Federal Government, partly privatised, designed by committee and subject to endless political input throughout its constructions, it looks distinctly dodgy. The first puff of wind will likely sink it.

This is the background to Peter Garling's report into the acute health services of NSW. Given the terms of reference did not allow him to look at funding, he did not exactly have a free hand.

I would like to completely turn on its head the insinuation by the member for Wollongong in relation to the district boards. A media release from the Hon. Jennifer Gardiner, who is our shadow Parliamentary Secretary for Rural Health, dated 4 June and titled "Labor's spin on district health boards" does this, and I quote:

The NSW Labor Government is busily setting up a district health board at the same time its Health Minister, Mr Della Bosca, is hypocritically bagging the NSW Liberal & Nationals Opposition's election commitment to establish district health boards ...

Albury Wodonga Health will start up next month as a board-governed district health service, with half the board members appointed by the NSW Minister for Health, Mr Della Bosca—the same guy who says he doesn't believe in health boards—

well, well, well—

The cross-border Albury Wodonga Health will be established under Victorian legislation with its NSW staff seconded to the Victorian Department of Human Services.

In conclusion, I congratulate the shadow Minister for Health on her policy entitled "Management of the New South Wales Health System—Making It Work", which was released in the last couple of months. It has been very well received and it is certainly testament that we believe structural reform is essential to provide local communities and clinicians with much greater control of their health services.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [4.41 p.m.]: Nothing is more important to all members of Parliament than the health and wellbeing of our people. Fierce debate in this place should not deflect attention from the fact that all members of Parliament only want the best possible health care for our people. This commitment crosses party lines. I note the commitment of the member for Hornsby to improved health care. As members would know, on 30 March 2009 the Premier and Minister for Health released Caring Together: The NSW Health Action Plan following the extensive 10-month inquiry into the healthcare system led by Mr Peter Garling, Senior Counsel.

ACTING-SPEAKER (Mr Wayne Merton): Order! Is the member for Macquarie Fields leading for the Government on this bill?

Dr Andrew McDonald: No, Ms Noreen Hay has already spoken.

ACTING-SPEAKER (Mr Wayne Merton): Order! The member for Wollongong is a backbencher. Therefore, she cannot lead for the Government.

Dr ANDREW McDONALD: I was unaware. So I am now leading and have unlimited time?

ACTING-SPEAKER (Mr Wayne Merton): Order! I am certain the Opposition members will be delighted to hear that the member for Macquarie Fields is leading for the Government.

Dr ANDREW McDONALD: This intensive inquiry is a distillation of what health workers think. The extensive three volumes have references to his trip around the State and the extensive inquiry into health workers of all types in all places. It is a document that I recommend to every member of this place and I place on record my thanks to Mr Garling for his work to date. I think it is a blueprint for the future of Health in this State. The Rees Government has committed \$485 million over four years to support the delivery of our Health Action Plan in response to the Garling report. I noticed that, in today's budget speech by the Leader of the Opposition, not one dollar of extra Health expenditure was mentioned. The Health Action Plan demonstrates the commitment of this Government to improvements in patient care and safety in the State's public hospitals. As Andrew Pesce, the new President of the Australian Medical Association [AMA], stated on a very memorable morning I spent with him at Westmead: In the end, every health worker gets out of bed every morning to improve patient care.

The Government has accepted 134 of the 139 Garling recommendations and is further consulting on another three. It recognises and wants to build on the great tradition of our health system. That great tradition is that universal health care is available to everybody in New South Wales regardless of who you are or where you are from. That is a plank that very few countries can have. Americans debate whether it is possible, even though they spend a good deal more of their gross national product on Health than we do. The initial sentence of the Garling report, which was not reported by our opponents, is that we have one of the world's great health systems. I spent three weeks travelling around the State visiting hospitals during the Garling forums and everything I saw convinced me that we do have one of the world's great health systems.

It has never been under greater challenge and we do have to change the way we deliver health care, which is why the Government's response to the difficulties of modern health care was to do something about it and to instigate the Garling report. The strength of the Garling report is that it promotes a culture that the patient is at the centre of everything we do. That is vital to any improvement in Health governance worldwide and is well described in Health governance literature. The first phase of the Health Action Plan is putting in place initiatives that will help place the patient correctly at the centre of our health care system. The Health Action Plan provides for the expert assistance needed to assess, analyse, review and benchmark the implementation process conducted by the Government and it also provides for reporting over a period of three years.

The Health Action Plan is in keeping with Commissioner Garling's comments on the need for transparency and openness, with reporting to be informed by community members, clinicians, managers and clinical support staff from across the State. The Government has established an independent community and clinicians advisory council to provide advice directly to the Minister for Health and the director general, and there will be an independent audit of the progress of implementation commissioned by the Government. An independent panel will be set up to monitor the implementation progress and the panel membership will include clinicians as well as people with expertise in cultural change, systems information, trend analysis, governance and administration. You need more than just clinicians to drive change in health care. The panel will report to the Minister for Health every six months for a period of three years and analyse the independent audit to be commissioned by the New South Wales Government. A subcommittee of the New South Wales Cabinet, on Health, will oversee implementation.

The Government's approach will ensure that the relevant experience and skills are engaged at all levels of the health system and that clinicians, in particular, are involved in monitoring, evaluating and reporting, as well as championing and driving the changes needed to implement Caring Together: The NSW Health Action Plan. The Minister has announced the chairpersons and members of the independent panel and community and clinicians expert advisory council. The independent panel will be chaired by John Walsh, a partner in the risk and value practice of PricewaterhouseCoopers. He has extensive experience as a consulting actuary in general insurance, accident compensation and the health industry. The independent panel includes a variety of

healthcare stakeholders, including clinicians, those with expertise in cultural change, systems information, governance and administration. Importantly, the panel will have its own independent secretariat and will report on the progress of Caring Together each six months over the next three years.

The Minister for Health has also established an independent community and clinicians expert advisory council to support the implementation of Caring Together. This council will provide advice directly to the Minister and director general on the initiatives underway and the work of the implementation teams at the local level. The council will be chaired by Dr Michael Keating, former head of the Australian Public Service and secretary of the Department of the Prime Minister and Cabinet. The panel will help us fulfil the commitment of our Health Action Plan to build on the tradition of the New South Wales health system. Area health services have already begun work on reducing the frequency of mixed sex rooms or spaces wherever possible, as an example of our commitment to the Health Action Plan. Hospitals are reviewing practice and clinicians and community representatives are already discussing ways to provide greater personal privacy and improve dignity for patients. I have been to many of these forums, unlike members opposite.

Patients and their families are starting to see a change. I visit a hospital every week and already I can see the change. Hospital wards and units have displays with photos and information that tells a patient who is in charge and who they can talk to about any questions they may have. Patients are also better able to identify who does what. The new name badges are much better than the old ones. You can read them and everybody wears them including the Director General. Hospitals are making progress in ensuring that all staff wear name badges. The signage has also improved so that patients know what uniforms are worn by members of staff.

Michael Marmot, one of the world's great demographers in health care, when asked on Radio National some months ago what he would do if he were serious about measuring improvements in health care, said, "I would set up a system for objectively measuring health care." That is being set up as the Bureau of Health Information. This will provide public reporting of performance for the State as a whole, covering each area health service. This objective reporting through the Bureau of Health Information is one of the major commitments to improving the health care of our people.

Planning for a statewide review has already begun, with a clear focus on patient safety. About 10 per cent of all hospital admissions worldwide, including New South Wales, have some form of adverse event. We cannot hide from that and we cannot deny it. We have to do something about it, which is why we commissioned the Garling report and are committed to implementing the changes, unlike the Opposition, which did not mention anything about the Garling report in today's reply to the Budget Speech. Area health services are already progressing the appointment of executive medical director positions in major metropolitan and rural hospitals, to support local decision making and strengthen change and models of care. Over 1,000 clinicians and health-related community members have been identified as part of local implementation councils and as clinical champions in hospitals and area health services to help in the implementation of the Garling reforms.

This Government has always demonstrated and continues to demonstrate its commitment to the involvement of health workers and the community in the implementation of the Health Action Plan. As the Minister says in these forums with clinicians, "We have no hands but yours." It is worth noting that to assist in the development of the plan, the Minister for Health and I have been visiting and will continue to visit health facilities across the State to listen to health workers and community representatives speak about how things can be improved. I was in Dubbo and Wellington only a few weeks ago and I have visited most of the other hospitals in the State. We also need to carefully monitor expectations and continue to look at the future of health care in our State.

Individual copies of the Health Action Plan have been sent to each member of Parliament. If they wish they can look at it on the website and provide ongoing comments and feedback on how the action is progressing. The only contribution to health policy that the Opposition has made is its new policy called Making it Up—sorry, Making it Work. The Opposition policy has six points, two of which are in direct conflict with Commissioner Garling's recommendations. The Opposition wants to spend \$300 million increasing the number of area health services from 8 to 20. I know they say they are not health services, but if it barks and goes "woof" and looks like a dog, it is a dog. The map of the area health districts is almost identical to the previous 18 area health services.

This is a reorganisation designed to give the illusion of progress where no real progress exists. It will also cost \$300 million, none of which will be spent on nurses, doctors or new equipment. It is a reorganisation that will take us back to the system that created the difficulties that I experienced at Campbelltown as a

clinician. All the energy for change in the health system will be hijacked in another reorganisation of the health system. The Opposition has accepted only four of Commissioner Garling's recommendations, so there are 135 to go. Yet they come to Parliament with this bill that will do little to improve patient care apart from getting media attention. The Government opposes the bill.

Mr ANDREW CONSTANCE (Bega) [4.55 p.m.]: I rise to support the Garling Inquiry (Clinician and Community Council) Bill 2009. Before the Parliamentary Secretary leaves the Chamber I must say that his speech made me want to reflect on what has happened in the State's south east since the Garling inquiry report was handed down. What we have seen happen in the Greater Southern Area Health Service is truly remarkable. A skills mix initiative has taken place in which 52 registered nurse positions have been cut to be replaced by enrolled nurses. That has led to enormous pressure being placed on emergency departments throughout the south east, given that enrolled nurses cannot undertake all the duties of registered nurses. Staff have been offered voluntary redundancies. I will also put on the record my concern that the Director of Nursing and Midwifery at Bega Hospital seems to have been taken out of that position and put into a back office function in order to be able to take a voluntary redundancy.

The Government needs to confirm whether that voluntary redundancy is worth \$100,000 to that individual. It should also explain the process by which that person was taken from a front-line position and placed in a back office function. It seems to me that something is completely wrong and there is a need for accountability for that action. Since the handing down of the Garling report, staff in the south east have been encouraged to take up a four-day working week because the Government's financial mismanagement has meant that it cannot provide enough funds to the area health service to operate the 47 hospitals under its control. Finally, we have now seen a review of community health services in which, as I understand it, more than 26 positions will be cut.

For the Parliamentary Secretary to speak this evening about the great benefits people are seeing in terms of reform of the health system following the Garling inquiry, when I have outlined four key issues affecting hospital and front-line services in the State's south east, is of real concern. In introducing this legislation we are seeking to bring accountability for this process within the New South Wales Parliament, not within the Labor Minister's office. I do not think it is unreasonable, given the nature of the Garling inquiry, for a monitoring process to be established that reports to the Parliament, and therefore to the people of New South Wales, not to a Minister who is well versed in spin and the practice of making it look as though the Government is acting when in fact it is not. Following the incidents involving Dr Graeme Reeves, where we saw cover-up after cover-up, it seems to me the Government is seeking to cover up its response to the recommendations of the Garling inquiry in its document known as Caring Together.

The Parliamentary Secretary's comments this evening were incredibly disappointing. It is disappointing for medical staff, clinicians and nurses that the Government will not put in place a mechanism to properly monitor and report to Parliament on a bi-annual basis during the two-year period following the release of the Garling report findings. The Parliamentary Secretary appears to be somewhat confused. This evening he said that the New South Wales health system was a world-class system, yet Commissioner Garling indicated in his report that there were significant challenges and problems. When the Garling report was released, Garling warned that NSW Health was on the brink. The Parliamentary Secretary could not come into this Chamber with a straight face and argue that all was well in NSW Health. Garling suggested that the health system in New South Wales is on the brink, which suggests that major structural issues require significant reform. The jargon being perpetuated by the Labor Party about the establishment of 20 area health services is a furphy.

It is a great shame that Government members have not taken the time to read the policy properly. They should reflect on the fact that currently the Government has an executive to the Department of Health, the Department of Health, an area health service executive, an area health service structure, 33 clusters all with their own management, and the hospital management level. Is it any wonder that the New South Wales health system is in disarray? The Deputy Leader of the Opposition put forward an incredibly sensible proposition. We are talking about 20 district structures that will also have local boards. If we involve local clinicians and nurses in the process it will address the current disconnect that exists between the community and the Government's health providers.

It is misleading to suggest that this proposal would create more bureaucracy when this Government has tier after tier of bureaucracy and a 33-cluster structure in place. Unfortunately, we continue to hear misleading statements from the Parliamentary Secretary—someone that I believed to have a degree of credibility. He agrees with this policy, he has taken it home and read it at night, and he knows it is the right thing to do. All his

political colleagues are saying the same thing. The Parliamentary Secretary's colleagues have probably placed a black mark against his name. It is disappointing that this evening the Parliamentary Secretary argued that the Minister should have the capacity, the power and the ability to control the information flowing from advisory committees when we want an unfettered and truly independent process.

The Parliamentary Secretary failed to mention one other important point. Will members of the Government's advisory council, which will report directly to the Minister, be required to sign a confidentiality agreement? I would like the Parliamentary Secretary or someone from the Government who opposes this sensible piece of legislation to confirm whether the advisory council will be required to sign a confidentiality agreement. The current health advisory committees that are operating around this State are unable to reflect the views of those members to the constituencies that they represent. It would worry me enormously if members of this advisory council were required to sign such a confidentiality agreement.

At this point the face of the Parliamentary Secretary has gone grey. I hope he is able to ask one of his Labor colleagues to confirm whether or not that would be the case. Everybody agrees that the Garling process has to be embraced and that the reforms have to be implemented. This Government, which has a long history of cover-up and deceit, will twist and turn its responses to the recommendations. Just like the budget, the Caring Together document is nothing other than a public relations document so that the Government is seen to be responding. How are people on the ground responding to the Garling inquiry? Without the flowthrough of funding, support, drive and will, these problems will continue.

This evening I outlined four clear examples of what is happening in the Greater Southern Area Health Service since the Garling inquiry. The Parliamentary Secretary said there have been significant improvements, but nursing positions have been cut, voluntary redundancies have been offered, four-day working weeks have been offered, and community health service positions have been abolished. To me that does not suggest a more public government response to the Garling inquiry. I commend the shadow Minister for Health for clearly highlighting, through the introduction of this private member's bill, how deceitful the Government has been throughout this process. The Government will continue to be deceitful in the future.

If Government members have nothing to hide and they are happy to be accountable, the Garling report should be debated in this Chamber, every recommendation should be pulled apart and the report should be properly assessed. I do not want the Minister's chief of staff, Graham Wedderburn, Walt Secord and every other doozy in this place trying to spin this out. People in this State and in the medical community have been fed a load of rubbish about the Garling inquiry—an important process to improve health services in this State. The Garling inquiry was designed to bring accountability into the system following horrific incidents that occurred in our hospital system and that will continue to occur under this Government.

This week's spin on the State budget has been mind-blowing. The Premier and Minister after Minister have spoken in this place about record expenditure in New South Wales and the so-called \$60 billion infrastructure project. There is a record blow-out in the Health budget. There is a great deal of spin on another issue, and the member for Monaro is perfect at this little number. He runs around saying that the Labor Party is building hospitals everywhere. When the Liberal Party was last in office 11 per cent of the State's infrastructure budget was designated for building public hospitals. This week that figure is around 3 per cent. This Government has cut infrastructure expenditure for public hospitals in this State. As a result, projects such as the \$100 million hospital promised to the community in Bega Valley shire will not be built. The Government promised that hospital three years ago—well in advance of any global financial crisis—and prior to the last State election the Minister for Health committed to it in blood.

The Government is telling everybody in the State's south-east that it will build that hospital. People in the Bega electorate are not the only ones who will be impacted by this Government's broken promises. People in the Monaro electorate—in Bemboka, Bombala, Cooma and Jindabyne—who utilise those facilities, will also be impacted. The member for Monaro is dudding people in the south-east. The Government made that commitment, parroted its \$60 billion record infrastructure spend, and then took away this vital asset in our region, which is a disgrace. It clearly demonstrates the woeful response of this Government to health and to the Garling report.

ACTING-SPEAKER (Mr Wayne Merton): Order! The member for Bega has the call. He does not need the encouragement of Government members.

Mr ANDREW CONSTANCE: Government members are not willing to support this sensible legislation. It reminds me of the last occasion on which the shadow Minister for Health introduced a bill in this

place following the Vanessa's law bill and the bill to make it mandatory for health services to contact the medical board to check on the credentials of doctors. I will not refer to Dr Graeme Reeves. Opposing this sensible health reform legislation introduced by the shadow Minister for Health condemns Government members in the eyes of the New South Wales community. We want openness, transparency and accountability surrounding the Garling inquiry. We want the parliamentary debate on this matter, not the spin from Minister John Della Bosca's office.

Mr JONATHAN O'DEA (Davidson) [5.10 p.m.]: The object of the Garling Inquiry (Clinician and Community Council) Bill 2009 is to establish a clinician and community council responsible for monitoring, evaluating and reporting to the public through Parliament on the implementation of the recommendations of the Special Commission of Inquiry into Acute Care Services in New South Wales Public Hospitals, otherwise known as the Garling inquiry. Never has there been such an important time to push bureaucracy aside and be prepared to do what is right. We cherish good health for ourselves, our family and our friends. No longer can we stand by and watch our health system suffer from the incompetence, waste, mismanagement and lack of financial intelligence of this New South Wales Labor Government. Common sense and the good of the community must be put first and foremost above all other agendas.

As the shadow Minister for Health pointed out, we need to put people first. At some stage in our lives we all will rely on the health system. It demands greater accountability and transparency to provide information to reflect what happens in New South Wales hospitals. The bureaucracy-created wedge between health professionals and management must be broken down through more local community and clinician involvement as well as better intergovernmental cooperation. The people of New South Wales deserve this. Indeed, they deserve better than this State Government has been delivering. The Government should stop the spin and start paying closer attention to the findings of the Garling inquiry. Our doctors and nurses need our full support to enable them to perform their duties without undue influence and interference from bureaucrats.

We support greater local clinician input and guidance in our health system. Clinicians were involved in formulating the Clinical Services Strategic Plan for Northern Sydney Central Coast Health. However, their volunteer input essentially was undermined by this Government's refusal to proceed with the central plank of that plan, that is, the long-promised northern beaches hospital at Frenchs Forest. How can anyone trust a Government that so blatantly breaks its promises? The public has not trusted this New South Wales Labor Government for some time, and its arrogance and spin will not help reduce that mistrust. This failure was reflected in the proposed dumping of the previous Minister for Health, Reba Meagher, before she fell on her own sword.

The present Minister for Health has underfunded New South Wales public hospital system infrastructure by cutting spending in this budget by more than 22 per cent, probably with expectations of a Federal bailout. I have two observations of the contribution of the member for Macquarie Fields. He would make a better health Minister than our current Minister because I believe he would at least pay people the courtesy of listening to them. I disagree with his suggestion that the current governance model is adequate; reform is needed. Even the Minister recognises this. On 3 June the *Daily Telegraph* quoted Minister Della Bosca as follows:

We need a new governance model ...

The member for Macquarie Fields is a medical practitioner and while he may respect private sector health involvement and clinicians, unfortunately, I do not believe this Labor Government does. Nor do I believe that the Federal Labor Government properly respects the role of the private health sector as part of a balanced health system for New South Wales and this country. That is reflected by this State Government's lack of respect for private practitioners and the Federal Government's lack of support for private health insurance—a system that has operated well within our overall health system but which the Federal Government intends to erode. I conclude by saying that the people of New South Wales and their health should and must come first and foremost. I support this important legislation from the shadow Minister for Health to provide improved health services for a long-suffering New South Wales community. It will ensure that the Garling report recommendations are better or more properly implemented.

Ms MARIE ANDREWS (Gosford) [5.15 p.m.]: Members are aware that the Rees Government has committed funding of \$485 million over four years to improve patient care and safety in the State's public hospitals. This demonstrates the Government's continued commitment to safer and better quality health care for the community of New South Wales. The Government's response to the Garling report "Caring Together: The Health Action Plan for New South Wales" is an excellent example of how this Government listens to the

community, the health workforce and other experts and how their views have shaped decisions and future plans for the health system. Commissioner Garling led the most wide-ranging inquiry of acute care services ever undertaken in New South Wales. The Government has accepted 134 of the 139 Garling recommendations and is consulting further on another three. Therefore, I am deeply disappointed that the Opposition's response was the member for North Shore introducing the Garling Inquiry (Clinician and Community Council) Bill 2009.

As usual the Opposition has failed to deliver. This bill proposes only a dragonfly approach, skimming across the top of the serious topic of implementing the Garling recommendations. It is worth noting that this bill was introduced by the member for North Shore after the Government announced its response to the Garling report: a detailed health action plan for New South Wales after clinicians, managers and community had shaped their plan, which included a comprehensive strategy for their continued involvement as well as independent and external monitoring and evaluation of the implementation. Further, this private member's bill provides for only one structure to monitor and report on implementation for only a two-year period. It provides none of the detail in the Government's plan on how monitoring and evaluation would be undertaken.

In contrast, the Government's health action plan provides for the expert assistance needed to properly assess, analyse, review and benchmark the implementation process by the Government and requires reporting spanning a three-year period. The Government's plan is directly in keeping with Commissioner Garling's comments on the need for transparent and open reporting informed by community members, clinicians, managers and clinical support staff from across the State. In comparison to the member for North Shore's single approach to monitoring and reporting, the Government is establishing an independent Community and Clinicians Advisory Council to provide advice directly to the Minister for Health and the director general. The Government will commission an independent audit of the progress of implementation. An independent panel will be set up to monitor implementation progress, report to the Minister for Health every six months for a period of three years and analyse the independent audit to be commissioned by the New South Wales Government. A subcommittee of the New South Wales Cabinet on health will oversee implementation.

The Government's comprehensive approach will ensure that relevant experience and skills are engaged at all levels of the health system and that clinicians particularly are involved in monitoring, evaluating and reporting as well as championing and driving the changes needed to implement "Caring Together: The Health Action Plan for NSW". Already more than 1,000 clinicians and health-related community members have been identified as part of local implementation councils and as clinical champions in hospitals and area health services to support implementation of actions. The Government's health action plan is the result of extensive consultation with doctors and nurses, allied health personnel, support staff and the community. Implementation, monitoring and reporting will continue to involve these people, who will be led by and benefit from achievement of the health action plan strategies—people who have the best interests of every patient at heart.

While the Deputy Leader of the Opposition and member for North Sydney has been contemplating the establishment of a single body to monitor and report on the delivery of such an extensive plan, the work of making improvements to the health system in New South Wales has been moving ahead. Area health services already have begun work on reducing the frequency of mixed sex rooms or spaces wherever possible. Hospitals are reviewing current practice, and clinicians and community representatives already are discussing ways to provide greater personal privacy and improved dignity for patients. Patients and their families are beginning to see a change in our hospitals. Hospital wards and units around the State are preparing displays with photographs and information that tell a patient who is in charge and who they can talk to about any questions they may have.

Hospitals are making progress in ensuring that all staff wear name badges that clearly show their name and role. They are putting up signage so that patients know what uniforms are worn in that facility and can be clear about who is who in the health team. Work is well underway to meet the July deadline for the creation of a Bureau of Health Information that will provide public reporting of performance for the State as a whole, each area health service, hospitals and units or wards. Area health services already are progressing the appointment of executive medical director positions in major metropolitan and rural hospital networks to support local decision making and strengthen the adoption of innovations as well as improved models of care.

The health action plan is a comprehensive plan, involving significant change and planning for the future with structures to support its implementation and to monitor and report on progress already announced by the Premier. Community representatives, doctors, nurses, allied health and support staff already are working together to make the action plan a reality. They are embracing this opportunity with the professionalism and fervour that we have come to expect from our dedicated staff. This bill will not contribute to their effort. The Government's comprehensive clinician-led approach to monitoring the implementation of the health action plan is far better than Opposition spin and grandstanding. I do not support the bill.

Mr VICTOR DOMINELLO (Ryde) [5.22 p.m.]: I support the Garling Inquiry (Clinician and Community Council) Bill 2009. I applaud the very hardworking shadow Minister who introduced this bill. I have no doubt that if the conga line of Ministers for Health appointed during the 14 years of Labor government applied the same dedication and diligence as well as the same level of care and commitment displayed by the Coalition's shadow Minister, the state of Health in New South Wales would not be moribund. The object of the bill is to establish a Clinician and Community Council that will be responsible for monitoring and evaluating, and reporting to the public through Parliament on the implementation of the recommendations of the Special Commission of Inquiry into Acute Care Services in New South Wales Public Hospitals, which is known as the Garling inquiry. At the heart of this legislation is clause 5 (1), which states:

The Council is to prepare a report of its work and activities during each review period (including a description of the extent to which the recommendations of the Garling inquiry have been implemented) and furnish the report to the Presiding Officer of each House of Parliament within 4 weeks of the end of the review period concerned.

The report will be undertaken by the council, but it will not be presented to the Executive and delivered into the hands of the spin doctors—we all know about the spin doctors in the Government—it will be delivered to Parliament so that both sides of the Chamber will be able to examine it and give it appropriate scrutiny. Why do we need this report to be tabled in Parliament as opposed to presenting it to the spin doctors and risking a different outcome being articulated by the Minister? To understand why we need that, it is essential to consider the background of the Garling inquiry. The Garling inquiry was set up pursuant to section 10 of the New South Wales Special Commissions of Inquiry Act 1983. It is important to note what Commissioner Garling said:

In the months before and since this Special Commission of Inquiry commenced, there has been public disquiet over the state of the NSW hospital system. This has been the result of highly publicised incidents which cast doubt on the public mind on how safe our public hospitals were and whether the quality of care they provided was what patients and their families and friends were entitled to expect.

I pause to emphasise the following point because members opposite, who really do not want to listen, will find it hard to comprehend.

Mr Tony Stewart: I am listening.

Dr Andrew McDonald: We are listening.

Mr Frank Terenzini: We are waiting and listening.

Mr VICTOR DOMINELLO: I will continue:

During the course of this Inquiry, I have visited 61 public hospitals; heard evidence from 628 people including patients, community members, doctors, nurses and allied health professionals; received over 1200 written submissions from over 900 individuals and organisations; conferred with 27 peak bodies such as the specialist medical colleges, professional associations like the Australian Medical Association and the NSW Nurses' Association; and received extensive briefings from NSW Health and representatives of the 8 area health services which are the main organisational units which operate the hospital system. I have had the benefit of a 2-day conference with 22 experts from Australia and overseas on reforming the system and a one-day conference devoted to paediatric health issues.

Mr Frank Terenzini: We know all that. We have read it.

Mr VICTOR DOMINELLO: What is important about that—and why I think it is important to state it again—is that it shows the absolute detail of inquiry undertaken by Commissioner Garling during the inquiry and in the subsequent report. It has been reported that Commissioner Garling took more than 10 months to undertake this inquiry. Commissioner Garling is a senior counsel, and senior counsel normally charge approximately \$7,000 a day. Even if we were to say that the commissioner in this case was to be allocated \$4,000 a day, that amount over 10 months equates to approximately \$800,000, and that is just for Commissioner Garling's fees alone. It does not include counsel assisting Commissioner Garling, Mr Tobin, QC, who would not have provided his services free of charge. There would be no gratis element there, and Mr Tobin, who is excellent counsel, would have been appropriately compensated for his work.

My estimate of the cost of the inquiry is that it would be well in excess of \$1 million. If I am wrong, I challenge the Government to produce a statement of the actual cost. The Government will not do that because clandestine operations are what the Government is very good at, and I expect more of the same. The cost of that inquiry is a fundamental reason why this bill, which has been introduced by the shadow Minister for Health, is important. The fact that so much public money and so much public effort have been committed to this enterprise

requires an independent team of experts to examine the recommendations of the commission before the report finds its way into the hands of the spin doctors who represent the Executive. That is what this comes down to. It is as simple as that.

To counter suggestions that there is no precedent for this, I remind Government members that there have been plenty of other occasions when reports have been tabled in Parliament as opposed to being presented to the Executive, or the spin doctors, and that that has happened for good public policy reasons. I remind Government members, because they obviously need reminding, of section 242 subsections (1) and (3) of the Law Enforcement (Powers and Responsibilities) Act 2002, which respectively provide that the Ombudsman is required to monitor certain police functions in relation to covert search warrants and furnish a report to the Attorney General and Minister for Police as soon as is practicable.

Section 242 (4) provides that the Attorney General must lay a copy of the report before both Houses of Parliament. The powers of the State, the police powers to control the public, are an important issue. That is why something like that is investigated independently by the Ombudsman and a report is tabled in both Houses of Parliament. Similarly, section 121 (1) of the Crimes (Forensic Procedures) Act 2000 provides that the Ombudsman is to keep under scrutiny the exercise of the functions conferred on police officers under the Act. Further, section 121 (3) provides that the Ombudsman must furnish a report to the Minister of Police, and section 121 (6) requires the Minister to lay before both Houses of Parliament a copy of the report.

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

PRIVATE MEMBERS' STATEMENTS

Question—That private members' statements be noted—proposed.

KU-RING-GAI PLANNING

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [5.30 p.m.]: I attended the public meeting organised by the Ku-ring-gai Planning Panel to present the Town Centres Plan. The meeting opened at 6.00 p.m. and we were immediately told that it would finish by 9.00 p.m. We were also told that 100 people had pre-registered to speak and that people would be allowed up to three minutes. It seemed to escape the panel's notice that if all 100 were heard the meeting should end at 11.00 p.m., not 9.00 p.m. But I will say more on that later. The meeting started well. People presented well-argued and articulated concerns about what was in the plan. In most cases the argument was about how the same results could be achieved better, without the problems the proposed height, bulk and density would cause in and around the six town centres. The panel promised responses at the end of all the comments. In some cases questions were posed. One question I well recall was from a resident of a unit block whose site had been re-zoned to five storeys. The simple question was asked:

Does this mean that my neighbours and I will be forced to leave our homes?

An answer was promised at the end of the meeting. There were those, few in number, who came to support what was proposed. There were others who mounted the case that the proposed yield from the local environmental plan would vastly exceed the agreement made between Ku-ring-gai Council and the State Government under the metropolitan strategy. And some highlighted the errors in the document. I recall especially two. First, David Leafe noted that his property had been stranded in a sea of five-storey development because it had been classified as being of heritage significance. The classification hinged on an art deco glass motif above the porch. The problem is that, far from dating back to the 1930s, the item was made from fibreglass by Mr Leafe just nine years ago! His neighbours the Prells are similarly affected. Their house has been classified as heritage because of a double hip roof. Again, it has been wrongly classified as the roof was a recent addition by the Prell family.

At close to 9.00 p.m. the panel started to wind up the meeting. The growing frustration of the up to 700 people who attended the meeting started to emerge. Over the next half hour a room full of reasonable, polite, law-abiding and articulate people turned into an angry, noisy group that resented the farce they had sat through and witnessed. Only 50 people—half the number who had registered—were allowed to speak, and the period for community feedback was terminated. No attempt was made to address the concerns raised by residents. There were no answers to questions. There was no agreement to investigate and rectify the failures and mistakes identified—and not denied—in the town centres local environmental plan. The panel briefly left the room to consult and returned to vote in favour of the local environmental plan. It was a complete joke.

After the meeting the member for Davidson and I sought a meeting with the Minister for Planning. I am pleased that the meeting will occur next Tuesday. At that meeting I want the following commitments from the Minister. I want a reduction in the development proposals by half to ensure that Ku-ring-gai is not forced to accept more than the 10,000 dwellings over the 25 years to 2031 previously agreed by the Department of Planning and Ku-ring-gai Council as part of the metropolitan strategy. This request recognises that 5,000 dwellings have already been proposed under other planning instruments. I want a commitment and funding program to ensure that existing problems experienced by residents with local infrastructure and services, especially traffic, around the town centres and along the highway are fixed, and upgrades are undertaken to meet the needs of the new populations being proposed; and implementation of effective interface arrangements to ensure that the height, bulk and density of the proposed developments that are out of character with surrounding environs do not contaminate adjoining or neighbouring property owners.

Living in a single-storey home adjacent to a five-storey or eight-storey development is unacceptable and destroys both amenity and value for property owners. I want a review of the local environmental plan's heritage components. The plan fails to protect identified heritage conservation areas, with some streets with high conservation values ignored and, as I have indicated, other properties have been wrongly classified for heritage protection. I also intend to again highlight the stupidity of a planning approach that refuses local communities a genuine opportunity to be consulted. Besides denying democracy, it ignores the benefits of local knowledge and fails to recognise that residents, not Ministers or advisers, are forced to live with the results of the decisions being made.

If the Minister is fair dinkum—if she is genuine in wanting to listen to local concerns—she will address each of these issues. For most people our homes will be our largest investment. They truly are our castles and people have a right to expect the Government to support and protect them, not destroy them. I am committed to strongly supporting my community in this fight. I am determined to put an end to this type of top-down, one-size-fits-all approach to planning. I believe that local communities should be re-empowered, that agreements should be honoured and decisions conform to the Department of Planning's metropolitan strategy dwelling targets. The Liberal-Nationals are committed to reforming the State's dysfunctional planning system including re-writing the State's Heritage Act, returning local planning powers to local councils, scrapping part 3A, appointing a Minister for Planning and Infrastructure, creating a separate Minister for Heritage and capping donations and election spending to end Labor's decisions-for-donations culture.

In order to respect agreements made with Ku-ring-gai and, frankly, other Sydney councils, an incoming Liberal Government will review planning policy decisions against targets set in the Department of Planning's metropolitan strategy. Where the targets have been exceeded, we will explore all available ways to relieve the pressure on councils to provide further unnecessary, unsustainable development. The Liberal-Nationals are committed to delivering a planning system that is committed to local decision making, curbs ministerial powers and is aimed at delivering better, sustainable outcomes for communities across the State. My experience of the way the State Government has treated residents through the Ku-ring-gai local environmental plan process has served to strengthen my determination.

KAMAY-BOTANY BAY NATIONAL PARK

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [5.35 p.m.]: Few Australians would doubt that the area around Captain Cook's landing site at Kernell is a place of profound cultural and historical significance. It is the meeting place of cultures: the first meeting between Cook and the Dharawal people, which sowed the seeds of a successful modern multicultural nation. The first Australians, our indigenous people, called the Botany Bay area Kamay. In November 2002 I wrote to Premier Carr about the need to improve facilities at the Kurnell site to better recognise its historical, heritage and cultural significance to modern Australia. I sought funding for improvements to the area that would attract students and visitors. In January 2003 I joined Premier Carr and Minister Debus at Cook's monument to launch the draft master plan for the area of Botany Bay National Park, which would eventually become known as the meeting place precinct.

Recognising its shared history, the meeting place adopted the dual name of Kamay-Botany Bay National Park. Following considerable research and extensive public consultation, a final master plan adopting the meeting place theme was developed and implementation began in 2004. Stage one of the meeting place master plan was completed in 2007. Costing \$3 million, it saw the construction of new car parks and toilet facilities, better access and the restoration of Cook's Cannon to the improved visitors centre. Stage two of the \$6 million State Government project is nearing completion. Stage two work completed so far includes the

reopening of Cooks Stream, allowing fresh water to flow naturally into Botany Bay for the first time in 100 years. The stream not only provided Cook's party with fresh water but also sustained our Aboriginal people for thousands of years.

The reconnection of the fresh water with the salt water is of prime importance to the Dharawal people and is a sign of the healing of the site. Clearly, it is appropriate that this stream be restored to the state in which Cook saw it in 1770. Also completed is restoration of a 1.2-hectare area of native dune forest to what it was when botanists Sir Joseph Banks and Daniel Solander saw it when they first visited the area. This unique local plant community helped sustain our Aboriginal people. The Kurnell dune forest has now been identified as an endangered ecological community. Restoration of the forest required the removal of 60 introduced trees from an area well away from the ceremonial plantings now lining the foreshore. Each tree removed was assessed by experts as having no significant heritage value.

Much of the restoration work of the dune forest behind the Banks monument was done by the Towra Team comprising members of the Aboriginal community, day release prisoners from Silverwater Correctional Centre and Botany Bay busy bee volunteers. I thank them for their hard work. The refurbishment of the park's discovery centre, including a theatre and environment education centre, has also been completed. Completed, too, is the reconstruction of the historic Botany Bay ferry shelter in the park as originally built in 1910. As part of the \$6 million Government upgrade and improvements, construction of stage one of the new jetty-viewing platform is nearing completion on the site of the old ferry wharf, which was destroyed by storms in 1974.

Also nearing completion is the Burrawang walk, a new interpretative walking track bringing stories of Cook's journey, the first encounters with the Dharawal people, and their culture and heritage to life. The Burrawang looped walking track incorporates the "Meeting Place", a large circular sandstone area that can be used for talks and performances. Recently I inspected the meeting place precinct and discovery centre with National Parks and Wildlife Service Area Manager Mike Patrick, capital works manager Mike Vader, and project officer Georgina Eldershaw. I was impressed with the works completed and the progress made so far. I thank them, the staff of the National Parks and Wildlife Service and the Department of Environment and Climate Change, the workers and the volunteers, as well as the Aboriginal elders and all members of the Shire community for their input into this worthwhile project. I also acknowledge the contribution of the Rudd Labor Government in providing \$900,000 towards the restoration of part of the native dune, an audiovisual display at the visitors' centre and an audio sound-scape on the Burrawang Walk.

However, when it comes to the Botany Bay Meeting Place precinct, I am sick and tired of the negative, self-interested and disingenuous antics of those who have held the Federal seat of Cook since 1975. They have done nothing but whinge, carp and complain about this historic site for the last 33 years. They have delivered nothing but criticism. Members should note the comments of the latest Federal Liberal member for Cook, Scott Morrison, on ABC Radio on 4 June. This sanctimonious blow-in from the hills was pretending to be part of the shire, but at the same time he was talking down the work being done at the Kurnell Meeting Place. He said how disappointed he was about the way Captain Cook's landing place was being treated and that we need "interpretative museums" and the "right memorials". Morrison does not acknowledge the public consultation or the work done by shire volunteers, the community input or the culturally sensitive way in which these improvements have been undertaken.

This is the same bloke who failed to hold the Howard Government to its commitment to fund a new memorial to Cook. It really is about time Mr Morrison, who actively seeks to ingratiate himself with the shire community, actually got off his backside, got out to the meeting place precinct and had a look at the work that has been done. It is time he stopped putting down the efforts of our volunteers and the indigenous peoples who have worked so hard on the project. He should give credit where credit is due. If he really wants to be part of the shire, Mr Morrison should stop posturing and start getting something done in the area. That involves breaking the continuous chain of whingeing, whining, non-achieving Federal Liberal members for Cook we have endured for the past 33 years. Mr Morrison has no doubt copied that pattern of behaviour from his little mate the member for Cronulla.

BOWEN COMMUNITY TECHNOLOGY CENTRE

Mr RUSSELL TURNER (Orange) [5.40 p.m.]: It gives me pleasure to speak about the Bowen Community Technology Centre in the Spring Street Carriage Cottage, which was opened in October 2008. I acknowledge the assistance given to the centre by Orange City Council, which owns the Spring Street Carriage Cottage. I also acknowledge the assistance of Calare Credit Union, Telstra and Harvey Norman. I particularly

thank Cadia Valley Operations, which runs the big goldmine just out of Orange, for its donation of \$35,000 to the centre to enable it to buy computers and associated equipment. I also acknowledge the Bowen Residents Action Group. The group was formed in 2005 and I have been involved with it since then. I also acknowledge the fantastic work of Ron Gander, the chairman, and Paula Townsend, the centre manager, for the work they have done in helping the community to make life a little better in that area. The *Central Western Daily* of Monday 16 March contains an article demonstrating the success of the centre. The article states:

The Bowen Residents Action Group (BRAG) has asked for help from school principals following an overwhelming response to its homework program at the Carriage Cottage.

The group has been running a homework program in its computer room at the Spring Street Carriage Cottage but says it needs help in structuring the way the room is used.

That was the purpose of a meeting last Friday where BRAG members and principals put together a program to ensure each child has access to a computer for school work.

Cadia Valley Operations donated the funds to set the room up with six computers but the response has been overwhelming.

"We had 25 kids here on Thursday," said Paula Townsend from BRAG.

Ms Townsend, who is assisted by other members of the committee, monitors how long each child is on a computer.

"If there is a computer not being used and one of the children wants to play games on it there is a time limit—just like there would be in a home where the family has a computer," she said.

Ms Townsend has devised a series of exercises for young people aimed at improving their knowledge of the environment, local government and geography of the area, to teach them how to get on to the internet and source the material for answers.

I visited the centre a few days ago to see how it was going. It was fantastic to see kids of all ages using this after-school centre not only to do their homework but also to learn how to use computers. I congratulate Paula on her efforts. While the children are learning how to use the computers they are also being educated. The tutorial program includes questions on local government, homework, history and the local area. Paula shows them how to find the answers on the Internet.

While they are learning about their region and how the world operates, the children are also getting a little bit of discipline. When I was there last week a couple of young fellows came in and Paula very politely but firmly told them to get out. She had banned them for a week the day before because they had purposely kicked a ball into the side of a car. To ensure that they hit the car, they stood in front of it and forced the driver to come to a halt. They shrugged their shoulders and walked out. It is terrific that they accepted that discipline, because unfortunately some of the local children do not get that sort of attention and direction from their parents. I could see the respect that the children had for Paula. I hope that the centre goes from success to success and that it continues to attract support from Orange City Council. I take this opportunity to ask the State Government to show its appreciation and to consider sympathetically any application for assistance that is lodged by the organisers of this wonderful program.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [5.45 p.m.]: I thank the member for Orange for drawing the attention of the House to the Bowen Community Technology Centre and the work of Spring Street Carriage Cottage and Paula Townsend. As a resident of Orange in the 1960s we definitely did not have access to computer technology. I appreciate Paula's work in encouraging kids to use computers and to find out about the world. I listened with interest to the member's dissertation on the discipline that Paula hands out. I remember my time at school in Orange and getting six of the very best on a very cold day and not being able to ride my bike home.

Mr Alan Ashton: It didn't do you any harm!

Mr BARRY COLLIER: It probably did not, but I never did it again. Of course, times have changed. I congratulate and thank the centre's sponsors. This is a very good thing for the community and the local children, who now have access to the worldwide web and information technology that we did not have in my days in Orange in the 1960s.

TRIBUTE TO PROFESSOR CHRIS O'BRIEN

Mr FRANK SARTOR (Rockdale) [5.47 p.m.]: I draw to the attention of the House the continuing toll that cancer takes on our community—a disease from which the communities of Rockdale are no more immune

that any other. In the past 15 months, five people who are well known to me have fallen to cancer. They range from Tina De Chiara, the wife of a local builder who contracted pancreatic cancer, to Professor Chris O'Brien, one of our top surgeons who specialised in treating head and neck cancer.

Thanks to the good work of the New South Wales Cancer Institute, which was established in 2003, this State leads Australia in the fight against cancer, but we still have a long way to go. The suffering of people with cancer and their carers is well known to me. My mother, Ida, died in 1968 from cancer after fighting the disease for some three years. My partner, Hephzibah, died on 21 June 2001—eight years ago—at the age of 30.

Last week I attended the State funeral for Professor Chris O'Brien. Professor O'Brien passed away with his family by his side at Royal Prince Alfred Hospital on 4 June 2009 at the age of 56. Earlier that day, he was presented with an Order of Australia by the Prime Minister, the Hon. Kevin Rudd. I met Professor O'Brien after I became involved with the Sydney Cancer Centre as a result of the treatment my late partner received there in 2001. In 2002, as Lord Mayor of Sydney, together with Professor Bishop and Lucy Turnbull, I established the Sydney Cancer Foundation, which would support the work of the Sydney Cancer Centre and pursue the idea of creating a world-class comprehensive cancer centre.

In 2003 I became a Minister and was given, among other things, responsibility for establishing the Cancer Institute of New South Wales. Due to a potential conflict of interest I resigned my position as chair of the Sydney Cancer Foundation. Later that year, Professor Bishop became Chief Cancer Officer of New South Wales and resigned from the position of Director of the Sydney Cancer Centre. He was replaced by Professor Chris O'Brien.

Today I want to especially acknowledge the contribution of Professor Chris O'Brien. Chris O'Brien was a high achiever whether at school, in sport, or in medicine. He specialised in head and neck surgery and undertook clinical fellowships in head and neck surgery and oncology in England and the United States of America, returning to Australia in 1987 to join the staff of Royal Prince Alfred [RPA] Hospital as a consultant head and neck surgeon. There he contributed to the expansion of the clinical service, making it one of the largest in the country. He also established a comprehensive head and neck database, which is the largest in Australasia and one of the largest in the world. This facilitated a large and internationally recognised body of clinical research.

At April 2009 clinical data on 8,000 patients, including the detailed results of 5,500 operations Chris O'Brien performed or supervised in his 20-year career as a head and neck surgeon between 1987 and 2006, had been included on the database. He also established a basic research program and an international clinical fellowship program under the umbrella of the Sydney Head and Neck Cancer Institute, which he founded in 2002. He was the author of more than 110 scientific papers and 17 book chapters, and was honoured with invitations to many countries and institutions as a visiting professor and guest lecturer. He received invitations to give numerous prestigious named lectures such as the Hayes Martin Lecture in Washington in 2004, the Eugene Myers International Lecture in Los Angeles in 2005, the inaugural Jatin P. Shah Lecture in Prague in 2006 and the Semon Lecture in London in 2008. He was made an Honorary Fellow of the Royal College of Surgeons of England in recognition of his contribution to the training of young British surgeons.

In 1998 Chris founded the Australian and New Zealand Head and Neck Society, a multidisciplinary society comprising surgeons of all disciplines, radiation and medical oncologists, and allied health professionals. He was president in 2004. The society is flourishing and will hold its tenth annual scientific meeting in 2009. He was a member of the American Head and Neck Society and was recognised by that body when invited to join the council in 2005. He was further recognised by the inauguration of a named lecture and a named travelling fellowship in his honour. Professor O'Brien was renowned for his wonderful manner with patients, who always came first. When Professor O'Brien became Director of the Sydney Cancer Centre, he developed a proposal to transform the centre into a \$250 million world-class comprehensive cancer centre—Lifehouse at RPA. The project was launched by Prime Minister Kevin Rudd in April 2009. It is planned that building will commence in late 2009.

Chris O'Brien is widely known to the people of Australia for his many appearances over the last 12 years on the award winning reality TV program *RPA*. He is a devoted husband and father with many interests including running, skiing, reading and playing guitar.

Unfortunately, in November 2006 he was diagnosed with a malignant brain tumour. His initial treatment had been successful and he continued on with his therapy with a positive and confident outlook. He stepped down from all of his clinical and administrative positions at the time of his diagnosis in order to concentrate on his recovery. In October 2008 he published his autobiography, *Never Say Die*, which has become a national best-seller.

As I said, Chris O'Brien sadly passed away on Thursday 4 June. He is survived by his wife, Gail, and children Adam, Juliette and James. Two weeks on, in this House I am privileged to extend my condolences, and those of my wife, Monique, to Gail and the family. I acknowledge their enormous grace during this difficult period. Chris O'Brien was an inspiring figure to many. He used the 2½ years from when he was first diagnosed in 2006 to achieve a great deal and inspire many.

His contribution has been extraordinary. His was an extraordinary life that this House, and the people of New South Wales, gratefully acknowledge.

CHILD INFANT FAMILY TERTIARY SERVICE

Ms PRU GOWARD (Goulburn) [5.52 p.m.]: It is an accepted belief that early intervention for children with special needs plays an integral part in their positive development. In Goulburn, parents and carers of children with a disability have been able to access the Child Infant Family Tertiary Service, an assessment service that offers paediatric services, speech pathology, occupational therapy and psychological assistance. The service has 3½ staffing positions and includes an occupational therapist, a speech pathologist, a psychologist, a visiting paediatrician and a genetic counsellor. It is currently working with more than 120 families in the district. Children are referred to the Child Infant Family Tertiary Service from community health, schools or early intervention groups because someone has flagged concern about a child's behaviour or development.

Letisha Davis was two years old when the childcare centre she was attending suggested to Letisha's mother, Jakki, that she seek help for her daughter's behaviour. Jakki had been concerned for some time about Letisha's biting and hitting outbursts and her language delay, but apart from going to her general practitioner—and Letisha was not ill—really had no idea where to go for help. Wendy Allen from the Early Intervention Centre that is based at Wollondilly school met with Letisha and produced a 13-page report. Letisha was diagnosed with having autism spectrum disorder. From that point, Jakki and Letisha were referred to the Child Infant Family Tertiary Service and a raft of services was offered to assess Letisha and direct her towards the appropriate help. Jakki cannot speak highly enough of the Child Infant Family Tertiary Service. Since Letisha has been receiving help, her language has developed and her behaviour has improved. She is now, in Jakki's words, showing affection and asking for her mother's attention rather than hitting her to get it.

The Child Infant Family Tertiary Service rotates throughout the whole of the southern region. It is not resident in Goulburn. It is not there every week because it covers an expanse of area within the Greater Southern Area Health Service. Nevertheless, it offers an invaluable, professional service that is held in very high regard by parents and carers of children with a disability. So, one can imagine how the news that was delivered completely out of the blue by the Department of Health that the Child Infant Family Tertiary Service has been flagged for almost immediate closure was received. The community, including Jakki Davis, is in shock. Without the Child Infant Family Tertiary Service and its assessment, Letisha—and many children like her—would not have known where to go for help. The Child Infant Family Tertiary Service has enabled Jakki to access financial assistance for Letisha and procure the specialist services Letisha needs to help her development.

According to a statement made by the Greater Southern Area Health Service Chief Executive Officer, Heather Gray, it is unclear whether the service will close, but part of the review process includes "improving the management and clinical services staffing mix to increase access to front line services". This may, apparently, "result in some frontline positions no longer being necessary". So, what the people of Goulburn and I want to know is: What does that actually mean? According to Jakki, she has access to the frontline services thanks to Child Infant Family Tertiary Service specialists who were able to assess Letisha and make sure she was connected to the relevant services. The statement from the Greater Southern Area Health Service sounds like some serious double talk for getting rid of those workers who are at the coalface and, instead, replacing them with more bureaucracy—more fattening up of the administration at the cost of the people that do the work.

Jakki tells me about a number of petitions circulating around Goulburn at the moment which she will forward to me and, therefore, to the Parliament in due course. In the meantime, however, the Child Infant Family Tertiary Service is at the mercy of the Minister for Health. The announcement that flagged a closure was made earlier this month and as only one month's notice was given the service may be forced to close its doors in two weeks time. We should all be very nervous when we hear things from government administration that mention "refining potential staff numbers with the view to redeployment". That usually means shutting and

firmly bolting the doors of necessary services. Goulburn is a three-hour train trip away from Sydney and alternative specialist services. I suggest the health Minister should take that trip and take with him a young child with autism who is agitated, tired and cross. That is what people in my electorate will have to do to access the service that is currently offered by the Child Infant Family Tertiary Service.

SHELLHARBOUR CITY SESQUICENTENARY

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [5.57 p.m.]: On Thursday 4 June I was lucky enough to be granted leave from the House to allow me to attend the Shellharbour City sesquicentenary commemoration. This significant event was well attended by the local community with many old and new faces contributing to a sizeable crowd, which, in one way or another, has been involved in the growth and formation of the city, as we now know it. Shellharbour has a very rich and lengthy history. It was proclaimed a municipality on 4 June 1859 by His Excellency the Governor General and Governor-in-Chief, Sir William Thomas Denison. It is a little known fact that the area was originally referred to as Peterborough, but was later renamed Shellharbour due to its abundance of shells. This name change reflected an affection and appreciation of the beauty of the region, which is held to this very day.

In recognition of the growth and significance of the area, the council was proclaimed Shellharbour City Council in December 1995. The achievement of city status subsequently marked Shellharbour municipality's "coming of age". It is important to recognise that all the traditional council services are provided, with a focus that includes human services such as good neighbour programs, community events and social planning—it is more than just roads, rates and rubbish.

This impressive 150-year milestone has been described by the organisers as 150 years in the making. I pay special thanks to the organisers of this event from the Shellharbour City Council's communications unit, Dave Sommers, Katrina Owers, Belinda Brook, Richard Payne, Noel Waugh and Neryl East. I also acknowledge Mr David Jessom and Mr Brian Weir. Additionally, I was delighted to be joined by five of our former mayors—Bob Harrison, John O'Dwyer, Ray Clay, Joan Vinton and David Hamilton—as well as family representatives of the longest-serving town clerk, Mr Gabriel Timbs.

In keeping with the celebratory tone, I and the other guests were treated to a quirky and very entertaining theatrical celebration of the sesquicentenary, which was written, produced and directed by The Gullibles Performance Ensemble, and proudly supported by Shellharbour City Council's youth services team. The cast and crew ranged in age from 12 to 19 years and they included Noeletta Toole, Michelle Platts, Kyla Hakkenbrock, Blake Gill, Tamarra Lloyd, Caitlin Lloyd, Monet Robertson, Casey Fitzgerald, Megan Lennard, Broadie McGugan, Rebecca Bryant-Toole, Rebecca Pinnala, Aaron Mann, Rosie O'Meley, Georgie Picton, Helena Johnston, Jake Pigna, Naomi Neal, Mathew McCracken, Kyle Brady, Joanna Combe and Heather Divine. Make note of those names, as I am sure they will make a big impression on the entertainment industry in years to come.

Shellharbour, in spite of its growing urban zones and industrial and commercial precincts, retains a precious heritage of stunning beaches, rivers, national and State parks and other significant parklands. There are also rural areas in the south and west used for farming. The farming industries not only add value to the local economy but also generate a sense of charm for visitors and locals alike. I pay respect to and acknowledge the original inhabitants of this region, the Wodi Wodi people of the Thurawal nation, who lived here uninterrupted until European settlement commenced in 1817, when the first land grants were made.

Shellharbour City development is growing by the day and is providing more and more dynamism. We are now becoming a central area for shopping, movies, entertainment and restaurants. The village is also a quaint coastal area for tourists. It started that way in the early 1900s. This balance between old and new in the Shellharbour City area caters for a wide range of tastes and creates a rich mix and contrast for the region. The future is bright. We have much to be proud of and grateful for in the community of Shellharbour, particularly on occasions such as the sesquicentenary. I also acknowledge all the people who choose to live in the Shellharbour region, as it is truly their spirit and hard work that creates this great sense of community pride. It is a wonderful place for families to grow.

PORT STEPHENS WATERWAYS

Mr CRAIG BAUMANN (Port Stephens) [6.02 p.m.]: I speak today about an issue close to the heart of many in my electorate—environmental management. Living in such a naturally beautiful place, the people of

Port Stephens are passionate about protecting the local environment. But of late local residents and business owners alike are seeing a great deal of environmental mismanagement at the hands of the New South Wales Government. On one hand, the Government has, until recently, ignored and completely turned its back on a serious environmental problem—the degradation of the Myall River. On the other hand, just a few hundred metres away from the Myall, the Government has been extremely overzealous in its so-called protection of the environment, that is, marine parks. Both issues are threatening local business and tourism and have completely missed the environmental management goalposts.

I turn first to the Myall River. For more than a year the Tea Gardens and Hawks Nest communities have watched the Myall River turn a horrible murky brown. They have watched thousands of fish die. They have seen dramatically dropping salinity levels put oyster farms out of business. The Government claims these are natural occurrences. That apparently is according to departmental data from 1996-97. But if members speak to any fishermen who have lived on the river since well before that departmental data from 1996-97 was compiled they will tell them that they have never seen the river like this before. They will tell them that the mouth of the eastern channel of the river is completely clogged with sediment and sand, and where people now stand in ankle-deep water they would have once been in a six-metre deep channel in a fast-flowing tidal river.

Let us give credit where credit is due: the State Government has committed \$370,000 to dredge the western navigation channel of the Myall River. That is a fair amount, considering the Government committed just \$1 million to dredging projects for the entire State. But if the Tourle Street Bridge debacle in my electorate has taught us anything it is that this Government likes to do things by halves. Dredging the western navigation channel is great, but it certainly will not address the serious and worsening problems of the Myall River. It is the eastern channel that really needs attention. The community, including the hardworking action group, have been lobbying for the Government to carry out a study into the effect of the closure of that original eastern channel. The Minister is finally listening to and recently agreed to meet with the action group later this month. It is a small win but one that hopefully will bring about change. I thank the Minister for her interest.

But as one environmental problem in my electorate hopefully edges towards resolution another is brewing. This problem differs from the Myall River problems because, no matter which way we look at it, it is man made—the Marine Park Authority. I understand and appreciate that marine parks have been implemented along the coast to protect marine life. But this so-called responsibility being given to the Marine Parks Authority has created a monster that is destroying the livelihood of people in Port Stephens and punishing people who adore the port, who make a living off the port and who would never in their wildest dreams do anything to harm, let alone destroy, the endangered marine life in Port Stephens. If it were not so serious the overzealous laws and restrictions of the Marine Park Authority in Port Stephens would be laughable.

For example, all commercial operators are restricted to a 25-knot speed limit in sanctuary zones in Port Stephens. These are local tourism operators who use the water day in day out for whale and dolphin watching, cruises and parasailing. But the speed limits do not apply to private boats. So a hooligan from outside the area with no knowledge of local waters can come to Port Stephens, hop in a speedboat or on jet ski and legally zoom through sanctuary zones at more than 50 knots. The Marine Park Authority has also restricted how close a boat can get to whales and dolphins—between 100 and 300 metres from a whale and between 50 and 150 metres from a dolphin. It seems to me that the persons who came up with that rule have never been on a boat. If they had they would know that dolphins love to surf the bow wave of boats, making it impossible to keep them away. I know that the previous environment Minister has seen that for herself first hand and the Leader of the Opposition has also experienced the pleasure of watching dolphins play in the bow waves of boats.

As is typical with this bureaucracy obsessed Government, too many cooks are spoiling the broth. That is, too many departments are destroying areas such as Port Stephens. The Marine Parks Authority, the Department of Environment and Climate Change, the Department of Primary Industries, the Department of Fisheries, New South Wales Maritime and New South Wales Waterways are all involved in this debacle. If we include the New South Wales Police Force, four different government organisations are actively patrolling the port under a myriad of varying regulations. Port Stephens tourism operators believe their industry will collapse if a more sensible approach is not adopted to protecting marine parks while also protecting local business. I call on the Ministers involved to sit down together and resolve this mess. This is a real threat and one the Government must not ignore.

MENAI HIGH SCHOOL

Ms ALISON MEGARRITY (Menai) [6.07 p.m.]: The date 15 May 2009 was a red-letter day for Menai High School. It was on that day that the school received the Enough is Enough Foundation's prestigious

Peacemaker Award. It was a privilege to witness the Menai High School captains, Justin Warner and Kati-Rose Savi, accept the plaque from Ken Marslew, founder of the highly respected Enough is Enough Foundation, and the Premier of New South Wales, Nathan Rees. The Peacemaker Award acknowledged the school's outstanding focus on student welfare, including its anti-bullying and peer mediation programs. Members may recall that Ken Marslew, AM, established the Enough is Enough Foundation, an anti-violence movement, following the murder of his 18-year-old son, Michael Marslew, in 1994.

Mr Marslew addressed the school assembly about the critical importance of personal responsibility for one's actions or lack of actions, a theme that underpins all of the foundation's educational programs. In my address to the school assembly I said that as the local member of Parliament fortunate enough to have observed the efforts of Menai High School to promote multiculturalism and anti-racism over the past decade it came as no surprise to me that this school would be involved and excel in delivering these other important programs to its students. One very practical demonstration of its social conscience and pastoral care is the fact that Menai High has the largest number of humanitarian refugee students of any school in the Sydney region. Members may recall that after the hostile confrontations at Cronulla a few years ago this school initiated a mutually beneficial, cultural exchange program with the Beverly Hills Intensive English Centre.

In providing this information to the House I cannot but allude to the erroneous and very regrettable comment of a former Prime Minister about the absence of values in public schools. No statement could be further from the truth about any public primary or secondary school in my electorate. Following the award presentation, I was honoured to join the Premier in presenting a New South Wales Government cheque for \$5,500 to the year 10 Formula One Bio-Hazard team and to witness an exciting demonstration of their engineering skills in action. Competing against students from schools across Australia, the team won the national F1 in Schools championship held in Canberra on 25 November 2008. The prize was an all-expenses-paid trip for all five members and one supervising teacher to London as Australia's representative in the September 2009 international F1 technology challenge competition.

Ryan Cleaves, Nathan Hills, Justin Mealing, Matt Poytress and Kristian Sommer will be competing against 30 teams from around the world. Our community should be very proud of the achievements of these young men, actively supported by their families, teachers and some local businesses. Both the Premier and I were greatly impressed by the way the team was able to communicate to us the finer points of the design and execution of the project. We were also very grateful for the skills of the school's hospitality students who prepared an excellent buffet luncheon for everyone to enjoy after the formalities concluded.

Just prior to the Premier's departure we also called in to meet students in the school's purpose-built automotive studies area. During the earlier assembly the acting principal, Robert Lindsay, mentioned that it was the first time that a New South Wales Premier had visited Menai High School. I take this opportunity to sincerely thank the school for the very warm welcome given to Premier Rees and all the official guests, including me, on the day. I also thank the Premier for his very generous contribution to the Formula One Bio-Hazard team. I am aware that the school community is still busy fundraising to meet the travel expenses of two support-crew members, one year 8 apprentice and a supervising teacher, who together with his colleague has greatly assisted the team to reach this stage.

I am sure every member of this House joins me in wishing the boys all the very best of luck at the international championships in London in September. Of course, as far as my community is concerned they are already winners, regardless of their ranking at the end of the competition. On behalf of the New South Wales Parliament I say to the members of the team: Congratulations and good luck!

LOCAL ENVIRONMENTAL PLANS

BROKEN HILL SPEECH THERAPY SERVICES

Mr JOHN WILLIAMS (Murray-Darling) [6.12 p.m.]: I have spoken on many occasions in this House about the frustration that has been created by local environmental plans, which have continued to plague local councils, choke progress and remove opportunities that exist for residential development. I cite the case of Joe and Teresa Camera. On 12 March this year I wrote to the Minister for Planning about their situation. They have been in a farming logjam for 12 years. At some point in time they realised that their future did not lie in farming because of the growth in residential development around their farm and that they would need to join in and basically redevelop their farm for residential purposes. Their frustration has been created by the fact that the local environmental plan for Wentworth has been held up, as in every other shire—and I represent 15 shires in

my electorate that are facing the same problem with local environmental plans. Joe and Teresa Camera are sitting on 14 acres of unplanted land that they have not been able to utilise and they have told me, "We want to permanently plant 14 acres and get on with it. We can't make enough money where we are and we can't get this residential development approved."

The Minister for Planning responded that Mr and Mrs Camera's land forms part of a large area recommended to be rezoned for residential use as part of the Buronga Gol Gol Structure Plan 2005 to be reflected in the new comprehensive Wentworth local environmental plan. I can tell members that the local environmental plan is an absolute pipedream. The Minister will have to tear it up, throw it to the dogs and let us get on with business. All it has done is frustrate the hell out of shires. Opportunities have been lost. Because of this plan 4,000 residential ratepayers in Wentworth have gone missing. Today I call on the Minister to get on with business, get rid of this crazy red-tape monstrosity that has been created and let the shires progress.

The other issue I have in the electorate relates to Broken Hill. I have received a petition by 756 people who are related to people requiring the services of a speech therapist. For example, Dillon, the son of Simon and Stacey Everts, is a sufferer of autism who, as part of his preschool preparation, needs to see a speech therapist. As there is no speech therapist in Broken Hill they have no alternative but to get in their car and travel to Adelaide to receive this service. Adelaide is a 1,000-kilometre return journey. Stacey, who is a great mother and wants the best for her child, is quite prepared to get into her car with Dillon on a regular basis and travel to Adelaide. She receives no assistance at all. The Isolated Patients Transport and Accommodation Assistance scheme [IPTAAS] does not recognise this allied health care as forming part of its responsibility.

This is one family badly affected by the lack of a speech therapist in Broken Hill. The other people who have kicked this off are people who have felt the impact on family members having to travel to Mildura or Adelaide to seek speech therapy services. I believe that it should be a simple position to fill, but unfortunately this seems to be a big issue at Broken Hill hospital. I hope the petition on the matter will bring the attention of the Government to our plight, recognising that Broken Hill is a long way from everywhere and that Stacey and her son Dillon having to travel to Adelaide on a regular basis is something that no-one in this House would be prepared to do.

MARY MAC'S PLACE

Ms MARIE ANDREWS (Gosford) [6.17 p.m.]: National Volunteer Week, which was celebrated this year between 11 and 17 May 2009, is a chance for the community to celebrate volunteering and to thank the millions of people who so generously give of their time and resources for the welfare of our communities. Today I bring to the attention of the House an outstanding service operating within my electorate that relies on the contribution of volunteers: Mary Mac's Place.

Mary Mac's Place is a charitable work of St John the Baptist Catholic Parish of the Woy Woy peninsula, now operating out of the parish's modern new premises in the Ethel Cox building. Mary Mac's was originally set up in the early 1990s in a cottage known as the Mary MacKillop cottage next door to the Woy Woy Catholic presbytery. The cottage was provided courtesy of the then parish priest, Father Bill Meacham. Parish volunteers provided a cooked meal and guests were allowed to shower and launder their clothes. I make special mention of the pioneers from the parish who assisted in setting up this valuable service: Kath Player, who is still very much involved with Mary Mac's Place; Bridget "Biddie" Elliot, Sue Laing, Mary Ford, Katie Easton, Iris Quanchie and Helen Kelly. Rose Kinnear, who has been a great supporter of the homeless and needy in our area by cooking wholesome three-course meals, continues to be a wonderful friend of Mary Mac's.

Due to concerns largely over occupational health and safety issues, MacKillop cottage was closed in 2000. In response to requests from volunteers, health and welfare professionals, parishioners and past guests of the cottage the then Assistant Parish Priest, Father John O'Connor, MSC, undertook to bring together parties who were interested in developing an alternative service for persons in need within the Woy Woy peninsula community. On 10 July 2001 a meeting was held at the Broken Bay diocesan office at Thornleigh attended by Father John O'Connor, MSC; Jim Grainger, the then director of Centacare Broken Bay; David Penny, diocesan director of finance; and Phil Ellis, regional president of the St Vincent de Paul Society. This meeting discussed the operating structure of Mary Mac's Place. Eventually the administration of Mary Mac's came under the responsibility of Dianne Lee, then Manager of Community Development, Central Coast Centacare. In that same year Centacare was successful with its submission to the Casino Community Benefit Fund for \$52,000 to be used to employ a full-time coordinator, and for administration and equipment.

The project was named Mary Mac's Place in honour of Mary McKillop. It is the only voluntary meal service on the Woy Woy Peninsula. The service operates under the auspices of, and is strongly supported by, Centacare Broken Bay, Family Services, St Vincent de Paul Society, Broken Bay Diocesan Council, the Reuben F. Scarf Memorial Foundation, members of the business and local community, together with parishioners of St John the Baptist. I am honoured to be a member of the steering committee for Mary Mac's Place. The steering committee meets once a month and is chaired by St John the Baptist Woy Woy Peninsula Parish Priest, Reverend Father Dr John Hill. Other members of the committee are Anne Sammut, Centacare Broken Bay; Robyn Schacht, Coordinator, Mary Mac's Place; Kath Player; Patricia (Pat) Slattery, Gosford City Council's Senior Citizen of the Year; Patricia (Pat) Casey; Biddy Elliott; Louise Degeling; Mary Scarf; Councillor Chris Holstein; Maureen Kable, the minute secretary and me.

As part of Volunteer Week 2009 on Friday 15 May I attended a lunch held in the Walter Baker Hall at Woy Woy in honour of the volunteers who work tirelessly for the disadvantaged at Mary Mac's Place. The delicious hot meal was beautifully cooked and served by a team of enthusiastic hospitality students from the Ourimbah TAFE campus. Volunteers were seated at an outstandingly decorated table provided by professional decorators, free of charge. Apart from the many Mary Mac's Place volunteers, in attendance at the lunch were Assistant Parish Priest Father Barry Nobbs; Father Michael McCarthy of the Thomas Muldoon Foundation, who presented Robyn Schacht, Mary Mac's coordinator, with a cheque for \$20,000 from the foundation; Bernie Edwards, chairman of the Parish Pastoral Council; Deirdre Cheers, Centacare Broken Bay Family Services Chief Executive Officer; Trish Devlin, Senior Manager Operations, Centacare Broken Bay; and Gosford Mayor, Councillor Chris Holstein.

Also in attendance were Knut Hooge, Principal of TAFE Hunter Institute, Ourimbah campus; Ros Helyard, Coordinator, TAFE Outreach; Lance Kennedy, Fundraising Manager, Lorraine Gould, Woy Woy Manager; and Linda Gibson, all from Newcastle Permanent Building Society; Centrelink representatives, together with representatives from St John the Baptist Ministries, the Parish Pastoral Council, Pastoral Family Ministries, fundraising group, piety stall and craft group. The guest speaker was Mr Michael Crews, coordinator of the Exodus Foundation's Loaves and Fishes Restaurant in Ashfield. I place on record my thanks and appreciation to Robyn Schacht, the coordinator, and the many volunteers associated with Mary Mac's Place, who came together to help those in need in our community.

NORTHERN BEACHES HEALTH SERVICES

Mr ROB STOKES (Pittwater) [6.22 p.m.]: The Pittwater community needs certainty about its health services, yet this Government has no idea what it is doing about northern beaches hospitals. Despite promising a new hospital at Frenchs Forest in 2006 and a continuing role for our excellent community hospital at Mona Vale, virtually nothing has happened. Health officials are left desperately rearranging existing services between Manly and Mona Vale hospitals, while promises of a new hospital are just words. When the Minister for Health was asked on radio this week about health services for the 250,000 residents of the northern beaches, he conceded that there was no money for the new hospital at Frenchs Forest and no time frame for its construction. As far as Mona Vale Hospital is concerned, the Minister for Health did not even know it existed, referring instead to some fictional hospital in Narrabeen.

We have lost all faith in the Labor Government's ability to provide vital improvements to health services in the Northern Beaches region and are growing increasingly doubtful of its ability to deliver its existing services at Mona Vale Hospital. There is little wonder that Pittwater residents remain fearful over the future of Mona Vale Hospital's excellent maternity unit. Commencing on 18 May hospital staff were being notified that from 1 July this year maternity services at Mona Vale would be temporarily relocated to Manly Hospital whilst asbestos removal is carried out in the maternity and other wards.

I heard the news on 18 May from a local midwife and from the *Manly Daily*. The hardworking head of department of obstetrics and gynaecology at Mona Vale Hospital, Dr Chester Kent, found out about the relocation of the maternity ward only later that evening. When I subsequently contacted the area health service public relations department, I was chastised for talking to the *Manly Daily* on the basis that this "undermined the Health Department's communication strategy". What strategy? How long was it going to take the Government to tell expecting mums that in less than six weeks time they would lose the opportunity to have their babies in their local hospital, the hospital of their choice, Mona Vale Hospital? Local resident Laurel Hocking, whose daughter-in-law is caught up in this debacle, contacted me and said:

I have never contacted a politician before but feel that this is a very important issue with a lack of government planning yet again.

Local expectant mother Cassie Hotchin wrote to me and said that it had been "her dream to have her baby in the same hospital as she was born". That dream has been snatched away. Another local first-time mum I spoke to was visibly devastated to learn about the closure of Mona Vale maternity ward. Her baby is due in late June. She is just up the road from Mona Vale Hospital, all her classes have been at Mona Vale Hospital, all her preparations have been to have her baby at Mona Vale and now she is left not knowing where her baby will be delivered. This sort of anxiety, caused to the vulnerable in our community, is the inevitable consequence of Labor's continuing broken promises about northern beaches health services. No-one can plan—expecting mums, older residents making decisions to live near good local health services, not to mention medical professionals, midwives, doctors and nurses, who want and deserve certainty about their careers.

Following community outrage we have received a guarantee that the maternity service will return to Mona Vale but we still need to know when that service will return and what it will look like. We have been given conflicting and confused information about the date that Mona Vale maternity will be reopened. According to one announcement, the scope of works on each ward, including maternity, could last three or more months. A Department of Health advertisement in the *Manly Daily* said it would take eight months. A later report in the *Manly Daily* suggested it could be 12 months. The head of obstetrics at Mona Vale, Dr Kent, informed me that not even he has been told a date on which it will return. This is not good enough. We need a date, or at least a month, in which the service will recommence.

Midwives relocated to Manly Hospital need to know when they can return home. Expecting mums, and parents planning for children, have a right to know when they can access maternity services at their local hospital. The second guarantee our Pittwater community demands is that we get back no less service than is currently in place at Mona Vale Hospital. We have an amazing team of doctors, midwives and nurses at Mona Vale maternity and we want to keep every one of them. They are community treasures and we need them to safely deliver the 700 babies born at Mona Vale Hospital every year. We want an assurance that no jobs will be lost and that any supposed economy of scale at the makeshift expanded maternity ward at Manly Hospital will not be used as an excuse for axing staff or demoralising staff to the point that they no longer want to work in public hospitals.

I send a final message to our maternity staff at Mona Vale Hospital: "Please know we value you enormously. You bring our precious children into the world and while you might not have time to remember every parent or every baby, please know that we remember you, and thank you every time we look at our precious little children. You deserve better than this."

MENTAL HEALTH SERVICES

Mr RICHARD TORBAY (Northern Tablelands—Speaker) [6.27 p.m.]: The tragic shooting of 25-year-old Elijah Holcombe in Armidale earlier this month highlights the need to improve access to crisis services for people with mental health problems. While I do not want to pre-empt the findings of an inquiry into the police shooting that led to Elijah's death, I do want to raise my community's concerns that the system let this young man down, as it has others. I feel sure that the situation in Armidale is not unique. I suspect it is repeated in centres across New South Wales experiencing a shortage of mental health specialist staff. Accident and emergency departments in these areas are generally not equipped to deal with people with mental illnesses seeking help at times of crisis.

There is some agreement that support services for people in the community with mental health problems have improved through more government funding. There is also consensus that this improvement does not extend to people in crisis who present at accident and emergency departments, usually in the evening or at weekends. I have been told that unless people are suffering an asthma attack, a heart attack or are bleeding profusely, they are routinely asked to wait their turn in the waiting room, sometimes for long periods. For people with mental health issues suffering extreme anxiety, the crisis may be the equivalent of a heart or asthma attack, but that is not recognised in our system.

One man told me he has been presenting at the accident and emergency department three or four times a year for the last 25 years. He is highly intelligent, regularly takes his medication but, despite that, develops sudden high anxiety and suicidal tendencies that need crisis treatment and hospitalisation. Although he is well known at the accident and emergency department, he is required to repeat his case history each time and he then has to wait. He advised me that the last time it took six hours, from 7.30 p.m. to 1.30 am, for him to be admitted to hospital. At one stage when he expressed anger at the delay, a security guard was called but the patient still had to wait several more hours until admission. He believes the long waiting period worsened his symptoms, and he knows that many other people with mental illnesses have had similar experiences.

Another case reported to me concerned a young woman with serious chronic mental illness whose parents brought her to the accident and emergency department during a crisis. A doctor told them that she was not ill enough to be admitted and she was sent home. A Sydney psychiatrist later overrode the doctor's decision. Her parents wonder why the records from the hospital's mental health unit were not available to accident and emergency staff. Following Elijah's death, a woman with a history of mental illness called at my office claiming that after she could not access treatment at accident and emergency, she stepped into the path of a reversing car, was injured, limped into town and was later admitted to hospital by ambulance. There are countless other stories like this and I was told that carers, supporters and the people suffering chronic mental illnesses regarded an incident like Elijah's sadly as inevitable, given the inadequacy of resources for mental health crisis services in rural New South Wales.

Many suggestions have been made to improve the situation. These include involving carers more closely to give advance notice when bringing patients to accident and emergency to reduce waiting times, better risk analysis, a national patient database be set up and made available to all accident and emergency departments, and carers be issued with special cards to present at times of emergency. Other proposals are that psychiatric nurses be on duty in accident and emergency departments after hours and at weekends when demand is highest; a psychiatrist be on call to give advice when required; waiting times be reduced; mental health patients not be left on their own without regular checking; accident and emergency staff receive additional training, support and resources in dealing more effectively with people with mental health issues; and that more mental health unit beds be provided in country hospitals.

There is a case for hospital and government agency staff to work more closely with community-based mental health service providers, for improved communications, better education for GPs on appropriate medication to treat mental illnesses and regular follow-up after hospital discharge. If we do not want to see more tragic incidents like the one in Armidale, it is important that these matters be addressed. I certainly do not want to be critical of front-line staff. They work very hard and they do their best with the resources they are given. If we can improve the information flow and the quality of the information on services that are available and look at supporting additional resources, everyone in the community will be better off. I am certainly willing to talk to and negotiate with both the Minister for Health and the Minister Assisting the Minister for Health (Mental Health) to ensure that this is a priority for our regional communities.

PUBLIC TRANSPORT AND THE BLIND AND VISUALLY IMPAIRED

Mr GREG PIPER (Lake Macquarie) [6.32 p.m.], by leave: I wish to raise the issue of the difficulties experienced by blind people using public transport and identify steps that could help overcome problems at railway stations. Earlier this year I participated in an exercise in Morisset in which politicians and professionals experienced the challenges faced by people with disabilities. I was blindfolded and faced the world with my new disability, albeit with considerable support and advice from James Bennett, of Blackalls Park, and his guide dog, Putu. James has been totally blind for five years and is active in advocating for better understanding and improved facilities for those with disabilities.

After nursing me through my initial sense of vertigo, James gave me practical tips on basic situations such as traversing a footpath, locating doors, ordering a meal at a cafe, and using public toilets. I should also mention that throughout this trial a sighted person guided me, though at one stage James, guided by Putu, guided me. We did this "blind leading the blind" for only a short distance, but it involved crossing a street at a location that can be difficult for anyone. With help I managed to do everything that I needed to do, but none of the tasks were easy. The experience was brief, but I gained a better understanding of the challenges faced by people with disabilities.

James told me of the difficulties he experiences as a blind person reliant on public transport. He described the process of climbing stairs, counting paces, turning, counting again, turning again and climbing more stairs, all of which is just part of the routine he follows to catch a train at his local station, Fassifern. James has had to learn these routines for each station he uses and he advises that he is unable to use other stations because there is too little support for blind people and no consistency.

Mr Bennett recently sought assistance on these matters and was disappointed by what he saw as an unhelpful and insensitive response from Railcorp and the Minister for Transport. The reply Mr Bennett received stated that it would not be feasible to provide Braille or tactile signage at all 302 CityRail stations. It also said that these would be difficult to locate when arriving at a station, particularly when arriving in the dark. Given

that James had already identified himself to Railcorp as being totally blind, he was left wondering whether his letter had even been read, or perhaps whether the reply had come from the ABC's *Chaser*. Mr Bennett informs me that Minister Campbell accepted responsibility for the letter and graciously apologised.

While the reply sought to be positive in referring to the use of directional flooring at stations, even this is questionable as there is no consistency between different stations. The response also advised that timetable information is readable by people with screen or Braille readers, but James pointed out that this technology is typically unaffordable to people on disability pensions. I was so impressed by Mr Bennett's positive outlook and his role in advocating for people with disabilities I looked into his requests for improved and consistent guidance through railway stations and found that technology exists to facilitate guided movement through railway stations and that it has been employed in a number of countries. I have found, for example, that India has moved to implement a broad-scale and consistent system of tactile paths—something that RailCorp has been unable to do in New South Wales.

There are known ways to improve way finding for blind people and there are ways to minimise the cost by providing clear guidance to central help points. Innovation in the use of technology for this should be pursued. For example, audio signals could be used to first draw the visually impaired to tactile paths with hand railings containing Braille or tactile messages indicating the station name and platform number. This would provide certainty about where people are and which way they are going. These tactile paths would then lead to information boards with messages in Braille or tactile letters. Major stations could even have interactive audio systems providing more comprehensive information.

From these help points, the tactile paths and railings would lead to carriages or exits. These things can be implemented in a systematic and standardised way that would help in unfamiliar surroundings. Tactile paths can lead people around obstacles and they can identify intersections and stairways. I acknowledge that there will be some cost and some time will be required to develop such systems and to stage their implementation, but having experienced for even just a short while the problems that the visually impaired endure on a daily basis, I do not think there would be many more worthy projects addressing social justice, access and equity in which we could invest.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.37 p.m.]: I thank the member for Lake Macquarie for his statement and I salute Mr James Bennett, who has had an excellent idea. More members of Parliament should take up his challenge. The greying of Australia will mean an increase in blindness due to macular degeneration and diabetes. I wish Mr Bennett well in his future advocacy.

CREATIVE INDUSTRIES

Ms CLOVER MOORE (Sydney) [6.39 p.m.], by leave: Sydney is Australia's primary creative hub, a role that has been underestimated for far too long. Sydney is home to one-third of all creative industries in Australia despite having only 20 per cent of the total Australian workforce. Creative industries include the arts, web culture, media and publishing, film and animation, library and information services, and the design professions. Creative industries boost the local economy and build on our global city status. University of Technology Sydney [UTS] research shows that Broadway is the epicentre of creative industries. UTS itself is now home to the Federal Government's Creative Industries Innovation Centre, which will strengthen the existing creative industry base in Ultimo-Pyrmont.

Twenty per cent of people employed in Ultimo-Pyrmont are in the creative industries and the City of Sydney's Sustainable Sydney 2030 vision has identified the area as the central precinct for development of creative, media and knowledge industries. Twenty per cent of people employed in neighbouring Chippendale and Redfern and 30 per cent of people employed in Surry Hills are in the creative industries. Sydney ranks first in absolute numbers and in relative share, with between one-quarter and 60 per cent of all workers in areas ranging from performing arts to film and from recreational services to Internet publishing and broadcasting, among others. We need to provide platforms for our creative talent to be seen and heard and make connections with the institutions and businesses that promote creativity in the mainstream.

The Platform Papers report entitled "A Sustainable Arts Sector" recommends tax incentives, and interest-free and cash-flow loans for artists, and Queensland's Quickstart loans are a good model. The City of Sydney is promoting an Oxford Street cultural hub, built around the education facilities, centres and galleries, cinemas, bookshops, designers, and the Burton Street Tabernacle, which council has renovated and which will be a theatre and arts centre. I welcome \$48 million from the Commonwealth to fund a redevelopment project at

the College of Fine Arts, which will include a new gallery on Oxford Street. The City of Sydney's magnificent restored Paddington Reservoir Gardens, with a stunning sunken garden and amazing restored reservoir chambers, will provide opportunities for cultural activities, and have already become a popular site for photo shoots.

I welcome the announcement by the Minister for Education and Training to keep the National Art School, which is located just off Oxford Street, independent with its unique atelier-studio-based approach. The school's future has been insecure for many years, with reviews recommending amalgamation with other institutions. Current funding approval, however, is for only five years. The school should have the same recognition as the National Institute of Dramatic Art or the Australian Film, Television and Radio School.

Local government traditionally plays a significant role in the knowledge economy, and supports creativity through libraries, cultural grants, and support for local festivals and other activities. The City of Sydney's new library and community centre in Crown Street, Surry Hills, is our first six-star-equivalent community building—a stunning architectural achievement which incorporates new environmental technologies and systems that make it a green showcase with an important community cultural focus. Creativity flourishes in the fine grain of a city, and the City of Sydney's laneways projects like Live Lanes, By George!, Art & About, and the Ash Street Cinema, as well as Frasers Kensington Street studios on the former Carlton United brewery site, bring life to these great but underused assets, provide opportunities for emerging artists and give prominence to the role played by creative people.

Small bars will help reactivate our laneways, and we could have 13 small bars opening in the midst of economic downturn, providing opportunities in particular for live music. A series of capital works across our City of Sydney villages—ranging from street upgrades to new or improved parks and extensive plantings—are building on the unique identity of each area, providing the diversity and richness that is vital for the creative global city. Our Let's Talk Business program of informative, expert-led sessions for small- to medium-size enterprises is helping them weather the worst of the global recession and position themselves as more creative and resilient operations for the future.

The City of Sydney is an active partner with the State Government in creating and supporting the suite of festivals—including this month's brand-new Vivid Festival, which raised Sydney's profile, supported tourism, and celebrated our creative thinkers and doers. In March my Lord Mayoral Salary Trust provided a grant to the Australian Theatre of the Deaf for performances and workshops in 17 inner-city schools, to build confidence and help overcome discrimination against people with a disability. The inner city is also the hub of legal, financial and business services in Australia, which transform creativity into product. These hubs are central to the success of innovative cities, providing ready access to specialist employees and suppliers, ready access to specialised information and technologies, and access to institutions such as the University of Technology, Sydney and the University of Sydney, which have specialised infrastructure and research programs. Sydney is an extraordinarily creative place, and I commend the wealth of creative talent across my electorate and in our city.

WAGGA WAGGA BASE HOSPITAL REDEVELOPMENT

Mr DARYL MAGUIRE (Wagga Wagga) [6.44 p.m.], by leave: I take this opportunity to raise the concerns of the people of the Wagga Wagga electorate, and indeed the wider Wagga Wagga region, who have been campaigning very hard to have a new base hospital built. On Tuesday this week when the Treasurer brought down the State budget there was an expectation that funding would be provided in that budget to allow the land acquisition for the base hospital to continue, and to enable the Government to honour its promise to begin construction of a new base hospital in this parliamentary term, indeed in 2010. Sadly, no such funding was allocated in the budget, unless the Minister has in his titles variance funds that he intends to allocate in the near future to allow the project to proceed.

This project is the number one priority for the people in our region. Around 250,000 people depend on this hospital. As I have said before, the Wagga Wagga community has done everything possible to assist the Government to allow the redevelopment of the hospital to come to fruition. The project has been talked about for a very long time. Planning for the redevelopment has been technical, and a very complicated process has been undertaken to ensure that the plan is the very best possible, that the equipment that is in the hospital is the best available, and that the services are delivered in an ergonomic fashion so that the hardworking doctors, nurses and other hospital staff who are dedicated to delivering the best health care possible can work in a safe

environment. The headline on the front page of the *Daily Advertiser* on Wednesday this week read: "No money for Planning—No Money to Build—ZERO. That is what the State Government thinks of the Base Hospital redevelopment and has people wondering—IS ANYONE LISTENING?"

One cannot blame the Wagga Wagga community for being upset. Today Dr Gerard Carroll, a renowned cardiologist and well-respected physician throughout the State who was previously the chairman of the medical staff council at the hospital, commented that he feared lives would be lost unless the base hospital is redeveloped. I worry about that, as everyone should. What is needed is for the Minister to pay the Wagga Wagga community the courtesy of delivering a statement about the positioning of the base hospital, about the current status of the project, and about whether he has money under the titles variance that he intends to apply to allow the land acquisition for the hospital to continue so construction can begin because it is shovel ready. I think that is a fair and reasonable request.

We have not been militant about this; indeed, we have been very measured in our response. We have gathered petitions, we have formed a community committee, we have elected our mayor as the chairman of that committee, and we have tried to be as non-political as possible. The communities across the political divide are united in this. It does not matter which political group one talks to—whether it is a branch of Country Labor, the Greens, the Nationals, or the Liberals—we are all supportive of the project. This is a project of significance in respect of which we have all put aside our differences and said, "We are united as one. We are of one voice to bring about the building of this hospital."

Community organisations got together to help us with our petition. The *Daily Advertiser*, media groups and other community organisations all pitched in. I do not believe that words can describe the disappointment the Wagga Wagga community is feeling: it wonders whether the redevelopment will ever happen. Other regional communities would be similarly worried. The member for Dubbo and her community must be worried, because there was not a mention in the budget of funding for their long-promised new hospital. Bega has also been promised a new hospital but no funding has been forthcoming. Parkes and Forbes have also been promised new hospitals, but not one dollar has been allocated to ensure that that happens. A new hospital has also been promised for Lismore. Tamworth received some funding for planning for a new hospital but received no funds to build the hospital. The Wagga Wagga community is dismayed when it sees between \$2 billion and \$5 billion being allocated in the budget for the Rozelle to Sydney metro line and we remain unfunded for a project that will service an entire region of the Riverina and the south-west slopes.

Communities in those regions depend on this hospital, which is a referral hospital. It needs funds to be allocated to it. The Minister and the members of Parliament who are responsible for those regions—Tony Catanzariti and Mick Veitch—need to explain to the community what went wrong and what they are going to do to fix it. We cannot allow this state of affairs to continue. The Minister needs to tell the hardworking doctors and nurses at Wagga Wagga Base Hospital why he did not allocate funds for the redevelopment of the hospital, when he is going to do so, and when the Government is going to start construction of the new hospital.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.49 p.m.]: I take this opportunity to place on record my admiration for Dr Gerard Carroll, to whom the member for Wagga Wagga referred in his speech. I have met Dr Carroll on a number of occasions, and he is one of Australia's most respected clinicians. For the community's benefit, two members of the national examining panel of the Royal Australasian College of Physicians are from Wagga Wagga, and these are some of the best clinicians in Australia. For a country centre such as Wagga Wagga to have two members on the panel is testament to the extremely high standard of Wagga Wagga physicians. I know many of the clinicians in Wagga Wagga, and I place on record my admiration—in the past, now and in the future—for their wonderful clinical skills.

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

Private members' statements noted.

**The House adjourned, pursuant to sessional orders, at 6.51 p.m. until
Friday 19 June 2009 at 10.00 a.m.**
