

# LEGISLATIVE ASSEMBLY

Tuesday 27 October 2009

---

**The Speaker (The Hon. George Richard Torbay)** took the chair at 1.00 p.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.**

## PRIVATE MEMBERS' STATEMENTS

---

### CESSNOCK ELECTORATE POLICING

**Mr KERRY HICKEY** (Cessnock [1.07 p.m.]: Today I again speak about crime in the Cessnock community, which is a serious issue. Many members of the community are concerned about drug-related violence and about alcohol-free zones, especially in the Cessnock central business district. I have been informed that the owners of licensed venues are not adequately controlling their patrons, in particular, in the central business district. Recently an incident occurred due to the inability of security officers to analyse and control drinkers at a specific venue. Brawling broke out and patrons continued their fight across the main street of Cessnock, which resulted in the closure—twice in two weeks—of Vincent Street, an issue about which all community members are concerned. Because police have not held the licensee accountable, and he is not abiding by liquor licensing laws, this type of behaviour is being repeated across the community.

I spoke to another licensee of a Vincent Street hotel who is concerned about this police inaction. On a number of occasions that licensee contacted police about members of a family in Cessnock who refuse to leave the premises, or who continually try to enter the premises after closing time. Police informed the licensee that they were not interested in attending the premises as no crime had yet been committed. The licensee was also informed that he would have to wait until there was a major cause for concern before police would attend a scene. The police must be proactive in carrying out their duties.

Some time ago I raised in this House the issue of drugs in my community. The police have been proactive in this area with the use of drug detection dogs in some of the hotels. But why do they use the drug detection dogs at 6.00 p.m.? Everyone knows that the establishments are not fully operational until 8.00 p.m. or 9.00 p.m. I am concerned that the drug detection dogs are not used at a later hour. The Cessnock community is tired of violent behaviour, drug-related crime, antisocial behaviour and crime generally. The community is being told constantly of a downturn in crime. The community questions such statements when faced with the high level of incidents that occur across town, many of which are not reported. There is a lack of interest in reporting: people believe that if they report an incident nothing happens so they do not bother. As the local member I am sending out a message that every crime should be reported so that we have extensive statistics and these issues can be addressed.

I am extremely concerned about the level of violence at particular establishments in the main street of Cessnock. As I said, on two occasions a portion of the main street has been closed because of brawling. Why has this been allowed to happen? Why are the establishments involved allowed to continue to trade? The police should close down the establishments for a period to send a clear and concise message to the whole community that they will not tolerate this type of behaviour in the Cessnock area. The community of Cessnock is not above the law. We must ensure that the law is enforced. It seems that the police are not keen to address these issues. We also must look at the penalties that are handed down in the local court system. The time has come for the courts and police to publicly address the community's concerns.

Many constituents come to my office complaining about the lack of police numbers. The police claim that they are working harder and delivering more. My community says that the opposite is occurring. The court system must deliver the appropriate outcomes for my community. As an example, the penalties imposed on members of one family in the Cessnock community, who have appeared before the court system on numerous occasions, show that the courts have let down our local community. I request that the local area commander address the issue of law and order in the Cessnock electorate by stopping brawling in the CBD and closing down the establishments where such lawlessness is taking place.

### CYBER BULLYING

**Mr JONATHAN O'DEA** (Davidson) [1.12 p.m.]: A few weeks ago I attended the launch at Fox Studios of a short film titled *Best Enemies*. The film was inspired by true events. It follows the story of Rebecca and her struggle to navigate through a rollercoaster of betrayal, cyber bullying and depression. It was written and directed by Ross Bark and produced by Darren Bark, who is a constituent in my electorate of Davidson. The film helps to combat cyber bullying through increasing awareness of the issues. It is an education and information tool that respects young people. It is a proactive film aimed at preventing negative behaviour by showing the consequences of certain actions. While modern technology enhances life in many ways, the anonymous elements of links established using technology, such as mobile phones and computers, leave people vulnerable to being exploited and bullied. Young people can exist largely in a different world to that of their parents, who may have little knowledge of Facebook, Twitter, MySpace, YouTube and other online social or gaming sites. As director Ross Bark said:

The ability to mass communicate messages to friends and school colleagues through social networking sites, together with text messaging, has made psychological bullying more potent than ever. *Best Enemies* portrays the reality that teenage girls face in a world very different from that of their parents and how scarring and destructive bullying, especially cyber-bullying, is to its victims. Teenagers, young adults, parents and teachers will strongly identify with this story and we believe the film will be a valuable tool within educational programs to help confront and educate on cyber-bullying, depression and the teenage girl "world".

The successful film launch also raised funds for Point Zero Youth Services. Point Zero provides specialised support, assistance and education for young people, their parents and the community to reduce or prevent drug and alcohol abuse and dangerous or antisocial behaviour. Point Zero runs innovative programs designed to inspire young people, meeting their needs and promoting their potential as they move into young adulthood. *Girlfriend* magazine, which was one of the film launch sponsors, offers the following advice to young people faced with cyber-bullying: Do not respond; block and delete the bully online; save evidence for future reference; report abuse to the system administrator or provider; and tell relevant people in the real world who can assist.

I join with the Federation of Parents and Citizens Associations of New South Wales in applauding the New South Wales Government's decision to hold a forum on cyber bullying in November with key stakeholders, including academics, teachers and parents. There is a challenge for our laws to keep up with advances in technology. The law and education tools, like the *Best Enemies* film, no doubt will be discussed at the forum. Numerous studies and publications have been done on school bullying and cyber bullying. Various members of Parliament have circulated educational material on bullying in schools. I am also aware that the Department of Education and Training incorporates useful information and material in the school curriculum and it is considering including this excellent film on cyber bullying as one of its resources. A showing of the *Best Enemies* film will take place at 6.30 tonight in the Parliamentary Theatre, with members of the Killara Young Liberals branch in attendance, including policy vice-president Darren Bark. All are welcome. I again congratulate Ross and Darren Bark on their excellent creation.

### PENRITH COMMUNITY AWARDS

**Mrs KARYN PALUZZANO** (Penrith—Parliamentary Secretary) [1.17 p.m.]: Today I speak about the 2009 Wall of Achievement Awards and the Honoured Citizen of Penrith Award, which were announced recently in the great city of Penrith. As the noted cultural anthropologist Margaret Mead once said:

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

A number of people achieved a Wall of Achievement Award. The awards provide an opportunity to recognise outstanding local residents in the categories of sport, business, community services, culture, the environment, civic, carer and Penrith appreciation. These awards acknowledge people for their work in the community. They

are very deserving recipients. Gina Field, who won an award in the business category, commenced Nepean Regional Security in 1998 as a home-based business in South Penrith. She was the first female to commence, own and operate a sole-operator security business in New South Wales. Well done, Gina!

Linda Coates won an award in the carer category. Linda, who has lived in the area for more than 28 years, has taken a carer's role looking after her husband. He needed care following a work accident and since then she has been a carer advocate. Valerie Anderson, who received an award in the community services category, has been a resident of Penrith for more than 20 years. She has volunteered with Meals on Wheels and at St Mary's Anglicare opportunity shop and helped out at Our Lady of the Rosary, St Marys, and Father Chris Riley's Youth Off the Streets.

Merle Blatch, who has lived in Penrith since 1929, has shown outstanding achievement in the Penrith community through the provision of community service for more than 50 years. Well done, Merle! John Boccanfuso also received an award in the community services category. Since 1971 John has sold pens in and around Penrith to raise funds for the House With No Steps, a charity that enhances the lives of people with disabilities by helping them to live full and visible lives in their community. John also has a disability. Everyone knows John and his smile. I host an event on Facebook. More than 6,000 people wrote on the Facebook wall to congratulate John. There were hits from Russia, North America and the United Kingdom. All over the world people wrote to give their support to John for his tireless efforts. I am sure that today John is at Westfield Penrith selling pens with a smile.

Catherine Craig, Patricia Curry, Margaret Dwyer, Margaret Gibbs and Joyce Leavett-Brown received awards in the community service category. For many years Joyce Leavett-Brown has been a participant on National Tree Day and we have together shared the passion of planting trees in Jamison Park. Christine and Joan McKinnon received a community service award for their volunteer work with the deaf and blind society. Reg Menz, Bill Reeve, Barry Roots, Audrey (Sue) Sewter, John Smith, Sherille Stephens and sister Joyce Vella also received awards in the community service category for their tireless volunteer work. So too did Craig Werner, who is the chair of the Nepean Historical Society.

Joy Gillett, Karl Preuss and Michael Soper received awards in the sports category. Joy Gillett has lived in the Penrith area for over 40 years and was elected to the Penrith Netball Association executive committee as assistant secretary in 1999 and secretary in 2000. She has remained in that role to this date. Karl Preuss has lived in the Penrith area for over 52 years and been involved with the Penrith Festival. For the past 25 years he has been an avid participant in the sport of table tennis. Shortly he will participate in the table tennis Australian championships. It is wonderful that Karl received a Penrith achievement award. Bob Thatcher received the Penrith appreciation award for his work with the project of the Sisters of Mercy. Well done to all recipients!

Only four honoured citizen of Penrith awards have been presented. Freda Whitlam was one of the recipients receiving her award on the night. She has lived in the area since 1976 and has worked tirelessly in the community, whether through the University of the Third Age or in advocating on behalf of the development of the University of Western Sydney. She also was the moderator of the Uniting Church in 1984. Well done to Freda on becoming an honoured citizen of Penrith for 2009.

## **BREAST CANCER**

**Mr GEOFF PROVEST** (Tweed) [1.22 p.m.]: I am sure members from both sides of the House will join with me on this important subject. As we are aware, October is Breast Cancer Awareness Month. Yesterday, 26 October, was the Cancer Council's Pink Ribbon Day, which aims not only to raise awareness about breast cancer but also to raise funds towards research, education and patient support programs. Money raised from Pink Ribbon Day will help the Cancer Council fund more world-class research, practical support, and prevention and early detection programs. This year alone around 13,500 Australian women will be diagnosed with breast cancer: one in nine Australian women is diagnosed with breast cancer before the age of 85. While recent breakthroughs have increased survival rates, one in nine women will be diagnosed and will need our help and support.

We are making a real impact in the treatment of breast cancer and support for its sufferers. In the past 20 years around 125,000 women were diagnosed with breast cancer, yet the survival rate after five years is as high as 98 per cent if the cancer has not spread beyond the breast tissue. I shall refer to some of the breast cancer survivors in the Tweed. Jean Kenny of Terranora was diagnosed six years ago, along with two close friends. Many articles have appeared about the impacts of this disease on the community. Another survivor is Jo Payne.

Jo and her husband, Fess, are good friends of mine. Jo survived two mastectomies and reconstructive surgery. She is a hardworking young mum. Her diagnosis was absolutely devastating, but her great Australian spirit and resilience shone through. Jo fought to live for the love of her husband and children. Ros Proud also survived breast cancer. Recently I saw Ros in the local shopping centre and she told me that she has to undergo further treatment, but her thumbs are up and the smile is on her face. She is very supportive about the work being done in breast cancer treatment.

The Tweed council area needs more cancer services and locals have been campaigning for a radiation treatment unit. Our recently installed breast screening facility is staffed by excellent clinicians. From 2 June 2008 to 31 March 2009 Tweed Hospital breast screening unit screened 2,846 women. The problem facing Tweed locals is that a further assessment can be done only at Lismore. This involves a long country road drive of approximately 70 minutes, but many people in the Tweed do not have access to motor vehicles. The problem in undergoing a second assessment is further exacerbated by the fact that the area has no public transport system. An additional problem for the Tweed is that the 1800 number advertised by the Government, which is active across the State, does not work for the majority of the area because Telstra has deemed the Tweed to be in the 07 area, so any calls to the 1800 number presently are redirected. I hope that problem can soon be overcome.

The recent Garling inquiry identified that fewer than 10 per cent of patients attend a second breast screening assessment, preferring instead to attend private clinics. Dr Abdee, an excellent local oncologist, tells me that the Tweed probably has the lowest uptake of women for mammogram examinations. I have been working with the Tweed Valley general practitioners trying to reverse that disturbing fact. We have a tremendous success rate of 98 per cent after five years, but the Tweed does not have the facility of a second assessment team. Recently the local hospital received level 5 accreditation through the Institute of Medical Education and Training board. A number of women forgo the second assessment because they simply cannot get babysitters and cannot travel to Lismore. It is crazy. Last year alone the Tweed area had just on 3,500 registered cancer sufferers. Our demographic goes north into Queensland to Palm Beach and includes a further 2,500 sufferers. I have requested a meeting with Paul Lucas, the Queensland Minister for Health, to see if we can overcome this problem. Once again, I am 100 per cent committed to the Tweed.

**Ms ANGELA D'AMORE** (Drummoyne—Parliamentary Secretary) [1.27 p.m.]: I thank the member for Tweed for bringing Breast Cancer Awareness Month to the attention of the Chamber. It is important to support women and men in our community who are suffering from this disease. Often people forget that men also are affected by breast cancer: it seemed taboo for men to come forward. The member for Tweed is right in saying that the awareness level has been raised a great deal over the past couple of decades. No longer is breast cancer taboo, as it was 20 or 30 years ago, when women would hide that they had the disease and it would not be discussed in the community. That we can discuss breast cancer and support women and men who are suffering its effects shows how far we have come in the past couple of decades.

The member for Tweed is right: it is very important to get women to undergo the second analysis. It is time also for us to recognise our clinicians around the State and the great work our breast cancer nurses do, not only in monitoring men and women with breast cancer but also in providing counselling and support when the patients come into hospital. Radiotherapy and chemotherapy can be devastating on the body and people receiving such treatments need a lot of care. Also, without the support of our researchers we would not have made the inroads we have. Once again I thank the member for Tweed for raising these issues. I wish him well in the future.

### **GERMAN-AUSTRIAN CLUB BALL**

**Mr NICK LALICH** (Cabramatta) [1.28 p.m.]: This year marked a milestone for the German-Austrian Society based in Cabramatta as it celebrated its fifty-third annual ball on Saturday 12 September. It is always a pleasure to attend such a prestigious event, and I opened the ceremony with a celebratory speech. This annual ball is an important part of the extensive social program coordinated and supported by the German-Austrian Society. It provides a social meeting point for many community members and many subgroups within Cabramatta. Special guests at the ball included the Consul General of Germany to Australia, his Excellency Dr Hans-Gunter Gnodtke; the Consul General of Austria to Australia, his Excellency Mr Guido Stock; and the president of the German-Austrian Society, Mr Walter Schmeid.

The German-Austrian Society is a great demonstration of the cultural variety that the Cabramatta community embraces every day. The club strives to maintain the traditional customs and culture of the German-Austrian community. Events such as this allow the people of Cabramatta to come together and feel

proud of their diverse backgrounds. Australia has enjoyed a longstanding connection with people from Germany and Austria. Clubs and associations for German-speaking communities in Australia have existed since the nineteenth century. We are privileged to live in such a multicultural community where we have the opportunity to be exposed to many rich cultures.

On behalf of the Cabramatta community I congratulate the president of the club, Walter Schmeid, and members of the German-Austrian Society of Australia on all the hard work that they have put into preserving their national customs and on welcoming other members who are not of a German-speaking background. The more established a national community is in Australia the harder it can be to retain the culture and traditions of the homeland. This is why the work of the German-Austrian Society is so important. It gives young people the opportunity to continue the traditions of their culture, which are so important to us all. On the night of the ball they proved that they have not forgotten the traditions and customs of their ancestors.

This ball is not the only event the German-Austrian Society holds. In October we enjoyed another example of the German-Austrian community's fantastic customs and traditions, which is the famous Oktoberfest. Walter and I officially opened the festival, which has been a showcase of the German culture in the Fairfield city area for 40 years and is a testament to the hard work and endurance of the president, Mr Walter Schmeid, and his board of directors. The fortieth anniversary of Oktoberfest was held over the long weekend of 3 to 5 October at the Fairfield showground and it attracted some 25,000 people from all over Sydney. October is the time of year to enjoy the food, beer, music and entertainment that Oktoberfest is famous for all over the world.

I also congratulate the German-Austrian Society and everybody involved in organizing the fortieth Oktoberfest and fifty-third annual ball. The German-Austrian Society remains an icon in Cabramatta, and indeed in Sydney, after all these years. I am confident that it will have a long and successful future ahead. I look forward to celebrating another German-Austrian Annual Ball and Oktoberfest next year and wish all involved the very best.

### **BUILDING THE EDUCATION REVOLUTION PROGRAM**

**Mr RAY WILLIAMS** (Hawkesbury) [1.32 p.m.]: Aaron Collings is a member of the Annangrove Public School parents and citizens association. He has contacted me regarding what appears to be an inordinate amount of taxpayers' money wasted at the school. Under Building the Education Revolution [BER] funding from the Federal Government the school requested a new hall. Rather than getting the multipurpose hall it requested, instead the school is getting a new demountable library, which it currently already has. Aaron wrote to the Hon. Julia Gillard and said:

As a concerned parent and member of the P&C I wanted to urgently highlight the current situation regarding the BER allocation for Annangrove Public School. The facilities being provided to our school are not what the school wanted.

When Aaron asked why a multipurpose hall could not be provided the answer given was that it would be impossible and no explanation was provided. The question is: Exactly why is it impossible? In February the quoted cost for a seven-core communal hall and covered outdoor learning area was \$545,000. Surely, the cost of that would be covered under the \$850,000 allocated to Annangrove Public School. The school made several requests for a new building, but none were for a library because the school already has a library, which makes this matter even more ludicrous. Request after request was ignored by Ms Gillard and the Department of Education and Training without explanation.

The entire school population and the principal do not want a library because they already have one, but the principal thought that if he refused what was offered he would lose the funding altogether. The principal and the rest of the school community want and need, in order of preference, a multipurpose hall, a new toilet block, an administration building, a canteen, and a number of other facilities, but definitely not another library. The school is concerned that the \$850,000 allocated to the school will not benefit the school or the teachers and students when the funding could be utilised much more effectively.

The other point of concern the school raises is that because the Federal Government has insisted on providing the school with another library, the current library, which is air-conditioned and which was paid for by the parents and citizens association, will be taken away against the school's wishes. The new and unwanted library will have no air-conditioning whatsoever and the old toilets, which were in good working order, were

removed prior to construction. There are no plans for any new toilets as part of the new library building, and the current toilets, which are substandard, have only one pan for a school with a high percentage of boys—approximately 80.

There needs to be a clear explanation as to why a seven-core library originally quoted at \$285,000 will now cost \$725,800. The explanation given by the Department of Education and Training is that "\$285,000 is for the building from the floor up", and that this cost does not include design, site investigation, planning, engineering, administration, management, water connection, power connection, foundations, footings, substructure, furnishings and commissioning. This is, at best, nothing but fabricated and farcical lies that even a year 6 student would know to be incorrect.

The added costs to supply all the abovementioned items add up to over half a million dollars. That is just ludicrous and hides the truth: That the New South Wales State Government may have its own fingers in the tin and is getting a major share of the money, to the detriment of a good local school. The State Government should be utterly ashamed of itself when it means little children will suffer as a result of its greed and dishonesty, and especially when alternative quotes for a multipurpose hall were obtained of \$400,000 to \$450,000, inclusive of new toilets and project management.

Angus Dawson, who is administering this Building the Education Revolution funding on behalf of the New South Wales Department of Education and Training, has suggested keeping the current library as it is but converting it into a multipurpose hall. However, the school has received no confirmation of that proposal. Mr Dawson also indicated that he could provide the parents and citizens association with a complete breakdown of all costs from the \$850,000 allocation to Annangrove Public School. The school and the community would be very interested to see a breakdown of those costs. But—surprise, surprise—that has not been forthcoming. Someone needs to step up immediately and explain this enormous taxpayer rip-off for a proposed building that increased in cost from \$285,000 to \$725,800.

Even if it were too late to change the proposed building, the school must have an assurance that the current library will not be taken away once construction is finished, that the new modular building will be utilised as a multipurpose area and that these entire costs will be investigated. We also need to have an assurance from the Department of Education and Training that Annangrove Public School will have money available from this funding to build decent toilet facilities for children at the school.

**Ms ANGELA D'AMORE** (Drummoyne—Parliamentary Secretary) [1.37 p.m.]: I thank the member for Hawkesbury for highlighting the concerns of one of his local schools in relation to some Building the Education Revolution money that has been allocated to the school. The member for Hawkesbury has suggested that some building quotes were received that were lower than the suggested amount. There was an open and transparent process where all builders and subcontractors were asked to go to information sessions and express their interest in applying for the work. Often people think they can do the work at a much lower cost, but it is important to note that those contractors or subcontractors had an opportunity to put their name on a list and apply for the work.

I am not sure if the member for Hawkesbury or members of the school community have sat down with some of the representatives of the building project to look at these issues. I believe we have all had some issues in our electorates relating to building work at some schools, but we have all been able to have on-site meetings and have worked through the issues. I strongly suggest the member for Hawkesbury have some on-site meetings to see if some of the issues relating to this school can be resolved.

#### **COMMUNITY BUILDING PARTNERSHIP PROGRAM**

**Mr PAUL McLEAY** (Heathcote) [1.38 p.m.]: There is one week left for residents in my electorate to show their support for local community groups. In the last New South Wales budget the Treasurer announced a \$35 million Community Building Partnership Program to support local jobs, stimulate growth and improve community facilities. Community groups and local councils across New South Wales were eligible to submit applications for funding that will help support local infrastructure and jobs. The application process has now closed and a list of all eligible projects in my electorate has been sent to me for recommendations and priority rankings against the selection criteria. The Premier will review and take into account the ranking, benefits and justifications provided by each subject for the district provided by me.

As a community-based member of Parliament I am always looking for ways to involve my community in the decision-making process. Because we have so many fantastic local community groups in my area I asked

my community for help in making recommendations on the suitability and priority of eligible proposals within our electoral district. I said to the residents of my electorate, "It's your money. Tell me how you think it should be spent." I believe it is important for our local community to decide which projects receive funding. To give them their say, I am using an exciting new online process whereby they will be able to vote for projects that they believe should receive financial support. The process is simple: People should go to [www.paulmcleay.com.au](http://www.paulmcleay.com.au) where they can register. When they confirm that they live in the Heathcote electorate, they can vote for the projects they wish to support. If they do not have access to the Internet, they can use a computer at their local library or call my office to obtain a voting paper.

Once people go to the site, click the link and have activated the registration, they will then be taken to the list of aspirant projects and they will be given more details about each of the projects when they click on the "MORE" button. After that, they will be asked to vote and they will be able to allocate up to three votes per project. They are given five votes in total and they get to allocate the remainder for other projects. The reason I have capped votes at three is to force people to broaden their horizons. Once they go to the site to support a particular project, they have two remaining votes and they can investigate the other wonderful projects that are happening across the electorate.

So far more than 2,000 people have already registered and voted. They are having their say. They have decided which groups should have their share of their hard-earned taxpayers' money. They people who have participated are motivating others who are getting involved. Aspirant groups are being creative in driving people to the site to ask them to support their projects. Assistance Dogs Australia have provided a video link through YouTube to my website to explain the process in better detail. Some clubs are linking my website with their own websites and are having links to bring them back to my website to encourage people. Other groups are being quite creative: for example, the Heathcote Football Club recently produced a flyer which they letterboxed throughout Heathcote.

The Engadine Rotary Club expressed the view, "How can we, as a Rotary Club, compete with large clubs, such as football clubs, that already have an active email list?" I challenged that view because Engadine Rotary is hardly a group to complain about not having networking skills. They took the bait, and off they went to produce their own flyer with justification of the project and the voting form displayed on the back. They set up street stalls in the Engadine shopping centre and distributed the flyer throughout the community. Other groups have used other social networking sites. After the first few days, one of the leading players was the Marton Public School parents and citizens association, which wanted more blinds for classrooms. They have a very large group on Facebook. The link was posted to the Facebook site and within three days, because of their links with other social networking sites, they were one of the leading projects.

Instead of the process of applying for funds being secretive and aspirant groups having to wait for a reply to their applications to find out if they have received the funding, they have to justify what they want and convince others to support them. In this process, I have just as much say as all of my neighbours—and in fact my children. I have not limited voting to those who are over 18. People can be under 18 years of age and they do not have to be on the electoral roll to vote for the project they select. The primary requirement is that people live physically in the Heathcote electorate. This approach means that everyone has a say and an equal share on how project funding is spent across the State.

It also means that I can talk to young people about the benefits of democracy and to assure them that their voice is just as important as mine. They do not have to be over 18 to have their say in the Heathcote electorate through this project. I am finding that young people are becoming very excited about it, particularly given that they are some of the major beneficiaries of some of the projects. We have a list of 47 very exciting projects, including one from Assistance Dogs Australia, which wants electricity to be installed in training premises.

I will not list all the projects. Suffice it to say that community groups are driving people to support them. Community groups are justifying their concerns, and people across the electorate are having their say in massive numbers. I urge people to nominate their preferred project. Only one week remains for voting. As this is the final week of voting, they should get out there and vote.

#### **SHOALHAVEN MENTAL HEALTH FACILITIES AND SERVICES**

**Mrs SHELLEY HANCOCK** (South Coast) [1.43 p.m.]: I draw to the attention of the House the issue of mental health in the Shoalhaven area, as I have on many previous occasions. I express in particular my

gratitude to representatives of the Shoalhaven Mental Health Fellowship who meet with me regularly to discuss major issues of concern, deficiencies and challenges in the provision of local mental health facilities and services in the Shoalhaven. During our most recent meeting a week ago, representatives of the Shoalhaven Mental Health Fellowship expressed the view that currently in the Shoalhaven area service provision is utterly inadequate to meet community needs and that, unlike some other regional areas with similar requirements to the Shoalhaven, there is a comparative need locally for increased funding in mental health infrastructure. Fellowship members believe that this is a significant local issue.

The specific issues discussed with me last week include, first, the need for a 20-bed acute mental health unit allocated to the Shoalhaven and located locally at Shoalhaven District Memorial Hospital. Currently the acute ward for local people is located at Shellharbour Hospital, which is some distance away. The travel time can sometimes take up to two hours and in some cases there is no public transport by which patients may attend the facility or return home. Second, there is a need for significant enhancement in staffing for the Nowra and Ulladulla community mental health teams, including separate acute assessment teams and case management teams. Fellowship members told me that the teams need to be doubled, as they have not had an increase in case managers in 10 years despite the fact that the population on the South Coast has increased substantially. The teams should be considered to be key infrastructure in the provision of mental health care.

Third, fellowship members believe that there needs to be a functional working partnership between public mental health and drug and alcohol services because many people with a mental illness need to access both these services. An actual working partnership will require dual assessments, co-case management and case reviews to occur routinely. Currently the two services do not communicate and share information, which is most disturbing. Fourth, there is a need for more supported accommodation places for people with mental illness as part of the Housing Accommodation and Support Initiative [HASI] in the Shoalhaven. Currently there are two places only available in Ulladulla and four in Nowra. There is a need for more places locally, and there need to be quality partnerships between the community mental health team and non-government organisations for this initiative to be successful.

Generally the philosophy of the Shoalhaven Mental Health Fellowship underlying all these points is that people who have a mental illness should have access to individualised and holistic care in the community in which they live. The provision of adequate community mental health services can enable people to progress in their recovery and achieve a more satisfying and productive life within their community. This level of support in the community, in addition to helping people who have a mental illness obtain a degree of wellness in their preferred living environment, also can aid in the prevention of relapse of illness and assist people to avoid expensive and unnecessary hospital admissions.

Other issues raised by the fellowship during our discussion were the lack of clear and effective discharge care plans once patients are discharged from the Shellharbour mental health facility. There is also concern that when patients are discharged, often there is no consideration given to how the patients will be able to travel home by bus, train or taxi services. No consideration has been given to how people who are still affected by mental health problems will be able to travel home safely either back to their families or back to their homes. An underlying issue is effective and reliable public transport, in particular the rail service on the Illawarra-South Coast line. I have addressed that issue many times in this place. The service affects elderly people as well as people suffering from mental health illnesses who require regular rail services to obtain treatment.

One of the most disturbing issues discussed at the meeting was that there are now no psychiatrists practising publicly in the Shoalhaven area whatsoever. Those who were practising have either returned to Wollongong to private practice or have left the area completely. I know that similar problems exist in other electorates, but I see it as a very serious issue in the Shoalhaven district. An issue that was raised with me subsequent to the meeting concerns the Helping Hands Volunteer Program for mental health patients in the Shoalhaven. Currently funding for the program is under threat. We have fought for funding many times, but apparently the facility is under threat once more. I really hope that New South Wales Health can see its way forward to funding the Helping Hands Volunteer Program and assist mental health patients in the Shoalhaven. It is a very useful program that is operated by approximately 60 volunteers who provide an effective outreach service to Shoalhaven residents.

#### **GUNNEDAH INDUSTRIES**

**Mr PETER DRAPER** (Tamworth) [1.48 p.m.]: At the invitation of company director, Jamie Chaffey, recently I visited Gunnedah Industries, which is located on a 200-hectare site on the Tamworth road near



Gunnedah. I was very impressed with the services and employment opportunities the company provides for the rapidly developing Gunnedah economy. Over the past few years, Gunnedah Industries has focused on the ever-growing need for products to service the waste management industry. It has had major success in promoting its waste collection stations and has won tenders and supplied these stations to all levels of government across all States of Australia. It has also launched a new range of recyclable collection stations, it has other related products under development, and it has just finished testing a new unload-on-the-run cotton boll buggy.

Jamie Chaffey told me that Gunnedah Industries' mission is based on ongoing quality control and product development in the fields of agricultural waste collection and minimisation industries. It strives to provide these products at the best possible prices, backed by prompt after-sales service and support. The group aims to provide its clients with the highest quality range of services and products related to engineering, manufacturing, transport and retail. Other Gunnedah Industries products include cotton module builders, cotton harvest machinery, waste oil collection centres, grain handling machinery, recyclables collection centres, oil filter crushers and other custom items. Gunnedah Industries is a real leader in Australian manufacturing and the design of many products and welcomes the opportunity to design and manufacture new products.

Stripes Services is committed to providing a large range of quality services and products to mining, agriculture and industry. It offers a 24/7 service in engineering, skilled labour hire, manufacturing, transport, product development and onsite repairs with fully equipped service vehicles, qualified project managers, pressure welding, poly welding, poly fitters, crane drivers, boilermakers, fitters and retail in steel, gas and all industrial consumables. The Stripes Engineering Services workshop is fitted with a guillotine, presses and specialised welding equipment and has the ability to weld aluminium, stainless steel and general steels. Standard machinery includes sawing and drilling equipment. The company can also perform guillotining to 12 millimetres, brake pressing to 200 tonnes and turning to a 500-millimetre diameter. To expedite services, it has a full mobile workshop for onsite jobs and fully equipped boilermaker trucks and fitters' vehicles. It also stocks heavy plate and sheet and has a full workshop fabrication ability. There are few other businesses in the region that can provide this flexibility or quality of service, and the company is planning ahead to provide for the needs of the expanding mining industry, being well positioned to supply it with quality tradesmen.

The third division of the group is Stripes Asset Services, a priority freight transport company that prides itself on deliveries commencing at 7.30 a.m. It has vans, utes, light trucks and trucks up to seven tonnes. It also subcontracts larger transport up to 25 tonnes and, when required, B-double flattop transport. One of the greatest assets of the combined group is its staff. It has 40 experienced and skilled team members including boilermakers, fitters and turners, engineers, machinists, heavy vehicle drivers, administration staff, customer service personnel, drafting personnel and qualified project managers. Amongst them are qualified project manager and site supervisor Neil Wade and Ian Coyle, a qualified boilermaker and leading hand. The group recently supplied quality engineering support onsite for Straits Hillgrove Gold, where staff have gained a large amount of specific experience that the company believes will provide advantages for other future projects. The group also services Whitehaven Coal with factory fabrication, site works and washery maintenance and repairs and maintenance for several drilling companies.

Jamie Chaffey pointed out to me that the group is committed to providing a safe and healthy work environment for all employees and visitors. Its policy dictates making every effort to prevent accidents, to protect employees from injury and to promote the health, safety and welfare of all employees. Employees are required to participate in workshops to ensure they are all up to date. The company is to be commended for managing risk by implementing management systems to identify, monitor and control hazards and by constantly reviewing performance. I thank Jamie for the invitation. His company and team are a great example of entrepreneurial vision in regional New South Wales.

### **BROKEN HILL WATER SUPPLY**

**Mr JOHN WILLIAMS** (Murray-Darling) [1.53 p.m.]: The Federal Government has undertaken a review of water savings in the Menindee Lakes system. Unfortunately, there has been no water in the system for the past nine years and only occasionally has there been water in upper lakes, particularly in Lake Pamamaroo. Some of the decisions that have been made are based on the fact that significant evaporation occurs in that area. It appears that in the event of a major flow in the river that water will be allowed to continue to flow to the junction with the Murray River.

My community and I have concerns about that type of thinking. Historically, such events have been a great opportunity to increase the storage of water that can be used to regulate the lower Darling River. Water

was stored in Lake Pamamaroo when those events occurred and was then released slowly. If the review's recommendations were implemented, we would have a one-off increased flow. However, the wetting down of the riverbanks would consume most of that water and it would probably have minimal effect on the water level in the Murray River.

The storage of water in Lake Pamamaroo allows the interconnecting channel to Lake Menindee to be used to support a major recreational area at Copi Hollow. It is a small stranded water basin that probably does not have a great future unless the Darling River has some major inflows and we are able to refill Lake Pamamaroo and the interconnecting channel. However, some people think that water stored in Lake Menindee is a liability. It certainly is not. It has been proved over time that using that water is the best way to regulate the lower Darling. That regulation has had a positive effect on communities in the lower river region and those who irrigate using water from the Darling River. That arrangement will be challenged under this new regime.

The Independent Pricing and Regulatory Tribunal plans to examine water charges in Broken Hill, obviously with a view to increasing them. Broken Hill's water supply is unique. We have taken water from the Darling River and pumped it 100 kilometres back to Broken Hill. The State Treasury has supported that arrangement and the mines have deficit funded the Broken Hill Water Board. Unfortunately, under that funding arrangement there has been little or no provision for replacement of infrastructure and, as a result, the local water system is in need of major replacement and upgrade work.

Unfortunately, Rome was not built in a day and we are facing a new scenario. Some people believe that that work can be fast-tracked by increasing water prices. The community in Broken Hill has effectively managed local water resources. When I grew up the family all had a bath in the same bathwater and it was then poured onto the vegetable garden. We know how to conserve water in Broken Hill because it is such a dry climate and we pay so much for it. Increasing the price of water will have a major impact on people on fixed incomes, the parks and gardens will suffer and the local environment will deteriorate.

### **PORT MACQUARIE PLANNING**

**Mr PETER BESSELING** (Port Macquarie) [1.58 p.m.]: With many local government areas in the State currently going through the process of resolving their local environment plans, the ambiguous nature of what is allowed within zonings needs to be examined and remedied if we are to have good planning outcomes and certainty for local communities in New South Wales. The difficulties of providing the perfect planning document or instrument are well recognised given the number of cases that are taken to the Land and Environment Court for adjudication and resolution. Being too prescriptive in a planning instrument such as a local environment plan can lead to developments that may have been of benefit to local communities being rejected before they are considered because they do not meet the strict interpretation of what is allowable, and to an inflexible approach being taken by determining authorities.

Similarly, taking a broad and less specific approach to what is allowable within various zonings can lead to poor planning outcomes and developments that were not intended to be allowed under that planning instrument. This approach will almost certainly lead to an increase in court cases where the development proponents and often local councils slug it out in court not only to the detriment of both litigants but often to the detriment of good planning principles. This can be highlighted by local examples within the Port Macquarie electorate. The recent development application for a McDonalds restaurant to be located in Greenmeadows Drive, Port Macquarie, a residential area, is a good example of how proponents are exploiting opportunities within the planning laws to proceed with developments that are clearly not in the best interests of good planning outcomes and are hamstringing councils and development consent authorities which are charged with making determinations based on the local environmental plans that are currently in place.

The development application was submitted in accordance with the Hastings local environmental plan [LEP] 2001, and in accordance with clause 9 the subject site was zoned 2(a1) residential. The proposed development was a restaurant with drive-through takeaway; the applicant stated that the proposal is defined as a refreshment room under the land use definitions in the LEP, a refreshment room meaning "a restaurant, café, tearoom, eating house or the like". Given this description, the proposed development was consistent with the land use for 2(a1) zoning. In a practical sense, this means that if all other considerations of the application were to stack up, the application could not be refused on the basis of being incompatible with the zoning of the land, even though this would be a commercial operation located within a residential zone.

What this would also mean to the residents of Greenmeadows Drive is a commercial restaurant operating seven days a week from 5.00 a.m. until 11.00 p.m. on Sundays to Thursdays and until midnight on

Fridays and Saturdays, with delivery trucks unloading their products between 3.00 a.m. and 5.00 a.m. during the week. There would also be a regular stream of traffic through to the restaurant and via the takeaway drive-through, associated lighting and general activity that is common to all commercial operations of this nature. Regardless of what people might think about the adverse health effects of takeaway restaurants, allowing a development of this nature to occur within a residential area is not in the best interests of the broader community, not consistent with good planning outcomes, and not something that should be encouraged through the planning instruments currently in place.

I have absolutely no doubt that when allowances were made for tearooms and refreshment rooms in the LEP, busy commercial restaurants with drive-throughs did not form part of that consideration. This approach to development within residential zones has broader implications for the rest of the State; it is certainly not a case of not in my backyard but something that the planning Minister and her department need to consider in light of new LEPs based on a statewide template that allows for a kiosk, meaning a retail premise used for the purpose of selling food, light refreshments and other small convenience items such as newspapers, films and the like. Commercial operations need to be located in appropriately zoned commercial areas and not allowed to develop within residential zones to the detriment of the amenity of residential communities due to a soft definition of what is permissible. I urge both the Government and Minister for Planning to take these matters into consideration of clearer planning directions and better outcomes for the people of both the Port Macquarie electorate and New South Wales.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [2.03 p.m.]: I thank the member for Port Macquarie for his statement. This is a victory for people power. I declare a potential conflict of interest in that my brother was involved in this issue. Nevertheless, an important issue has been uncovered. All members would agree that a residential area is no place for potentially a 24-hour business that includes a drive-through masquerading as a refreshment room. I congratulate the member for Port Macquarie on his involvement in this case, and I look forward to a successful outcome.

#### **SUTHERLAND SHIRE COUNCIL**

**Ms ALISON MEGARRITY** (Menai) [2.04 p.m.]: Sometimes in the wider community, and certainly in the media, local government is not always considered in the most favourable light. However, I am a great believer in giving credit where credit is due, and today I would like to deliver a bouquet, not a brickbat, to Sutherland Shire Council. The council serves over half of the Menai electorate constituents, and I am pleased to advise the House of council's leadership in assessing the demographic trends of the shire's population and developing initiatives based on the findings of that assessment. Mayor Lorraine Kelly recently invited me to a detailed briefing on the outcome of council's research and community consultation, which highlighted that the shire's population is changing, with alarming implications for the local economy.

Between 2001 and 2006 the shire's population reduced, and continuing decline is predicted through to 2031. The biggest declines have been in the 25 to 34 year and 35 to 49 year age brackets, not to mention children aged five to 11 years. One obvious and important suggestion from these statistics is that the shire is losing its families and its workforce. Shire households are also shrinking, with single or two-person households replacing traditional families as the dominant household type. The proportion of the population aged over 65 years grew from 12 per cent to 13 per cent and is predicted to reach 20 per cent by 2031. Council is understandably concerned about the sustainability of the shire's services and local economy, as fewer families and smaller, older households will mean less support for schools and businesses.

The research found that 21 per cent of total shire households are in fact lone person households. Of these, 45 per cent are in a flat, unit or apartment, 38 per cent live in a separate house, and 17 per cent live in a semi-detached or town house. Twenty-five per cent of total shire households were couples living without children. Of these, 68 per cent live in a separate house, 20 per cent live in a unit, flat or apartment, with 12 per cent in a semi-detached or town house. I should point out that these couple households were not always necessarily childless but included couples frequently referred to these days as "empty nesters". Faced with this information at the briefing convened by the mayor, I was pleased to note that council is preparing a housing strategy that will meet the community's changing needs and provide more housing choices.

The housing strategy is in draft form now, and the final document will form part of the new local environmental plan, which must be completed and adopted by 2011. It is a sensible plan to manage housing supply over time so that we can maintain a viable local economy, as well as a more diverse and sustainable

community. To its credit, the council recognised that larger houses need to be available for growing families that need larger dwellings and more space; young people moving out of home need affordable dwellings and flexibility; and older people need the option to move to smaller accessible and adaptable dwellings as they age. Recently I read an article in the *St George and Sutherland Shire Leader*—that very august journal—that quoted an aged care firm's prediction that the number of people with dementia in southern Sydney will almost quadruple in the next 40 years.

However, the chief executive of the firm also acknowledged that care homes are not always the best option for some people. He pointed out that staying within your own home as long as possible can be an excellent option for both care and financial reasons. So Sutherland Shire Council's positively focused policy called "Ageing Well in the Shire" is right on the money. The policy addresses all of the important areas of housing choice, health, transport, participation, and care and support. Older people will have the option of remaining in the shire, maintaining their social networks and using the services and facilities they have known and trusted for so long. Fortunately, recognition of the quality of Sutherland Shire Council's efforts in this regard is not limited to my contribution today. The "Ageing Well in the Shire" strategy recently won an award at the New South Wales Local Government Managers Awards in the engaging and services to communities category. This peer-reviewed award was considered the best of 12 submissions.

I am sure all members of this House will join me in congratulating Sutherland Shire Council on achieving this award. Congratulations are also in order to Councillor Lorraine Kelly, recently re-elected as mayor, and to Councillor Jan Forshaw, elected to the position of deputy mayor. I cannot be certain whether this is the first time that female councillors have filled both roles on this particular council, but it is worth noting that 2010 will be the year of women in local government. I know that the dynamic and hardworking leadership team of Councillor Kelly and Councillor Forshaw, ably assisted by the long-serving general manager, John Rayner, and his staff, will achieve a great deal for the shire during their tenure.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [2.09 p.m.]: I join with the member for Menai in congratulating the Sutherland Shire Council on its foresight in examining this issue. Alzheimer's Australia is closely involved with this place, as John Watkins, the former Deputy Premier, is now the chief executive officer of Alzheimer's Australia. At a recent meeting the keynote speaker pointed out that by the time people reach the age of 85 one-third will have dementia and one-third will be carers of someone with dementia. This is a vital issue that every council in the State should be examining. I congratulate Sutherland Shire Council on leading the way, hopefully, for others to follow.

**Private members' statements concluded.**

*[The Assistant-Speaker (Mr Grant McBride) left the chair at 2.10 p.m. The House resumed at 2.15 p.m.]*

**ELECTORATE OFFICE STAFF**

**The SPEAKER:** I welcome to the gallery a group of electorate office staff attending the Vital Skills Course run by the Legislative Assembly. I had the pleasure of meeting with them this morning. I know I speak for all members in thanking the electorate office staff for all the hard work they do. It is important we acknowledge staff from the offices of the members for Cabramatta, Dubbo, Keira, Lakemba, Port Macquarie, Sydney, Tweed and Wagga Wagga and staff from the office of the Hon. Michael Veitch.

**DISTINGUISHED VISITORS**

**The SPEAKER:** I take the opportunity to welcome Councillor Richie Williamson, the Mayor of Clarence Valley Council, a guest of the member for Clarence.

**CHAMPIONS LEAGUE TWENTY20 CRICKET**

**Ministerial Statement**

**Mr KEVIN GREENE** (Oatley—Minister for Gaming and Racing, and Minister for Sport and Recreation) [2.19 p.m.]: Everyone in this House knows that New South Wales has a proud sporting tradition, a sporting tradition built on the success of our sportsmen and sportswomen who have performed not only on the Australian stage but also internationally. That tradition is never more evident than in the sport of cricket where

on the weekend we saw the outstanding achievement of a young New South Wales team in winning the inaugural Champions League, playing in competition with 11 other teams representing the best in the world at Twenty20 cricket. The New South Wales side did our State and Australia proud. That success was built on the proud traditions of New South Wales cricket, traditions that date back to the times of Murdoch in the nineteenth century, Bradman and Walters and many others in the twentieth century and now the exploits on the international world of our current prodigies.

I take this opportunity on behalf of the House to congratulate the chief executive officer of Cricket New South Wales, David Gilbert; also the chair, Dr Harry Harinath; the coach, Matthew Mott, and all the players under the leadership of Simon Katich for their performance in India representing New South Wales. I particularly note that while we had some of our senior players absent due to injury—people of the calibre of Michael Clarke, Brad Haddin and Nathan Bracken—the young players really came to the fore. I particularly note the performances of Daniel and Steven Smith, also Phillip Hughes, David Warner, Ben Rohrer and, of course, Moises Henriques, who, I am pleased to say, it has just been announced will be travelling back to India to be the cover for James Hopes, who is injured, in the current Australian team. Of course, Moises plays for that fine cricket club the St George District Cricket Club, which I know a little bit about.

We congratulate all those players. I can advise that the Premier will be hosting a function for the team here in Parliament in recognition of its outstanding performance. While some comments were passed recently about the performance of Victorians in sport, I think the New South Wales cricket team, the Speed Blitz Blues, sponsored by the Roads and Traffic Authority, has done a fantastic job in making sure that on the international scene New South Wales cricket and, indeed, New South Wales sport is again to the fore.

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [2.21 p.m.]: I am pleased to follow the President of the St George District Cricket Club—which he is—in paying tribute to the Speed Blitz Blues on its great success in the Champions League Twenty20. The Minister for Sport and Recreation and I last Wednesday night shared a magnificent night, a gala dinner at the Bradman Foundation—

**Ms Linda Burney:** A galah dinner.

**Mr BARRY O'FARRELL:** You might be a galah, but we had a great dinner. It was a night adorned by some of the greats of the past—the Benauds, the Harveys—and some of those more recent retirees, including Shane Warne, who made the point that in cricket today there is probably only room for two games, and he believed it would be test and Twenty20. I think what has happened in India with the Speed Blitz Blues demonstrates the wisdom that is not always associated with Shane Warne's words but was last Wednesday night. I pay tribute in particular, not just to those younger players the Minister for Sport and Recreation has acknowledged. Remember, this was a competition in which ultimately they played for \$2.7 million, half of that to go to Cricket New South Wales—which is why on Friday night I sent an email message to Dave Gilbert asking whether he was good for a loan! The payment to those younger players will in some cases be the equivalent of a year and a half's pay on their contracts. It is an extraordinary achievement, and an extraordinary achievement that they decided to share not just with the players who were there but those who helped get them into that position.

We should be proud of the Speed Blitz Blues. We should be proud of Dave Warner, we should be proud of Phillip Hughes, a Macksville boy who played most of his cricket in Coffs Harbour. A Macksville boy who went to Macksville High School and who lived 300 metres down the road from another Macksville boy, Greg Inglis, who for some reason does not play sport for this State—go figure that. I also pay tribute to Brett Lee, who came back from serious injury, who was named not just player of the final but player of the series and who has demonstrated a determination, a level of fitness and a level of ferocity on the cricket pitch that deserves to have him back not just in the Australian one-day team but in the Australian team. I join with the Minister for Sport and Recreation, the President of the St George District Cricket Club, in congratulating the Speed Blitz Blues on its fine achievement in India.

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

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

## QUESTION TIME

---

[Question time commenced at 2.26 p.m.]

### PRISONER PHILLIP CHOON TEE LIM EARLY RELEASE

**Mr BARRY O'FARRELL:** My question is directed to the Premier. Will the Premier explain why his Government failed to make a submission to the New South Wales State Parole Authority objecting to the early release of one of the killers of Victor Chang, or is it just another case of his Government's ongoing incompetence?

**Mr NATHAN REES:** I first express my deepest sympathy to the family of Dr Victor Chang for the trauma caused by these events. Victor Chang was an incredible doctor who saved countless lives and gave a great deal to the people of New South Wales through his work as a heart transplant surgeon and also as an advocate. His brutal murder in 1991 shocked all of us, and it is difficult to comprehend why the New South Wales State Parole Authority has decided to release, next month, one of the men responsible for his death. I have been advised that this decision can be revoked by the Parole Authority at any point up to the actual date that the offender is released and that it will consider any submission presented to it before that time. Therefore, the Minister for Corrective Services has requested that Corrective Services New South Wales prepare a submission to the State Parole Authority opposing the early release of Lim Choon.

I have also been advised that Corrective Services New South Wales has made contact with the family of Dr Chang and made them aware that they are also able to provide a victim's submission to the Parole Authority. Corrective Services New South Wales will provide any support that the family requires in preparing such a submission should they choose to do so. We are committed to ensuring that victims are involved in the criminal justice process, and that is why we established the Victims' Register in 1996. Victims on the register are informed when offenders are being considered for parole and they are given assistance in preparing submissions to the State Parole Authority, should they wish to do so.

I understand that because the murder of Dr Chang occurred in 1991, before the establishment of the register, Dr Chang's family were not registered victims. I am advised further that the Department of Justice and the Attorney General, along with the Victims Advisory Board, are currently reviewing all victims services, including the operation of the Victims' Register and that the Attorney General and Minister for Justice have requested that they consider, in particular, how we can ensure that victims of crimes committed prior to 1996 are also included on the Victims' Register, should they wish to be.

### JOB CREATION

**Ms ANGELA D'AMORE:** My question is addressed to the Premier. Will the Premier update the House on recent successes in New South Wales that have led to job creation?

**Mr NATHAN REES:** I thank the member for her interest in this matter. Before I deal with the specifics of the question, I divert for a moment to join my ministerial colleague to congratulate the Blues for a magnificent performance in India, a towering performance, an all-round effort from Brett Lee and the rest of the team. The whole of New South Wales is proud of their efforts. They did not just win a cricket tournament but they put the State of New South Wales up in lights before 1.2 billion people and dispatched Victoria to the boundary along the way. Well done the Blues! The Blues were in India backing New South Wales, its reputation and its international standing while, on the home front, the Leader of the Opposition was busy undermining New South Wales. No matter how much he badmouths New South Wales, the evidence for Sydney's international reputation and its growth will defy him at every turn.

A few months ago it was the winter Vivid Festival, decried by the naysayers, but a cracking success in anyone's language. Two weekends ago the World Masters Games came to a triumphant end—the biggest and best World Masters Games ever held by a long shot. This week the Crave Springtime Festival is coming to a conclusion, and the unanimous verdict on that is that it has been a bottler, confirming Sydney's reputation as Australia's food and wine capital, and for our outdoor arts and lifestyle centre. If that was not enough, in the past four days we have set another cultural standard in the life of this city.

On Saturday I had the privilege of joining an Australian icon of film, Mr George Miller, to announce the next movie in the *Mad Max* franchise, *Fury Road*. After 24 years *Mad Max* is back and casting is underway.

Members interjecting should feel free to suggest Max Moore-Wilton or Wayne Merton. I am happy to relate any suggestions for castings to George Miller and his team. *Fury Road* will be shot around Broken Hill and in Sydney, involving 540 jobs in New South Wales over 30 weeks of filming in the far west. It will be a massive economic injection for the region. A big part of the deal was the generous New South Wales Government assistance to turn part of the CarriageWorks arts complex into a high-tech film studio for work on *Fury Road*, *Happy Feet 2* and other films in the future. In other words, it is a piece of screen infrastructure, similar to Fox Studios, that will serve this city for years to come. That was last Saturday. I ask members to fast-forward 24 hours to Sunday, when the latest big event for our city was held: Breakfast on the Bridge.

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

**Mr NATHAN REES:** It was accompanied by open days at Garden Island and the Sydney Opera House, plus the Seven Bridges Walk. Not even some welcome spring rain could dampen the enthusiasm of Sydneysiders last Sunday. Approximately 190,000 applications were received for Breakfast on the Bridge, and on Sunday up to 6,000 lucky winners—from Tamworth to Tahmoor, Mount Druitt to Byron Bay—made their way to Sydney for that once in a lifetime opportunity. The sight of families tucking into brekkie on the coathanger was absolutely extraordinary and publicity that money cannot buy. The story ran in the *New York Times*, the *Bangkok Times*, on the BBC and in the *Daily Mail* newspaper in the United Kingdom, the BBC in the Asia-Pacific, on CBS news in the United States of America, on ABC news in the United States and even in the *Himalayan Times* in Nepal. That was great publicity, and worth every cent. Those 6,000 people were given the opportunity of a lifetime.

Yvonne from Penrith said, "You really felt a million dollars ... we just had a ball." Another happy picnicker said, "It's a moment in history, it's a sense of community." They were the vibes among the 6,000 participants as the Minister for Tourism and I wandered around on Sunday morning. But what did the Coalition have to say about an event that has been universally lauded and has showcased Sydney around the world? There was no support at all; in fact, the Coalition badmouthed the occasion. The member for Upper Hunter—

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

**Mr NATHAN REES:** Opening the people's bridge to the people, laying 10,000 square metres of kikuyu grass—

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

**Mr NATHAN REES:** —allowed the people of New South Wales to sit on their very own bridge, look at the harbour and enjoy their breakfast with their friends. Who would have thought that there could be something bad to say about that? Well, the member for Upper Hunter found something bad to say. With regard to the Breakfast on the Bridge event, he said:

I can also imagine the litter that will fly into the harbour on a slightly windy day, and then we have to imagine that real kikuyu with real dirt will only take a few moments to take back up.

I can see the need to wash the surface of the bridge for a number of hours. Muddy water will be going everywhere.

The gentleman who gave us Luna Park and Eastern Creek is lying awake all night worried about the wind, the rubbish and the dirt.

**Mr Andrew Stoner:** You are muddying the waters.

**Mr NATHAN REES:** Oh yes, champagne humour. The member for Upper Hunter need not have worried. Like the seventy-fifth anniversary celebrations of the bridge, it went off without a hitch. I pay tribute to everyone involved in the organisation—it was a magnificent effort by all concerned. Fast-forward again to another day that brought two more big wins for the New South Wales film industry. I am delighted to advise the House that New South Wales has fought off some tough competition from other locations around the world to secure a high-profile Bollywood film, *Step Mom*. That movie, a remake of a United States hit movie, features the Bollywood stars Kareen Kapoor and Kajal. Shooting will begin in Sydney next month, creating 200 jobs for cast and crew. When that movie hits the screens in the world's biggest cinema market it will have "New South Wales" written all over it.

Other good news today is that the New South Wales Government has helped secure production in Sydney of the next Foxtel television series, *Spirited*. That eight-episode series will generate \$6.4 million in production spend and employ more than 140 cast and crew. So, *Fury Road*, *Step Mom* and *Spirited* are all coming to Sydney on top of recent wins, including *Tomorrow When the War Began*, *Spiderbelly III*, *Happy Feet 2* and *Guardians of Ga'hoole*, which are all currently under production in New South Wales. In addition, there is the new digital film hub at CarriageWorks. All that adds to our 50 per cent boost to film production funding and our film-friendly packages. Added together it gives New South Wales a film renaissance and helps to restore the screen industry crown to where it belongs: New South Wales. Over four days there have been four big announcements, and that is four more reasons to celebrate Sydney. Barry, it is time to back Sydney, not bag Sydney.

### HEALTH SERVICES IN WESTERN NEW SOUTH WALES

**Mr ANDREW STONER:** My question is directed to the Premier. In view of the outrage in regional New South Wales about the Government's continual cuts to basic health services and staffing levels, and the Premier's pledges to be more transparent in requests under freedom of information legislation, why does he refuse to publicly release the true extent to which he is cutting health services in western New South Wales, as shown in blacked-out documents obtained under freedom of information legislation and released by the Greater Western Area Health Service?

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

**Mr ANDREW STONER:** Why do you—

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

**Mr NATHAN REES:** Contrary to the erroneous assertion—

**The SPEAKER:** Order! The Leader of The Nationals has asked his question. He will resume his seat.

**Mr NATHAN REES:** Contrary to the erroneous assertion by the Leader of The Nationals, we have massively expanded the Health budget. More surgical procedures have been performed this year than in the previous year—5 per cent over last year.

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

**Mr NATHAN REES:** There are more nurses than ever before and construction is underway in large infrastructure projects on new hospitals, including almost a billion dollars worth of work on the new Royal North Shore Hospital and almost \$400 million of work at Liverpool Hospital. None of that would have occurred if the Coalition were ever near the Treasury benches. Major health service enhancements for the Greater Western Area Health Service, which covers about 55 per cent of New South Wales, includes a \$42 million increase in its recurrent budget last year. The main health service enhancements for the Greater Western Area Health Service include \$17.7 million for the medical assessment unit, including a new eight-bed facility at Orange hospital, worth \$2 million; a share of an extra \$2.8 million, making an annual statewide total of \$5.5 million for the Building Strong Foundations for Aboriginal Children, Families and Communities strategy; \$150,000 for additional clinical trauma services staff at Orange hospital; and \$150,000 to increase clinical nurse educators to expand nursing workforce skills and enhance patient safety.

Capital works for the Greater Western Area Health Service include nearly \$29 million for the redevelopment of Orange Base Hospital, \$6.5 million for its radiotherapy services, \$3.3 million for maintenance and more than \$1 million for dental services. Funding for the multipurpose services amounted to \$13.3 million at Balranald, \$6.8 million for Eugowra, \$206,000 for Blayney in 2009-10, and funding was allocated to start construction at Coonamble. More than \$600,000 was allocated towards Bathurst hospital redevelopment and Bathurst hospital heritage building upgrade works. That builds on previous initiatives that include the refurbishment of Dubbo hospital at a value of \$19 million. I could go on.

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

**Mr NATHAN REES:** Only weeks ago I challenged the Opposition to prepare its submission to the Commonwealth Government's reform of the health system proposals. To date nothing has been seen. There has



been a comprehensive plan in response to the Garling report, and a truckload of work is underway in New South Wales to prepare the Government's model for the future of health care systems in Australia. However, in response there has been absolutely nothing other than the restoration of health boards, which would simply—

**Mr Andrew Stoner:** Point of order: My point of order relates to Standing Order 129, relevance. One half of the question referred to the Premier's commitment to transparency in freedom of information. The document I have is not transparent; it is opaque.

**The SPEAKER:** Order! The Leader of the Nationals will resume his seat. I will hear further from the Premier.

**Mr NATHAN REES:** The Leader of The Nationals should look up the definition of "opaque". I stand by our commitment to health services in New South Wales. We have one of the best systems anywhere in the world, notwithstanding the increase in demand year after year. It is time for a fundamental debate about health reform in Australia in order to preserve universal care for all Australians regardless of income. That is a debate on which the Opposition has been completely missing in action for over a decade now, except when it is putting out nonsense proposals that would diminish the capacity of ordinary Australians to access high-quality health care.

### TRAIN SERVICE IMPROVEMENTS

**Mrs KARYN PALUZZANO:** My question is to the Minister for Transport. Can the Minister update the House on recent improvements in customer service on Sydney trains?

**The SPEAKER:** Order! Members will be courteous and listen to the Minister's answer in silence.

**Mr DAVID CAMPBELL:** I thank the member for Penrith for her question. As we all know, she is a frequent CityRail user and she often reports back to me—unlike the shadow Minister. I might have more to say about that later.

**The SPEAKER:** Order! Members on both sides of the House will come to order.

**Mr DAVID CAMPBELL:** I am pleased to update the House on the third quarter outcomes of the CityRail customer charter as well as the recent spring-clean that has been carried out across the network. I can see the member for Willoughby pricking up her ears. She is getting a bit nervous because she can sense that, as always, there is good news in the air. The CityRail customer charter outlines key areas for improving front-line services for passengers, with specific targets set for each quarter of the year. I am pleased to advise the House that, for the third quarter, CityRail has met each of the targets and is on track to meet all targets by the end of the year.

Targets for the third quarter are: First, providing passengers with information about less crowded services. This is underway and information can be found on CityRail's website and it will be updated every six months. Second, delivery of 40 new outer suburban carriages into service by the end of the year. I can advise that these carriages are in service. Third, pilot the fitting of additional handholds on a train to improve comfort for standing passengers. This pilot is underway. Fourth, complete the refurbishment of 50 per cent of the Endeavour fleet with new seats, upgraded toilet facilities and repainted interiors. This work is complete.

Fifth, implement a new customer feedback process, which I can confirm is now in place. These targets have been met. They are making a difference to passengers on the rail network and I congratulate all the CityRail staff on their work to deliver these targets. There is still more to be done and CityRail is getting on with delivering targets for the fourth quarter and also developing the customer charter for next year. It would be nice if the member for Willoughby, as the Opposition spokesperson on Transport, could put politics aside just once and thank CityRail and its staff for their efforts with the customer charter. You could bet your life she would have a press release out faster than Phar Lap if one of those targets had not been met.

I can also advise the House that the intensive spring-clean of 15 hotspot stations across Sydney, Newcastle, the Central Coast and the Illawarra is now complete. While station cleaning is carried out regularly, this intensive blitz allowed a more thorough clean to take place along with general repairs and improvements. The blitz included heavy duty and detailed steam cleaning and cleaning of hard-to-reach areas to remove built-up grime and dirt. I am pleased to advise that rail passengers have noticed the difference. The spring-clean

has resulted in a reduction in complaints about cleanliness at those 15 stations. Perhaps the member for Willoughby could get out of her black Honda and visit a few of those stations herself. Perhaps she could visit Menangle, Fairfield or Campsie, or any of the other targeted stations, and commend the station staff for their efforts.

The spring-clean also boosted the number of roving cleaners by 50 per cent. These cleaners already remove around three tonnes of rubbish every week from trains while those trains are in service. I am pleased to advise the House that the work being carried out by RailCorp to improve customer service for passengers has been recognised by an independent national organisation. The Customer Service Institute of Australia is Australia's peak customer service organisation. Last week the institute hosted the Australian Service Excellence Awards, where it awarded RailCorp a highly commended award in the category of national customer charter, government. In the first year of CityRail's customer charter it is a remarkable achievement to be recognised in this way. I congratulate RailCorp on its award. It is great to see it is receiving national recognition for its work to improve customer service, and of course I recognise the individual staff who have been involved in this initiative.

It is also worth pointing out that the New South Wales Police Force took out the top award in the same category, edging out all other States and Territories. In that category, New South Wales agencies came first and second, led by the New South Wales Police Force, and RailCorp for its customer service charter. While the member for Willoughby and her whinging and whining colleagues do nothing but complain, the Government is getting on with delivering better services in our State.

**Mr Brad Hazzard:** Don't forget the black Honda.

**Mr DAVID CAMPBELL:** Brad, you just showed you were not listening because I mentioned it a couple of minutes ago.

**The SPEAKER:** Order! The member for Wakehurst will cease interjecting. If he had been listening he would have heard the Minister mention the black Honda.

**Mr DAVID CAMPBELL:** It shows how far off the pace the member for Wakehurst is. The Government is getting on with delivering better services in our State. That delivery is receiving national recognition and we will keep working day in, day out to continue to make improvements.

#### WESTERN SYDNEY TRANSPORT

**Mr WAYNE MERTON:** My question is directed to the Minister for Western Sydney. Given the Auditor General has found the removal of the M4 toll will increase travel times by up to 25 per cent for residents in western Sydney, how does the Minister justify axing the south-west and north-west rail links and building a \$5 billion dud Rozelle metro? Why has the Minister turned his back on western Sydney motorists?

*[Interruption]*

**The SPEAKER:** Order! I will take the first part of what the member for Baulkham Hills said as the question and I invite the Minister for Western Sydney to respond.

**Mr DAVID BORGER:** I thank the Opposition for the very first question it has ever asked about western Sydney during question time. I look forward to many more questions about western Sydney in the weeks and months ahead. Frankly, the lack of interest in western Sydney by the Opposition over many years is an absolute disgrace. It is not forgotten by the people in western Sydney. I welcome the report that has been tabled by the Auditor-General on the audit of the M4 handover. I note that in his report the Auditor-General stated that the Roads and Transport Authority [RTA] has managed the hand-back of the M4 well. The report has eight recommendations. The first three relate to the future public private partnerships [PPPs], the fourth to existing PPPs, and the other four relate to the M4 handover itself.

The RTA is in broad agreement with the report's recommendations and is already working on implementing a number of them. The M4 tollway is the first New South Wales PPP to reach maturity. As a Government we are investing heavily in the CityRail network to ensure it meets the needs of commuters now and into the future. This Government is investing \$186 million in this year's budget alone towards stage one of

the \$857 million south-west rail line extension, including a new stabling facility at Auburn, and it is investing \$8.5 million towards a train stabling facility west of Emu Plains. Included in the works is a new platform at Emu Plains station, along with modernised signalling between Penrith station and Emu Plains.

**Mr Wayne Merton:** Point of order: My question was quite specific in nature.

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

**Mr Wayne Merton:** My question, which was quite specific in nature, dealt with the south-west and north-west rail links. The Minister is now talking about the history of other issues.

**The SPEAKER:** Order! The member for Baulkham Hills will resume his seat. I will hear further from the Minister. However, I remind the Minister of the question before the House.

**Mr DAVID BORGER:** This Government has allocated \$201 million for rail maintenance in western Sydney to help to ensure the long-term safety and reliability of passenger services, and \$350 million has been allocated to the \$1.9 billion clearways program—projects receiving new funding that benefit passengers in western Sydney. I note that western Sydney has never been on the agenda of any Coalition government. We are waiting to see the policy of the shadow Minister for Transport relating to western Sydney. I have not seen it, the people of western Sydney have not seen it, and this Parliament has not seen it.

### PORT BOTANY EXPANSION

**Mr BARRY COLLIER:** I address my question to the Minister for Ports and Waterways. Can the Minister provide the House with details of the latest milestone in the \$1 billion expansion of Port Botany?

**Mr JOSEPH TRIPODI:** The expansion of Port Botany is a \$1 billion investment in the future of the New South Wales economy. This is one of the most ambitious and important infrastructure projects undertaken in Australia in the past 30 years. This financial year alone the Government is investing over \$260 million in the expansion project as construction hits its peak levels, which is having the stimulating effect we are seeing in the New South Wales economy. Approximately 540 construction jobs will be created from the project, helping to boost our economy through these tough times.

This morning I inspected progress on the Port Botany expansion. The site is a hive of activity, with approximately 400 workers on site each day playing a part in the expansion. Work is progressing well, with the project reaching a major milestone with the laying of concrete retaining walls called counterforts to build the expanded site. Over 200 concrete counterfort wall units measuring 20 metres in height and weighing 640 tonnes are being constructed on site. These concrete retaining walls are being moved by barge and are being lowered into place. Ten units have already been positioned successfully, with another 206 to go at a rate of one per day. These walls will provide 1.8 kilometres of waterfront for the new third terminal, due to come on line in 2012.

The Port Botany expansion is an important investment in our State's economic future by boosting the capacity and efficiency of the port ahead of growth in trade. Today's editorial in the *Australian Financial Review* also highlighted the need for this type of activity by stating:

Major expansion of port capacity to deal with surge in forecast trade volume of between 30 and 70 percent.

A third stevedoring operator to increase competition and potentially lower prices.

The Rees Government's expansion of Port Botany puts a tick in both those boxes by delivering a new terminal to boost the port's capacity, and also by creating the opportunity for a third stevedore to enter the Sydney market. The Sydney Business Chamber welcomed the port expansion as a boost for business in Sydney. The chamber emphasised the importance of a large and efficient port in running a competitive and diverse economy. Patricia Forsythe, Executive Director of the Sydney Business Chamber, recently said that the expansion of the port would provide business growth and trade opportunities for Sydney—a good statement with which we entirely agree. Port Botany is a major part of our trade infrastructure. It is important that both new infrastructure and innovative policy are used to get maximum value from this multi-billion dollar asset.

The Rees Government has announced major port efficiency reforms to ensure that New South Wales exporters are competitive in a global market, and to help keep down the cost of imports. These reforms include performance standards for the servicing of trucks and trains by stevedores and an off-peak incentive scheme to

reduce peak hour truck movements around the port. The Government is committed to giving industry a chance to implement the reforms on a voluntary basis. However, recent stevedore performance has been extremely disappointing. It is not acceptable to government, to industry or to the public for trucks to be queuing outside the stevedores for hours on end, which is what has been occurring over the past few weeks. Our stevedores need to treat the rest of the industry, and in particular truck drivers, with some respect.

Stevedores are skating on thin ice following this poor performance and their decision to introduce new charges for boxes not picked up on Sundays. This new charge was introduced without consultation with the Government or with industry. We are concerned about this lack of process and the potential impact that it might have on industry. This latest announcement on storage charges might make congestion worse rather than better. We are closely monitoring the stevedores' performance and we will not rule out the use of regulation, if necessary, to improve the port's efficiency and performance. These reforms are essential to ensure that the port operates efficiently and to minimise the impact on the local community.

Ian Murray, Executive Director of the Australian Institute of Export, said that the Port Botany expansion is a great example of making important things happen. The institute pointed out that not just the port development will help exporters in New South Wales but also the benefits derived from the port's interface with this Government's landside reforms will drive efficiency. Mr Murray said that the Government has taken a well thought through strategic approach to the Port Botany supply chain for New South Wales, and that this will pay dividends. In fact, \$30 million of community facilities and environmental enhancements are being given priority alongside the construction of the new stevedoring terminal.

Recent milestones on community and environmental infrastructure include the completion of a new amenities building, the completion of kerbing at the new boat ramp, the installation of light poles on Foreshore Road, the installation of counterfort walls for a new boat ramp and the completion of stage one and stage two of a new intertidal shorebird feeding habitat. Work is also continuing on a new pedestrian bridge over Foreshore Road. Once completed, the new 63-hectare terminal will provide additional capacity to meet projected long-term trade growth for Sydney and to help create new jobs. In total, this expansion project is expected to deliver 9,000 new jobs and boost the State's economy by \$16 billion over the next 20 years. It demonstrates this Government's record of investment in infrastructure and jobs.

### **CBD METRO**

**Ms GLADYS BEREJIKLIAN:** My question is directed to the Minister for Transport. As not one Labor councillor defended the Minister's \$5 billion CBD Metro at Rozelle at yesterday's local government conference, and even former Premier Bob Carr called for the Minister to explain his decision to dump the north-west rail link, why will the Minister not listen to the people of New South Wales and axe this expensive white elephant?

**Mr DAVID CAMPBELL:** The customer service charter in New South Wales wants this Government to invest in public transport infrastructure. As the Minister for Western Sydney pointed out earlier, work is underway on stage one of the south-west rail link.

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

**Mr DAVID CAMPBELL:** Just yesterday the Metro 20 route from Artarmon to Mascot was introduced.

**Ms Gladys Berejiklian:** Answer the question. Why won't you dump the Rozelle metro?

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

**Mr DAVID CAMPBELL:** Yesterday the first metro bus route, Metro 10, was extended to Maroubra Junction—two other examples of the way in which this Government is investing in new infrastructure. As I mentioned earlier, new outer suburban carriages are being rolled out on the network, in accordance with the customer service charter.

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

**Mr DAVID CAMPBELL:** As is well known, the Government has also entered into contracts for the delivery of 626 new suburban carriages and our contractors are contracted to start delivering from next year. The Government knows that the community wants investment in public transport infrastructure. The enabler of the first stage of the CBD Metro—

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

**Mr DAVID CAMPBELL:** —is funded by this Government and it is in the process of securing tenderers for construction to commence. This Government will get on with the task of providing those investments in public transport infrastructure, such as improved access at Burwood railway station, which is under construction at the moment.

**The SPEAKER:** Order! Members on both sides of the House will come to order.

**Mr DAVID CAMPBELL:** Additional rail capacity is needed through the Sydney central business district. Metro stage one meets that need and provides for interchange and interconnection with bus services, other rail services, and certainly with the CityRail network.

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

**Mr DAVID CAMPBELL:** It forms the foundation for the future rollout of the metro across metropolitan Sydney. No doubt this network will add value to the public transport effort in the city.

### FINANCIAL CONSUMER PROTECTION

**Mr DAVID HARRIS:** My question is addressed to the Minister for Fair Trading. What is the New South Wales Government doing to protect New South Wales consumers from unscrupulous finance brokers?

**Ms VIRGINIA JUDGE:** I thank the member for Wyong for his question, and of course acknowledge his keen interest in consumer protection. In October 2008 the Council of Australian Governments agreed to transfer regulatory responsibility for credit and finance broking from the States and Territories to the Commonwealth. This commonsense decision will bring these industries under the Commonwealth's jurisdiction, as occurs with all other financial services. The Rudd Labor Government, unlike its predecessor, acted quickly to accept this responsibility. The Commonwealth will impose a licensing system on credit providers and finance brokers. To obtain that licence traders must be members of an external dispute resolution process approved by the Australian Securities and Investments Commission.

The national system to be introduced by Labor will protect consumers across the country from cowboys who, sadly, at times give the industry a bad name. The State-based Consumer Credit Code, which regulates all personal and household credit, will be enhanced and transferred to the Commonwealth, building on protections already in place in New South Wales and closing loopholes exploited by unscrupulous lenders to avoid regulation. One of the most important improvements is the requirement that all credit providers and brokers adhere to responsible lending practices. Registration of credit providers and brokers starts on 1 April next year, and licensing applications will open on 1 July—the same day the National Credit Code commences.

I am advised that all national responsible lending requirements for brokers and credit providers will start by 1 January 2011. Until these responsibilities are transferred, I am pleased to inform the House—sadly, Opposition members do not seem to be interested in consumer protection—that the Rees Government will continue to protect New South Wales consumers from rogue lenders and finance brokers. We will remain vigilant on this side of the House. We are ready to name, shame and prosecute disgraceful operators such as Armond Shoostovian. Fair Trading pursued him all the way to the Supreme Court, where he received a record fine of \$183,600 and a two-year good behaviour bond after fleecing more than 150 clients.

New South Wales broking legislation, as set out in part 1A of the Consumer Credit Administration Act 1995, will be retained until the equivalent Commonwealth laws start. This will ensure that consumers are protected until the Commonwealth safeguards take effect. I will not repeal legislation and leave New South Wales consumers dangerously exposed to dodgy brokers. Under existing laws, brokers are banned from charging exorbitant upfront fees and then failing to secure a loan, and can charge a fee only if the credit sourced is on terms agreed to by the consumer up-front. Left to their own devices for a year, unscrupulous brokers potentially could rush to exploit consumers. Our Government is not willing to take that chance.

In addition, following consultation with my Federal counterpart, New South Wales will continue to impose a maximum annual interest rate on all contracts under the Consumer Credit Code for one year after the Commonwealth takes over that legislation. This is yet another example of the Rees Government standing up for New South Wales consumers. Karen Cox from the Consumer Credit Legal Centre welcomed the announcement, and said:

We are very pleased that the broking legislation will be extended so there is no gap in protection for NSW consumers.

We also welcome the extension of the cap and will be working hard in the interim to try to convince the Commonwealth to take up this valuable consumer protection measure.

Fringe brokers referring clients to high-interest lenders cause untold problems for families in New South Wales. My message to those who find themselves in trouble is: Do not suffer in silence. Severe financial stress can have devastating effects, pushing families over the edge and causing huge personal problems and sometimes family breakdown. That is why the Rees Government is spending a record \$5.4 million on financial counselling this year. As the member for Wyong knows, that includes more than \$54,000 delivered through the excellent San Remo Neighbourhood Centre program.

Of course, last year our funding delivered free financial counselling to almost 40,000 people. This latest funding boost is expected to provide counselling to an additional 17,000 New South Wales residents. The Rees Government is strongly committed to helping New South Wales families see out tough times with dignity and respect. Everyone in this Chamber should be proud—we on this side of the House are proud, even if the mob opposite are not—that we are going the extra yard to protect consumers, setting a good example and showing strong leadership to the other States and Territories.

*[Interruption]*

That is great; they agree with us for once! We will stand hand in hand and shoulder to shoulder with those who provide practical and emotional support to families experiencing financial stress because at the end of the day social justice, compassion and building stronger communities are core Labor values.

#### THE HONOURABLE HENRY TSANG

**Mr ADRIAN PICCOLI:** My question is directed to the Premier. Given that the Premier sacked the member for Kiama for misleading him, why will he not sack Parliamentary Secretary Henry Tsang for lying to the public by claiming he had paid the expenses incurred at a Hunter Valley resort when, in fact, they were paid by rogue construction group Hightrade?

**Mr NATHAN REES:** When these and other related matters were brought to my attention last week I instructed the Director General of the Department of Premier and Cabinet to review the conduct of Hightrade in relation to its legal obligations and other relevant matters. I am advised that Mr Tsang is examining his records also. If he has omitted anything from the Parliament's pecuniary interests register, he will make a supplementary declaration to the Clerk of the Legislative Council. Members of Parliament are elected to serve the community. Each of us has an obligation to maintain public confidence in the institution of Parliament and the role of parliamentarians by acting honestly and prudently, by avoiding conflicts of interest—both actual and perceived—and by declaring our full pecuniary interests. If there is evidence that any member of Parliament has acted contrary to standards, it should be provided in full to the appropriate body for examination.

#### NORTHERN RIVERS AND MID NORTH COAST FLOODS

**Mr NINOS KHOSHABA:** My question is addressed to the Minister for Emergency Services. Will the Minister update the House on the response to the severe weather currently affecting New South Wales?

**Mr STEVE WHAN:** I thank the member for Smithfield for his interest in the work of the State's emergency services. Residents in some areas of the State's mid north and north today are bracing for potentially their fourth flood this year, although at this stage it is not expected to be anywhere near the size of floods that occurred last May. Flooding occurred overnight in the Northern Rivers and mid North Coast areas. Flood warnings are current for the Orara, Bellinger and Nambucca rivers.

A deep low-pressure trough has caused severe storms and heavy rain overnight, with falls of 409 millimetres recorded in the past 24 hours near Bellingen, 399 millimetres near Bowraville, and 181 millimetres

near Lismore. This has caused minor to moderate river flooding and localised flash flooding. Driving is hazardous in some parts of the region, with localised flooding and some road closures. Currently the Waterfall Way is cut, which is isolating Bellingen from the coast. Some rural isolation has occurred, particularly in areas along the Nambucca River where 80 people are isolated. A further 500 people are isolated on the Kalang River. The Bureau of Meteorology also warns of potentially severe thunderstorms in the State's north-west today. This could spell trouble for grain farmers, some of whom are harvesting crops, and we wish them luck.

As always, the State Emergency Service has responded swiftly and professionally by issuing warnings and urging communities in the path of bad weather to prepare. The State Emergency Service has also been turning out to respond to calls for help. In a great example of the State Emergency Service's ability to overcome the odds and demonstrate commitment to the community, volunteers from the Bellingen unit were involved in an extraordinary effort this morning. They ferried four Higher School Certificate students across the flooded Waterfall Way at Marks Hill to ensure that they could take their Higher School Certificate examinations. I hope the students went well in those examinations.

As at 1.00 p.m. today, the State Emergency Service had responded to approximately 50 calls for assistance, principally from the north-east of the State and Sydney, with teams attending to flash flooding, fallen trees, blocked gutters and leaking roofs. The State Emergency Service will continue to monitor the welfare of communities in flood-affected regions, including resupplying operations for any isolated communities, should this be required. Given the long experience of the State Emergency Service with flooding and the service's early warnings, residents in most of the regions affected are extremely well prepared.

Residents in most areas of the mid North Coast and North Coast certainly know how to prepare for floods. However, property owners have been asked to move livestock to higher ground and to raise pumps and equipment above expected flood levels. Farmers and residents who are likely to be isolated have been asked to stock up on sufficient amounts of essential supplies to last at least three days. State Emergency Service volunteers throughout the State—who are ably assisted by their colleagues from our other emergency services—have responded to floods on numerous occasions this year, in February, April and May. Once again, the local State Emergency Service units are working hard to assist people during times of widespread flooding. Again, they are demonstrating their commitment, skill and professionalism as they go about their vital work of protecting and assisting people in times of need.

As many members of the House would be aware, it is the storm season. This is an opportunity to remind New South Wales residents to take some simple steps to protect themselves from storms by clearing gutters, cutting back overhanging trees, removing loose items from around gardens and balconies, and ensuring that they have a storm kit, about which there is information on the State Emergency Service website. Obviously in any life-threatening emergencies, people should always telephone triple 0. For emergency storm help, people should telephone the State Emergency Service on 132 500. I again thank State Emergency Service personnel for the wonderful work they do for the people of New South Wales.

**Question time concluded at 3.13 p.m.**

## **OMBUDSMAN**

### **Report**

**Ms CARMEL TEBBUTT** tabled, pursuant to section 49 of the Surveillance Devices Act 2007, the report entitled "Report under section 49 (1) of the Surveillance Devices Act 2007 for the 6 months ending 30 June 2009", dated October 2009.

## **UNPROCLAIMED LEGISLATION**

**The SPEAKER:** Pursuant to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 27 October 2009.

## **AUDITOR-GENERAL'S REPORT**

**The Clerk** announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the Performance Audit Report of the Auditor-General entitled "Handback of the M4 Tollway: Roads and Traffic Authority of NSW", dated October 2009.

**LEGISLATION REVIEW COMMITTEE****Report**

**Mr Shearan**, as Chair, tabled the report entitled "Legislation Review Digest No. 14 of 2009", dated 27 October 2009, together with the minutes of the committee meeting regarding "Legislation Review Digest No. 13 of 2009".

**Report ordered to be printed on motion by Mr Allan Shearan.**

**PETITIONS**

**The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:**

**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**.

**Breast Screening Facilities**

Petition requesting that mobile breast screen units be reinstated in the North Coast Area Health Service area, received from **Mr Donald Page**.

**Bus Service 311**

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

**Pymont Metro Station**

Petition opposing the Metro proposal for a Pymont station at Union Square and requesting community consultation for a suitable site, received from **Ms Clover Moore**.

**Livestock Health and Pest Authorities Rate Increases**

Petition requesting an immediate moratorium on Livestock Health and Pest Authority rates and requesting that the locust loan become a grant, received from **Mr Daryl Maguire**.

**Pet Shops**

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

**Game and Feral Animal Control Amendment Bill 2009**

Petition opposing the Game and Feral Animal Control Amendment Bill 2009 in its entirety, received from **Ms Clover Moore**.



**Berowra Police Station**

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

**Drink Container Deposit Levy**

Petition requesting a container deposit levy be introduced to reduce litter and increase recycling rates of drink containers, received from **Ms Clover Moore**.

**National Parks Tourism Developments**

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

**Ryde Department of Housing**

Petition requesting community consultation on the construction of Department of Housing homes in the Ryde electorate, received from **Mr Victor Dominello**.

**The Clerk announced that the following Minister had lodged a response to a petition signed by more than 500 persons:**

The Hon. Verity Firth—Charles Sturt University—lodged 22 September 2009

**BUSINESS OF THE HOUSE****Business Lapsed**

**General Business Notices of Motions (General Notices) Nos 476 to 490 lapsed pursuant to Standing Order 105 (3).**

**CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY****Illawarra Roadworks**

**Mr MATT BROWN** (Kiama) [3.16 p.m.]: When one considers the rate of unemployment in the Illawarra and the necessity for infrastructure to generate jobs and open up very important markets in the main business area of Wollongong or south to the Shoalhaven, nothing could be more urgent than the motion I wish to debate. This matter should be given priority for debate in the Chamber today.

**Rural and Regional Health Services**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [3.17 p.m.]: On Friday evening, 11-month-old Henry Salter became an orphan when his parents, Andrew and Anita Salter from Condobolin, were killed after their car hit a drain and flipped as they were driving home from Dubbo. The Condobolin community is now mourning the loss of a well-loved and well-respected young couple who have been taken too soon. Like many people who live in regional New South Wales, the Salters drove a long distance to access basic health services. They drove to Dubbo to receive medical treatment for Henry, who was suffering breathing difficulties and suspected pneumonia. Henry had spent the night at Dubbo hospital, and his parents were bringing him home the next evening when tragically they were killed.

Henry's grandfather made the point that Mr and Mrs Salter should not have had to make the 440-kilometre round trip to Dubbo in the first place. The motion is urgent because there is no doubt that over the past 15 years of Labor government the range of services offered by district hospitals throughout regional New South Wales has decreased. This motion deserves priority because, without regard to the consequences, this Labor Government increasingly expects country people to travel long distances. Effectively, country people are being treated like second-class citizens, yet Labor continues to take the axe to regional health services.

Last November's mini-budget detailed cuts of \$205 million to the eight area health services and a further \$38.4 million to nursing budgets in hospitals. The cuts have already begun. In the Great Southern Area Health Service in August 100 positions were axed from 43 health facilities, which included the Wagga Wagga Base Hospital, Tumut Hospital, and hospitals at Griffith, Narrandera, Goulburn, Bega and Queanbeyan. The cuts also included 400 positions from the North Coast Area Health Service, including front-line positions such as nurses. There are plans to cut at least five full-time nurse positions at Cooma Hospital, thereby threatening the delivery of paediatric and cardiac services. There is a proposed 37 per cent cut to funding for the Greater Western Area Health Service, which includes Broken Hill hospital. During question time I showed the Government's response to our freedom of information request to find out exactly what those cuts entailed. The document was blacked out all over the place—no transparency. That is why my motion deserves priority today.

At Orange Base Hospital one in four scheduled Sunday surgery shifts has been cancelled due to overtime penalty payment bans and work restrictions. Wards have been merged and beds have been closed at Bathurst hospital, with plans to axe 34 nursing positions. We have seen the continued periodic closure of the maternity unit at Blue Mountains Hospital. In my electorate, at Bellinger River District Hospital we have had funding cuts to midwifery services, which means that expectant mothers must travel to Coffs Harbour or even further afield. There are concerns that Gulgong hospital's emergency department and acute care beds may also be cut. More than 30 maternity units across regional New South Wales have been closed.

**Ms Katrina Hodgkinson:** It's 35.

**Mr ANDREW STONER:** The member for Burrinjuck has reminded me that it is 35 maternity units in small regional hospitals, including Cobar, Cessnock and Pambula. Medical staff at Dubbo hospital have had to pay for medical supplies out of their own pockets. They have had to visit the local veterinarian to get bandages, pathology reports have been put on hold due to equipment stock shortages, staff have been unpaid for periods of time, and local suppliers have not had their bills paid. This matter should be debated. Regional health services in New South Wales are under the pump under this Labor Government. We do not want country people to be forced to travel long distances on second-rate country roads. We do not want to see any more tragedies occur in this State because people cannot access health services locally. That is why this motion deserves priority. It is time the Rees Government got its priorities right and started to support regional communities by adequately funding essential health services in country towns.

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

**The House divided.**

**Ayes, 50**

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

**Noes, 39**

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

**Question resolved in the affirmative.**

**ILLAWARRA ROADWORKS****Motion Accorded Priority**

**Mr MATT BROWN** (Kiama) [3.29 p.m.]: I move:

That this House notes:

- (1) that the \$120 million Dunmore to Oak Flats section of the Princes Highway is now open to traffic;
- (2) congratulates the Government on its commitment to jobs and infrastructure in the Illawarra; and
- (3) calls on the Opposition to join with the Government and confirm its commitment to the Illawarra.

The upgraded section of the Princes Highway between Oak Flats and Dunmore was successfully opened to traffic on 21 October 2009. It was a very exciting day, and motorists responded with pleasure to be driving on this new section of road. This \$120 million project was fully funded by the Government. The road was opened on time, despite more than 100 days of wet weather in the first 400 days, and delivered under budget. The upgrade is fantastic. I recently had the pleasure, alongside my colleagues the Minister for Transport and the member for Shellharbour, of attending a community day to thank local residents for their patience while the work was carried out, and to give the local community a good look at the project. The project involves 500 metres of road that links the Oak Flats interchange to the north Kiama bypass. It completes the final link to provide a high-standard, four-lane highway between Sydney and south of Kiama.

In September this year traffic was switched onto two new sections to improve traffic flow, and the whole project is almost finished, which is great news for everyone in the region. Roads and Traffic Authority crews have remained on site to carry out some small works that can only be finalised now that the road is open. Once fully complete the project will provide close to 30 lane kilometres of quality road. The Princes Highway between Oak Flats and Dunmore was constructed in the 1930s but could no longer support the traffic flows. Now that the new road is open I am confident that motorists travelling through the area will notice the vast improvements. My office has received a lot of positive feedback and I have noticed people are excited about this new section of road.

The upgrade will reduce congestion, especially during peak periods, school holidays, weekends and public holidays. The project will improve traffic flow for motorists commuting along that very important section of road, particularly between the Shoalhaven and the northern part of the Illawarra. Importantly, the new road also improves road safety by removing a narrow, winding road that had no overtaking opportunities, and will ensure flood-free access along Dunmore straight. Many people will remember that the terrible floods literally cut the road network at that point. As part of the project approximately two kilometres of Shellharbour Road has been upgraded to four lanes, providing improved access around the Shellharbour, Shell Cove and Flinders areas and to Wollongong.

The project included a \$1.9 million upgrade of the existing Nungarry light vehicle rest area to a heavy vehicle rest area, which has been positively received by local truck operators. For example, Tony Emery has

told me personally a number of times what a great improvement the upgrade is for all truck drivers who need a rest and a toilet stop. The Government is always investigating ways to improve safety on our road network. The on-road cycleway network has also been extended with new dedicated pedestrian and cyclist connections to the off-road cycleway through Dunmore. The Government recognises the importance of cycling. My son and I have ridden on those cycleways. Cycling is very much an affordable, flexible, healthy and environmentally friendly form of transport. It also provides a very good workout. This upgrade is another example of the Rees Government's long-term commitment to improving access, safety and travel times for people of the Illawarra and South Coast.

This project, the north Kiama bypass and the massive amounts being spent on roads between Wollongong and the Victorian border show just how committed the Government is to roads on the South Coast. For instance, a \$90 million project on Main Road 92 is in its final stage of completion. I look forward to its opening next year. A new bridge over Conjola Creek was officially opened to traffic. This received overwhelming positive feedback from motorists. The \$17 million Pambula Bridge provides a huge improvement to traffic and local infrastructure. The Labor Government has a very proud record of achievement in relation to roads. The record of those opposite is very different. When the Liberals were last in office all major roadworks were stopped in the Illawarra and it was not until the election of the Labor Government that these roadworks went forward.

Recently the Opposition, including the Leader of the Opposition, conducted a number of lunchtime seminars in the Illawarra. Despite all the hoo-ha, press releases and advertising it was lucky if 40 people attended the last meeting. Most were staffers and Liberal Party branch members. There might have been five community representatives. This shows that the Illawarra does not take the Opposition seriously. Members of the Opposition whinge and whine, harp and carp, but they can see the excellent work done by our crews from the Roads and Traffic Authority and contractors with the hundreds and hundreds of million of dollars spent on roads. I urge the Opposition to back the Illawarra. Opposition members should not just have fleeting visits; they should share our vision. They should join with the Government and promote the Illawarra and the investment in our roads by this Government.

**Mrs SHELLEY HANCOCK** (South Coast) [3.36 p.m.]: I am pleased to contribute to this debate. The member for Kiama referred to the Dunmore to Oak Flats section of the Princes Highway. I absolutely join with him in saying that it is a brilliant piece of infrastructure and a great piece of engineering. I congratulate the contractors, the Roads and Traffic Authority, the planners and the engineers who have worked hard to ensure that it is a fantastic piece of infrastructure. Anybody who regularly uses that section of the highway, as the member for Kiama and I do, has known for a long time that it was a disincentive for tourists to travel down south and for locals to drive on. It was always congested, dangerous and difficult but now it is a fine piece of infrastructure. I look forward to the extra southbound lane being opened and the completion of the project, which will make a huge difference. When I travelled on the road last Saturday morning to go home it was an absolute delight. All the motorists who travel on it think it is excellent. But, of course—and there is always a "but"—I move the following amendment to the motion.

That the motion be amended by leaving out paragraphs (2) and (3) with a view to inserting instead the following new paragraphs:

- (2) calls on the Government to urgently increase funding to the Princes Highway; and
- (3) condemns the Government for its failure to deliver major infrastructure projects on time and on budget.

I will go through the history of some of the projects that have been delivered by the Government. The Dunmore to Oak Flats section of the Princes Highway is certainly on time but it is \$16 million over budget. The Kiama bypass, in the electorate of the member for Kiama, is \$38 million over budget. Why? It is because of the Government's inability to actually deliver those pieces of infrastructure on budget. It will mean that other vital upgrades for the Princes Highway are not delivered. The member for Kiama is aware that the projects to which I refer need urgent completion. The south Nowra Kinghorn Street south to Forest Road section is in urgent need of upgrading. The project is on the books and planning money has been set aside, but planning can go on and on for years without delivery of the project, which is shovel ready, so to speak. That road will be fairly easy to upgrade—no major deviations are required in either direction—and it could be completed quite quickly. I expect to see increased funding for that project in next year's budget.

This year's budget for the Princes Highway was disappointing. Last year \$144 million was spent on the Princes Highway; this year the figure is down to about \$79 million. Where has the money gone? It has gone to the Pacific Highway, to the Hume Highway and to other areas. Of course, those highways are in need, but the

member for Kiama and members representing the Illawarra and further south have not stood up and asked where the money has gone, although the money is needed for work on the Princes Highway in their electorates. The NRMA indicated that a billion dollars must be spent on the Princes Highway to bring it up to acceptable standard. But what did we see? We saw a very half-hearted application to Infrastructure Australia. The Federal member for Cunningham said that she was very disappointed at the budget allocation for the Princes Highway. Whom did she blame? She blamed the New South Wales Government.

A Federal Labor member from the Illawarra blamed the New South Wales Labor Government for its poor application to Infrastructure Australia. The State Labor Government can no longer blame the Federal Government, as it continually has done whenever a debate was held on the Princes Highway. The former Federal Government allocated considerable money to the Princes Highway, especially for the north Kiama bypass. The member for Kiama failed to recognise that. He also failed to recognise the allocation for Main Road 92. It received considerable money from the former Federal Government and also from local government.

If the Coalition is elected to government in 2011 we will make it our policy to halve lead times for infrastructure projects. That is so important, because if they are extended year after year they become more expensive and less can be done with the available money. Sloppy planning by the Government has resulted in major delays and cost overruns. Having made those negative comments, I acknowledge that some wonderful projects are occurring in my electorate, including the Conjola Mountain deviation. That is a masterful piece of infrastructure and engineering, and I look forward to its completion. It will make a huge difference.

The member for Kiama has read his prepared speech, but he cannot afford to be complacent and think that that project and the north Kiama bypass will get him re-elected. That is not all it will take; it will take ongoing commitment and compassion. The Gerringong to Bomaderry Princes Highway upgrade is one project to which he has to commit his heart and soul and passion. That project has been around for 15 years, and the bypass has been on the books for 30 years. He said that the actual route has only just been decided upon. However, that project could have been broken down into minor projects. The Berry bypass could have commenced, and there is so much more that could be done. The member for Kiama should not move a motion in this House patting himself on the back and think he is fantastic for what he has achieved. He should ensure that the Princes Highway is given more attention, and he should stop the funding leakage to the Pacific Highway and the Hume Highway. That is his job. He should make sure that he continues to do it.

**Ms LYLEA McMAHON** (Shellharbour—Parliamentary Secretary) [3.43 p.m.]: It gives me great pleasure to support the motion. The people of my electorate and of the entire Illawarra region will benefit from this newly opened stretch of road. The \$120 million fully State Government funded upgrade of the Princes Highway between Oak Flats and Dunmore opened to traffic last Wednesday. I, alongside the rest of the Illawarra community, am delighted with that. As my colleague the member for Kiama mentioned, that major project was opened on time and on budget, despite 100 days of wet weather in the first 400 days of work. The opening of that new road is proof of the Government's commitment to the Illawarra region.

The Rees Government should be congratulated on its commitment to jobs and infrastructure in the Illawarra. The \$120 million upgrade of the Princes Highway between Oak Flats and Dunmore, at its peak, provided 120 jobs in the Illawarra. The member for South Coast congratulated the Rees Government on the delivery of that major infrastructure, and I thank her for that. I acknowledge the commitment of the Liberal Party to the Illawarra during its last term in government: it axed the Maldon to Dombarton rail line, closed Kiama hospital, dumped the upgrade of Wollongong Hospital and the construction of the cancer unit, leaving a big gaping hole in the ground. It also closed Tallawarra power station. That is the Liberal Party's record of delivery for the people of the Illawarra.

In stark contrast, the Labor Government's support for the people of the Illawarra is evidenced through the \$120 million upgrade of the Princes Highway between Oak Flats and Dunmore. Furthermore, there has been investment in the upgrade of the roundabout at the intersection of the Princes Highway and the Illawarra Highway, providing a set of automated traffic lights and improving traffic flow through that area, which is in my electorate. There has also been investment in upgrading Shellharbour Road and removing a range of black spots, including moving power poles back from the road for safety reasons. Those are some of the initiatives in the electorate of Shellharbour. The cycleway between Shellharbour village and Lakes Entrance has been allocated \$1 million. There will be five kilometres of continuous cycleway linking with the cycleway around the lake. People will be able to ride on cycleways from Dapto to Shellharbour village.

The Rees Labor Government is investing in education. The Shellharbour Trade School opened in February 2009—a full year ahead of schedule. Oak Flats High School received \$3 million for its upgrade with a

new administration block, new science laboratories, new amenities and a lift to provide access for disabled persons. Other high schools have received funding for science laboratories, including Kanahooka, Warilla and Lake Illawarra. Under the Principals Priority Building Program roof upgrades have been carried out at Dapto High School, Kanahooka High School, Warilla North High School and Barrack Heights Public School. In addition \$17 million is to be invested in the construction of a new police station at Oak Flats, which will generate 400 jobs. The Dapto zone substation will undergo a \$12 million upgrade. All those investments are in my electorate of Shellharbour.

Again, what happened when the Liberal Party was last in government? It axed the Maldon to Dombarton rail link, closed Kiama hospital, dumped the upgrade of Wollongong Hospital and closed Tallawarra power station. The Labor Government recently reopened that power station, generating 400 construction jobs in partnership with Truenergy. Whenever Coalition members visit the Illawarra they masquerade and pay lip-service. Their track record speaks for itself: they have no regard for the people of the Illawarra.

**Mr ANDREW CONSTANCE** (Bega) [3.48 p.m.]: It is ironic that the member for Kiama has moved a motion congratulating himself on jobs and infrastructure in the Illawarra, given that the Illawarra has one of the highest unemployment rates in the State. And we all know why. It is because the Labor Government has, over many years, taken the Illawarra for granted. It holds seats in that region by a margin of 20 per cent. As a result the people of the Illawarra get diddly-squat from the Government. Time and again over the years the member for Kiama has spoken about the Princes Highway. He has always said to members of the Liberal Party, "Pick up the phone to the Commonwealth. Go see the Commonwealth and get us funding for the Princes Highway".

Since Kevin Rudd came to office the member for Kiama has not mentioned Federal funding for the Princes Highway. He has not once mentioned that the Princes Highway should be a road of national importance, and he has done absolutely nothing to try to secure additional funding for major infrastructure projects along the highway route. The bottom line is that the extension from Gerringong to Bomaderry will have to be funded by the Commonwealth because the way the State Government has managed the State's finances has left absolutely nothing in the tin for vital projects along the route. As a result, as the member for Kiama knows full well, the Sharon Birds and Jenny Georges of this world are going to have to come up with the goods to save his political bacon, because the Government will not be able to get on with the job of funding what is without doubt one of the more important infrastructure projects along the Princes Highway.

Whilst the Government has dilly-dallied with some of these projects, including the one on which he has congratulated himself today, the member for Kiama has failed to note that costs have blown out and as a result additional funding has not been set aside for projects further south on the highway. Two years ago the State Coroner conducted an inquest into a number of key accidents along the Princes Highway and made some very strong recommendations for upgrades further down the highway to save lives. As a result of the State Government's ineptitude and its inability to manage key infrastructure projects funding has not been allocated to other projects further down the highway. Consequently, people have lost their lives. It is as simple as that.

Between 2000 and 2005 from Bomaderry to Gerringong there were nine fatalities and in the order of 165 accidents. The member for South Coast made an important point: the Government should have undertaken those much-needed infrastructure projects in stages so that we do not have the present situation of the projects potentially costing hundreds of millions of dollars. It comes back to good management. The member for Kiama knows that. It is disappointing that he felt the need to give himself a big pat on the back today by moving this motion when he knows full well that the projects should have been undertaken long ago. They should have been undertaken in the first term of the Carr Government rather than now, in what hopefully will be the last term of the Labor Government and an end to Labor's 16 years in office.

I reiterate that the project on which the member for Kiama is congratulating himself today was funded by the Howard Government. It made a commitment. The member for Kiama has tried time and again to perpetuate the myth that the Liberal Federal Government did not put funding into the Princes Highway. The reality is different. Since Rudd came to power the Federal Labor Party has not contributed a dollar to any improvement to the Princes Highway: no projects have started and no projects have been finalised. The member for Kiama knows full well that it is hypocritical for him to say that the Federal Government had a responsibility to provide funding for many years when over the past two years he has not mentioned Federal funding once or picked up the phone to any number of Federal Ministers. We have had and continue to have a State highway that is in an unacceptable condition. The member for Kiama knows that Federal funding will be necessary for the highway. I look forward to his having a change in attitude. In his speech in reply I hope he will mention Federal funding for the Princes Highway.

**Mr MATT BROWN** (Kiama) [3.53 p.m.], in reply: I acknowledge contributions to the debate by all members, particularly the positive words of my parliamentary colleagues the member for South Coast, Shelley Hancock, and the member for Shellharbour, Lylea McMahon. I was very pleased that the member for South Coast gave the road between Dunmore and Oak Flats, which is the matter we are discussing today, a big tick. The member for Bega asked why I did not acknowledge the Federal money in the project. I make it very clear that not one cent of Federal money has gone into the Dunmore to Oak Flats section of the road. They were his words. I do not think the member for Bega understands how this funding works. I agree with the member for South Coast, who said that she would be happy to see that southbound lane opened. I certainly will be because it is still creating a little traffic congestion. However, motorists can see that things are moving ahead extremely well. The member for South Coast then put her big "but" in the debate.

**Mrs Shelley Hancock:** Point of order: I ask the member to withdraw that remark. It is highly offensive. It is not that big!

**Mr MATT BROWN:** To the point of order: The member was going along positively and then she said "but".

**Mrs Shelley Hancock:** I ask the member to withdraw that comment.

**Mr MATT BROWN:** I am not withdrawing it because it is a part of my argument. I did not mean any offence but after a big "but" the debate became negative.

**Mrs Shelley Hancock:** Madam Deputy-Speaker, I ask you to rule on the point of order I have raised. I take offence at that comment.

**Mr MATT BROWN:** It is a one "t" but.

**The DEPUTY-SPEAKER:** Order! The member for Kiama has indicated he is not prepared to withdraw the word "but".

**Mr Andrew Constance:** Point of order—

**The DEPUTY-SPEAKER:** Order! I hope the member for Bega rises on a valid point of order.

**Mr Andrew Constance:** Madam Deputy-Speaker, based on your facial expressions you knew full well what the member for Kiama meant in that remark. Therefore, I ask you to direct the member for Kiama to withdraw that sexist remark.

**Mr MATT BROWN:** You are wasting time. If I offended the member for South Coast I apologise. It was not my intention. I was referring to the member for South Coast saying "but".

**The DEPUTY-SPEAKER:** Order! The member for Kiama has indicated that he was referring to the word "but". The member has the call.

**Mr MATT BROWN:** The Dunmore to Oak Flats section was not over budget as the member for South Coast said. To say, as the member for South Coast did, that the amount of money allocated for roads had been reduced is just misleading. Roads budgets go up and down depending on the amount of construction. If she does not want to see any money going to the Pacific Highway she should talk to her colleagues and ask them to stop lobbying so we can get more funding for the Princes Highway. Then the member for South Coast put forward her amendment, which I cannot accept because, as I have just said, the amount of funding goes up and down depending on the amount of construction underway.

The member for Shellharbour put forward a very good argument and spoke about infrastructure and the Liberal Party's failure to provide it in the Illawarra. She spoke about cycleways, investment, education and the wonderful new police station. The member for Bega again talked about things he does not understand. He asked me to refer to the Federal Government's contribution to the road when the Federal Government contributed nothing towards the project we are debating today. He also said there was no money for roads south of Kiama. That is not true; the Government is providing \$16 million for maintenance of the highway from Sydney to the Victorian border over the coming financial year. This maintenance program is essential. I thank members for taking part in the debate. It is a very important issue and I am pleased that we got some positive comments from the member for South Coast. We will keep fighting for roads and infrastructure in the Illawarra.

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

**The House divided.**

**Ayes, 50**

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

**Noes, 36**

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

**Question resolved in the affirmative.**

**Amendment negatived.**

**Motion agreed to.**

#### **DISTINGUISHED VISITORS**

**The SPEAKER:** I welcome to the Parliament Councillor Toby Smith, Mayor of Tenterfield, and Don Ramsland, General Manager.

**The DEPUTY-SPEAKER:** Debate on the motion accorded priority having concluded, the House will now proceed to Government business.

#### **ROAD TRANSPORT (VEHICLE REGISTRATION) AMENDMENT (HEAVY VEHICLE REGISTRATION CHARGES) BILL 2009**

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

**Debate resumed from 21 October 2009.**

**Mr RUSSELL TURNER** (Orange) [4.07 p.m.]: The Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009 will amend the Road Transport (Vehicle



Registration) Act 1997 to enable registration charges for heavy vehicles to be imposed in accordance with nationally agreed reforms, and consolidate all road transport Acts into a single Act. I hope that this amending bill will achieve the aim of nationally agreed road rules for heavy vehicles—an issue about which we have been talking for a number of years.

At present many truck owners in New South Wales go to Queensland and to South Australia to register their vehicles, and many trucks in this State are registered nationally. The other day, when one of my friends said she thought that all the trucks in this State came from the Northern Territory, I informed her that they were all registered nationally. I hope that the bill achieves nationally agreed road rules. I note with concern the increased charges for trucks on roads in this State. The annual registration charge for a tri-axle semi-trailer will increase from \$5,084 to \$5,200, which is a reasonable increase. However, the annual registration charge for a tri-axle B-double will increase from \$8,041 to \$14,340. The registration charge for a B-triple will increase from \$9,016 to \$20,340.

The Government's excuse for this monumental increase is that smaller trucks currently cross-subsidise the running costs of larger trucks. That may be so, but many truck drivers have difficulty making ends meet with increased running and fuel costs. The NRMA does not oppose the bill, nor does the Australian Trucking Association, although it is not entirely happy with it. As I have said before in this House, B-doubles are an accepted and efficient mode of transporting freight around this State, across this country and all over the world. On Thursday 27 August the Minister for Roads, Michael Daley, reaffirmed the Government's persistence that B-doubles will not be allowed to use the Great Western Highway over the Blue Mountains. That is an unbelievable decision in this day and age.

One sees B-doubles daily travelling along the congested Parramatta Road, through to Port Botany, to the north of Sydney and south to Melbourne along the Princes Highway, but they will not be allowed along the Great Western Highway over the Blue Mountains to the most vital part of this State: the Central West of New South Wales. The Minister's press release referred to the upgrade of the deficient Great Western Highway, but when that upgrade is complete—if it ever is—the highway will remain deficient and for the foreseeable future B-doubles will not be allowed to travel along that road over the Blue Mountains. I am sure the member for Bathurst privately would agree with me, but he is not allowed to do so in this place. He sees B-double transport operators heading for the Central West daily, but they are not allowed along the Great Western Highway.

**Mr Gerard Martin:** For obvious reasons.

**Mr RUSSELL TURNER:** Because the Government will not upgrade the highway sufficiently. The Government even talks about an easier route down Victoria Pass.

**Mr Gerard Martin:** Point of order: I am sorry to interrupt the member for Orange when he is animated because it does not happen that often. However, I thought the bill—

**Mr Thomas George:** What is your point of order?

**Mr Gerard Martin:** It is relevance. When we want the monkey to dance, we will grind the machine, Thomas. We are debating the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill, not the dream of the member for Orange for a 400-mile tunnel under the Blue Mountains.

**The DEPUTY-SPEAKER:** Order! I will listen further to the member for Orange.

**Mr RUSSELL TURNER:** The bill refers to B-doubles, which should be allowed access to the Central West. The Government has no plan in the foreseeable future to allow B-doubles to use the Great Western Highway even after its current upgrade is completed. In his press release the Minister said:

I also want to assure the local community that the NSW Government has no plans to allow B-double trucks over 19 metres along the Great Western Highway.

That assurance includes also the Bells Line of Road. What does that mean for the people in the Central West? Bathurst and Lithgow have many factories that provide many industrial goods for consumption. Orange has the world-class Electrolux factory, which builds about 2,000 refrigerators and freezers daily. It is a highly-efficient factory that still employs 500 or 600 people. Electrolux loads its whitegoods onto B-doubles that then travel overnight to Melbourne, Brisbane and Adelaide but not into Sydney, the most important market for the metropolitan area and for importing. Electrolux is increasing the export of its top-end refrigerators into

south-east Asia and other countries. What support does Electrolux get from this State Government? It cannot transport those goods down to Sydney in the most efficient way using B-doubles because the Government is trying to appease a few people on the western side of the Blue Mountains and will not allow it.

The Opposition does not oppose the extra charges outlined in the bill, although the impact will be significant on B-double and B-triple drivers operating north and south of the metropolitan area. Unfortunately, not all truck drivers can pass on those charges as many have long-term contracts that do not allow for such increases. Some truck drivers may be able to pass on increased fuel costs, but will not be able to pass on these exorbitant registration increases—not bad inflation just to bring us into line with other States. I acknowledge the need for some uniformity, but many more rules and regulations for trucks and their loads that have to be brought into line will not cost any money. These increased heavy vehicle registration charges will cost our trucking industry a considerable amount of money that, in most cases, will not be passed on to customers because of contracts and competition.

What will the State Government do with all this extra revenue? Of course, the automatic response will be that it will go into extra road funding. I hope that is the case and that consolidated revenue does not reap the reward, as so often happens because not enough ever comes out the other side.

**Mr John Williams:** It was spent on the breakfast on the Harbour Bridge.

**Mr Gerard Martin:** Come on, Rusty, be nice to us.

**Mr RUSSELL TURNER:** It is a bit difficult, Gerard, but I am nice to you when I can be. I cannot help but use this opportunity to push for improvements to the Great Western Highway. Government members call the current work on this highway an upgrade, but I remind them that some years ago we in the Central West and everyone over the Blue Mountains were promised a four-lane highway through to Katoomba and three lanes through to Lithgow to be completed by 2012. This Government will have no chance to live up to that promise because it is still negotiating on the route, and we are almost at the end of 2009. The Government is still negotiating running the route through Lawson. I do not believe there will be four lanes through to Katoomba, let alone three lanes through to Lithgow.

The Government will take increased registration charges from truck drivers, yet does not provide decent and efficient access over the Blue Mountains. The Government is not being fair to the people of the Central West. The Government also is not being fair to the residents of the Blue Mountains because they still face constant traffic jams through the many changes already implemented on the Great Western Highway. Most of the highway between Emu Plains and the Blue Mountains is four lanes, but the maximum speed is 80 kilometres an hour, which drops to 60 kilometres an hour in some sections and then 40 kilometres an hour for school zones. That poor road is a local road servicing the needs of local residents as well as a highway to the Central West, including Bathurst, and beyond. It never will be able to sustain such a demand with the Government's current upgrade plans because of the many changes in speed limits for the towns and villages along that route. That is not fair to the residents. As far as this Government is concerned, once the upgrade is eventually finished—whether it is 2012 or 2015—that will be it for another 50 or 60 years.

**Mr Gerard Martin:** Oh!

**Mr RUSSELL TURNER:** The Government will not continue spending money on upgrading the Great Western Highway. The member for Bathurst can scoff at my remarks, but what are the plans for the three lanes through to Lithgow? The Government has not got the courage to complete the Great Western Highway bypass between Lithgow and Katoomba. The Government finally came up with a proposal to upgrade the existing road instead of having the courage to adopt the Opposition's policy of constructing a brand new four-lane highway following the Bells Line of Road. The Government listed numerous excuses for not adopting that option, the latest excuse being the condition of a couple of bridges and the presence of a munitions dump on Newnes Plateau, which could quite easily have been bypassed. The Government used that as an excuse not to adopt the Opposition's policy, or even consider it as an option.

The Opposition's policy was a good, reasonable compromise which would have resulted in stage one of the Bells Line of Road completely bypassing the Great Western Highway between Mount Victoria and Lithgow and following a route across the Darling Causeway and up through Newnes Plateau. That would have been a good option, and the Opposition would have supported it. But, no, the Government backed down. Now everyone in the Central West will be stuck with a compromise of an upgrade of the Great Western Highway, in whatever

form that takes, and through Little Hartley. The option selected by the Government will not please anyone. I do not know why the Government is going ahead with it. In any case, that is the Government's decision, and Labor members will have to live with that.

While the Opposition will not oppose the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill, we are not happy with it. We acknowledge the hardship that it will create, especially for truck drivers that have upgraded to B-doubles and B-triples. I note that although the Australian Trucking Association initially opposed the legislation, it reluctantly will not oppose it now. I urge the Government as much as is possible to keep heavy vehicle operating costs to a minimum and to amend road transport legislation to bring the New South Wales into line with national guidelines and guidelines in other States that are operating far more efficiently than those of New South Wales.

**Mr GERARD MARTIN** (Bathurst) [4.21 p.m.]: I am not sure where to start, but I know I will have to correct a great deal of what has been stated by the Opposition before I deal with the substantive parts of the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009. It is not difficult to see why the Orange branch of The Nationals is being stacked in the advent of the next State election. The first person who will be most upset by the contribution to this debate made by the member for Orange is the Leader of The Nationals. In the past few weeks the Leader of The Nationals has been visiting the Blue Mountains and grandstanding with one of the local action groups. He has been saying that over the dead body of The Nationals would B-doubles be driven over the Blue Mountains. Pie in the sky! The member for Orange has just said that the Opposition's policy provides for B-doubles to travel along the Great Western Highway, but the Leader of The Nationals is telling everybody that The Nationals policy is that that will not happen.

The upgrade of the Great Western Highway will extend from Penrith to Orange. The plan originated with the former member of the Blue Mountains, Bob Debus, and has been carried on by his successor very successfully. Currently the Government is undertaking a consultation process on the selected route that will bypass Mount Victoria and two black spots on the Great Western Highway at Victoria Pass and River Lett Hill. While a number of options had been canvassed, the document announcing the selected route was released last Friday. Although the member for Orange may think the proposed route is a waste of time, no-one in my electorate has any qualms about the Government remedying black spots at River Lett Hill and Victoria Pass; nor do heavy transport operators.

The selected route will allow 19.5-metre B-doubles to travel along the upgraded highway, but for a number of reasons 26.5-metre B-doubles will be banned. The member for Orange would be aware of all of the reasons for that, but he adheres to the Opposition's pie-in-the-sky solution of constructing a tunnel that would start somewhere in the Megalong Valley, which is quite near the Hartley Valley, and finish somewhere near Walgett. That is the solution espoused by the member for Orange, regardless of what it would cost. Leaving aside the in-depth discussion of the Bells Line of Road option, the selected route will bypass Mount Victoria and go through Hartley Valley. The selected route is the subject of a consultation process currently and does not preclude consideration of the Bells Line of Road option. The member for Orange referred to the bypass beginning from Katoomba, but is mistaken. The bypass will be constructed from Mount Victoria to Lithgow.

The cost of the Bells Line of Road alternative route probably will be close to \$1.5 billion, which is why it has been placed on the backburner. Consultation between the Federal Government and the State Government is still underway, and there may be movement in the position adopted by the State Government relating to the Bells Line of Road option, but it is a massively expensive proposal. Let me examine the Opposition's proposal relating to the Bells Line of Road. The Opposition has expressed its intention to construct that alternative route in five minutes, figuratively speaking, without any community consultation, preservation of national parks or discussion of other important issues that people who live in the Blue Mountains should be consulted about. The Opposition has a bulldozer mentality. During the most recent State election campaign, the Opposition promised that the Bells Line of Road route would be constructed during the first term of a Coalition government. That was an absolute lie—and no-one believed it.

**Mr Russell Turner:** Point of order: We promised it in the first 10 years.

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

**Mr GERARD MARTIN:** No-one believed the Opposition. The Opposition promoted the smiling candidate in Dubbo, the current member for Orange and the lady who opposed me in Bathurst, Mrs Williams. The Opposition used massive billboards and brought in the Leader of The Nationals and his silver shovel—with

which he tried to dig through granite, and then wondered why he could not dent it. The Nationals campaign was promises, promises, promises—and no-one believed them. They have no credibility in relation to this issue. I invite the member for Orange and Opposition spokesman to visit the Blue Mountains, particularly Mount Victoria, and publicly contradict the Leader of The Nationals by outlining his plan for the upgrade of the Great Western Highway. I know what the people of the Blue Mountains will tell him. He cannot have it both ways.

This year the New South Wales Government is spending a record amount to build, upgrade and maintain the State's roads network. We know that the freight industry is a major beneficiary of improvements, and it has acknowledged that it is reasonable to pay a fair share of the cost of that work. I note that the New South Wales Government listened carefully to the transport industry. As recently as June this year the industry told the Government that it was suffering from the global economic crisis and required more lead-time to prepare for the implementation of a new round of charges. The Government is working with all the other States to provide lead time. That is the hallmark of the approach adopted by the New South Wales Labor Government over the past 10 years and by the Federal Labor Government. As a result of that request, the then Minister for Roads deferred implementation until a comprehensive information campaign could explain how the charges would work. That provided a much-needed financial break for the industry. Rather than being an enemy of the transport industry as suggested by the Opposition, the New South Wales Labor Government is a friend.

**Mr John Williams:** Oh, I do not know about that.

**Mr GERARD MARTIN:** Let me cite Ron Finemore. Anyone who knows anything about the transport industry would know that Ron Finemore has been a leading player in transport for decades. He is Chairman of Ron Finemore Transport and recently stated:

We were in difficult economic times and the Government's initiative showed they were on top of the issues involved.

Ron Finemore is hardly a captive of the Labor Party. He went on to state:

Times are still tough but a deal is a deal. We all need to work together to show the customer that increased charges mean better roads on which we move their products to market more efficiently and effectively.

That is what will be happening as a result of the Government's upgrade of the Great Western Highway and all ancillary roads associated with the project. That is what is happening in my electorate, and my constituents appreciate expenditure on roads along the mid-western highway around Blayney, where people such as George Tanos has invested in massive cool rooms and nationwide product distribution. The Government has spent tens of millions of dollars on the mid-western highway between Blayney and Lithgow because we recognise the value of heavy transport. I can point to numerous examples of the benefits that the upgrade of the Great Western Highway will bring to my electorate alone.

The bill's administrative amendments will support New South Wales and ensure that road spending and infrastructure spending continues to match the rapid technological and productivity gains being made in the industry, such as advances in braking systems and suspension in trucks. The amendments include the establishment of new classifications for some larger prime movers and all heavy trailers, such as B-triple trucks. The new charges will be applied nationally. They have been designed to recover the cost to State and Federal governments of the impact on Australian roads of an increasing number of heavy freight vehicles. Section 9 of the Act presently provides a legal safeguard that prevents New South Wales registration charges being set at a level that exceeds those approved by the Australian Transport Commission. This protection is guaranteed to remain in place.

The proposed amendments will improve the ability of New South Wales to respond in a timely manner to current and future national reform commitments—that is important—and reduce the risk of this State experiencing financial disadvantage due to any delay in implementing the approved national change. I support the bill for all those reasons and for the benefits it will bring to the people of New South Wales, including our freight industry, into the future. As I said, I am happy to debate this issue with the member for Orange anywhere at any time, but he should talk to his leader and ensure that they are singing from the same song sheet; otherwise his prospects in The Nationals are dim and dimmer.

**Mr JOHN WILLIAMS** (Murray-Darling) [4.30 p.m.]: Unfortunately in the electorate of Murray-Darling we have no Ron Finemores applauding the increase in heavy vehicle registration charges. Indeed, the opposite is the case. For some time the trucking industry in Murray-Darling has been echoing concerns about increased registration costs, which it was aware would be introduced. As we know, people in the

industry are battling drought conditions. The volume of freight movements today is not what it was historically, and the volume of work for transport companies has reduced substantially. So these increased costs will come at a very bad time in the business cycle.

We note that a national cap was placed on the increases. The New South Wales Government will impose charges up to the highest limit. My question is: What will happen in the other States? What will happen in Queensland? Will registration of a B-double be cheaper in Queensland than it is in New South Wales? Many people will be disappointed if registration is cheaper in Queensland because those who travel across the border regularly are always questioning why they conduct business in New South Wales rather than in Queensland. Many freight companies in my electorate are not specialist carriers; in most cases, they need to adapt. They have trailers registered to carry grain, flat-bed trailers registered to carry general freight and trailers registered to carry stock. One problem the companies face is the time that the trailers sit idle; they still need to be registered and ready to go. Obviously the offset work that needs to be carried out is not done in most cases. The increased charges will be simply another impost on their business.

Unlike specialist carriers, some carriers have contracts involving a good volume of work and they can easily amortise these charges on a per kilometre basis. However, that is not the case for most operators in the Murray-Darling area, who have struggled to maintain their business. In most cases, bigger freight companies have reduced their staff substantially and reduced their fleet, which is a clear indication of the current economic times. The increase in charges does not offer them any flexibility; it is simply another impost on their business. No doubt this does not augur well for truck operators in my electorate. The Opposition has chosen not to oppose this bill—I guess there is no value in opposing the legislation because, regardless of our opposition, the changes will go ahead. I speak on behalf of the freight companies in my electorate. I only hope that they can find a way of absorbing these increased costs.

**Mr NINOS KHOSHABA** (Smithfield) [4.34 p.m.]: The Inter-Governmental Agreement for Regulatory and Operational Reform in Road, Rail and Intermodal Transport, known as IGA, was signed in 2003 by the Commonwealth, States and Territories to enable the ongoing provision of nationally consistent registration charges for heavy vehicles. In February 2008 the Australian Transport Council endorsed a three-phased approach to implement reforms contained in the 2007 National Transport Commission Heavy Vehicle Charges Determination. In addition to the national approach being managed by the National Transport Commission, the Council of Australian Governments [COAG] agreed in April 2007 to a three-phased COAG road reform plan for heavy vehicle charging to be implemented over the next decade. Each jurisdiction is required to implement appropriate changes on an expected annual basis.

In July 2009 the New South Wales Government announced that the second phase of the reforms would be implemented for New South Wales registered heavy vehicles in January 2010, giving industry in this State a six-month delay in recognition of the impact of the global economic crisis and the impact the increase would have had on regional Australia at that time. This delay has been supported by the industry—in particular the Livestock and Bulk Carriers Association, whose members have advised their appreciation of the opportunity it has allowed operators to communicate the upcoming increase to their customer base. The National Transport Commission estimates that in 2007-08 heavy vehicles underpaid their fair share of road costs by \$100 million. The changes that will be introduced over time in the regulations will give us cost recovery—nothing more.

It is important to emphasise that the charges will be based upon costs that have already been incurred by the Government in maintaining roads. So any reforms introduced over time by the regulations will contribute only to cost recovery of government expenditure that has already benefited heavy vehicle road users. The bill's amendments establish a mechanism to allow for the ongoing adjustment of registration charges by regulation. These regulations will be subject to review in the normal manner. A transparent process has been undertaken by the National Transport Council and the New South Wales Government in formulating the staged reform process. The bill allows for the ongoing modernisation of registration charges applicable to the heavy vehicle industry and provides substantial benefit to the economy. The bill will also facilitate the ongoing commitment of New South Wales to national reform priorities. I commend the Minister for this approach.

**Mr GEOFF PROVEST** (Tweed) [4.37 p.m.]: The Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009 amends the Road Transport (Vehicle Registration) Act 1997 to enable registration charges for heavy vehicles to be imposed in accordance with nationally agreed reforms, and consolidates all road transport Acts into a single Act. Technically, I agree with that. In terms of background, in February 2008 the Australian Transport Council of Ministers approved a new heavy vehicle charges

determination, which includes incremental charges for heavy vehicles to pay for additional road wear caused by heavier loads. The agreement means that registration charges for heavy vehicles in Australia will increase by approximately 69 per cent, to be phased in over three years from 1 July 2008.

In July this year the State Government delayed the introduction of the new heavy vehicle charges for six months in order to give operators more time to adjust to the changes. The new charges will take effect on 1 January 2010, and will affect approximately 150,000 heavy vehicles and trailers registered in New South Wales. The registration charge on a tri-axle semitrailer will increase from \$5,084 to \$5,220. The annual registration charges for a tri-axle B-double will increase from \$8,041 to \$14,340; and for a B-triple, from \$9,016 to \$20,340. They are significant increases. Earlier speakers have said that this legislation will bring New South Wales into line with other States, but I have received information that registration charges in Queensland—even in relation to private motor vehicles—are significantly less.

Companies have been given six months to adjust to these new charges. Recently I talked to a number of transport operators in the Tweed. Three out of four are moving their businesses north to Queensland, where not only registration but also workers compensation charges and payroll tax are cheaper. Queensland is open for business on a regular basis, and it attracts businesses from the southern States. I recall recent media reports about the Treasurer, the Hon. Eric Roozendaal, being short-changed at the Council of Australian Governments meeting to the tune of approximately \$800 million, particularly in relation to road wear. Many members will be aware of a major road issue concerning the notorious Sexton Hill black spot in the Tweed, upon which work is still to commence. The Minister for Roads assured us that the work would commence at the beginning of December 2009. Once again, through traffic will be looked after but not local traffic that enters and exits the road.

At present that part of the Pacific Highway—which is a major arterial link between New South Wales and Queensland—has just on 27,000 truck movements a day. If there is cost recovery and the money is spent improving road wear, it will surprise people in the Tweed electorate. Less than 12 months ago Anna Bligh, the Labor Premier of Queensland, used Queensland taxpayers' funds to build five kilometres of road in New South Wales. The Tugun bypass is seven kilometres long: five of those kilometres are in New South Wales and two are in Queensland. The then Minister for Roads in New South Wales refused to contribute any funds to the project. In fact, the former Treasurer sent Queensland a land tax bill for \$250,000. I was the only New South Wales politician to receive an invitation to the opening of the bypass. The Queensland Labor Government gets on with the job of building roads and looking after local people.

**Mr Richard Amery:** They use our money!

**Mr GEOFF PROVEST:** The member for Mount Druitt says they use our money, but how does Queensland get our money? It is because our Treasurer could not negotiate when he attended the Council of Australian Governments meeting. He will not be sent on any more negotiations because he always loses. New South Wales is \$800 million down the tube. My chief concern with this legislation is that the costs will be borne by the trucking industry, which will pass them on to consumers—the poor mums and dads of New South Wales. The poor working class people of New South Wales who are trying to earn a decent living and to look after their children and give them a better future will be forced to pay more for their groceries, such as bread and milk, and for other daily living expenses. Is anyone concerned? It is only members on this side of the House, whose chief concern is looking after people, particularly those in regional New South Wales who have been doing it tough. Once again, the Government is kicking them in the teeth. It whacks on more fees and says, "It's not our fault; it is a national problem." It is unbelievable. Once again, I am 100 per cent for the trucking industry in the Tweed.

**Mr ROBERT FUROLO** (Lakemba) [4.45 p.m.]: Under a process introduced by the Hawke Labor Government, laws affecting heavy vehicles in Australia are developed by the National Transport Commission and approved for implementation by the Australian Transport Council, which comprises Commonwealth, State and Territory Ministers. This reform process has significantly promoted a national market for transport services in Australia. Since 1995 the national transport reform process has delivered nationally uniform registration charges for heavy vehicles throughout Australia. The charges are calculated independently by the National Transport Commission, in consultation with the States and stakeholders.

Truck companies are the lifeblood of the freight industry in country New South Wales. As industry representatives noted recently, the six-month deferral in introducing this round of reforms gives customers and transporters a fair go. As one of their leaders said, "Some other States slugged operators straight away, but not New South Wales." The deferral has also given the industry extra time in which to understand and prepare for

the changes. When the decision was announced, the former Minister for Roads said that the Government believed a short deferral served everyone's interests, allowing industry some breathing space without denying the community the benefits that the reforms will deliver in the long run. I ask the House to note that the impact of the reforms on rural and regional areas is likely to be negligible as the costs are simply being redistributed between the vehicle types already servicing these areas. Furthermore, the Government continues to offer the existing registration concessions and exemptions to all primary producers. I support the bill.

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [4.46 p.m.]: The wordy title of this legislation is the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009. But it should be called what it is: a tax. We know that the Australian Labor Party never saw a tax it did not like or a tax it would not hike. That is what this bill does.

**Mr Richard Amery:** Are you going on that poetry show?

**Mr ANDREW STONER:** It reminds me of the comparison between the Labor taxman and a taxidermist. Has the member for Mount Druitt heard that one? At least the taxidermist leaves the skin. This bill ostensibly brings New South Wales into line in relation to heavy vehicle registration charges on a range of trucks from semitrailers to B-doubles and B-triples. This is part of the Federal agreement that was reached between a Federal Labor Government and State and Territory governments, most of which were Labor controlled. For a long time, the former Federal Government resisted increasing registration fees for heavy vehicles across the nation. Road transport is an integral part of our economy and increases in road transport taxes, which this bill introduces, flow through the economy to consumers who depend on the goods that are moved by the road transport industry. In other words, effectively this bill is almost a negative stimulus measure.

The Nationals represent many transport operators in regional New South Wales, a number of which are small businesses and owner/drivers who borrow money to buy their truck. They are living the dream and having a go. It grieves me that they will face much steeper costs to go into business and maintain their operations, and so will have to borrow more money. My fear is that as interest rates rise, living the dream will become very difficult for many who are not part of conglomerates. They are not Lindsay Brothers or Linfox-style operators but very small operators who will struggle to cope with these increases.

For B-doubles, the tax will increase from \$8,041 to \$14,340, which is substantial. However, the increase for B-triples is even bigger: from \$9,016 to \$20,340. That is a massive tax increase. I have spoken to the Australian Trucking Association, which campaigned initially against the increases. However, it now recognises that they are going to happen and is resigned to that fact. The association has recommended that the Opposition not oppose the bill. I have spoken also to the Australian Road Train Association, whose members have bigger rigs with multiple trailers. Association members are not happy with the increases but are fairly fatalistic.

The Coalition does not oppose the bill. I make the point that essentially the increases are a tax that will flow to consumers—the hardworking families of New South Wales. I point out also that the State and Federal Labor governments are keen to promote nationally consistent fees and charges—in other words, taxes. However, when it comes to consistency of rules and access to New South Wales roads, they are not so keen. Time after time, road transport operators have told me that they are able to transport a particular type of freight of a particular weight interstate, but the minute they cross the border into New South Wales the Roads and Traffic Authority will not allow them to do so.

Similarly, Queensland is quite happy for some longer vehicles, such as B-triples, to travel the State's roads. But as soon as those vehicles cross the border into New South Wales they face very tough restrictions on exactly where they may go. We do not mind some restrictions because we do not want B-doubles and B-triples passing through small communities or the central business districts of towns and villages. There ought to be restrictions. But New South Wales is totally out of step with the other States, particularly Queensland and Victoria, when it comes to the rules and regulations governing the road transport industry. New South Wales rules should be consistent with national rules. We should reduce red tape for New South Wales road transport operators and give them some value for money, which is what the increase in registration fees should represent.

**Mr NICK LALICH** (Cabramatta) [4.52 p.m.]: The Cumberland Highway, the Hume Highway, the M7, the M4 where it joins the M7, the M5 to the south, the Smithfield-Wetherill Park Industrial Estate—which, until a few years ago, was the largest industrial estate in the Southern Hemisphere, and we still class it as such—pass through the Fairfield, Cabramatta and Smithfield electorates, and a massive number of trucks traverse the

area. Erskine Park is not far away, and the Government is considering building a road to allow direct access from there to the Smithfield-Wetherill Park Industrial Estate. Hopefully, that will happen in the not too distant future. The Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009 goes to the heart of the trucking industry in our municipalities and electorates.

Targeted infrastructure improvements are crucial to allowing increased access to higher productivity vehicles. In New South Wales registration charges go directly into a fund that may be drawn on for road improvements only. There is considerable evidence that increasing government investment in road infrastructure is required in order to improve the productivity and safety of the trucking industry. Heavy vehicle charges need to keep pace with these investments. Crucially, section 9 of the Act will provide legal safeguards to ensure that the regulation cannot be used as a means for this or future governments to implement heavy vehicle registration charges in excess of those agreed to by the Australian Transport Commission. Only charging reforms that have been the subject of national consultation and agreement may be implemented through the regulation. I commend the transparency of this approach.

**Mr DARYL MAGUIRE** (Wagga Wagga) [4.54 p.m.]: I have long advocated in this place that States and Territories should cooperate on particular issues. One area of many inconsistencies is the heavy vehicle transport industry and regulation regarding road management. There appears to be general agreement about the provisions in the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009 regarding annual registration charges for heavy vehicles. For example, the charge for tri-axle B-doubles will increase from \$8,041 to \$14,340, and the registration charge for B-triples will increase from \$9,016 to \$20,340. With those increases in costs comes the expectation on the part of the heavy vehicle industry that road maintenance and infrastructure will keep pace with its needs. However, I question whether the increased funding gained through registration fees will be invested in B-double and B-triple infrastructure.

I highlight the example of the Gocup Road. Members, including the member for Burrinjuck, would have heard me speak in this place about that road. The road dissects the Wagga Wagga and Burrinjuck electorates. It runs from the Hume Highway at Gundagai to Tumut and is a main thoroughfare for the communities of Tumbarumba and Batlow and surrounding areas. The Gocup Road has had a very interesting history since investment was made in the Visy paper and pulp mill. In 2001 the New South Wales Government gave a commitment to spend \$7.7 million over nine years on the Visy road connections. Ultimately, investment in the Gocup Road has been widely exaggerated and certainly underinvestment has occurred. My point is that if the Government is going to increase taxes through charges and registration fees it needs to ensure that that money is invested in roads such as the Gocup Road.

I have received a letter from the mayor of Tumut Shire Council, Trina Thompson. She has written also to the Minister for Transport and members of the Legislative Council Tony Catanzariti and Mick Veitch, who often taken credit at the opening of a building or the unveiling of a plaque but when it comes to providing funds for this important infrastructure are nowhere to be seen. Under New South Wales planning laws Visy received that welcome investment, which has been a great boon for the Tumut and Tumbarumba shires and surrounding areas. It has resulted in jobs and other investment in the town. Associated timber industries and the Tumut area as a whole are experiencing enormous growth. We understand that growth is accompanied by a need for infrastructure.

Tumut council has campaigned tirelessly for the upgrading of Gocup Road. The council has assessed that Gocup Road is no longer able to carry B-doubles travelling at a speed of 100 kilometres an hour, and has moved to reduce the speed limit to 80 kilometres an hour. The council even suggested banning B-doubles from the road. I remind members that Gocup Road is the main thoroughfare from the Hume Highway to the Visy mill, other companies, including Weyhauser, and various timber operations. This road carries logs from Bathurst and surrounding areas to the Visy mill. The council does not have \$82 million to upgrade this road. That is what is required, according to the Roads and Traffic Authority [RTA] study that was completed and given to the Minister. Subsequently, the Minister decided that rather than invest in the road he would ignore the recommendation of the report and not upgrade it to a State road. It means that not only did the council miss out on upgrading the road to a State road but it also was left holding the baby, unable to fund \$82 million in infrastructure.

The reason I raise this matter in the debate is that the Government and the council will be asked to allow B-triples on this road. As industry tries to find the efficiencies that are demanded and as fuel costs rise it will be looking for ways to minimise costs. Who is going to pay for this piece of desperately needed infrastructure? It is quite clear that it is not the New South Wales Government that will pay because in all the



years that council, individuals and others have been campaigning to have this road upgraded the closest they got to the necessary money from the Government was a total of \$7.3 million that was spent on the private access road to the Visy mill and \$7.7 million over nine years. If this Government is serious about development of infrastructure and regional development it needs to ensure that some of the taxes that are raised from the increased charges for registration are invested in roads such as Gocup Road.

There have been protests about Gocup Road. The Tumut Shire Council has met with Federal Minister Albanese and it has certainly taken up the issue with the Federal member, Mike Kelly. The softwoods working group, in which all the timber industries are partners, has made a commitment to dedicate funds to Gocup Road. So far there has been no response from the State Government except for \$500,000 announced two weeks ago, which will allow for some remedial works. This is such an important issue that Tumut Shire Council has seen fit to hold a special meeting to which the Minister, David Campbell, has been invited. Tumut Shire Council will host the meeting. It has invited the member for Burrinjuck, Tony Catanzariti, MLC, Mick Veitch, MLC, Kay Hull and me. I understand that Mike Kelly has also been invited.

Visy stage 2 will come on line within the next few weeks and the road will have to cope with an increased number of trucks that it was never built to carry. The road is disintegrating before the council's eyes. It is unable to raise the \$82 million to fix the road between Gundagai and Tumut. The Minister has provided \$500,000 and the Federal member says, "Isn't it great? I have intervened and got the \$500,000. Minister Campbell listened to me." What a load of codswallop! Honest to goodness, if anyone should take the credit for that small amount of \$500,000 it would be Tumut and Gundagai councils, which have been working tirelessly to obtain funding.

This issue is far too important for individuals to run off press releases and claim credit for something they did not do when there has been a concerted effort by all to achieve an outcome. We hear very little from the Government. The previous Minister for Roads agreed to inspect Gocup Road. With the change of ministerial portfolios the present Minister, David Campbell, needs to accept the invitation to the roundtable that is being held. Tumut Shire Council is trying to do the impossible with the limited funds it has. If the Government is going to raise taxes and charges on the trucking industry it needs to ensure they are invested in places where funds are desperately needed. I can point to other timber areas that are suffering the same fate as the south-east slopes, where the timber industry has expanded by 30,000 hectares of plantings.

This is an important issue. I have said that lives will be lost. Gocup Road does not have overtaking lanes because it was never designed for the traffic that is using the road. It was never designed to carry the massive loads it is being asked to carry. It has never had the investment that it desperately needs. There would not be a member in this place that does not support regional development. We all want jobs in our communities and we all want to provide better lifestyles and opportunities, but we cannot do it without investment in the foundations of a community, which is infrastructure. That is what is lacking and it has been lacking for a number of years since this great Visy project was welcomed to our community. Tumut and Gundagai councils, with the support of Tumbarumba and others, have been campaigning relentlessly for funds.

Members may ask what the member for Wagga Wagga was on about in his speech. I am about calling this Government to account and appealing to the Minister to do something about this road. He should get Minister Albanese out to Tumut and come up with an agreement that will allow the \$82 million of investment to occur. If that does not happen I fear that lives will be lost. There is no doubt that if members travel on the road and understand the amount by which traffic will increase they will agree that the increased taxes should be invested in this road and the others I have talked about. The time is long gone when we can ignore this issue. It is critical.

To rub salt into the wound, there is a bill before this House that will allow the Minister to sign off on the sale or lease of disused railway lines. The railway line that the Minister can sign off on, although it is disused, passes the Visy mill. There is a possibility it could be used and the logs from Bathurst and elsewhere could be brought to the Tumut mill to be used to feed it. That opportunity will be lost if the bill is passed. That is another avenue, albeit long term. The fact is that the Minister, by a stroke of his pen, can get rid of that corridor any way he pleases.

I am not going to speak against the fact that the States have got together and proposed measures and industry seems to be reasonably supportive of those measures. When it comes to the heavy vehicle industry, there is no doubt in my mind it is about time governments got together to fix some of the inadequacies created by the States having differing legislation. You have only to talk to the heavy vehicle industry and to truck

drivers and others to learn about their pure frustration with differing legislation. It does not stop there, as I have said before. Sadly, however, the community cannot be assured that the money raised from the increased taxes will be spent on important infrastructure to support the trucking industry. Indeed, the Staysafe committee, of which I am a member, is currently conducting an inquiry into the implementation of chain of responsibility legislation. Infrastructure is lacking that would allow truck drivers to pull up on the roadside and take their scheduled breaks as required by the legislation. We are looking into that lack of investment in infrastructure.

I hope the Government will hear my words and act on them and start to invest some of these increased taxes and charges in supporting an industry that will become more valuable. The trucking task will double in the next 20 years. That means more trucks on our roads and with the closure of the branch lines and rail lines to which I have referred the Government can expect more requests for funding, because the roads were never built to handle the axle loads they are being asked to carry.

**Mr RICHARD AMERY** (Mount Druitt) [5.09 p.m.]: I will make a few comments on the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009, which is designed to amend a number of pieces of legislation but generally speaking bring in uniform charges for the industry, which in effect is a national industry. I wish to respond to some of the issues raised by Opposition members. It is pleasing to note that they support the bill, although they used this opportunity to highlight many negatives about this State Government—

**Mr Andrew Fraser:** The deficiencies of your Government.

**Mr RICHARD AMERY:** As the member for Coffs Harbour said, they took this opportunity to highlight the Government's deficiencies. The member for Tweed made an interesting comment. He said that the Queensland Government was funding the construction of a small piece of road from Tugun to the New South Wales border and that some of that funding included the construction of several kilometres of road in New South Wales. I was pleased to hear him report that the Queensland Government—a good Labor Government—is spending some of the money given to it by the New South Wales Government on roads in New South Wales. I respond to the observation of the member for Tweed by stating that New South Wales and Victoria subsidise States such as Queensland.

The Leader of The Nationals took a swipe at the legislation introduced by this Government and said that the former Howard Liberal Government was against increased heavy vehicle charges. If my memory serves me correctly—the recollection of the Leader of The Nationals was incorrect—the original agreement was signed in 2003 by all State and Territory governments and the Commonwealth. Let me give members some examples of why I believe that our heavy vehicle transport industry should be regulated nationally. Heavy vehicle registration charges and fees in New South Wales are higher or lower than they are in other States, which causes many disreputable people in the industry to abuse the registration charges.

In the 1970s, when I worked as a police officer in Parramatta, some trucking companies found that vehicle registration in South Australia was much cheaper than it was in New South Wales. One company, which operated out of western Sydney, was registered to an industrial site on the outskirts of Adelaide. The company's name comprised the first three letters of the name of Prime Minister Malcolm Fraser and the last three letters of the name of former Prime Minister Gough Whitlam. When various Adelaide police authorities checked out the site it was found to be a vacant block of land. I am pleased to report to the House that early one morning the man involved was arrested before he had had his breakfast. Some of the consequences of not having uniform laws and registration fees between different States are that practices are put in place and the door is opened for some of those disreputable organisations to abuse the laws of the day.

All State governments want to eradicate that sort of nonsense in industry. Costs for anyone registering a semi-trailer or a B-double in Adelaide, Brisbane or Sydney should be more or less the same. The Leader of The Nationals also said that not all operators in the industry were Fox or Lindsay Brothers type of operators. A number of tragic incidents have occurred in my electorate and several owner-drivers have been financially ruined because their financial position was not sufficiently secure. Those who go into this industry may mortgage their homes to pay for their semi-trailers or B-doubles. If the operators of a company go broke or lose their long-term contracts with a large operation they not only lose their trucks and businesses; they also lose their homes and everyone suffers. People embarking on a career in the difficult heavy vehicle industry should seek the highest possible level of financial advice.

As I said earlier, I support the bill. The New South Wales Government's contribution to the whole national framework should be applauded and not criticised. Earlier the member for Wagga Wagga said that he

hoped the money recovered from these registration charges would go towards upgrading rural roads. That money is already going into rural roads. However, there is a shortfall of about \$100 million because of the damage caused to those roads by the heavy vehicle industry. This user-pays legislation will ensure that truckies are aware of the damage that they cause to country roads. I am sure that all members are aware of the damage that these vehicles cause to our roads. This legislation will seek a more substantial contribution from industry to enable road restoration for the damage caused by heavy vehicles that are using our roads in ever-increasing numbers.

**Mr ANDREW FRASER** (Coffs Harbour) [5.15 p.m.]: I support the Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009 but I, like other members, express concern generally about roads and road maintenance in New South Wales. I concur with what the member for Wagga Wagga said earlier about Gocup Road and the rail link in that area. When I was shadow Minister for forests I was aware of the efforts being made to get that rail link up and running so that heavy vehicles could be taken off our roads. The promises made by this Government and by the Federal Government relating to Gocup Road have all gone down the drain.

Last Friday I again spoke in this House about the loss of life on the Pacific Highway. Over the weekend several people were killed on a new section of that road. I am not aware of the full details of the accident in which a woman lost her life, but I understand that she drove her vehicle into the back of a parked semi-trailer. In two weeks four people have been killed on the Pacific Highway—a road that this Government promised would be completed in 2006, which was three years ago. Currently the road is about 60 per cent completed. The member for Lismore informed me today that Federal Minister Albanese, who recently visited Lismore, said that by 2016—the revised date for the completion of that highway—only 75 per cent of the dual carriageway would be completed, which puts us 10 years over the original completion date. Even though the Pacific Highway is being upgraded there is a lack of attention to the provision of truck stops.

Twelve months ago an accident occurred at Eungai in which the driver of a heavy vehicle was killed because there was nowhere along that road for him to pull off, exchange the rig and head back to Brisbane. He did a U-turn on the road in order to go back to a private truck stop and, while performing the U-turn, was hit by another vehicle and killed. His young son was in the vehicle with him. For a long time Opposition members have been asking for the construction of more truck stops along that highway. I refer also to the \$250 million upgrading of the Bonville bypass, an area that includes the Sid Burke Reserve. The original cost of that upgrade was estimated to be \$48 million. I would like to see a full audit of the funds provided by the Federal Government for that section of road as the costs blew out from \$48 million to \$250 million.

I wonder what proportion of those funds is being siphoned off to justify a huge and bloated Roads and Traffic Authority bureaucracy and what proportion is going into road construction or, alternatively, the 10-year maintenance contracts that have become part and parcel of those road upgrades. How much money has been pulled out? How much money could have been put back into that road? This Government is already \$1.5 billion over budget on the Pacific Highway upgrade. Referring again to truck stops on the Pacific Highway, the truck stop on the Bonville bypass section of that road was closed. That much-used truck stop, which was located in State Forest land, was handed over to national parks. National parks decided to close it but public pressure resulted in its being reopened. When the new road was opened that truck stop was again closed—a truck stop that truck drivers and caravaners have used for generations. Today I again ask the Government to spend some money on that truck stop to bring it up to an acceptable standard. When that section of the road was upgraded only a small amount of money was provided for the truck stop in the Sid Burke Reserve. Truck drivers and motorists should be given a place at which to stop.

This bill will raise a huge amount of revenue. Will that revenue be returned to regional roads? Wal Murray, Minister for Roads in 1990-92, tried to get uniform legislation for heavy vehicle registration through the Council of Australian Governments. It has taken since then to finally get something done, and in the process we have lost millions of dollars. The member for Mount Druitt said that many New South Wales firms registered their trucks in South Australia, the Northern Territory or other States purely to save money. Those firms did save money, but it has cost this State because we did not get revenue returned from the registration of those vehicles. New South Wales trucking firms that register their vehicles in other jurisdictions should pay a penalty. The vehicles should be registered in New South Wales and that revenue should contribute to the upkeep of our roads. We all acknowledge that the heavier the vehicle the more damage to the road surface.

We should look closely at whether we can impose a condition that all businesses registered and operating in New South Wales must register their vehicles in New South Wales. The cost of doing business in

New South Wales forced one of the oldest family-owned trucking firms—Lindsay Brothers in my electorate—to move its operations to Queensland a couple of years ago. I forget the actual cost involved for the move, but the company paid something like \$300,000. However, it was able to recoup that money within three months due to the lower cost of doing business in Queensland. We have the opportunity to provide a level playing field to make firms more viable and have heavy vehicle registration revenue returned to New South Wales for road maintenance.

Only last week I received information that \$10 million in road maintenance funding was cut this year from what had been allowed in the budget for the Pacific Highway between Newcastle and the Queensland border. That will result only in an increased number of deaths on that road. Many people have been killed by semitrailers because of sections of undivided carriageway on the Pacific Highway. I have raised before in this House the death a couple of years ago of young Dixie Gibson, a grand-niece of a former New South Wales police commissioner. Dixie was killed just south of Kew. She was one of the most attractive young girls one would ever meet in both personality and appearance. We never will know what happened, but her car went under a Pearson's semitrailer and she was killed. Dixie's unfortunate death resulted in that section of road being earmarked for improvement and it has now been improved.

Regional primary producers might end up bearing the increased registration costs mooted by this bill. Primary producers are price takers, not price makers. If the market cannot bear any increased cartage costs to cover the new registration fees those costs will be borne by the producer. This will mean another increase in production costs and, therefore, a reduction in gross income to the primary producer. Obviously, increased registration costs will be a blight on country consumers because the price of many goods—refrigerators, telephones, beds or whatever—manufactured in or imported into Sydney will increase comparatively. Those in regional New South Wales, which is the food bowl for Sydney, Newcastle and Wollongong, will suffer through the increased cost of transporting goods and perishable products to the Sydney, Newcastle and Wollongong markets. The growers are at the mercy of market forces. If registration increases are forced back to the farm gate the growers will be the ones obliged to pay.

While I support the bill, I again make a plea to the Government to get off its backside and put more money into the Pacific Highway. My Federal colleague raised in Parliament recently that the Federal Government has provided \$3.1 billion of the five-year plan for the Pacific Highway. I pay credit to the Rudd Government for continuing the Howard Government plan and, in fact, for increasing the funding arrangement. I damn and condemn this State Government for contributing only \$500 million for that plan. The Pacific Highway is a State road that effectively causes the loss of one life a week. In less than two weeks four lives were lost on that section of road. Three of those fatalities occurred on non-upgraded sections. It is time this Government kept its promise to the people of New South Wales. It is not just North Coast people who get killed on that highway; it is also people holidaying on the North Coast and people visiting relatives.

We saw a particularly horrific accident in Bonville in which a woman and two children were killed. They were not constituents of mine; they were from the Central Coast. The upgrade of that section of road has now been completed, but on other sections of the Pacific Highway that remain to be upgraded lives are being lost and people are being maimed weekly, if not daily. The State Government must increase its commitment from \$500 million. As Federal member Mr Albanese pointed out on the weekend, the Federal Government actually is carrying the State in regard to the Pacific Highway. The State Government should pour the money it receives from the increased registration charges for heavy vehicles back into regional roads. Truck owners, drivers and firms are paying for it. It is only fair that that money is returned to the areas those trucks utilise for the benefit of all New South Wales people.

**Mr THOMAS GEORGE** (Lismore) [5.26 p.m.]: The objects of the Road Transport (Vehicle Registration) Amendment (Heavy Vehicles Registration Charges) Bill 2009 are:

- (a) to amend the *Road Transport (Vehicle Registration) Act 1997* to enable registration charges to be imposed on heavy vehicles in accordance with nationally agreed reforms,
- (b) to repeal the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* and the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2006*,
- (c) to make consequential amendments to certain other Acts and Regulations.

In February 2008 the Australian Transport Council of Ministers approved a new Heavy Vehicle Charges Determination, which includes incremental charges for heavy vehicles to pay for additional road wear caused by heavier loads. This agreement means that registration charges for heavy vehicles in Australia will increase by

approximately 70 per cent, to be phased in over a three-year period from 1 July 2008. In July this year the State Government delayed the introduction of the new heavy vehicle charges for six months to give operators more time to adjust to the changes. The charges will take effect on 1 January 2010 and will affect something like 150,000 heavy vehicles and trailers registered in this State.

The annual registration charge on a tri-axle semitrailer will increase from \$5,084 to \$5,220, on a tri-axle B-double the charge will increase from \$8,041 to \$14,340, and on a B-triple it will increase from \$9,016 to \$20,340. The higher registration costs for B-doubles and B-triples reflect the need to correct the current situation where larger trucks are cross-subsidised by smaller trucks. The consolidation of road transport Acts is aimed at simplifying the application and interpretation of road transport law in New South Wales.

The legislation will result in overall truck operating costs increasing by up to 1.9 per cent. B-double operating costs will increase by between 2.3 per cent and 3.9 per cent, or an average of 2.8 per cent. The cost increases will be passed on to freight users and ultimately consumers through the increased price of consumer goods. However, it may not be only consumers who will be impacted upon by this increase. As the member for Coffs Harbour pointed out, the increase will also impact upon producers. However, the Government indicated that price increases would bring New South Wales into line with other Australian States and Territories and reflect the requirements for heavy vehicles to contribute their share towards meeting the costs of roads expenditure. Not one truck operator would dispute that justification.

I differ slightly from the view expressed by the member for Coffs Harbour that action should be taken against trucks registered in States other than New South Wales for taking advantage of differential registration charges throughout Australia. While it is all very well to impose registration fees evenly throughout Australia, operators have been forced to exploit whatever advantages are available simply to survive in competition against their interstate counterparts. The only reason that truck operators have actively sought cheaper registration charges, cheaper fuel and cheaper everything else is to survive.

While it may be desirable to have uniform registration charges applying throughout Australia, New South Wales transport operators are disadvantaged by mass load limits applying in this State. I know from personal involvement in the Northern Co-operative Meat Company in Casino that New South Wales transport companies are not able to pack containers to full capacity because export products must be transported 80 kilometres along New South Wales roads where a weight limit, which is lower than that of other States, applies. They are limited by legislation to packing containers to two-thirds of their capacity. When a truck crosses the border into Queensland, the legal load limit is higher and the container is one-third empty. That is what is being done to New South Wales transport operators.

An equally anomalous situation applies in relation to livestock, such as cattle and pigs, that is transported from Queensland to New South Wales. It is well known that New South Wales markets depend on Queensland for a supply of livestock. A truck could be loaded at Dalby with 300 pigs and remain within legal limits while it is in Queensland, but as soon as it crosses the New South Wales-Queensland border, 60 pigs have to be offloaded because lower load limits apply in New South Wales. The New South Wales Government is pressing ahead with legislation to create uniform registration charges, but does not want to address the disadvantage suffered by New South Wales truck operations caused by different load limits applying throughout Australia.

I ask the Minister during his reply to explain why the Government will be charging the same registration fees as apply in other States, but is not giving transport operators the same load limits. This is another example of the Government hitting New South Wales transport operators. The Government allows a disadvantage to operate against the New South Wales transport operators, but wants to increase registration charges. The member for Orange highlighted problems of the condition of the Great Western Highway that preclude B-doubles from using certain stretches of road. I assure him and the member for Wagga Wagga that that is also a problem with the roads network of northern New South Wales, which is the fastest-growing area of the State.

A transport operator who wants to send a B-double from Warwick in Queensland to Lismore in New South Wales must ensure that the B-double travels all the way from Warwick through to Glen Innes and on to Grafton and then turns onto the Pacific Highway to arrive at Lismore. The direct route is approximately 100 kilometres but the prescribed B-double route is 250 kilometres. The road from Woodenbong to Legume is widely recognised as being the worst road in Australia. The Minister Assisting the Minister for Transport, who

is at the table, does not have to take my word for that: there are plenty of Internet sites where people have complained about the condition of that road. Single trailers travel along that road, but B-doubles are banned. That is what transport operators in regional and country electorates of New South Wales have to put up with.

The Government has given transport operators six months grace before implementation of the new charges. That concession pales to insignificance when compared to the competitive advantage of transport operators from every State except New South Wales that are able to transport heavier loads than those that their New South Wales counterparts are allowed to carry. The new charges will be subject to automatic indexation every three years. As I understand it, a formal review will take place every three years, but the review is not transparent. Indexation will be invoked automatically throughout that three-year period. How do we know that the roads will have been improved over that three-year period of automatic indexation? We will not know, and we may never know.

Roads traversing the State from the coast to the tablelands and beyond must be improved to B-double standard for the reasons stated by the member for Wagga Wagga and the member for Orange. Currently the privilege of having direct B-double access to major regional towns and cities is non-existent, with the result that the transport component of commodity prices is much higher in those areas than in other areas throughout the State. The increased cost is borne by consumers simply because regional roads are not good enough to take B-doubles. That situation continues because the Government constantly neglects its responsibilities in relation to the critically important road networks of country and regional areas in New South Wales.

Earlier I referred to the Northern Co-operative Meat Company and the penalties that have been imposed on the company because it has not had the same weight limits as those applying to trucking operators in other States. Even if that company packed containers to their full capacity for transportation by rail at Casino, which would involve traversing a maximum of three kilometres of roadway to the rail head, it would be illegal for the company to transport that load; the truck would be overloaded. There would not be one operator who would argue against uniform registration charges, but there should be a level playing field. The lack of uniformity in interstate weight limits represents a penalty for New South Wales transport operators. They have problems coping with the laws that operate in New South Wales compared with laws that operate in other States, and that is a disgrace.

As the Leader of The Nationals and the shadow Minister indicated, the Opposition will not oppose the bill. However, I request the Minister to address during his reply the level of disadvantage to New South Wales transport operators as a result of different weight limits. I ask him to explain why New South Wales transport operators, who are using the same roads as are transport operators from other States, cannot carry the same weights as do others. I assure the Minister that the roads in New South Wales are constructed in exactly the same way as are roads interstate—they simply follow a line on a map—so that cannot be the reason for different load limits. I cannot understand why uniform registration charges cannot be matched with uniform transportation load limits.

**Mr DAVID BORGER** (Granville—Minister for Housing, Minister for Western Sydney, and Minister Assisting the Minister for Transport) [5.30 p.m.], in reply: The Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Bill 2009 will align the New South Wales heavy vehicle legislation with other jurisdictions and reduce the risk of New South Wales facing a comparative financial disadvantage. I must clarify that everyone is in furious agreement on this legislation. I mention that in case people who are listening to the debate are not sure. This bill will be passed without dissent, and that is what should happen. Australia needs a national system of transportation. We have been working towards a common system of rules for heavy vehicles across the country for a long time. The process began during the term of the Hawke Government. These reforms have been agreed to by the Australian Transport Council. Everyone seems to agree that it would be untenable for New South Wales to have a charging system that was inconsistent with the other States.

The current Act requires a Cabinet decision and legislative amendment each and every time a national decision is implemented or new, more productive heavy vehicles are introduced. That is called red tape. Having to bring a bill to the Parliament every time there is a change so that we can be consistent with the national law is called red tape. That is why we are introducing a more effective system. The trucking industry agrees with our approach; indeed, I think everyone agrees with that. The current process is cumbersome and treats heavy vehicles different from the way we treat other vehicles and other things in this place. Placing the descriptions of heavy vehicles and the annually adjusted charges in the regulation will improve the agility of the New South Wales Government in responding to rapid technological and intergovernmental changes.

In response to the contributions of members, one point I make—in case this has not been made clear—is that in New South Wales vehicle registration funds go directly to a fund specifically required to be used on road improvement. All money raised goes back into fixing roads and on road improvement. It is as simple as that. I understand that all members have things in their electorate that they would like prioritised, but the system must always be based on equity and fairness—that is, all roads in the system must be compared and those that are deemed to be the most important must be done first. So all the money that is raised from these charge increases will go back into roads.

The trucking industry is a tough industry. It is a tough job, and people work long hours. Over time these sorts of changes are all about ensuring that people in the industry have reasonable and humane work conditions. Most of the charges that are proposed to be increased are modest charges. In relation to B-doubles, obviously a principle that is held by everyone is that the impact that heavy vehicles make on the road system should be paid by the roads users in some way. This bill will enable that to happen. It will facilitate the timely introduction of newer, safer and more productive heavy vehicle configurations, providing New South Wales with the opportunity to better address significant changes including, over time in a broader sense, climate change, safety, efficiency and urban congestion.

The amendments in the bill will ensure that New South Wales continues to fulfil its commitment to national consistency in administering heavy vehicle registration charges. I am pleased to note that this bill is the result of extensive consultation by the National Transport Commission between all States, Territories and relevant industry groups. In addition, the New South Wales Government has undertaken extensive consultation with the road transport sector in New South Wales. In fact, we delayed the introduction of the changes by six months following feedback from the industry, which was concerned about the fall-out from the global financial crisis. I thank the previous Minister for Transport and the role he played in that.

**Mr Thomas George:** What about the weight issue?

**Mr DAVID BORGER:** In relation to the weight issue, I am happy to look into the specific roads to which the member for Lismore referred. However, it must be remembered that local government plays an important role in terms of deciding which trucks can go down which roads. I understand that the member for Lismore, who is obviously an advocate for the heavy vehicle industry, is frustrated about the weight issue. As I said, I am happy to look at the specifics he raised and get a response for him. However, we have to deal with the fact that local government has a major role to play in the allowances of B-doubles using certain local roads. New South Wales must fund improvements in road infrastructure to support the valuable contribution of the heavy road freight and passenger transport industries to the people of New South Wales.

The National Transport Commission Heavy Vehicle Charges Determination aims to ensure that users pay, and the industry accepts that expenditure on road maintenance and improvement needs to be proportionate to the use by heavy vehicles. The bill acknowledges that the current rate of innovative technological change means that more productive heavy vehicle combinations must be recognised by the determinations at regular intervals. It is sensible that New South Wales is able to respond swiftly to these changes. The bill also ensures transparency in charging for truck drivers. Increases cannot be introduced without reference to an Australian Transport Council or intergovernmental agreement.

The bill also brings forward part of the planned consolidation of road transport Acts into a single Act, which was scheduled to be undertaken in late 2010. Consistent with the better regulation principles, the consolidation will simplify the application and interpretation of road transport law for legal practitioners, administrators and all users of New South Wales roads. The New South Wales Government is determined to ensure that the national reform program causes minimal disruption to freight operators at a time when the global financial crisis means that, as we know, many of them are doing it tough. The industry is supportive of this bill. Jim Savage, the President of the Livestock and Bulk Carriers Association, which has members in all States, has advised that the industry fully supports the principle of paying its way for road use and that these increases are part of that formula.

He also said that his association greatly appreciated the Government's decision earlier this year to defer these increases to 1 January 2010 in recognition of the real impacts of the global financial crisis and the impact the increases would have on regional Australia at that time. Not every State did that. New South Wales went down that path, and that decision has been respected by the industry. He also said that no-one likes increases in costs, but if we are to have better roads the trucking industry is prepared to pay its fair share to get them. That is consistent with the comment I made earlier. The measures in this bill will enhance the ability of New South Wales to implement the ongoing national reform commitments.

I can advise the House that Queensland has higher limits in some respects. In terms of the issues raised by the member for Lismore, I will certainly get a response to him. Stakeholders who operate nationally will benefit from the amendments as they will be able more readily to interpret their rights and responsibilities. The proposed changes will also facilitate the introduction of newer, safer and more productive heavy vehicle configurations, providing New South Wales with the opportunity to better address significant challenges, including climate change, safety, efficiency and congestion. I commend the bill to the House.

**Question—That this bill be now agreed to in principle—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill agreed to in principle.**

#### **Passing of the Bill**

**Bill declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

#### **ANIMAL WELFARE LEGISLATION AMENDMENT BILL 2009**

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

#### **SURVEYING AMENDMENT BILL 2009**

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

**Debate resumed from 21 October 2009.**

**Ms KATRINA HODGKINSON** (Burrinjuck) [5.47 p.m.]: I state at the outset that the Opposition will not oppose the Surveying Amendment Bill 2009. The object of this bill is to amend the Surveying Act 2002 to change the name of that Act to the Surveying and Spatial Information Act 2002 and to set out the objects of that Act; to clarify the matters to be covered by the definition of "land survey" in that Act; to provide a specific exclusion from the provisions of that Act that require land surveys and mining surveys to be carried out by registered land surveyors and mining surveyors for firms that engage such surveyors to do work on their behalf; and to enable the Board of Surveying and Spatial Information to provide information to the public on a range of matters in connection with the discipline of surveying and related disciplines.

By way of background, the Surveying Act 2002 included a provision requiring that a review should be undertaken five years after the Act had been introduced to determine whether the policy objectives still remained valid and whether the terms of the Act were appropriate for securing those objectives. The report on that review, which was tabled in October 2008, indicated that while some areas were suitable for reform, in the main the Act remained appropriate. This bill reflects the report recommendations and the outcomes of further consultation with key professional groups and government agencies, together with some collateral amendments to clarify some aspects of that principal Act. We note that the bill does not address a number of issues that have been raised by the Institute of Surveyors. However, we understand the institute is not in opposition overall to the bill. Amendments to the Act in 2005 introduced a definition of "spatial information". This reflects the rapid expansion of the methods of measurement and delineation in relation to land including height, depth and whether the surface is terrestrial or aquatic.

On 21 October 2009 the member for Miranda, the Parliamentary Secretary, gave the agreement in principle speech on behalf of the Minister for Planning and extensively went through the various amendments. The bill adds to the title of the principal Act to become the Surveying and Spatial Information Act and reflects the significant changes that have occurred and the relevance of this line of information. People are becoming increasingly aware of spatial information products that are in general use. We know that data is collected through many different technologies from traditional surveys, remote sensing, photogrammetry and Light Detection and Ranging, or LiDAR. There are now so many different applications for these particular sources of information. They are being used in regional planning, urban planning, resource management, land management, most recently in disaster recovery for emergency response units and gathering of information for that emergency response, analysis of climate change, planning trips, locating local restaurants, global positioning services, and the list goes on. As this source of information becomes more prolific I believe that these amendments become even more relevant.



The bill adds "spatial information" to the title of the principal Act, which reflects its importance and the changes taking place. The objects of the Act are also amended to reflect this new focus. I believe that this bill will facilitate access to information for people to understand and be able to locate the services that they require. In particular, I refer to hydrographic surveys that look at the physical characteristics of water as it relates to the surrounding land and details of coastal or estuarine areas. We know that in the past this has traditionally been used for navigational purposes but as we learn more about this source of information its variety of uses is really expanding into so many different areas. Today's front-page story of the *Sydney Morning Herald* is about the possible impact of sea level rise in the not too distant future, according to the Herald. It is something that behoves us all to take some alert from. We need to be fully cognisant and conscious of any changes that may happen on our coastline.

I would hate to think that people were fear mongering but it is important to look at and analyse a worst-case scenario, which is where this legislation comes into its own. This information is becoming increasingly important. It assists the Government and the public in understanding the possible impacts of sea level rise in relation to coastal erosion, climate change and all of these very current topics. They are not yet very well understood; we are just starting to grasp their importance and harness their relevance in our modern day time. What we can now do with this sort of technology is very exciting. Hydrographic surveyors undertake work in relation to collating information in relation to dams—something in which I am particularly interested because the areas of research are becoming quite exact and precise—and ports infrastructure. This will also assist the public in making informed decisions about what, at the moment, are just subjects of debate. This is quite exciting.

The bill introduces a definition of "State cadastre" for the first time in legislation. It is the description and delineation of rights, interests, restrictions and responsibilities above and below the earth's surface. It amends the role of the Board of Surveying and Spatial Information to include advising the Minister in relation to this. The Parliamentary Secretary has passed me the *Macquarie Dictionary*, Third Edition, which defines "cadastre" as "an official register of property, with details of boundaries, ownership, etc". As the Parliamentary Secretary noted in the agreement in principle speech, while those involved in property and spatial information areas often use the word "cadastre", it has an ancient history and meaning generally referencing a register of land ownership and value. These days it has come to mean more than ownership and is the description and delineation of rights, interests, restrictions and responsibilities above and below the earth's surface, which more and more for the Government and the people of New South Wales are becoming more complex.

In the past the rights of others may have impacted on land ownership in relation to the holding of a title freehold or anything that is subject to an easement or some right of way. However, these days the rights and obligations between private landowners and any public value interests and ecological and other vegetation types of investments in that particular piece of land are recorded. I note that the Parliamentary Secretary also referred to carbon sequestration interests and the protection of marine eco-systems. It is becoming a much more complex area. We need to ensure that the right legislation has been enacted to manage these extraordinarily new fields at which we are looking at the moment. It is becoming a much more publicly recognised method of ensuring that we have precise measurements and we know exactly what is going on in relation to surveying.

The amendments in this legislation flow from a review and a substantial consultation process. The amendments recognise the importance of additional information being developed as a result of new technology, the considerable value that is being realised by access to that the information, and assist in maintaining the integrity of this information and its use. Once again, I note that the Opposition will not oppose this bill.

**Mr FRANK TERENCEZINI** (Maitland) [6.00 p.m.]: I support the Surveying Amendment Bill 2009. It is important to record that the objects of the amended Act are, first, to provide for the registration of land surveyors and mining surveyors to ensure that only appropriately qualified persons carry out land surveys and mining surveys; secondly, to ensure that registered surveyors provide services to the public in a professional and competent manner; thirdly, to provide for the maintenance of a State cadastre and ensure its integrity; fourthly, to provide for the coordination of surveys carried out by public authorities and for the establishment of a State control survey; and further, of course, to provide for the investigation and giving of advice to the Government relating to the collection, collation and dissemination of spatial information other than surveys.

Overall, as has been said, the bill provides clarification and guidance to those surveyors registered by the Board of Surveying and Spatial Information and for the general public. In particular, I welcome the addition of a definition of "State cadastre". It is perhaps the first time that has occurred in legislation anywhere in the world, which is a remarkable development. The word "cadastre" generally refers to a register of ownership that

included a metes and bounds description of real property. While the term may be well known in certain legal circles or in areas of public administration involved with the management of interest and obligations in relation to land, it is not widely used. Many of us would recognise several of the terms used in relation to the description of the cadastre. Historically, references to cadastral divisions include terms such as counties, parishes, hundreds and sections. That reminds me of other terms previously used, such as chains, links, furlongs—

**Mr Barry Collier:** Perches.

**Mr FRANK TERENCE:** Yes, perches, and acres—all those old terms. They were inconvenient terms, but we used them. I am showing my vintage now, but we did use those terms. Today land interests are described more commonly by reference to a lot and deposited plan number—which makes it much more convenient—as a diagrammatic representation of interests in land or, in some circumstances, particularly offshore, by global positioning coordinate references. The definition included in the Surveying Amendment Bill 2009 provides a modern understanding of this term, as previously said. I repeat: it is an inventory that records boundaries, dimensions and measurements on, above or below the earth's surface for the purpose of defining rights, interests, restrictions and responsibilities within the jurisdiction of New South Wales.

This definition draws upon the work of the International Federation of Surveyors, an international non-government organisation that supports international collaboration for the progress of surveying in all fields and applications. The concept of a modern cadastre is based on the notion that complete and reliable information ought to be available that takes into consideration all legal impacts upon land, both public and private, while remaining accessible, flexible and adaptive to meet the changing needs of society. It is also fundamental that certain standards and consistency be applied to ensure the integrity of such an inventory.

Increasingly, the legal interests relating to a parcel of land are becoming more complex as the impacts of rights, interests, restrictions and responsibilities are recorded. These interests may extend beyond the land surface and the description of public roads and access, to rights of way and planning controls, to subsurface interests in sewerage and water easements or natural resource mining rights, to offshore interests within the New South Wales jurisdiction, such as marine protection zones. Although the notion of a cadastre may be clear to some, I welcome the articulation of the concept in New South Wales and the clarification of the role of the Board of Surveying and Spatial Information in providing advice on the maintenance of the integrity of the State cadastre. These are welcome changes. I commend the bill to the House.

**Mr CRAIG BAUMANN** (Port Stephens) [6.04 p.m.]: It is fantastic to hear a lawyer talking about perches, links, furlongs and acres. The member for Maitland should be aware that they are still shown on deposited plans, which is why surveyors and engineers are needed to convert them into metres and real measurements. The object of the Surveying Amendment Bill 2009 is to amend the Surveying Act 2002 to change the name of that Act to the Surveying and Spatial Information Act 2002; to set out the objects of that Act; to clarify the matters to be covered by the definition of "land survey" in that Act; to provide a specific exclusion from the provisions of that Act that require land surveys and mining surveys to be carried out by registered land surveyors and mining surveyors for firms that engage such surveyors to do work on their behalf; and to enable the Board of Surveying and Spatial Information to provide information to the public on a range of matters in connection with the discipline of surveying and related disciplines. They are all very worthy amendments that the Opposition will not oppose. Surveyors, like engineers, tend to be ignored around this place—indeed, as I have pointed out on many occasions, there are three engineers in this House but not one surveyor.

**Mr Barry Collier:** Plenty of lawyers.

**Mr CRAIG BAUMANN:** Yes, there are plenty of lawyers—too many. The Institution of Surveyors, very much like Engineers Australia, is a pretty quiet group of professionals. I do not think you will see 200 surveyors picket the front gates of this or any other Parliament. But when they are asked to prepare a submission to review the Surveying Act, the least this Government could do is take them seriously. I wonder whether these amendments answer the institution's very valid concerns. The institution is of the opinion that the policy objectives of the Act remain valid today but holds the belief that amendments to the Act are required to make it more effective in achieving the policy objective outcomes. The institution is concerned that the current Act does not provide adequate protection to the public from unscrupulous or inadequately qualified persons undertaking survey work. I hope this amendment covers those concerns.

The institution is of the opinion that the Act needs to introduce as a policy objective the setting of standards and the control of all survey data that is entered into the public domain. The use of the Internet has

meant that the public can now access and rely on a wider range of survey information, beyond that of the cadastre. Standards in the form of regulations need to be set in terms of the various survey information data sets and the dependence on usage and access within the public domain. The regulations could be determined in line with national and international standards. It is the institution's opinion that, by providing the board with the power to set and maintain standards for all survey work and data set production, the board will be able to control the survey information prepared by technician-engineering surveyors and those graduate surveyors who do not seek registration as it currently stands.

With such standards in place, a member of the public could use the control mechanisms to lodge a complaint with the board if the member of the public considers that the minimum standard set by the regulations has not been met for the type of survey work they had commissioned. In the case where the board determines that substandard work had been carried out, the board would be in the position to ensure that the substandard work is corrected. It is about time the Government moved into the twenty-first century.

**Mr Barry Collier:** We are here!

**Mr CRAIG BAUMANN:** This is nineteenth century legislation. It is time to review the definition of "survey" and "registered land surveyor". The institution is of the opinion that the current definition of "survey" in the Act does not adequately cover all the activities of a registered surveyor in New South Wales, in particular the registration requirements related to town planning and engineering design. The institution proposes that the following clause should be included in the definition:

- (f) the planning, design, measurement and management of infrastructure works relating to land and water development.

It proposes also that the definition of a "registered land surveyor" be amended as follows:

A registered surveyor is a professional person with the academic qualifications and technical expertise to conduct one or more of the following activities:

- a. to determine, measure and represent land, both above and below sea level, three-dimensional objects, point-fields and trajectories;
- b. to assemble and interpret land and geographically related information;
- c. to use that information for the planning, design and efficient administration of the land, the sea and any structures thereon; and
- d. to conduct research into the above practices and to develop them.

That is something that an engineer does just about every day of the week. The maintenance and repair of permanent survey marks and survey marks is another critical issue within the profession. Permanent survey marks are physically fixed points on the earth's surface and are extremely important as most survey work needs to be related back to a known position. Although they are all but invisible to most of us, they are extremely important. Without survey marks the job of a land surveyor is made much more difficult. One's rights as a landowner are also at risk and one's pockets are much lighter if the surveyor has to move further afield to find a permanent fixed position.

Yet when this city was being prepared for the 2000 Olympics, footpaths were widened and high-rise developments were constructed, and the city of Sydney's permanent marks were all but obliterated. I understand that 72 of Sydney's 84 permanent marks in George Street were destroyed. That is a ridiculous state of affairs. New South Wales must follow New Zealand's line of protecting permanent marks from destruction or from being moved, which is just as dangerous. We need Dial Before You Dig protection, with severe penalties for irresponsible actions that affect the integrity of permanent markers.

Another issue is the production of identification surveys and the issuing of building certificates. This is done for the protection of land purchasers. The Institution of Surveyors has also expressed concern at the legality of local government authorities using old identification surveys as part of the written information used by councils in deciding to issue a building certificate. The institution also perceives a problem with the legality of solicitors and conveyancers using old identification surveys to apply to those authorities for the issue of the same. Most council applications for building certificate forms state that an application for a building certificate must be accompanied by, amongst other things, an original or certified copy of a current identification survey certificate.

Researching the records of Lake Macquarie Council provides the following information as an example. There is evidence of building certificates issued in 2006 using surveyors' reports dating from 1974, 1980, 1992, 1996, 1997, 1998, 1999 and 2001. There is also evidence of the report being, in one instance, a proposed subdivision plan and, in another, a detail plan. Fortunately, in both the latter cases the council requested a current identification survey after the application was received. It is worth noting that in both cases a solicitor made the original application.

In all but one instance third parties made the applications. The bulk of the applicants were solicitors or conveyancers on behalf of purchasers. The applicants were not party to the original surveys nor were the purchasers' names or, in most cases, the vendors' names on the original reports. There were several instances of solicitors and justices of the peace certifying a 10-year-old copy of the report as a true copy of the original report—a difficult and probably illegal task if one had not seen the original, unless of course the original surveyor was the certifier. Section 149A to section 149G of the Environmental Planning and Assessment Act 1979 define the parameters under which councils may issue a building certificate. All issues of the ethics and legality of using the old reports aside, the key word here is "current" and the aforesaid Act does not provide a definition of "current."

**Mr Barry Collier:** The dictionary does.

**Mr CRAIG BAUMANN:** You are the lawyer.

**Mr Barry Collier:** He's got a thing about lawyers!

**Mr CRAIG BAUMANN:** Doesn't everybody? Section 149C (2) of that Act does however state:

If the applicant is able to provide evidence that no material change has occurred in relation to the building since the date of a survey certificate which, or a copy of which, is supplied to the Council by the applicant, the council is not entitled to require the applicant to supply a more recent survey certificate.

The council does however require a "current identification survey certificate" so the definition of "current" becomes critical. As I said earlier, the Opposition supports these amendments but I encourage the Government to listen to New South Wales professional surveyors. Much more needs to be done.

**Ms MARIE ANDREWS** (Gosford) [6.12 p.m.]: I take pleasure in supporting the Surveying Amendment Bill 2009. Generally, the thrust of these amendments is to remove any confusion or misinterpretation of certain sections within the existing Act and to some extent remove impediments for firms in advertising their professional services in this field. The quality and integrity of surveying will be maintained by ensuring that appropriately registered land or mining surveyors carry out the work or appropriately supervise the work of a less-qualified person, such as a student or surveyor's assistant.

I note that the Surveying Regulation 2006 provides in clause 75 (2) that the Board of Surveying and Spatial Information may make a determination to specify what is referred to as immediate supervision or general supervision by a registered surveyor. It is important to note that registered land and mining surveyors undertake work with the support of paraprofessionals, such as survey assistants, and that the development of professionals involves a good deal on-ground experience and mentoring by registered professionals. This process ensures that persons entering this field are fully and appropriately trained in the practical issues impacting their work, demonstrating theory in the practical world. The need for assurance in the competency, quality and integrity of survey work is the fundamental objective of this legislation, and the work of land and mining surveyors contributes to the fabric of the State's cadastre. I have pleasure in commending the bill to the House.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [6.14 p.m.], in reply: I thank the member for Burrinjuck, the member for Maitland, the member for Port Stephens and the member for Gosford for their contributions to the debate. I must commend the member for Burrinjuck on a very positive contribution. Her speech was wide ranging and stood in stark contrast to that of the member for Port Stephens. Where the member for Burrinjuck talked in modern terms about the prospect of sea-level change and the measurements referred to in the *Sydney Morning Herald* today, the member for Port Stephens called this nineteenth century legislation. I do not know about his recollection of history, but it seems to me that the Internet, satellite imagery, photogrammetry and light detection and ranging, or LiDAR, certainly were not around in the nineteenth century. There was certainly not a great deal of discussion about sea-level change in the nineteenth century. With due respect, I think the member for Port Stephens is living in something of a twilight zone or, if not that, a time warp. This is modern legislation.

The Surveying Amendment Bill 2009 makes a number of very important reforms in relation to surveying and spatial information. The surveying profession has a long history in New South Wales, with the role of Surveyor General being one of the oldest government-appointed roles. It is important to note that the work undertaken by land and mining surveyors is both consistent and of a high quality and underpins the State's cadastre, providing the basis for the determination of legal interests, rights, restrictions and responsibilities in relation to real property and their interrelationship with each other, whether those interests are above or below the earth's surface.

Several amendments have been made to the principal Act. One relates to the clarification of definitions and the introduction of the definition of "firm" to incorporate "a corporation, a partnership or other unincorporated association of persons". Why include a definition of "firm"? The Surveying Act 2002 is typically concerned with the registration of individual land and mining surveyors as those persons are appropriately qualified and experienced to undertake or supervise surveys within the definition of the Act. A concern was raised that businesses or firms that are involved in the provision of survey services ought to be recognised as being able to advertise their services so long as they met certain prerequisites. Without creating a complex registration process for businesses or firms, the solution incorporated in this bill enables firms to hold themselves out as undertaking surveying services and to advertise their services. The Board of Surveying and Spatial Information will be able to provide collateral information to the community about surveying and survey firms as appropriate.

It is important to note as well that this amendment flows from feedback from the profession itself and encompasses a range of business entities that may undertake land surveying or mining survey work. In addition to the definition of "firm", the amendments clarify that a firm does not commit an offence if it holds itself out to the public as being able to undertake survey activity. This removes a concern that has limited businesses in the marketplace. The integrity of survey work undertaken and the protection of the public lie in having only registered surveyors or appropriately supervised personnel undertake such survey work.

A number of concerns were raised by the member for Burrinjuck and the member for Port Stephens in relation to the Institution of Surveyors. The member for Port Stephens was concerned about protection against unscrupulous and unregistered persons. Concern for the protection of the public is of course shared by the Board of Surveying and Spatial Information. I point out to the member for Port Stephens that the principal Act contains an offence relating to unregistered persons holding themselves out to undertake survey work when unqualified or unregistered. The Board of Surveying and Spatial Information has recently and successfully prosecuted such a person and will work with the Institution of Surveyors to ensure the public is, and continues to be, protected.

The member for Port Stephens referred also to the removal of or damage to survey control marks. I advise him that under section 24 of the principal Act the removal of or damage to survey control marks is an existing offence, and any person found guilty of such an offence would be subject to a \$10,000 fine. The Institution of Surveyors is a professional association of survey practitioners. During the review that body raised a number of issues that have been satisfactorily addressed in consultation, without the requirement for legislative amendment. The Land and Property Management Authority and the Board of Surveying and Spatial Information continue to consult with the institution to provide better outcomes, without unnecessarily increasing the regulatory burden.

Earlier the member for Burrinjuck appropriately referred to coastal erosion. Light detection and ranging, or LiDAR, is fundamental in capturing information on the New South Wales coastline and contributes to the creation of a digital elevation model. For the benefit of the member for Port Stephens, LiDAR was probably not available in the nineteenth century. This information is one element of the data available in the twenty-first century to support improved decision-making and risk assessment in our changing coastal environment. I take pleasure in commending the bill to the House.

**Question—That this bill be now agreed to in principle—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill agreed to in principle.**

#### **Passing of the Bill**

**Bill declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

**BUDGET ESTIMATES AND RELATED PAPERS****Financial Year 2009-2010****Debate resumed from 24 September 2009.**

**Mr MIKE BAIRD** (Manly) [6.22 p.m.]: I resume my contribution to debate on the 2009-10 budget. We have reached the end of October and every member of this House has not yet formally responded to the budget. I will be arguing strongly—as I argued at the commencement of my speech—that each member's response to the budget should seek more scrutiny of, and probity from, this Government. However, it is ridiculous to do so at this point as the horse has already bolted. Earlier in debate I referred to revenue expenses and to the ability of the Rees Government to deliver expense cuts. It will not be able to deliver expense cuts. The Rees Government said that, miraculously, in two years time it will be able to cut expense growth to 2.9 per cent. But that will not happen.

Referring to some of the budget forecasts, a UBS economist said that the budget was optimistic on expenses restraint, which was understating the case. The UBS economist also said that expenses growth of less than 3 per cent "looks difficult against a decade average almost twice as fast, and three times as fast in the past few years". There is no fiscal restraint. When we look at the forecasts we find that it starts to get scary. The path back to black is predicated on expense control—something that the Rees Labor Government has not been able to achieve. Savings measures in the mini-budget are yet to be achieved. Even the small savings measures identified have not been returned. Ultimately, this will undermine all forecast estimates.

Government members have continually referred to this State's triple-A credit rating. Credit ratings reveal the laziness of politicians across the country. It has been said that any State that retains its triple-A credit rating is managing its finances well, when the truth of the matter is different. There is a huge amount of flexibility in a triple-A rating. Current ratings agency comments point to the fact that this State has a balanced economy and that there is minimal tolerance for a structural weakening in projected finances. The ratings agency also said that, historically, New South Wales has had difficulty controlling its costs. If these projected expense savings were not achieved, no doubt this State's credit rating would come back into focus.

This Government is unable to manage, and to live to the potential offered by, a triple-A credit rating. It has gone to the precipice and it has delivered nothing. This State is behind on infrastructure, it has rising debt, it is not controlling expenses, and the loss of its triple-A credit rating is imminent. A Deutsche Bank economist said on budget day in relation to the triple-A credit rating:

The ability of NSW to deliver on their expenditure saving commitments will likely be critical to NSW keeping its AAA.

At the same time we have seen the Government attempt to sell off our assets. I will not rule it out and say that selling off assets is a bad thing, but the Government should not sell off our assets at the bottom end of the market while credit costs continue to be high. Granted, there has been an easing in the cost of credit, but it still remains high. It is by no means in the interests of any Treasurer of this State to be solving budget problems by selling off education land. The sale of public education land—one area of the budget about which we want to hold the Government to account—is not a means of fixing a leaky budget. The \$240 million budgetary allocation should not be thrown into the bucket and forgotten about. Education land is finite and it is critical to the future of all generations. It is nonsense for this Government even to consider selling it.

At best, this Government's electricity sale proposal is a debacle. John Pierce described it as the second best option and people across the market said that its complexity would preclude people from bidding. We do not know what risks are associated with that proposal. There is no international interest, there are very few bidders and there is no competitive tension. We might well end up in a position where we receive almost nothing for it, we will maintain all the risks associated with it and, from a capital and a budget point of view, we will still be exposed. As a result of all those scenarios, I ask the Rees Labor Government to consider its budget proposal seriously.

I wish to refer quickly to the budget allocation for the Manly electorate. The northern beaches hospital remains on this Government's agenda but it is yet to commit funds to proceed with that project. I ask it to commit those funds. On 30 June 2006 the Hon. John Hatzistergos announced the site for the new 400-bed northern beaches hospital and he also announced a completion date of 2012. We are marching closer to that completion date but we are yet to see the commencement of that project. For 3½ years we have seen no action in

relation to that hospital—just one example of how this Government announces new infrastructure but delivers nothing. That stands in stark contrast to the commitment by the Liberal-Nationals Coalition to deliver every piece of infrastructure that it announces—a cornerstone of an O'Farrell government.

There is no money to fix the congested Spit corridor. I have written to the Minister for Transport and asked him to address that problem. The Government's piecemeal plan will take five years to shave off five minutes of travel time. The Government must provide a holistic public transport solution for The Spit corridor and it must fast-track clean-up work at Manly and Curl Curl lagoons. This budget is all spin and no substance. There is plenty for this Government to do if it wants to turn around this State. This budget reveals that the Rees Labor Government will not honour its promises.

**Mr NICK LALICH** (Cabramatta) [6.27 p.m.]: The 2009-10 New South Wales Government budget handed down by the Treasurer, the Hon. Eric Roozendaal, delivers for the people of New South Wales. It cuts through the complexities and gets straight to the point. Unlike the promises of the Liberal-Nationals Coalition, this budget creates a better future for the people of New South Wales. When I refer to a better future I am talking about maintaining and creating jobs by investing in key infrastructure areas such as health, education and training. The New South Wales Government has been able to maintain its triple-A rating when Opposition members doubted that it could. Standard and Poor's credit analyst Danielle Westwater stated:

The stable outlook reflects our opinion that the Government will remain committed to the structural improvement in its budgetary performance.

That structural improvement will lay the foundation not only for the recovery of the New South Wales economy but also for the recovery of the Australian economy. The New South Wales Government is the main driver of the Australian economy. Its record expenditure on health, education, transport, community services, police and emergency services, totalling \$53.9 billion, dispels any myth that the New South Wales Government is out of touch. Sceptics may argue that the Government has run the economy into a debt trap, but this is nonsense. In a time of a global recession the people of New South Wales look for a strong fiscal policy outcome and a strong expansionary stance, and the Rees Government is delivering. Expenditure on major priority projects ensures that New South Wales delivers local jobs for the local community by assisting hardworking families and stimulating the economy.

The budget has allocated \$563,000 for four clinical support officers for Fairfield hospital, enabling doctors and nurses to spend less time on paperwork and more time caring for their patients, and \$198,000 for one full-time and one part-time clinical initiative nurse to provide care and treatment in the Fairfield hospital emergency department. Fairfield hospital benefits also in a statewide rollout of digital imaging due to be completed by the end of 2009. These health measures will greatly improve the work already done by the tireless staff at Fairfield hospital. The Cabramatta community contributed by holding a fundraising event to purchase a state-of-the-art neonatal humidicrib for premature babies or those requiring intensive care. The member for Smithfield, Mr Ninos Khoshaba, and I were proud to attend that event. Even in tough economic times the locals within the Cabramatta community are willing to give.

The budget delivers funding for major projects in housing, transport, education and training in Cabramatta. The massive Education and Training Infrastructure Investment Program of \$2.7 billion already has filtered through to Cabramatta schools with the starting of major new building projects. One particular project the *Australian* covered in an article on 1 September is the \$1.8 million state-of-the-art multipurpose school hall and \$1.2 million refurbishment of old kindergarten classrooms at Sacred Heart Cabramatta. This project involves one of the special stories in my electorate. A former school student of Sacred Heart Cabramatta, Mr Jim Zuma, will be working on the new hall. Mr Zuma has created jobs for five others to assist him with this development. In the Cabramatta electorate it is all about keeping local businesses alive and supporting local jobs while at the same time creating an infrastructure for all Cabramatta school students to enjoy.

Other developments for Cabramatta schools for which the State Government is delivering funding include new halls for Cabramatta West and Canley Heights public schools, and upgrading toilet blocks at Bonnyrigg High School and Lansvale Public School at costs of \$350,000 and \$200,000 respectively. Other schools to receive State funding were Cabramatta Public School, \$200,000; Cabramatta West Public School, \$200,000; Canley Vale Public School, \$200,000; Les Powell School, \$200,000; Mount Pritchard Public School, \$200,000; and Mount Pritchard East Public School, \$125,000. Cabramatta High School, which celebrated its fiftieth anniversary last year, received major funding for its redevelopment. Plans have gone out to tender. This is a great outcome for the school community and for the people of Cabramatta. I commend the efforts of the New South Wales Government in delivering for the schools in Cabramatta.

The Government's budget invests millions of dollars for roadworks for the Cabramatta electorate. This ensures the maintenance of our roads and increases the safety for pedestrians and drivers. Rail maintenance and capital works will include replacing overhead wiring, platform upgrading and track maintenance to minimise disruption for the south-west rail line. With the recent stimulus package grant for a new car park to be built in Cabramatta commuting in south-west Sydney will be made easier. Of particular interest to me is that a further \$15 million has been allotted towards the \$82.3 million project to purchase land and continue the design works for the Southern Sydney Freight Line. The central business district of Cabramatta will bear the brunt of this new rail line.

This budget is about creating jobs for our State's economy. In a global recession caused by the subprime mortgage collapse in the United States the Rees Government is supporting jobs and delivering more than 5,600 extra homes in a record \$2.599 billion housing investment. Increasing numbers of people within New South Wales are experiencing difficulties as homeowners and in the rental market as prices continue to increase. If we cast our minds back to the past decade we remember that under the Howard Liberal Government more than \$1 billion was cut from social housing nationally. Today we are picking up the pieces the Liberal Government left behind. In this budget providing social housing is vital to improving and enhancing the social wellbeing of the socially disadvantaged.

The New South Wales Labor Government will invest \$1 billion in 3,000 extra homes, backed by the \$2 billion stimulus plan from the Rudd Government to create over 9,000 social housing homes statewide. Unlike the Federal Liberal Government, we are not leaving the people of New South Wales out of touch. The New South Wales Labor Government budget is proactive rather than reactive. In Cabramatta upgrading social housing will go a long way to benefit those most in need. Building already is in progress in the social housing estates of the electorate. A Labor budget always looks to help the socially disadvantaged. The budget has allocated \$1.45 million as part of its commitment to build in the Cabramatta electorate new community living accommodation for people with a disability. This housing model encourages people with a disability to be as independent as possible while retaining access to high-quality care and support.

The Rees Government is proud to deliver on its commitment to provide quality accommodation for people with a disability. One of the more important budget initiatives has been the Community Building Partnerships Program. The State Government will invest up to \$300,000 for local community projects in every electoral district. This will necessitate building important infrastructure for the State and also creating local jobs. This budget rings true in moving towards the social goals of the Australian Labor Party. This budget lays the foundations for the recovery of both the New South Wales and the Australian economy. Once again Australia will be counting on New South Wales to kickstart the economy. I am positive this expansionary budget will help New South Wales and Australia ride out these difficult economic times.

**Mr VICTOR DOMINELLO** (Ryde) [6.36 p.m.]: Ryde is different from most of the other 92 electorates in New South Wales. What other electorate currently has over \$2.5 billion in private projects on its books over the next five years? These major projects include upgrades to Macquarie University. This 25-year concept plan proposes a total of \$1.7 billion over the next 25 years, with an expected completion date of 2013. This exciting project for the people of Ryde and New South Wales will include \$110 million in university housing providing up to 5,000 beds for university students, expected to be completed in 2012; the Campus Hub costing approximately \$70 million, which will offer new food and retail outlets, and a three-storey open atrium, with an expected completion date of 2012; and the Learning and Research Centre costing \$92 million, expected to be completed at the end of 2010. In essence, this is a high-tech library for the university with only 20 per cent of books being stored on shelves. The remainder will be available via an automated storage and retrieval system, making research simpler for students.

Another exciting project for the people of Ryde is the Macquarie University hospital. This 183-bed hospital will be constructed at a cost of \$89 million and is expected to be completed by 2010. It will be the first hospital in Australia built on university grounds. The station precinct project is estimated to cost \$300 million with a completion date in 2013. Another project is the development of 70,000 square metres of commercial floor space in a number of tower-style buildings. Also included is the Cochlear Global implant company headquarters, with a projected cost of \$130 million and an expected completion date in September 2010. It is expected that at full production 5,000 Cochlear implants will be produced each week at this facility. There is also the Macquarie University's Hearing Hub, which will be completed in 2012 at a cost of \$140 million. It will be the university's centre of excellence for hearing and audiology. Links will be made between the university and Cochlear through this centre.



In addition to developments at Macquarie University, major retail centres will be located in the Ryde electorate. The Macquarie Shopping Centre development is estimated to be worth approximately \$300 million. It is expected to be completed by 2012. The Top Ryde City Shopping Centre is a development worth between \$1.2 billion and \$1.4 billion, and it is expected to be completed in August 2010, with the first stage open on 5 November this year. Future redevelopments in the pipeline include the Eastwood Centre redevelopment, which is worth approximately \$100 million. It is expected to be completed approximately three years from the date of commencement.

Other projects are the West Ryde Shopping Centre development and, as I mentioned earlier, the \$1.7 billion Macquarie University Concept Plan. In view of all the private commercial development that is taking place in Ryde, Ryde is really important to the State's economy. The Government should be spending a great deal on infrastructure development in the Ryde electorate to support the area's commercial development. It will also come as no surprise that, significantly, all the development is based around the North Ryde business district, which is predicted to be the second-largest central business district in New South Wales by 2020 according to a report by Colliers International in 2006.

As I noted in my inaugural speech, Ryde is not an electorate that is simply a cluster of suburbs with the occasional corner shop or small shopping centre. Ryde is a powerhouse of the New South Wales economy. Ryde has slightly fewer than 100,000 residents but within the Macquarie Park-North Ryde precinct alone there are more than 2,000 businesses and a workforce of 29,000, which is expected to increase by approximately 6,000 in the next year. Businesses that operate in the area range from global corporations to small-to-medium enterprises and home-based businesses. These businesses attract commuters to Ryde from across the entire State. Ryde has the Macquarie University campus, which has 33,000 students including a significant number of foreign students. Let us not forget that foreign students contribute approximately \$15 billion annually to the New South Wales economy. Ryde also has two TAFE colleges—Ryde, with enrolments totalling more than 5,104, and Meadowbank, with more than 7,509. Approximately 12,000 students circulate in Ryde each day, and most of them commute to and from Ryde each day.

Taking into account all the figures to which I have referred, undeniably Ryde is a powerhouse. To keep this economic engine running it is important that infrastructure services for Ryde reflect its status within New South Wales. With so many people coming to work, shop and study in Ryde each day, my electorate needs appropriate budget expenditure for items such as public transport—and, of course, Ryde Hospital. Without proper public transport options for the tens of thousands of people who visit Ryde each day Ryde will suffer; and if Ryde suffers New South Wales will suffer. This year's budget, which was labelled a beacon of hope by Treasurer Roozendaal, at best is a match on a windy night. It provides no real new public transport or health initiatives for the people, the shoppers, the students or the businesses of Ryde.

It is disappointing to note that on 17 June, the day following announcement of the budget, the Government issued a press release containing damning levels of spin. Each of the items listed relates to existing works, regular maintenance items or bureaucratic appointments. There are no new capital allocations that will assist in alleviating traffic congestion or the inevitably increased demands on Ryde Hospital. The press release refers to an allocation of "\$800,000 to complete the redevelopment of surgery and allied health services at Ryde Hospital". This project was originally budgeted for in 2007 and should have been completed in 2008. The project is now two years late. That was simply a rehash and a reannouncement. It was not a new project.

The press release also refers to "\$16.5 million for road upgrades and traffic management" being allocated. Not one new road resulted from that allocation. It is an allocation for ongoing road maintenance for State roads in the Ryde electorate. Another matter referred to in the press release is "\$4.39 million towards the \$12.12 million project to renovate the Ryde Bus Depot". This also is old news. The project commenced in 2001 as a one-year \$600,000 project. It is now eight years late and is expected to cost \$11.5 million more than originally estimated. This is yet another example of the Government's gross incompetence. The current Labor Government cannot budget and cannot even estimate properly. One needs to refer only to the Epping-Chatswood rail link project to know that.

The press release also refers to "\$4.02 million for rail maintenance and capital works, including track maintenance to ensure a smoother ride for passengers and minimise disruptions to services". That claim is in a category similar to the announcement of funding for roads: the allocation is for ongoing maintenance for rail services in the Ryde electorate. Far from improving rail services for the people of New South Wales, the Government recently slashed morning peak hour passenger services by 50 per cent. I am already receiving complaints from disaffected commuters. I regularly take the train to travel to Parliament. As recently as this

morning a service was scrapped three minutes before it was due to arrive at the platform. My fellow rail passengers were complaining about that, and rightly so. They wondered aloud, "How on earth can the Government provide such a poor service to us?"

Another budget line item referred to in the press release is "\$13.62 million to redevelop the Lachlan Large Residential Centre into cluster-style community living accommodation for 50 people with a disability". That was originally budgeted for in 2006 and due for completion in 2007, but nothing the current Labor Government does is ever completed on time and within budget. The Government is composed of people who have no management skills and no life experience. The original cost of the project was predicted to be \$16.5 million but latest predictions put the cost at \$20.63 million, and it will be three years late.

Another line item of spin is "\$10.01 million to complete an additional 43 homes for people in need in Ryde and North Ryde as part of Stage One of the Nation Building Economic Stimulus Plan". This funding was part of the Federal stimulus package, and no funding was provided by the State Government. This project is not a reflection of an initiative taken by the State Government. The Government is simply putting out its hand to rake in as much money as possible from the Federal Government, which, as we all know, is very embarrassed by the New South Wales Labor Government—and rightly so. The Federal Government is running away from the New South Wales Government at a million kilometres an hour. The only allocation the State Government has made is \$91 million for a feasibility study on the western Metro. That represents a damning indictment of the fiscal performance of this Government.

The press release also refers to "\$53 million for the development or refurbishment of zone substations at Balgowlah, Royal North Shore Hospital, Top Ryde, Galston, Hunters Hill, Turramurra and Belrose". That \$53 million is for all substations, not just the Ryde substation. As mentioned in the House, the project caused significant problems in the community over the substation's location and the power of the Minister for Planning to override Ryde City Council's decision to refuse approval of a development application for the current Buffalo Road site. Another item in the Government's press release is that there will be a "State-wide roll out of Electronic Medical Records due by mid 2010 which will benefit Ryde Hospital". The rollout is not specific to Ryde Hospital. All hospitals in New South Wales are set to receive the new medical records system.

Another statement in the press release is that there will be "\$352,000 for 4 Clinical Support Officers for Ryde Hospital to enable doctors and nurses to spend less time on paperwork and more time caring for patients". That is a bureaucratic appointment. There are no new front-line services at Ryde Hospital, which the Government is closing by stealth, step by step. The Government is killing Ryde Hospital—death by a thousand cuts. All of the announcements trumpeted by the Government in the press release in June this year are pure, unadulterated spin. The people of Ryde have seen it all before. They have seen how this Government spins and spins and delivers nothing.

We all remember what happened to the first submission to Infrastructure Australia. In that submission the Iemma Government said that the north-west metro was a priority. Indeed, Mr Carr echoed that recently at the Local Government Association. The Government submitted to Infrastructure Australia that the north-west metro project would proceed. However, Infrastructure Australia looked at the submission and dismissed it, not because it thought that the people of north-western Sydney did not need infrastructure—everyone knows that the north-west needs infrastructure—but because the submission was so poor that it could not trust the Government to deliver the project at all.

Then the Government suddenly decided that Sydney's north-west was not a priority and that it would focus on a project that no-one really needed, that is, the CBD Metro to nowhere—as the member for Baulkham Hills said today, the dud metro. This Government is spending \$5.3 billion on the CBD Metro—some people have estimated that it will cost up to \$7 billion and that it will not achieve anything of substance in the immediate future in areas that need heavy rail, such as south-western and north-western Sydney. The people of Ryde would benefit from heavy rail to the north west because it would reduce the enormous traffic congestion on Epping Road and Victoria Road. But the Government does not care. The Government is completely broken to the core. It is so easy to criticise this Government.

The Government no longer cares; it is simply going through the motions and will do anything, including changing Premier midstream and wasting billions of dollars through incompetence, to hang on to power, as opposed to providing a proper vision and responsible governance for the people of New South Wales. We can talk at length about all the waste over the past 14-odd years. The lowlights, as it were, include the \$100 million Tcard project. How on earth could the Government spend \$100 million on a project that should

have delivered so much for public transport and for the people of New South Wales and not get it to work? That is a disgrace. If such a project had been undertaken in the private sector and failed, the directors would have been sacked immediately and the Australian Securities and Investments Commission would have prosecuted them for gross neglect. But the Government thinks it can get away with it.

The Government wasted approximately \$24 million on the north-west metro project. Initially the Government was gung-ho, and for good reason: North-western Sydney needs public transport options and solutions. The Government did all the work and spent all this money. Indeed, we have ascertained through questions on notice that the Government spent up to \$24 million on the north-west metro project. But as soon as Infrastructure Australia said, "Sorry, your submissions are so poor that we will not support this project", the Government changed direction like a balloon being blown by the wind. It simply changed tack and looked for a project that was not properly funded or conceived. Frankly, the Government is throwing money at the CBD Metro when there are much higher priorities.

Let us not talk about—or perhaps we should talk about—the various corruption findings relating to RailCorp. Over the years hundreds of millions of dollars have been lost; the figure is probably in the billions if we accept that the corruption associated with the procurement practices within RailCorp has been rampant in departments that have significant procurement contracts on their books. Counsel assisting the Independent Commission Against Corruption [ICAC] in relation to the RailCorp inquiries has estimated that \$19 million has been lost on improper contracts alone. That is the tip of the iceberg, because we all know that the ICAC is under-resourced. If the Government had provided the ICAC with proper resources to investigate all corruption associated with procurement contracts, the amount of waste would be terrifying.

The Government is also spending \$46 million a year on employees on the unattached list. The waste and mismanagement go on and on. If this waste had occurred in the private sector the directors would have been sacked, reported and investigated by the Australian Securities and Investments Commission. This budget represents spin, and spin for the people of Ryde. I will show this press release to the people of Ryde, which is just as vacuous as the Government itself. It is full of spin, and people will see through it. This Government is broken. It has a stench of corruption about it. The odour emanating from the Government permeates the whole of New South Wales. Unfortunately, things will not get better until the Government changes, and hopefully that will occur in March 2011.

**Debate adjourned on motion by Dr Andrew McDonald and set down as an order of the day for a future day.**

**ASSISTANT-SPEAKER (Ms Alison Megarrity):** Order! It being close to 7.00 p.m. the House will proceed with the matter of public importance.

## **BREAST CANCER**

### **Matter of Public Importance**

**Mrs JILLIAN SKINNER** (North Shore—Deputy Leader of the Opposition) [6.57 p.m.]: It is appropriate that we should discuss breast cancer awareness today. Many members of this House are wearing pink ribbons. Yesterday the National Breast and Ovarian Cancer Centre held a pink ribbon breakfast in Sydney, and other functions are being held across the State. Tomorrow, a breakfast is being held in Parliament House for members of Parliament. At the breakfast yesterday the National Breast and Ovarian Cancer Centre, in conjunction with the Australian Institute of Health and Welfare, released a report on breast cancer in Australia. As was pointed out at the breakfast by the Director of the centre, Dr Helen Zorbas, on an average day in 2006, 35 Australian women were diagnosed with invasive breast cancer and seven women died from the disease.

The report, "Breast cancer in Australia: an overview, 2009" can be found through the Australian Institute of Health and Welfare website, and I commend it to everyone. The problem is that the data is not new. In particular, there is little data about what happens in New South Wales. In the past I have done some research. The report entitled "Cancer in New South Wales: Incidence and Mortality 2006" indicates that there were 4,169 new cases of breast cancer in women in New South Wales in that year. I presume this is the same data to which the 2009 report refers. This amounted to 27 per cent of all female cancers. In 2006, 954 women in New South Wales died from breast cancer, which accounted for 16 per cent of female cancer deaths.

The incidence of breast cancer has declined since 2002. However, it remains the most prevalent cancer in women. Death rates from breast cancer have also declined by 15 per cent over the past 10 years, and reflect

the use of breast screening and research-based medical advancements. These death rates would decline further if more women over 50 years had a bilateral screening mammogram every two years. I am really surprised that members are conducting private conversations and not showing an interest in this debate. Breast cancer is one of the most devastating diseases not only for those who suffer it but also their families. The establishment of BreastScreen as a national program in the early 1990s has been an important element of the bilateral screening program, targeting "well women without symptoms aged 50-69, although women aged 40-49 and 70 years and older are able to attend for screening" according to the BreastScreen Internet website.

The aim of the program is to achieve a participation rate of 70 per cent among women aged 50 to 69 years. At present the program is screening 56.2 per cent of women in that age group nationally, which is alarming considering the amount of publicity about the benefits of early detection and treatment. The State budget papers show that the participation rate of women in the target age group in New South Wales who have had breast cancer screening has dropped from a high of 60 per cent in 2001 to 54.3 per cent in 2008-09, which is even more alarming. Even though breast screening is targeted at women in the 50 to 69 age group, 23 per cent of breast cancer cases were in females aged under 50 at diagnosis. Most females diagnosed with breast cancer—2,757, or 66.1 per cent—were aged between 50 and 79 years. However, 10.7 per cent were aged 80 years and over at diagnosis. I made a chart on breast cancer incidence based on the document "Cancer in New South Wales Incidence Mortality Report". It shows that women outside the target group accounted for 47.9 per cent of all breast cancer cases, which is also a real worry to me.

I understand that it is more difficult to detect lumps in breasts of younger women because of mass. Nevertheless, that is still a matter of concern. The message from some older people that "I won't get breast cancer now I am over 70" worries me enormously. A lot more needs to be done to advance breast screening for people who perceive themselves to be at risk because the impact of breast cancer on women is profound. A very close friend of mine had a double mastectomy and the removal of lymph glands last year. She has had chemotherapy and radiotherapy—she is one of the lucky ones who had access to radiotherapy—and she is just an inspiration. She is now a member of the dragon boat racers who are on the harbour on Saturday mornings, which is wonderful. I am thrilled that she has become a member of Cancer Voices and is working with others to try to raise awareness and to pressure the Government into providing much greater treatment options, particularly radiotherapy for those who could benefit from it.

Recently much has been said about the need for greater radiotherapy services, particularly in parts of the State where women sometimes are choosing to have radical surgery because they cannot afford to leave their families alone while they come to Sydney for treatment. The Opposition has already indicated that it will give priority, in discussions with the Commonwealth, for placing radiotherapy equipment in the South Coast, the Central Coast and in the Hunter-New England as recommended by the Cancer Council and the Auditor-General. I commend to the House an interest in raising awareness in breast cancer.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [7.04 p.m.]: I thank the member for North Shore for raising this matter of public importance, for her advocacy of breast screening and her efforts, like so many members from all sides of politics, to increase awareness of breast cancer. Breast cancer is the most common cancer in women, with 1 in 11 women developing the disease by the age of 75 and 1 in 9 developing the disease by the age of 85. Approximately 12,000 women are diagnosed with breast cancer every year in Australia. Of those, about 4,200 live in New South Wales. Breast cancer accounts for 27 per cent of all cancer in women and 16 per cent of all cancer deaths in females. However, there is now a very high over 90 per cent, five-year chance of survival in localised breast cancer, if the cancer is detected early. Deaths from breast cancer have declined by 14 per cent in the past 10 years.

Prevention of breast cancer is vital, which is why age-appropriate screening is so vital. However, primary prevention issues such as obesity and a lack of exercise are also risk factors for breast cancer. All over the State breast cancer survival has increased with new therapies and the use of informed multi-disciplinary teams that use the latest evidence and techniques has also improved survival. Those units that have a high volume of cases are also able to offer other vital services such as psychologists and breast care nurses, courtesy of the magnificent McGrath Foundation. These centres also network with other centres to share their research, and are often involved in clinical trials. This is world's best practice.

The breast screening service in New South Wales is jointly funded by the New South Wales and Australian governments. Breast screening is crucial for the detection of breast cancer and, for that reason, the reduction of mortality from the disease. This financial year \$42 million is being invested in BreastScreen NSW, as part of BreastScreen Australia, which is a population-based screening program aimed at enabling the early

detection of breast cancer through mammographic screening. The program is open to all women over 40 years. However, women aged between 50 and 69 are specifically targeted for screening. For women less than 40 years mammography is more difficult, as the denser breast means that there is a higher rate of false-positive test. A false-positive test is where normal variants are felt to be suspicious, leading to a high rate of recalls for further testing, always causing considerable distress to the women involved.

In this younger age group there is also the risk of false-negative screens, where small cancers can be missed in the dense breast tissue on mammogram. For this reason, targeted campaigns such as "Know Your Breast" and being aware of any changes are advocated, rather than the older technique of breast self-examination. This difficulty with the diagnosis of breast cancer also applies for women aged 40 to 49, which is why the age group of over 50 is the most suitable for population-based screening. Of course, it is still offered to women aged between 40 and 49. More than 70 per cent of breast cancers occur in women aged 50 and over. Last year more than 400,000 New South Wales women in the target 50 to 69 age group had a biennial breast screen by July this year. In New South Wales the participation rate in the target age group is 54.7 per cent and is short of the Australia-wide target of 70 per cent. That is why we welcome this debate tonight.

We have also improved techniques with digital radiography, with a \$23 million rollout of more than 40 digital mammography screening clinics located around the State. More clinics are located in convenient spots, such as local shopping centres. There has been an extension of out-of-hours appointments, including late nights and early mornings, to help working women. Since July 2005 there has been an increase of more than 55,000 New South Wales women participating in biennial screening using the BreastScreen facilities. Digital mammography will provide clearer images, faster reading rates, meaning faster results, better early detection and ultimately save lives. This new technology will enable high-quality breast screen images to be transmitted electronically from screening centres to central X-ray reading rooms for analysis by experienced radiologists. The rollout of digital mammography equipment is now almost complete.

I stress the importance of educating women about screening, particularly the fact that a full recovery from breast cancer is almost always possible if it is detected early enough. New South Wales has some of the best outcomes for cancer patients in the world. Cancer death rates have fallen by 14 per cent in men and 8 per cent in women over the past decade, but we can always do more to reduce mortality rates. That is why the previous measures I spoke of with regard to breast cancer are so important. There are now 13 public radiotherapy treatment services across New South Wales, including Port Macquarie and Coffs Harbour.

Also there is an additional linear accelerator at both Royal Prince Alfred Hospital and Coffs Harbour Base Hospital, and there are two additional machines at the Calvary Mater Newcastle Hospital. The New South Wales Government is proud of its achievements pertaining to cancer. A patient's doctor will recommend a course of cancer treatment that may include surgery, chemotherapy or radiotherapy, or a combination of those treatments. Radiotherapy services are highly specialised and require a large investment for the initial establishment of the services, due to the specialised buildings required to house the complex equipment.

The Government has supported significant investment in these services and is committed to further infrastructure development to respond to future growth in demand for cancer services. Planning is progressing well for the establishment of radiotherapy services at Lismore and Orange. This investment in new facilities and services is on top of an ongoing asset replacement strategy for these high-cost and complex treatment machines, with 24 machines being replaced since 1995. In 2008 three machines were replaced: at Royal North Shore Hospital, St George Hospital and the wonderful Liverpool Hospital, which I have visited. In 2009-10 a further four were replaced: at Wollongong, Prince of Wales, Calvary Mater and St George hospitals.

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 applications for these centres once the process is finalised. The New South Wales Government is working closely with the Federal Government to improve the treatment options available to cancer sufferers across New South Wales. Awareness, detection and treatment are the three elements of the fight against cancer. I encourage all members to work in their communities to raise breast cancer awareness. I thank the member for North Shore for bringing this matter to the attention of the House.

**Mrs JUDY HOPWOOD** (Hornsby) [7.11 p.m.]: I support the member for North Shore 100 per cent in raising awareness of breast cancer. For quite a long time I have had an interest in this area and have had many associations with organisations, research and otherwise, that work hard to continue to promote the importance of woman and men having breast cancer checks. Men can suffer from breast cancer too. I have heard many tragic

stories involving men who suffer from breast cancer. In my nursing training I looked after a man who had breast cancer, which shocked me at that time. Members have already stated many statistics concerning breast cancer. I add to that the statistics involving the indigenous population. The executive summary of a report by the Australian Institute of Health and Welfare entitled "Breast cancer in Australia: an overview, 2009" states:

While breast cancer is the most commonly reported cancer in Indigenous women in the four jurisdictions for which data were available, Indigenous women were significantly less likely to be diagnosed with breast cancer than non-Indigenous women in 2002 to 2006 (69 and 103 new cases per 100,000 women, respectively).

A table in that report is distressing: it contains no data from New South Wales. Table D2.9, entitled "Incidence of breast cancer by Indigenous status, females, Queensland, Western Australia, South Australia and the Northern Territory, 2002-2006" does not include indigenous New South Wales women. I call on the Government to take seriously the absence of that data; it is certainly not acceptable. About two weeks ago I had my regular two-yearly mammogram and last Friday I received a letter that stated that there were no visible signs of cancer. I was quite nervous during those two weeks while waiting for the results, wondering whether I would be called back. Luckily for me that was not the case.

Fifty-four per cent of women undergo mammography, but that is certainly not enough; it is certainly not the national standard. The Government has to think more extensively about how it can improve that number, which seems to be decreasing rather than increasing. I have had many experiences of looking after patients and also my family with breast cancer or breast cancer scares. Last Christmas, following a mammogram, my sister-in-law was diagnosed with breast cancer. She has had a mastectomy, which really reverberated through the family. I have had a lot to do with organisations, including the McGrath Foundation, for which I have actively raised funds. I pay tribute to the Berowra Lions Club, which has an ongoing association with fundraising.

I have had a close relationship with the Cancer Council and was involved in one of its projects, the Relay for Life. Some of the executive of the Cancer Council are not pleased with the gaps in radiotherapy availability in New South Wales; indeed they are very displeased. I will gather more information regarding those gaps, because all women should be able to access radiotherapy. Indeed, many women are required to travel long distances to undergo radiotherapy. The McGrath Foundation has raised more than \$12 million towards providing more breast care nurses. Sadly, Jane McGrath was diagnosed with breast cancer when she was 31 years old and she died at 42. Jane and her husband, Glenn, provided a lot of focus on the need for early intervention. Screening and self-examination, and the regular yearly examination by a doctor, are so important to early intervention. The McGrath Foundation goes from strength to strength and provides care following cancer diagnosis and surgery. I will continue to work very hard in that area. I pay tribute also to Sarah Murdoch, who has made excellent statements promoting the need for women to attend their doctors for investigation so that breast cancer can be detected early.

**Mrs JILLIAN SKINNER** (North Shore—Deputy Leader of the Opposition) [7.16 p.m.], in reply: I thank the member for Macquarie Fields and the member for Hornsby for their contributions to this debate on a very important topic. I reiterate the importance for all members of this House, as the member for Macquarie Fields did, to continue to raise awareness of breast cancer in their communities and to continue to press for greater access to BreastScreen New South Wales for people for whom it could be a benefit. I note that the member for Macquarie Fields referred to the new digital mammography, which is a great improvement, and also to access provided by shopping centres to mammography, which is commendable.

However, I have had contact with people from country New South Wales who say that they have difficulty in obtaining appointments for breast screening when they phone to do so. The number of places visited by the mobile screening service has been cut back. It is impossible for many people to get to their nearest regional centre to have a mammogram. If screening is not readily available sometimes people forget or do not make the extra effort. Yet I have received a number of letters saying that women in country areas are worried about the withdrawal of services that were previously provided in their area.

I again reiterate that this is an important debate. A large number of people are diagnosed with breast cancer. The increase in that diagnosis is probably due to the increase in testing, either self-testing or mammography, and results in saving lives that previously may have been lost. However, breast cancer is still the greatest cause of cancer deaths for women. As my colleague the member for Hornsby said, it is a disease that affects men also, but to a lesser degree. I commend all the groups that are working to raise awareness of breast

cancer and to improve services for breast cancer. In particular, I commend the McGrath Foundation and those who have supported it in relation to cancer nurses. That is an important initiative for those who have been diagnosed with breast cancer.

The young woman to whom I referred earlier—a very articulate, well-informed and well-educated young woman—spoke to me about the fact that no-one took charge of her case. Yes, the oncologist was exceptionally good in treating her cancer and, yes, the people doing the radiotherapy were great, and so on, but she developed other complications through her treatment and there was nobody to tell her what she should do and which medications might counter another. This whole question of getting cancer support nurses as proposed by the McGrath Foundation is extremely important. They can coordinate and assist people with the variety of treatments and processes they must go through.

In conclusion, there is no more important task particularly for the women in this Chamber but, as the Prime Minister's wife said at the breakfast I attended yesterday, for all people. There was a fantastic presentation at the Pink Ribbon breakfast yesterday by a young couple who talked about the woman being diagnosed with breast cancer when she was feeding her first baby. She had a mastectomy and then discovered while she was undergoing chemotherapy that she was pregnant. After having that baby she subsequently had a second mastectomy. The entire discussion was about the importance of the male—the husband or partner—not only in supporting their partner who has been diagnosed with breast cancer but in understanding how to deal with it themselves. The grief that some of them experience means they need just as much support in many respects as the women. It is also a matter of raising awareness among the whole community. Women need to make sure they have early mammograms and men need to understand they have a very important role to play in the unfortunate circumstance of their partner being diagnosed with breast cancer.

**Discussion concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 7.21 p.m. until  
Wednesday 28 October 2009 at 10.00 a.m.**

---