

# LEGISLATIVE ASSEMBLY

Friday 24 September 2004

## ABSENCE OF MR SPEAKER

**The Clerk** announced the absence of Mr Speaker.

**Mr Deputy-Speaker (Mr John Charles Price)** took the chair at 10.00 a.m.

**Mr Deputy-Speaker** offered the Prayer.

## STATE RECORDS AMENDMENT BILL

**Bill introduced and read a first time.**

### Second Reading

**Mr NEVILLE NEWELL** (Tweed—Parliamentary Secretary) [10.01 a.m.], on behalf of Mr Bob Carr:  
I move:

That this bill be now read a second time.

The purpose of this bill is to introduce measures to streamline operations under the State Records Act 1998 and to update some of the Act's provisions. The proposed amendments are the result of a comprehensive review of the State Records Act conducted by the State Records Authority earlier this year, and outlined in the report tabled. The review found strong support for the objectives of the State Records Act. Stakeholders noted the importance of having sound, up-to-date public records legislation for the purpose of protecting the State's rich official archives, and ensuring efficient, accountable government in the digital age. There was general agreement that the Act's provisions have been effective in securing those objectives. In particular, submissions referred to improvements in records management across the New South Wales public sector since the commencement of the Act in 1998.

However, although the objectives of the Act remain valid and its terms appropriate, the review concluded that certain amendments were desirable in order to update the Act and improve its operation. The first of those amendments concerns public access to records over 30 years old. One of the great achievements of the State Records Act 1998 was to introduce a statutory open access period, providing for public access to State records that are over 30 years old, irrespective of whether the records are under the control of the State Records Authority or of a public office. The Act in its current form provides that such records are open to public access where the public office responsible for the record issues an open-to-public-access direction. The Act also makes provision for records containing sensitive information to be closed to public access by a closed-to-public-access direction from the public office responsible.

The bill seeks to strengthen the existing provisions by including an explicit presumption in favour of opening a record to public access. Public offices are required to have regard to this presumption when deciding what type of access direction to give. In addition, to further streamline the process, the bill provides that any record over 30 years old, but not yet the subject of an access direction, is to be made available within 14 days of the initial request for access, unless the public office responsible for the record makes a closed-to-public-access direction within this time. Existing safeguards to protect a record from disclosure where it contains information still sensitive after 30 years are to be retained. Access directions made by public offices are currently not subject to review. However in response to widespread support for the introduction of some form of review mechanism, the bill provides that the State Records Authority can request a review of an access direction by the Minister responsible for the public office that gave the direction. Consistent with this approach, the bill requires public offices to provide reasons, upon request, for closing State records over 30 years old.

Public offices may authorise earlier public access. The Act currently provides that a public office responsible for a record that is not in the open access period may authorise the State Records Authority to make the record available to public access. This provision presumes, however, that the record in question is in the

custody of the State Records Authority. This is not always the case. The record in question may in fact be in the custody of the public office or a regional repository. The wording of the current Act means that where a public office provides early access to a record in its own custody or in the custody of some other person, it is unclear whether the public office would be protected by the liability protections of the Act. The bill recognises that it is desirable for public offices to be protected from liability, as the State Records Authority is, where they provide public access under the Act to records less than 30 years old. Accordingly, the bill makes it explicit that where public offices provide appropriate early access to State records within their custody, they too are protected by the liability protections of the Act.

The Act creates certain summary offences relating to the unauthorised abandonment, disposal, transfer, removal from the State, damage, alteration or neglect of a State record. Proceedings for these offences must be commenced no later than six months from the date the offence was alleged to have occurred. By their very nature, however, these offences often do not come to light within six months. To enable the State Records Authority to meaningfully carry out its protective functions under the Act, the bill increases the limitation period from six months to two years. The legislation currently contains, by way of a schedule to the Act, guidelines on normal administrative practice. As the guidelines form part of the legislation, it is difficult for them to be readily updated as business practices change and new issues arise. The bill proposes a more flexible approach whereby the guidelines in schedule 1 are to be repealed and the guidelines prescribed instead by the regulations, making them easier to update as required.

The focus of the State Records Act is on official records. However, in administering the Act the State Records Authority has found difficulties in the relationship of the Act to collections of private records held by certain public offices. To prevent these records from being treated as State records, the Act exempts private records held by State collecting institutions. The Act lists these institutions and provides that any other public office can be prescribed by regulation as a State collecting institution. However, where a public office is prescribed as a State collecting institution by regulation, the Act also provides that State records held in the collection of State collecting institutions before the commencement of the Act are exempt from provisions of the Act relating to records management, control and access.

The bill amends the Act so that private records can be excluded from the operation of the Act without exempting State records that should remain covered. The purpose of the proposal is to correct an unintended result of the Act. The change will mean that in future where a public office is prescribed as a State collecting institution, private records held by public offices are excluded from the coverage of the Act, but State records held by the institution will be covered by the Act. The current arrangements for State collecting institutions already listed will be retained, so that collections held by these institutions before the commencement of the Act will not be subject to the records management, control and access provisions of the Act. The rationale for this is that the existing State collecting institutions, such as the State Library of New South Wales, are recognised as already having sufficient measures in place for managing collections held before the commencement of the Act.

The current Act enables the State Records Authority to provide services on a commercial basis. However, in the absence of clear authority, this power could be interpreted as limited to New South Wales. The State Records Authority offers services beyond New South Wales, such as licensing thesaurus products to the Commonwealth and various State governments, and to other organisations in Australia and overseas. To ensure that State Records can continue to provide such services and products in other States and overseas, any doubts about the authority's power to operate outside New South Wales should be removed. The bill will amend the Act to make explicit that State Records has clear powers to provide commercial services outside New South Wales.

The Act allows "State Records" to be used with the same legal effect as the corporate name of the State Records Authority of New South Wales. However, a number of other archival institutions have been renamed "State Records" or similar since the passage of the Act, so confusion may arise. The Authority uses "State Records NSW" when there is a possibility of such confusion. This bill amends the Act so that "State Records NSW" will have the same legal effect as its corporate name. The State Records Act represents a positive approach to public records management. It promotes the importance of sound records management from the moment records are created, and the importance of protecting archives. Its objectives remain valid. The amendments I have outlined today will serve only to strengthen this Act and further improve records management across the New South Wales public sector. I commend the bill to the House.

**Debate adjourned on motion by Mr Daryl Maquire.**

## SPECIAL ADJOURNMENT

### Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Tuesday 19 October 2004 at 2.15 p.m.

## PRIVATE MEMBERS' STATEMENTS

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### ROAD SAFETY

**Mr RICHARDSON** (The Hills) [10.14 a.m.]: Today I support the honourable member for Blacktown, Paul Gibson, in his push for a change in the way the Government goes about enforcing traffic laws and making our roads safer for us all. On 3 September 2004, in his role as Chairman of the Standing Committee on Road Safety, the Staysafe committee, the honourable member for Blacktown was reported in the *Sydney Morning Herald* as saying:

There is no doubt speed cameras have their place in the road safety strategy... But my concern is Government is relying on cameras to replace highway patrol officers, and that's just not on.

The problem with speed cameras is that they enable drivers to continue speeding and don't detect other offences, such as driving under the influence of drugs and alcohol, driving without a seatbelt, unregistered vehicles or unlicensed drivers, which all figure prominently in road fatality data.

I could not agree more with the honourable member. He also presented figures showing that in 1982 there were about 1,200 highway patrol officers in New South Wales for 3.2 million licensed drivers. Today there are just over 900 looking after 4.7 million drivers. The ratio of traffic police to licensed drivers halved from one officer to every 2,666 motorists in 1982 to one in every 5,222 motorists today. The Carr Government has replaced traffic police with speed cameras, and good policing with revenue raising.

As the honourable member for Blacktown pointed out, fixed speed cameras can earn in fines up to 20 times more a day than a police car but they do not stop a driver from continuing to speed and they do not detect other offences. In my electorate I receive a constant stream of complaints about P-plater drivers in particular breaking the rules—speeding on back streets, undertaking, tailgating, fishtailing, taking corners dangerously fast, and darting in and out of the traffic. They are doing this with impunity because the Carr Government—the same Government that cries crocodile tears about the number of young people being killed on our roads—lets them.

There are just not enough police on the roads to catch these young offenders and to moderate their behaviour. It is much more cost-effective to use a speed camera to rake in millions of dollars a year or to have a police officer wield a radar gun on a main road than it is to have a traffic policeman patrolling the streets, identifying bad and dangerous drivers, pulling them over, talking to them about their behaviour, and fining them. It is much easier to get a conviction for speeding when one has a piece of equipment that has recorded how fast an offender is going than it is to get a conviction for tailgating or changing lanes without giving sufficient warning.

When I am driving I constantly see signs that say that a certain patrol is now targeting speeding, seatbelts or, occasionally, drink driving, but I have never seen one targeting tailgating or dangerous driving. Speeding is obviously an important issue and something to be deplored, but it is only a factor in 40 per cent of fatal accidents or accidents causing injury. That means that in 60 per cent of bad accidents it is not a factor, yet the whole focus of the Carr Government's efforts is on speeding and nothing else. My electorate has five of the NRMA's top 102 crash sites, when, based on the law of averages, it should have only one.

The No. 12 accident black spot in the whole of New South Wales is Rogans Hill. But most of the accidents are not caused by speed or even by impatient motorists running the lights; they are tail-enders caused by tailgating. Last year 68 accidents were reported to the NRMA and goodness knows how many more were not. After all, not everyone is insured with the NRMA. Showground Road, Castle Hill, is less than three kilometres long, but it rates two mentions—one at Victoria Avenue and the other 200 metres away at Windsor Road, which must be some sort of record.

The bottom line is that the Government's policing strategy is not working. It can blanket the whole of New South Wales with speed cameras, which might make Mr Egan happy, but it will not prevent accidents

occurring at these intersections and it will not reduce the road toll. Driving habits are getting worse because the police are not catching bad drivers. In my electorate and across the State there just are not enough officers to do the job. The number of police officers at Castle Hill police station has fallen by seven, to 104, since March last year and I understand that the Government plans to cut another nine officers.

There is nothing more unsettling than trying to drive at the speed limit with another car glued a metre from one's rear bumper. That happens every day of the week. Another offence that I see several times a day is drivers with mobile phones pressed to their ears. The week before last I counted four offenders in one day in and around Castle Hill. That is an offence that now carries a three-point penalty, but it has not deterred anyone because most people know they will never be caught. With the weather warming up we have also recently seen the return of the summer epidemic of limp arm dragging. It is the sort of thing Neanderthals would have done had they been contemporaneous with motor vehicles.

That is also an offence, and with good reason. As with mobile phones, it is unsafe for drivers to take their hands off the wheel; trailing a body part out of a car significantly increases the risk of injury. But people do not worry about it because, again, they know they will not be caught. Recently the Government has been talking about introducing curfews and passenger restrictions for young drivers. What is the point of introducing laws like those if they cannot be enforced because there are not enough police on the roads? The honourable member for Blacktown said he was disturbed to think the Government was replacing highway patrol officers with cameras. So am I. It is time this Government got serious about road safety and stopped using motorists as milch cows.

### **HOTELS AND CLUBS SMOKING RESTRICTIONS**

**Mr PETER DRAPER** (Tamworth) [10.19 a.m.] Today I convey the concerns of hoteliers in my electorate about the virtual certainty of a total ban on smoking indoors at licensed premises in New South Wales and the resulting uncertainty in the industry as to how and when it will be introduced. Currently, licensed premises such as pubs and clubs are exempted under the Smoke-free Environment Act 2000 from providing a smoke-free workplace for their staff and patrons, while other hospitality venues such as restaurants and cafes have been smoke-free since 2000. The only way to ban smoking in pubs and clubs is to remove this exemption.

The New South Wales Government has indicated that it supports, in principle, a ban on smoking in indoor areas of licensed premises. It has investigated the merits of such a proposal through the formation on 12 October 2003 of the New South Wales Joint Working Group [JWP] for Smoke-free Licensed Premises, as directed by the Minister for Science and Medical Research, the Hon. Frank Sartor. Backing its stance is the fact that two-thirds of New South Wales residents want the State Government to ban smoking in pubs and clubs before the end of 2005.

Smokers in general have become increasingly marginalised in recent years as knowledge about the detrimental effects of tobacco smoking on health and longevity increases. A Newspoll survey commissioned recently by the New South Wales Cancer Council found that 63 per cent of people questioned on the issue of smoking in licensed premises wanted bans introduced within 12 months. The poll also showed that 73 per cent believed that the Government should consider the health of workers and patrons as the most important factors when making its decision. Participants were asked to consider factors including the impact on pub revenue, inconvenience to smokers, and the health of staff and patrons.

The resounding majority still identified health as the main priority for government when considering the ban. As I said, these issues have been thoroughly scrutinised by the joint working group [JWG], which had a charter to work towards a clear plan and an appropriate timetable for banning smoking in indoor areas of licensed venues. According to the JWG report, tobacco smoking is the greatest single cause of premature death in New South Wales, killing about half its long-time users. Currently, smoking-related illnesses account for 54,000 hospital admissions in New South Wales annually and in 1999-2000 the dollar value of hospital bed days attributable to smoking amounted to \$180,000 million.

The report also referred to a study by the New South Wales Cancer Council, released on 29 April 2004, that estimated that exposure to environmental tobacco smoke—smoke exhaled by a smoker and smoke drifting from the end of a cigarette—in licensed premises currently accounts for between 73 and 97 deaths per year among 40,000 New South Wales hospitality staff. However, the Australian Hotels Association [AHA] and ClubsNSW have no evidence of such mortality rates in their experience in licensed premises. The JWG report also presented the industry perspective. It stated that hotels provided about 57,270 jobs in New South Wales,

ranging from full-time jobs to traineeships, and paying \$1.4 billion in wages each year. The total contribution of New South Wales hotels to charities, sport and community endeavours is estimated at \$30 million per year and, according to research conducted by the AHA, 72 per cent of the adult population in New South Wales visited a club or hotel in December 2003.

In recent weeks I have been approached by a number of licence holders who fear their livelihoods are at stake as a result of the concerted move toward a smoking ban. While recognising that the health of staff and patrons is a priority, they feel that the Australian tradition of enjoying a beer and a smoke will soon disappear forever. There are significant cultural issues at stake, as pointed out by a newspaper columnist who suggested that non-smokers will become isolated under a ban of indoor smoking and will end up going outside to join the smokers. I note that in the JWG report a range of possible dates to introduce the ban by removing the exempted status of licensed premises under the Act varied from July 2004, as advised by the Cancer Council of New South Wales, to no end date, as proposed by the AHA.

There is now a degree of uncertainty for industry stakeholders as unfortunately the JWG members were unable to agree on either a timetable for a phased introduction of a smoking ban in licensed premises or on a final date for the ban to be implemented. The hoteliers are acutely aware that the Queensland Government has decided to ban smokers from all Queensland pubs, clubs and outdoor eateries from mid-2006 under tough new antismoking laws. Queensland is the second state to do so behind Tasmania, where similar bans were announced in August. The fear among hoteliers is that this stance will prompt movement on the issue in New South Wales and they will not be given enough lead time to adjust to the changes. The JWG concluded that if smoking bans were introduced for all licensed premises, the phased introduction of those bans would help to address cultural, financial and employment impacts.

With the group now disbanded and its recommendations in Mr Sartor's hands, it is critical that the Government continue to liaise closely with industry bodies on this issue. There is clearly more at stake than public health; there are also jobs in country centres, the livelihood of generations of publicans, and, love it or loathe it, the tradition of pub culture. To facilitate a gradual adjustment to what will be a significant practical and cultural shift in the life, times and tradition of hotels and clubs in New South Wales, I call on the Government to provide hoteliers with a realistic timetable in relation to when their exemption under the Smoke-free Environment Act 2000 will end.

### **BALLINA-BYRON BUSINESS ENTERPRISE CENTRE CLOSURE**

**Mr DONALD PAGE** (Ballina—Deputy Leader of The Nationals) [10.24 a.m.]: I place on record my disgust at the Carr Government's recent decision to close the Ballina-Byron Business Enterprise Centre [BEC]. The closure of business enterprise centres not only in Ballina but also in Lismore, Casino, Maclean and Grafton—in fact in 51 locations across the State—demonstrates just how Sydney-centric this Carr Government has become. This is just another in a long list of reduced State Government services on the Northern Rivers.

In addition to the closure of the Ballina-Byron BEC, the Government has shut down the Casino to Murwillumbah rail line and the regional office of the Department of Education and Training. It also proposes to close other State Government services such as the fisheries office at Ballina and the Dairy Research Institute at Wollongbar. The decision to close the Ballina-Byron BEC demonstrates the Carr Government's lack of regard for regional businesses and residents. It is especially disappointing given the excellent work being done by local groups such as the Ballina Chamber of Commerce, which recently won the award for the best chamber in New South Wales.

Both the chamber and the BEC have worked hard to improve investment and employment in an area that traditionally has high unemployment. The BEC has been providing an excellent service to new and existing local businesses in the Ballina and Byron area for 13 years. Over that time it has accumulated a database of more than 8,000 clients. The centre works closely with the council, chambers of commerce, government and others in exploring business and industry opportunities throughout the region. It takes approximately 300 calls per week from businesses seeking advice and assistance. The invaluable services provided by the BEC included free business facilitation and confidential professional assessment, financial and business planning, advertising and marketing, small-business training, and workshops and seminars. It also acted as a referral point to relevant government, professional, and industry bodies. These are all services that help small business to start up, evolve and grow. BECs have local knowledge and understand local business conditions.

It has often been said that small business is the engine room of the economy. In regional areas this is especially the case, and small businesses need and deserve support. The New South Wales Government fails to

understand that small businesses are vitally important, not just for economic reasons but also for social reasons. They make our communities sustainable by allowing people to work in close proximity to where they live, thus improving their quality of life overall. In New South Wales alone there are more than 372,000 small businesses, employing more than one million people. Yet the Government chooses to cut services to this vital sector of the State's economy. Furthermore, the Government charges payroll tax of 6 per cent with a starting threshold of \$600,000 while in bordering Queensland the rate is 4.75 per cent with a starting threshold of \$850,000. This makes it much more attractive for small businesses in border regions such as the Northern Rivers to move interstate.

There are also the exorbitant workers compensation premiums charged in New South Wales. Just recently a South Tweed smash repairs company with 32 employees moved to Queensland because of the cheaper workers compensation premiums on offer there. In New South Wales that company was paying \$40,000 annually in workers compensation premiums for its 32 employees. In Queensland the company's workers compensation bill is only \$21,000 for 35 employees. There are also the occupational health and safety measures that impose huge costs on small businesses. Safety in the workplace is important, but small businesses should not be left with the burden of paperwork and financial costs imposed under the Carr Government's unnecessarily onerous occupational health and safety policies.

New South Wales is already highly anticompetitive when it comes to small business as a result of its high taxes, and now it is closing down advisory services as well. Previously small businesses in the Ballina-Byron region had access to information over the phone, on the BEC web site or in person. Unfortunately, these invaluable services will now disappear locally and five local BECs will be amalgamated into a single BEC in the Tweed, costing the region 12 direct jobs. Small businesses have neither the time nor the money to travel long distances for seminars or one-on-one specialist advice. We need decentralised services, run by local people with local knowledge.

Why should a small business in Maclean be serviced by a business enterprise centre in the Tweed? They are entirely separate communities, with differing identities and challenges. I am especially disappointed that the State Government failed to directly notify the local BECs of their closure. Not only did the State Government close valuable small business services, it made the announcement by press release without personally contacting the BECs. This is appalling behaviour by the Government, which once again has let down the small businesses and employees of regional New South Wales. I call on the Labor Government to place a 12-month moratorium on this decision. This would allow for consultation with existing BECs and small business representatives. It may even give the Minister an opportunity to recognise the devastating effect this short-sighted decision will have on the small business community of New South Wales.

#### **PRONTO APPLIANCES SERVICES AND MR KEVIN NAPIER**

**Mr PAUL LYNCH** (Liverpool) [10.29 a.m.]: I bring to the attention of the House the unfortunate dealings that a constituent of mine, Kevin Napier, has had with Pronto Appliances Services. My constituent saw an advertisement in the 6 May 2004 edition of the *Liverpool Leader*. It read as follows:

Able to repair—

then followed a phone number—

Able to repair fridges—all makes. Free quotes. Pensioner discount. 12 month warranty. Lic 0023709.

Similar advertisements have continued to appear in both the *Liverpool Champion* and the *Liverpool Leader*. When I last checked several weeks ago they were still appearing. Earlier this year Mr Napier had a freezer that needed repair because it was not working. When he rang the advertised phone number a person promised to come the next day. He did not; he rang and said he would be there in one day's time. Following that, a person from Pronto Appliances Services attended Mr Napier's house. That person specifically asked to be paid in cash and not by cheque. He then did things to the freezer and was paid \$120. Despite a specific request, the person from Pronto did not provide a receipt. He seems to have charged the freezer with gas but did nothing else. This made no real difference. The freezer still did not work.

The work was done at 1.45 p.m. on 8 May. By 3.00 p.m. it was clear that the freezer was not freezing although the motor was still running. Mr Napier rang Pronto Appliances. The person told him to give it another two hours and that he would ring Mr Napier back to check on it. He did not. As the freezer was still not working, Mr Napier rang the next day, 9 May, and left a message on the answering machine. Once again there

was no response. He rang again on 10 May and again left a message on the answering machine. Once again there was no response. On 11 May Mr Napier rang again and left yet another message on the answering machine, this time indicating that if there was no response he would have to complain to the Department of Fair Trading. This time he got a return message. The person said he would be out to repair the freezer the next morning, 12 May. On that day he did not turn up, and Mr Napier has not seen him since.

There are a number of serious issues here. Pronto Appliances claims to give a 12-month warranty for its work. It seems that in this case the company had no intention of honouring the warranty. It also seems incapable of actually repairing items that need to be repaired, despite claiming to have a licence number. Then there is the almost contemptuous disregard for customers such as Mr Napier, as evidenced by the catalogue of calls not returned and appointments not honoured. In an effort to remedy the situation Mr Napier approached the Office of Fair Trading. He rang and was dealt with electronically. He was asked to leave his name on an answering machine. He did that but when his call was not returned he attended the Liverpool office of the department.

The end result of his discussions with the department was, first, the department said the so-called repairer would send Mr Napier a cheque for \$60; secondly, the department said it would not pursue the matter further because it would cost too much money; thirdly, an officer looked on the computer for the licence number referred to in the advertisement and said it did not exist; fourthly, the department contacted an organisation that covers such repairers and was told the repairer might have been breaking regulations in the way in which the gas was used. In fact, Mr Napier did not receive a cheque for \$60 as a result of the department's actions, and he has still not received it. This is all very unsatisfactory. It is also about a great deal more than whether Mr Napier receives a refund cheque for half the fee he paid originally. There is a much broader public interest as to whether a dodgy repairer should be allowed to prey on the citizens of south-west Sydney. The issue is a lot broader than Mr Napier. Regrettably, the Office of Fair Trading does not seem able to comprehend this broader view of community protection. It seems obsessively focused on mediation of complaints between individual complainants and does not appreciate that it has a broader role to play.

The authorities seem disinterested in the issue of whether a licence is being claimed. They claim that repairers do not need to be licensed if repairs are carried out to non-fixed electrical appliances. So a licence is apparently required to repair a built-in airconditioning unit but not a freestanding freezer. Leaving aside the Jesuitical basis of that distinction, the issue remains that this repairer is claiming to be licensed. If he is not licensed one would have thought that would attract considerable interest from the Office of Fair Trading. Hopefully this case will alert residents in south-west Sydney to this shonky repairer and perhaps the Minister for Fair Trading and the department will get their heads around the public policy issues involved.

### **THORNLEIGH PEDESTRIAN BRIDGE ADVERTISING**

**Mr ANDREW TINK** (Epping) [10.34 a.m.]: I raise a matter relating to the Thornleigh pedestrian bridge at Station Street over Pennant Hills Road, Thornleigh. The bridge was built in 1993 by the Roads and Traffic Authority [RTA] and display advertising on the bridge was approved for a period of 10 years in order to raise the funds needed for its construction. That period has now expired and earlier this year Hornsby council received a development application from the RTA for a continuation of the advertising. The application seeks to erect two 12.66 metres by 3.35 metres advertising signs to replace the existing signs on the overbridge. The council points out that a continuation of the display advertising on the pedestrian bridge is contrary to the original agreement entered into between the RTA, the council and the community of Thornleigh, when it was agreed that the advertising on the bridge would be in place for a period of 10 years and three months—which is now well and truly expired.

At its meeting on 28 April 2004 the council resolved to seek the written approval of the Minister for Infrastructure and Planning to refuse the development application to replace the advertising signs on the bridge. As honourable members know, when the Crown is the applicant the council can refuse only when the Minister consents to that refusal. The council's grounds for refusing the application are, first, that it fails to comply with the aims and objectives of State environmental planning policy 64, clause 3 (1) (a), in that the advertising signs are not compatible with the desired amenity and visual character of Thornleigh. Secondly, the application fails to comply with the aims and objectives of clause 3 (1) (c), which provides time-limited consents for the display of advertisements on pedestrian bridges until the cost of the bridge has been met. A continuation of the display of advertising on the pedestrian bridge is contrary to the original agreement entered into between the RTA, the council and the community, when it was agreed the advertising would remain for 10 years and three months. That period has now expired.

Thirdly, the application does not comply with the objectives of the adjacent general business zone and would have an adverse impact visually on the potential future redevelopment of the business premises. Fourthly, the proposed development is out of character with the State Government's recently announced strategy for a greener Sydney. Fifthly, the proposed development is unsafe in terms of traffic movements at the intersection of Wells Street and Pennant Hills Road. I am sure that many people in the public gallery would be familiar with that section of road, which has many traffic lights. It has more traffic lights than most of Pennant Hills Road, which I venture to suggest is the most heavily trafficked stretch of non-freeway road—carrying B-doubles and the like—anywhere in the country.

The community consented to the original agreement but the Thornleigh/Normanhurst Residents Group and the Pennant Hills District Civic Trust have expressed strong public concern about the new development application. They are concerned that it is contrary to the original agreement entered into with the community, that it will distract motorists and will be aesthetically displeasing. I understand that it is important to build bridges to protect the community, particularly school-age pedestrians, but we must strike a balance in allowing advertising on bridges to fund their construction. It is critical that when the time specified in an agreement with the community expires the RTA stands by its side of the bargain and agrees to take down the advertising signs as proposed originally. The community suspects that the bridge has been well and truly paid for and that the advertising extension is intended to raise revenue to build bridges elsewhere. That was not the original agreement, which should be honoured.

On 9 August there was a meeting with the Crown project unit of the Department of Infrastructure, Planning and Natural Resources as part of the mediation process to resolve this matter. Unfortunately, I understand that nothing was resolved. The RTA was requested to table any documents in its possession that indicate that the bridge has not been paid for—which is the RTA's assertion—but it failed to do so. The council and the community suspect strongly that no documents were tabled because there are none that support the assertion that the bridge has not been paid for. The community and the local council want the RTA to stick to the original agreement and to take the advertising down. I have driven under that bridge and the signs are disconcerting—they take one's eyes off the road—and should not be in place for any longer than agreed originally.

### CAPE HAWKE COMMUNITY HOSPITAL

**Mr JOHN TURNER** (Myall Lakes) [10.39 a.m.]: I shall speak today about the history of Cape Hawke Community Hospital and the need for public facilities at that hospital, which is located in Forster and serves the Great Lakes area. Cape Hawke Community Hospital is unique because unlike probably any other hospital in New South Wales—or perhaps even Australia—it is owned by the community. It is leased to a private enterprise group but remains in community ownership. In 1956 the area's isolation prompted the community to decide that it needed a hospital. After much toing and froing Mr Mullett's house was purchased in November 1956 for £3,500. The community did not have enough money to purchase the building so it levied members of the Forster Progress Association £50 each and put the money towards the cost of the hospital. With the assistance of working bees and local service clubs the house was converted into a five-bed, then a seven-bed and then a nine-bed hospital, which was looked after by three of the original trustees.

Since then the size of the hospital has increased steadily and is now located on the Breckenridge site. It is a significant hospital. During my time as the local member of Parliament we have been trying to establish public facilities in the hospital because the nearest such facilities are at Manning Base Hospital, some 37 kilometres away. At one point the trustees offered to give the hospital to the government of the day for a payment of \$2 million—it must have cost significantly more than that to fit out the hospital with the facilities and equipment it has now. That was too hard. So it went into the too hard basket like many of these things do. Since 1956, for a variety of reasons, the size of this hospital has increased. In 1976 the Department of Health exerted pressure on the auxiliary to update the hospital and extend its facilities to provide extra services, including pathology and radiology.

In 1980 a large extension program was undertaken involving more wards and modern theatres and new sterilising and recovery facilities. The extension was opened by the then Governor Sir James Rowland. X-ray facilities have now been added. The hospital is highly integrated and can provide any services required. However, we are still hampered and frustrated by the fact that we cannot get public beds. One entire ward is empty at the moment and ready for public beds if we can make an arrangement with the State Government. We do not envisage a Port Macquarie-style arrangement; it would be a contractual arrangement. We would welcome the Government's consideration of the provision of public beds. The Great Lakes health service planners have

produced a number of options. Of course, the goal is to get public facilities. Option A is to upgrade the Manning Base Hospital emergency department and to enhance primary care services at Forster by improving access to services; option B is to develop an ambulatory care service; option C is to provide a public inpatient service at the Cape Hawke Private Hospital; and option D is a combination of options A, B and C, which only a bureaucrat would suggest.

This process has gone through a number of phases and, as I said, it is now 50 years since it began. Apparently the proposal has been forwarded to the Minister, although it could still be with NSW Health. It is a bit hazy. We want to stop the preparation of draft studies and the talking. We want to provide services. My electorate has the largest aged population in New South Wales. My elderly constituents cannot travel to and from Manning Base Hospital for treatment. The ageing population creates a demand for acute care services, such as coronary care. It is time for public services to be provided in the Forster region. The history of this issue has been well documented and the need is clear. It is time to stop talking and to take action. It is not hard. The building is there; it is simply a matter of installing the beds and arranging a contract. All other services can be provided by this excellent hospital. I urge the Government to bring forward the consideration of the latest report and ensure the matter is moved on expeditiously to provide public health services to the people of the Great Lakes area.

### **INVERELL ACCOMMODATION SERVICES FUNDING**

**Mr RICHARD TORBAY** (Northern Tablelands) [10.44 a.m.]: After a long campaign, Inverell Accommodation Services, which cares for people with a range of disabilities, has received funding for a more suitable model for its clients. The service struggled for many years with unsuitable accommodation arrangements that created difficulties for staff, clients and their families. This was a one-size-fits-all model that ensured people who had achieved a range of living skills and some independence were accommodated and cared for in the same way as those with more severe problems. In December last year, new and more suitable arrangements were made through a reconfiguration of the service to offer accommodation and care more suited to individual clients.

The concern is that despite very clear evidence that this service configuration is the only reasonable and ethical model for clients, that it is obviously successful in achieving the principles of best practice in disability support, and that is supported by the Department of Ageing, Disability and Home Care [DADHC] at a local and regional level, funding has still not been signed off. The lack of a secure recurrent funding status, and the fact that the service continues to be funded on a fixed-term or interim basis, currently for four months, takes a huge toll on all stakeholders, both in a material and an emotional sense.

The service is unable to offer a service agreement or permanent placement to clients until it receives recurrent funding so that it can honour the agreement. That means that clients and families still do not have the security they need to be able to get on with their lives and to make plans for their futures. It is creating anxiety for ageing parents who want to secure the future for their disabled children. That insecurity also has a significant effect on support staff morale because, although they are employed as permanent staff members, a change in funding arrangements could easily result in changes to their employment. This lack of security also has a cost to DADHC in that some of the service clients are case managed by local departmental officers. If the funding had recurrent status, Inverell Accommodation Services staff would be in a position to take over that role formally and allow the withdrawal of the case managers. The current situation results in a duplication of services with local case managers seeking to withdraw so that they can use their time assisting other clients on their heavy caseload lists.

Perhaps one of the biggest costs to both Inverell Accommodation Services and DADHC is the resources spent in resubmitting the funding proposal to the department over and over again. That means an enormous amount of paperwork and phone calls to track the submission and hasten the payment, which continues to be slow. July-to-October funding was still not received at the end of July. For DADHC officers it means calculating the amount required under the new level of the reconfiguration for a particular period, tracking and deducting the funding that has already been received at the previous recurrent level—often for a different period—and then going through the processes of getting the submission through the region with work from all those involved in the system to follow it to Sydney for payment. That then entails a staff member doing the same calculations to ensure that correct amounts have been submitted and to enable the completion and forwarding of funding agreement variations and subsequent processing. The service costs have been increased by the temporary nature of the funding arrangements, which could easily be resolved by recurrent funding. We are seeking the stability that the service is crying out for.

The Inverell Accommodation Service is aware that DADHC has a limited amount in its recurrent funding budget. However, the service is receiving money from some source in DADHC and, given the performance of this service under the current model, it would expect that to continue. It appears that the present mechanisms of funding this service incur unnecessarily high costs. It is in the best interests of all to implement a recurrent funding system. I hope that the Minister and her department will resolve this matter once and for all by signing off on the submission and varying the funding status to recurrent. That would provide the security the service is seeking and it would be a tremendous outcome for all concerned, particularly the clients and the community.

### **REGIONAL EXPRESS SYDNEY TERMINAL FACILITIES**

**Mr DARYL MAGUIRE** (Wagga Wagga) [10.49 a.m.]: I refer today to an issue of enormous concern to regional travellers, that is, the ongoing dispute between Regional Express and the Sydney Airport Corporation. Regional Express, known as "Rex airlines", wishes to continue to use gate 39 at Sydney-Kingsford Smith airport. I will clarify the real issue and debunk some of the concerns expressed by honourable members. It has been said that this is a push to relocate Rex airlines to Bankstown. I have been assured that that will not happen. Regional travellers will not accept that decision, and I have relayed that view clearly to the Hon. John Anderson, who replied as follows:

We have a long standing policy of guaranteeing regional airline access to Sydney Airport which includes not only quarantined slots through the Sydney Airport Demand Management Act but also access to adequate terminal apron facilities. This policy is non-negotiable and will be enforced if necessary.

The real issue is the type of facilities that are being offered to Rex airlines. Gate 39 is situated at the end of the terminal building. It has a lounge and coffee-making facilities and good access for passengers who travel to and from about 30 ports. Rex airlines employs more than 600 people Australia-wide and more than 120 people in Wagga Wagga. It is carrying record numbers of passengers. What alternative to gate 39 is Sydney Airport Corporation offering? Clearly our communities, farmers and councillors do not want to move from gate 39. The corporation could solve this problem by having its architects redesign the gate area to provide decent facilities. What is being offered is not suitable. I have seen the other gates on offer, which are used by myriad smaller airlines. Rex is growing at such a rate that it deserves to be accommodated in an area like gate 39.

I acknowledge that Max Moore-Wilton responded to my email and letter and has concurred. He said there will be access to the airport by Rex airlines but the issue is from where will that access emanate? I say to Max Moore-Wilton that country people support Rex airlines and want to be treated in the same way as city and interstate travellers and want to have the same standards. Our travellers want to experience all of the things that airports have to offer and not just to wait in a room of four walls. People feel strongly about this issue.

Rex airlines has risen from the ashes of Ansett Airlines and country people have supported it. Many honourable members, including the honourable member for Lismore, wanted to contribute but due to time limits could not speak in the urgency debate yesterday. I know that all honourable members whose electorates are serviced by Rex airlines support Rex and wanted to raise other issues, such as whether public servants could access Rex airlines for at least 50 per cent of services where another airline is competing. If the Government adopted that approach it would give Rex airlines a fair go. The *Daily Advertiser*, a local newspaper, has boisterously supported the push to give Rex airlines a fair go. I say to the Minister that if he really wants to help at a State level he should ensure that public servants use at least 50 per cent of the services offered by Rex airlines where there are dual airlines servicing a town.

### **COFFS HARBOUR EARLY CHILDHOOD INTERVENTION PROGRAM FUNDING**

**Mr ANDREW FRASER** (Coffs Harbour) [10.54 a.m.]: I voice the concerns of Mrs Joy Leach, the Director of the Early Childhood Intervention Program, and parents and children who access that program. This phenomenal program helps young children with disabilities in the very early years of their life and with early intervention gives them the opportunity to move ahead and have some chance in life. Under the changes by the Government to the Department of Ageing, Disability and Home Care [DADAHC] that service stands to lose about \$17,555 funding. In 2002 DADAHC increased funding to the service in response to increases in the Social and Community Services [SACS] Award. When Mrs Leach was contacted by the department she said she did not have employees paid under the SACS award but she had employees under a number of other awards.

The centre employs a speech pathologist who is paid under the public hospital physiotherapist, occupational therapist and speech pathologist award, and other staff are employed under the Miscellaneous

Workers-Kindergarten and Child Care Centres (State) Award and the Clerical and Administrative Employees (State) Award. They were also granted wage increases but did not get the flow-on from the Government under those awards as it was limited to the SACS award. The service admitted it did not qualify but the Government gave it the much-appreciated increased funding. Now the Government is withdrawing the funding, even though since 2001 this service has openly admitted it does not have employees under the SACS award.

The centre used the funding to employ people to ensure the continuation of the service, but now it is being withdrawn. The funding cut will mean that staff hours will have to be reduced—limiting the service to children and their families—there will be a threat of losing valuable qualified staff, who are difficult to find outside metropolitan areas, and parents and staff will have to conduct more fundraising activities. I am sure all honourable members know the charity fundraising dollar is very hard to access, especially in regional areas. I also draw the attention of the House to an article this week in the *Coffs Harbour Advocate* in relation to this matter, which sums up what this great Early Childhood Intervention Program provides to families and children with disabilities. The article states:

The Longbottoms moved to Coffs Harbour from Sydney with their two-year-old daughter, Casey, and three-year-old autistic son, Jack, two years ago.

Jack has now been part of the program for 18 months, where he has made astonishing progress.

"Our little boy can now talk. Before coming here he had no form of communication except for yelling and chatter," she said.

The youngster lacked social skills when he first started with the service. He couldn't even relate with the group.

... As well, the family has been taught sign language and other visual aides to help communication ...

Mrs Longbottom continues:

A lot of these kids are difficult to deal with and without the support of the centre, it would make life that much harder.

If they have to cut back on staff, who will help these kids? Will we (the parents) have to do it alone? ...

The article continues:

At the moment Jack attends a 90-minute group session at the centre a week. On top of this staff work with his child care centre and parents.

A mother has told such a personal experience of early childhood intervention and for the sake of \$17,555 I implore Minister Tebbutt, who I know has budgetary problems in relation to these sorts of matters, to provide that funding. As I said, the funding was given to the service and it is now being withdrawn because the centre does not fit the SACS criteria. What can the centre do? Does it source someone who would be employed under the SACS award and sack someone else in order to be eligible for the funding? That is lunacy. The Government and the Minister should continue the funding that has already been budgeted to allow it to continue to provide its extremely valuable service to the parents and children who use the service. I commend those at the service for their great job over many years.

### **BOTANY ROAD HEAVY VEHICLE USE**

**Ms KRISTINA KENEALLY** (Heffron) [10.59 a.m.]: Having Port Botany as a neighbour means that Botany families have to endure heavy truck traffic trundling along Botany Road. Heavy truck traffic in Botany endangers schoolchildren, parents with prams, and the elderly. That is why I call on the Minister for Roads to put in place mandatory load and length limits on Botany Road. As the honourable member for Heffron, I have worked with the community on a campaign to reduce truck numbers on Botany Road and to put trucks where they belong—on Foreshore Road. Today I deliver to the Minister for Roads more than 120 signatures from Botany residents who want the Government to introduce stronger, mandatory measures on truck traffic on Botany Road, Botany.

Prior to my election as the honourable member for Heffron in March 2003 I received many complaints from local residents in Botany about the increasing numbers of trucks rat-running along Botany Road. In response, the Minister for Roads directed the Roads and Traffic Authority [RTA] to conduct a truck movement survey in February 2003. The results showed that almost 30 per cent of trucks on Botany Road are rat-running. Specifically, the results indicated that between 2,500 and 3,000 trucks, including 780 semitrailers, use Botany Road every weekday, but more than 800 of them do not have a destination along the road. Many of those 800 are going to and from Port Botany. For the sake of local residents, those 800 trucks should use Foreshore Road.

In March 2003 the Minister for Roads introduced a comprehensive plan to crack down on trucks without a legitimate destination on Botany Road. This plan introduced a sign-posted truck route to and from Port Botany along Foreshore Road to General Holmes Drive and Southern Cross Drive. The truck route would be voluntary and the RTA would monitor compliance during the first six months. In May 2003 I launched the Port Botany truck route. The launch included an RTA map and guide. The RTA monitored compliance on the truck route, and released the results of a second truck movement survey in December 2003. The survey showed that while drivers report high levels of awareness of the Port Botany truck route, it has had little effect in moving heavy truck traffic off Botany Road.

I am sure honourable members are aware that a commission of inquiry into the proposed expansion of Port Botany is being conducted. If Port Botany expands, truck movements will only increase. Botany residents cannot handle the increase in truck traffic that this would create on Botany Road under current conditions. In the interests of providing a safe environment for families in Botany, I call on the Minister for Roads to introduce a mandatory length and load limit on the residential sections of Botany Road, with State Transit Authority buses excluded. Whilst some trucks have legitimate destinations on the southern end of Botany Road, introducing length and load limits would mean that trucks would effectively be banned in the residential area of Botany.

I acknowledge that such restrictions rely on enforcement. I know that officers in the Botany Bay highway patrol take the problems caused by trucks in Botany very seriously. That is why I supported the Botany Bay highway patrol's application to the RTA for funding to carry out enforcement operations in relation to heavy truck traffic. The highway patrol unit at Botany Bay Local Area Command recently completed a very successful Operation Payload, which targeted heavy truck traffic on Botany Road, Botany. The RTA provided the funding for this special enforcement operation, and I thank the authority for its support. Thanks to Operation Payload our roads will be safer for families, schoolchildren and the elderly. The operation will run for seven two-week periods over the next 12 months, and there have been two successful sessions thus far.

After two weeks of the operation, truck drivers got the clear message that unsafe driving practices would not be tolerated in Botany. A total of 626 vehicles were checked in the first session of Operation Payload, and some 400 infringements were issued for offences such as not wearing a seat belt, speeding, permit breaches, unregistered vehicles, dangerous and negligent driving, and, sadly, even drink-driving. In addition, the highway patrol reported that many truck drivers started to use the truck route on Foreshore Road rather than rat-run down Botany Road. I am sure the House would agree that this kind of ongoing, targeted enforcement is absolutely necessary if we are to change truck drivers' behaviour, and encourage them to adopt safe driving practices and acceptable routes in and around Botany. The will is there from the community and the highway patrol. What we now need is an assurance from the Minister for Roads that the Government will take tough, effective action by introducing mandatory load and length limits on Botany Road.

#### **SOUTHERN HIGHLANDS ELECTORATE SEWERAGE SYSTEMS**

**Ms PETA SEATON** (Southern Highlands) [11.04 a.m.]: Members will recall that during the Sydney water crisis the effect on water quality of effluent flowing down Monkey Creek, or, as it is sometimes known, Werry Berry, was critical to Sydney's overall drinking water quality. At the time the Government made all sorts of promises about the work it would do to provide sewerage technology to the villages of The Oaks and Oakdale, and Belimbla Park, a residential area between those two villages. The sewerage system was set in place at The Oaks and Oakdale, Sydney Water consulted extensively with the residents of Belimbla Park, and broad community agreement was reached that a specific type of sewerage treatment technology would be implemented—namely, a simple but very effective gravity-fed system. However, all that changed when, in late 2002, Sydney Water pulled the rug from underneath Belimbla Park residents and changed its mind about the sort of system to be implemented.

At that time I attended a public meeting at The Oaks Public School, together with Judy Hannan, who is now a councillor on Wollondilly Council. At that meeting I met with concerned residents who expressed concern that Sydney Water had unilaterally changed its mind about the type of system to be implemented and sought to foist on them a system that, in the residents' view, was cheapskate, inferior and environmentally dangerous. Sydney Water's cheap option, which it is forcing the community to accept, is a low-pressure pump sewerage [LPPS] system. The system has been categorically opposed by 85 per cent of Belimbla Park residents, who expected the preferred sewerage system to be implemented. The residents have asked why their views on this have been discounted and ignored by the Carr Government. On many occasions I have raised the issue with the Minister for Energy and Utilities on behalf of John Sawyer, the Secretary of the Belimbla Park Residents Action Group [BPRAG]. It is therefore simply not possible for Minister Sartor to say that he is unaware of the situation.

Residents have expressed outrage at Sydney Water taking cost-cutting measures at the expense of residents. Rather than implementing a simple, gravity-fed system, Sydney Water now requires an expensive pump to be installed in every home. The sewerage system proposed by Sydney Water is a complex system of managing back-ups and providing access to the broader sewerage system, which then feeds into a treatment plant. Instead of having one point of control and management of the effluent under the gravity-fed system, each of the 100 homes must now have the additional pump. Pumps are vulnerable to power failures and all sorts of other faults, and we all know how difficult it can be to maintain them.

Home owners will now have to pay the cost of the electricity on each of those pumps. They will also have to take note of when a red light on the pump system comes on. If the red light comes on, they have to know not to do certain things, or to wait to have their shower or flush the toilet. A perfectly good, simple, gravity-fed system has been abandoned for a system that has 100 points of vulnerability and many things that can go wrong. There is also a danger that if a home owner's system fails, raw sewage may flow into the catchment. We must all remember that Werry Berry, or Monkey Creek as it is called, is the creek that feeds into Warragamba Dam, which provides Sydney's drinking water, at the point closest to the offtake point of the dam wall. The whole purpose of the new sewerage system in Belimbla Park will be defeated if the system has all these points of vulnerability.

Residents are also concerned about the above-ground chemical-dosing plant that is part of the new, inferior system. Mr Sawyer has been very keen to get answers from the Environment Protection Authority and Sydney Water about the danger to the environment of ferrous chloride or whatever chemical is used in that treatment plant. I ask the Minister to explain why BPRAG has been specifically excluded from a newly formed community consultation group. BPRAG was originally formed at the request of Sydney Water so it could take part in the early stages of consultation, yet the group has now been undemocratically dismissed from Sydney Water's consultation process. It seems that Sydney Water only wants to get around the table the people it believes will agree to its proposals. It is completely unacceptable, and I again ask the Minister for Energy and Utilities to agree to meet BPRAG and solve these problems.

#### **HENRY KENDALL HIGH SCHOOL UPGRADE**

**Ms MARIE ANDREWS** (Peats) [11.09 a.m.]: It is with a great sense of pride that I inform the House of the significant improvements made to Henry Kendall High School, which is located in Faunce Street, West Gosford, in the electorate of Peats. This high school originally consisted of wooden Second World War army huts, and from 1959 to 1969 the high school was an annexe of Gosford High School. Incidentally, this year marks the seventy-fifth anniversary of Gosford High School. Henry Kendall High School was officially opened as a high school in its own right on 27 January 1970. I had the great pleasure on 23 July 2004 of officiating on behalf of the Deputy Premier and Minister for Education and Training, the Hon. Andrew Refshauge, at the official opening of the \$5.19 million upgrade of the school.

The multimillion dollar upgrade encompassed a new two-storey building for industrial arts and home science, known as block C, which comprises, on the ground floor, two general learning spaces, two project stores, two materials workshops, a materials store, a welding area, a shared covered outdoor workshop; and, on the first floor, four general learning spaces, a seminar room, two kitchens preparation room, two store rooms, a laundry, a pantry, and a cleaner's distribution store. The upgrade also encompassed a new single-storey building for visual arts, known as block B, comprising four general learning spaces, a dark room, two visual arts workshops, two visual arts store rooms, a pottery store, a kiln room, a shared covered outdoor workshop, and a cleaner's distribution store.

The multimillion-dollar upgrade also included the conversion of existing industrial and visual arts facilities to provide upgraded industrial arts facilities, two general learning spaces and a store in block E, a computer room, four general learning spaces, two stores, two seminar rooms, and a demonstration science room in block J. The upgrade also included disabled access to block A, which accommodates the administration office and library; block B, which now accommodates visual arts; block C, which now accommodates industrial arts and home science; block D, which provides general learning spaces; block E, which accommodates existing and upgraded general learning spaces, industrial arts and toilets; and block J, which accommodates general learning spaces and science facilities.

The upgrade also includes a lift to provide access to two-storey buildings, such as block C, which now accommodates industrial arts and home science; block D, which accommodates existing general learning spaces; block E, which accommodates existing and upgraded general learning spaces, industrial arts and toilets;

and block J, which accommodates general learning spaces and science facilities. The upgrade also includes a new school entry, a realigned pedestrian entry, new paths and a shelter roof, landscaping and associated site works. As honourable members would be aware, Henry Kendall High School was named after the famous Australian poet Henry Kendall, who lived for a short while in the West Gosford vicinity. Henry Kendall Cottage now forms part of a museum operated by an outstanding group of volunteers who are members of the Brisbane Water Historical Society.

Henry Kendall High School today has a school population of approximately 1,400 students. It has a fine record for achieving excellent academic results. Other features of the high school well worth mentioning are the strong special education unit, which caters for 55 students who have a range of diminished physical and mental capabilities; the high school has the honour of forming the first autistic class for secondary students in New South Wales. Other successful programs conducted at the high school are a middle school year 7 with an integrated curriculum, and a student independent learning centre, which caters for extension programs for gifted and talented students and supports students with remedial programs.

The Aboriginal resource room is the result of 10 years work by the school's Aboriginal Student Support and Parent Awareness [ASSPA] Committee and Mr Alan Herring. During our visit to Henry Kendall for the opening of the extensions, the official party was taken on a conducted tour, which included this special room. Much favourable comment was made about the stunning mural and the handprint gallery, which reflects the traditional spiritual connection of Aboriginal people with the land. ASSPA representative Mrs Christine Pross very proudly explained the various features of the resource room. The high school has a strong creative and performing arts focus and is renowned for its sensational musicals. Henry Kendall has been staging these musicals consecutively for a number of years. The school also has a strong sporting culture.

Together with Gosford High School, Henry Kendall shares an agricultural facility. Henry Kendall students, over the years, have always done well with their exhibits at various shows around the State, including the Sydney Royal Easter Agriculture Show. A number of students at the high school are the sons and daughters of farmers who reside in rural areas within the Peats electorate. A number of dignitaries were in attendance for the official opening in July, including Ms Robyn McKerihan, Regional Director, Hunter/Central Coast, Department of Education and Training; Ms Marie Roberts, Deputy Regional Director, Central Coast; Mr Rob Wilcox, Parents and Citizens Association president; and Mr Phil Chamberlain, architect with the Department of Commerce. The Department of Commerce officers liaised well with the builders, Richard Crookes Constructions. I would like to congratulate the architects and builders on a job well done.

To the principal of Kendall High School, Mr David Peckham, all the teachers and staff, I offer my best wishes on the completion of yet another chapter in the history of this great school. I commend all the Parents and Citizen Association members, both past and present, for working and lobbying so hard over the years for improvements to the high school. To the school captains, Molly Freeman and Nicholas Clarke, and vice-captains, Bronwyn Ball and Emmett Pink, I congratulate them on the fine job they are doing as ambassadors for their school, and I wish them and all the students at Henry Kendall High School well for the future.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [11.14 a.m.]: I congratulate the honourable member for Peats on the outline she gave today on the outstanding work being done at the Henry Kendall High School. I have a sense of sentiment as I grew up in the township of Kendall, named also after the poet. The comprehensive upgrade of \$5.1 million and the fact that they have come online are no doubt due in no small part to the advocacy of the local member. The school well deserves its praise: it has 1,400 students, has a very active special education unit, offers Aboriginal studies through the Aboriginal Student Support and Parent Awareness Committee and, as the honourable member has said, has a great reputation in the creative and performing arts. It is good also that the school has active agricultural studies, with the sons and daughters of local farmers having the opportunity to study agriculture at the school. I congratulate the honourable member on her report to the House.

### **REGIONAL EXPRESS SYDNEY TERMINAL FACILITIES**

**Mr IAN ARMSTRONG** (Lachlan) [11.16 a.m.]: Of the international tourists who come to Sydney, the major port for international tourists to Australia, only 1 per cent cross the mountains and go to inland New South Wales. Inland New South Wales is home to just on a third of the State's population, and therefore arguably a third of its productivity, employment, profitability and so on. Inland New South Wales has a number of quite outstanding, maybe unique, businesses. For instance, at Young, a local accountancy firm, which employs about 35 people, manages some of the world's best athletes. Many whose names we read of as gold

medal winners at the Olympics have their finances managed out of Young. At Condobolin, which is about 70 kilometres from the geographic centre of New South Wales, is a jeweller who does all the guarantee work for Olympus watches in Australia and New Zealand and for many large jewellers shops in a line from Darwin to Adelaide and to the east of that line. Of an afternoon perhaps 200 or 300 watches go out in a postal bag to Condobolin, where the jeweller and often an apprentice work all night, with the watches being returned the next morning.

How is all of this serviced? Primarily by one airline: Regional Express, known as Rex. Rex came from the demise of Kendall and Hazelton airlines, which were the lifeblood of small business in their delivery of urgent medicines and urgent legal papers, and in the provision of services for those who wanted to get to Sydney for court work or to keep health appointments, et cetera. There was a period when it looked as though inland New South Wales would not have a service. But then along came Rex with its new management and good aeroplanes, and it has provided an absolutely fantastic service. It has retained many of the employees of the Kendall and Hazelton airlines, and has maintained the basic ethos of friendship and reliability.

But Rex is now in a major conflict with the management of the Sydney Airports Corporation regarding the lounge and gate that will be used by that airline in the future to service the interests of New South Wales. Simply put, Rex paid what I might call a peppercorn rental for the first two years of its operations because nobody else wanted to use the old Ansett terminal, now known as terminal 2. As there were no other takers, the Macquarie Corporation wisely charged Rex a peppercorn rental. That arrangement expires at the beginning of November, and there is a fracas going on because the corporation wishes to move Rex's operations from a highly desirable gate on the southern end of the terminal to a multi-use gate, used by about four other small airlines. Further, it has been suggested that Rex should vacate its existing lounge facilities and move to a much smaller room that has no windows. I understand this is a dungeon-like place—but I have not been there to look at it, and have no intention of doing so, because as far as I am concerned Rex must retain use of its existing lounge.

I have spoken to the corporation's chief executive officer, Mr Max Moore-Wilton, who has assured me that if Rex wishes to it can remain in the existing lounge, subject to commercial negotiations. However, that lounge would be about 300 metres from the new gate that it is suggested Rex should use if the corporation has its way. The corporation has already given me a guarantee that Rex can retain its current lounge, and acknowledges that under its contract with the Federal Government it must continue to service Rex, which has a right to slots and a right to use of the terminal. I am asking for commonsense to prevail here. Surely the corporation can find a compromise that suits the commercial interests of both parties. Rex last year transported more than half a million passengers and, at its existing rate of passenger carriage, will carry a million passengers this year. It is a major service provider and employer, and it provides opportunities to open up inland New South Wales to tourism and further decentralise opportunities.

The city of Sydney is bursting at the seams; it cannot even provide enough water for itself. Every other morning the Government makes announcements about the dreadful state of Sydney's water supplies and about difficulties with housing its population. Inland New South Wales provides a solution, but it must have good and reliable air services. That part of the State has wonderful and reliable air services, and I would like the Government to give Rex a guaranteed 50 per cent of government work in airports where there is competition, such as at Dubbo and Wagga Wagga. This airline has been discriminated against in the past by Qantas, which has the booking agency. Often, when passengers wishing to travel from Dubbo or Wagga Wagga ring up, Qantas seems to get first preference. So I ask, first, that the Government guarantee Rex 50 per cent of public service patronage and, second, that this terminal and lounge matter be resolved expeditiously in the interests of the broader community and the New South Wales economy.

#### **SUTHERLAND HOSPITAL BICENTENNIAL MEMORIAL TAPESTRY**

**Mr PAUL McLEAY** (Heathcote) [11.21 a.m.]: I celebrate the welcoming home of the Bicentennial Memorial Tapestry to the Sutherland Hospital. Recently the honourable member for Miranda and I were amongst the many who gathered to celebrate the welcoming home of this tapestry. I have raised this issue in the House before, so I wanted to announce that the matter has had some closure and, importantly, let people know that the tapestry has now returned home and is more magnificently displayed than ever before. The tapestry was originally a project of the shire community in the bicentennial year and was set up in the basement of Miranda Fair, amongst other places. It was in commemoration of bush fire fighters who lost their lives in the savage bushfires in Menai, Waterfall and Grays Point during the 1980s. The tapestry was a triptych, the first piece depicting a live tree, the middle piece a tree burning and the third piece the tree regrown. Over 1,000 people in

the community contributed to making the tapestry by stitching one line, and the work was supervised by an expert team of artists and weavers.

By the time the tapestry was finished it was a magnificent piece that the whole community felt extremely proud of, and it was put on display in the welcome foyer of Sutherland hospital. Several years later, believe it or not, the middle piece was stolen. That was a shock to all those who had contributed—the community, the hospital and support staff, the firefighters and other community representatives. After a number of years an active team of tapestry weavers got together to raise some funds to replace the tapestry. As it was a memorial piece, the community felt the tapestry should not be removed. One of the original artists from Sutherland painted a replica of the missing piece onto a board and it was hung in the position of the missing piece. A notice was put up to let people know that a piece of the tapestry had been stolen and that money was being raised to reweave it.

The cost of reweaving the whole piece was in excess of \$30,000, so it was a difficult project for the community to raise the funds. The convener of the Re-Weaving Committee, Ms Lorna Stone, took up the challenge of raising the funds. Many people in this House would know Ms Stone; she was the Liberal member for Sutherland. Since leaving Parliament she has remained extremely active within the community with her work at Sylvania, on the Re-Weaving Committee and in other places. She is still very well known and extremely well respected within the community. I was able to assist in only a small way, but as the time got closer Ms Stone asked me to seek help from the Premier because the community was \$5,500 to \$6,000 short. I was able to inform her that the Premier took great pleasure in asking me to present Ms Stone with the \$6,000 cheque to pay the final instalment of the \$30,000 so the tapestry could be hung. As a result, the tapestry was recently rehung in Sutherland hospital, whose recent rebuilding was a massive undertaking by the Government.

The honourable member for Miranda, representatives of the Rural Fire Service, the chaplains, the Army band, the Chief Executive Officer of Sutherland Hospital, Dr Mackertich, and many members of the community attended a recent ceremony to hang the tapestry in the vestibule. Additional security features have been installed so that such a theft will never happen again. The tapestry is hung very high, and as one walks into the main entrance there is a lovely vestibule where this fantastic memorial tapestry hangs in pride of place. It is fitting that the tapestry has been returned home; it is fitting that it has been rehung. It is also fitting that the new piece is in the new hospital. On behalf of the Sutherland shire community we thank Ms Stone, the Premier and all those who assisted. The tapestry is magnificent and we welcome it back.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [11.26 a.m.]: It was interesting to listen to the story of the return of the bicentennial memorial tapestry to Sutherland hospital. The tapestry shows that communities are often drawn together in adversity. In this case the memorial related to the work done by our bushfire brigades and tragic deaths that occur during bushfires. There was obviously a strong sense in the community of the need to commemorate those matters and to replace and return the stolen piece of the tapestry. The Government, the local community, the weavers and the fundraisers came together to do that. The return of the tapestry to the hospital is a tribute to the hard work of them all.

#### **CELESTIAL SILKS CHINESE RELIGIOUS AND COURT TEXTILES EXHIBITION**

**Ms GLADYS BEREJKLIAN** (Willoughby) [11.27 a.m.]: Today I speak about an inspiring and interesting exhibition that is currently on view at the Art Gallery of New South Wales called Celestial Silks Chinese Religious and Court Textiles. Many may ask why I have raised this exhibition in the House. For a number of reasons the exhibition has strong connections to the Willoughby electorate. First and foremost, I am proud of the significant Chinese community of the Willoughby electorate, which comprises roughly 6,000 to 7,000 people. They make an outstanding contribution to the electorate in terms of commercial and retail business, education and their strong family values and hard-working nature. They add much colour to the culturally diverse electorate of Willoughby.

My good friend Judith Rutherford is a councillor on Willoughby council and is one of the primary curators of this exhibition. Because of Judith's interest in this specific area of art, her husband, Ken, took up the interest himself and has now become the global expert on what is called hat hob knobs. In Chinese culture during imperial times, the specific hat knob on one's hat determined one's rank. I want to take the opportunity to pay tribute to the Rutherfords for the contribution they have made to this exhibition and to inform the House about what a superb and unique exhibition it is. I also mention many of the lenders to the exhibition. As many members would know, the Art Gallery relies on generous contributions by many in the community who lend special items of significance they own for the rest of us to enjoy.

I particularly congratulate and thank from Australia those responsible for the Edrina Collection: James Fairfax, Judith and Ken Rutherford, whom I have already mentioned, Valery Garrett from Hong Kong, Chris Hall, who took us through the exhibition on the opening night and explained all the fine details, and Humphrey Hui, whom I had the pleasure of lunching with in this place. I also met Robert and Marilyn Hamburger from America. I also thank a number of other private collectors from England, Hong Kong and Australia. The exhibition concentrates on imperial Chinese robes. Chinese silks have been valued since ancient times and I found the imperial robes, which are woven with gold thread and peacock feathers, particularly inspiring. I gasped when I first saw them. The way in which they have been preserved throughout the centuries is truly inspiring. I urge everyone to visit the exhibition and have a look at them.

China's cultural and spiritual beliefs were ideally exemplified by dressing and adorning the elite with these beautiful robes. So magnificent were China's silks that by the early years—what was called the Common Era—silks were the most popular trade item along what was to become known as the Silk Road. By this time the culture of Chinese silk embroidery was firmly established. The Chinese were skilled in all aspects of sericulture: cultivating mulberry trees, raising silkworms, processing the fibre, dyeing the threads and weaving suitable ground cloth. I am sure that anyone who views this exhibition will realise what an enormous contribution Chinese culture has made to our society through these beautiful silks.

As I mentioned, Councillor Judith Rutherford is a specialist in Chinese textiles, especially from the Ming and Qing dynasties. She is president of the Asian Arts Society of Australia and in 1994 she founded the textile study group of the Asian Art Society of Australia. She has lectured extensively in Australia, Hong Kong, Korea and New York on various aspects of Chinese costume, symbolism and rank insignia, and has contributed articles to many journals both in Australia and internationally. Judith Rutherford's husband, Ken, is an engineer by profession, and he happens to be my representative on the Willoughby City Council Traffic Committee. He has been collecting hat finials for the past 20 years. He also has lectured in Sydney and New York on the development of hats and hat finials as indicators of rank, with a special focus on the use of hat finials during the Qing dynasty. I pay particular tribute to Judith and Ken Rutherford for their contribution in putting together this wonderful exhibition at the Art Gallery. In doing so, I reiterate the strong contribution that Chinese Australians make to Willoughby and New South Wales.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [11.32 a.m.]: We have a cultural day in the House today. When one thinks of the weft and weave of Australian society one realises the major contribution that Chinese people have made to our society. It is good to hear that the Art Gallery of New South Wales is hosting a cultural and historic exhibition, which the honourable member has brought to our attention today.

#### **TRIBUTE TO REVEREND BILL THOMAS**

**Ms LINDA BURNEY** (Canterbury) [11.32 a.m.]: I pay tribute to Reverend Bill Thomas, the outgoing Deacon of the Uniting Church in Australia for the Campsie-Earlwood-Clemton Park congregation. People make up the community, and institutions are part of the mix, and I am honoured today to recognise his service and decency. Reverend Bill Thomas' service of closure prior to his leaving his ministry was held on Sunday 19 September. I was one of the many people in a packed church who attended the service. Reverend Bill, who spent 5½ years ministering to the Campsie-Earlwood-Clemton Park congregation, is well respected and well loved because he is a caring person who is extremely committed to social justice. Also, he is a really nice bloke. I came to know Bill soon after the 2003 election when he came to my office to discuss putting together special services and providing support for individuals within the Canterbury electorate.

Reverend Bill's farewell involved a range of social activities. The service of closure was absolutely wonderful. The people who filled the church displayed sadness, love and humour. They wished Bill and his family well, and godspeed. Many funny moments were remembered. The many parishioners who attended the service made a wonderful contribution, particularly the Indonesian, Tongan and Korean communities, who paid homage to Reverend Bill and his family through musical presentations. A touching PowerPoint presentation highlighted the broad influence of Bill's ministry during his time in the area. Reverend Bill Thomas' extended family attended the service. During the long service two of his very young grandchildren, who had decided that the service—which could have been very formal but remained casual—had been long enough, crawled into a comfortable position on their grandad's knee. It was a beautiful moment.

Community life is what you believe in. Australian society should respect a life commitment to community. Although I would not normally do this, I will read into *Hansard* the names of the many people who

participated formally in the service: Nipa Fifita, Irene Stephen, Clarry Alexander, Rod Isaac, Mata Havea, Audry Tolhurst, Kesaia Takau, Ted Yallop, Dot Kilham—she is in her 90s and a legend in Canterbury—Loleine Takau, Reverend Eric Drury, Malua Lo Lo, Reverend Kisoo Jang, Pastor Max Meiruntu and Reverend Kameloni Tuiono. The final hymn, *May the Feet of God Walk with You*, typified what Reverend Bill Thomas was about. The last few words of the hymn are as follows:

May the trees and flowers greet you,  
sing of life that's all around.  
May the weeds bring you compassion,  
loved by God and his hand.  
May the bird-songs tell of freedom,  
save you from our foolish chains.  
May your hearts spelt out with loving,  
bless the whole wide universe.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [10.37 a.m.]: The honourable member has highlighted the outstanding contribution of the Reverend Bill Thomas, the Uniting Church Deacon of the Canterbury community. The number of people who attended and contributed to the service is indicative of his powerful influence across the community during his 5½-year ministry.

### HORNSBY GANG SHOW

**Mrs JUDY HOPWOOD** (Hornsby) [11.37 a.m.]: I bring to the attention of the House an important component in the community life of the electorate of Hornsby—the Hornsby Gang Show. I have the extreme honour of being one of its patrons, and each year I look forward to its fantastic performance. The Gang Shows are an integral part of the scout and guide movement. They provide training for young people that allows them to discover their talents. Participation behind the scenes and in practice sessions instils confidence and enables young people to develop into more complete individuals and better citizens. They are also a lot of fun. The Hornsby Gang Show was born as a humble first Hornsby troupe concert in 1973, which was due to run only one night. The proceeds were used to send the troupe to the tenth Australian Jamboree in Adelaide. The response was so overwhelming that another night had to be added. Packed houses were recorded on both nights. After that show everyone was talking about the latent talent. It was agreed that this type of training activity should become a regular part of scouting in Hornsby.

Responsibility for and control of the organisation was given to the Hornsby district. In 1974 the cast performed at Loreto Convent hall at Normanhurst, again to packed houses, as *Showtime 74*. The cast was increased to include girl guides. The early shows were guaranteed financially by members of scouting in Hornsby: Jack Go yen, Arthur Ball and Bob MacDonald, whose confidence in this training medium has been realised. The Hornsby Gang Show has performed every year since then, with the exception of 1977, 1982 and 1987. This year was its twenty-ninth season. I have attended the last two shows. In 1975 and 1976 they performed at Greengage Theatre in the then College of Advanced Education at Lindfield as the North side Gang Show. After a two-year break, performances from 1979 to 1981 were held at the Pennant Hills Community Centre.

In 1983 the Gang Show moved to Asquith Boys High School and has performed at that school every year since. In 1987 the troupe became the Hornsby Gang Show. The participating scout and guide groups are 1st Asquith, 1st Berowra, 1st Cheltenham, 1st Cherrybrook, 1st East Wahroonga, Garigal, 1st Hornsby Heights, 1st Kissing Point, 1st Mt Colah-Mt Kuring-gai, Normanhurst, 1st North Turramurra, 1st Tambourine Bay, 1st Wahroonga, 1st Waitara, West Pennant Hills, and West Pymble; and the Beecroft, Berowra, Cherrybrook, Longueville, Thornleigh and Waitara Girl Guides. The popularity of the Gang Show reaches far and wide. In June-July it performed to packed houses over a number of weekends. Last year's theme was "Super Heroes" and this year's theme was "Cruisin". Accolades go to Penny Becchio, Betina-Ann Campbell, Bryan Mattes, Ken Tulk, Phil Gray and the mammoth behind-the-scenes helpers, comprising more than 100 young people, who participate in the skits. They should all be commended for producing such a professional Gang Show.

In the past, Asquith Boys High School has provided the facilities for the Gang Show, but those facilities are no longer suitable for the show's ever-growing needs and a new venue must be found. The State Government could come to the party to assist Hornsby Shire Council with the construction of a civic centre. Perhaps some of the money allocated for PlanFirst could be used to draw up a proposal for the civic centre, which would provide a perfect transition for the gang show, which urgently needs larger premises. I commiserate with Asquith-Mt Colah Scouts group, a major participant in the Gang Show whose scout hall was recently destroyed by an arsonist. I look forward to assisting the group to rebuild its premises so that it can go on to better things.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [11.42 a.m.]: I thank the honourable member for Hornsby for bringing to the attention of the House the Hornsby Gang Show. This group draws together guides and scouts across the north region. It provides avenues for young people to express themselves in the theatre and the performing arts, a very valuable contribution to the community.

#### **MR AUSTIN WOODBURY LAND ACQUISITION COMPENSATION**

**Mr PAUL CRITTENDEN** (Wyang) [11.42 a.m.]: Wyong is a fast growing electorate. As a result of its rapid growth it is necessary to resume land held in private hands for various community uses. On 19 September 2003 I raised in this House circumstances concerning Mr Austin Woodbury, an octogenarian who left school during the Depression at the age of seven. He may have had limited formal education, but I regard him as one of the most intelligent people I have ever met. He has a younger wife and a son who is in year 9 at Gosford Selective High School. He bought an acreage several years ago which has recently been resumed. The gazettal occurred on 11 June this year but Wyong Shire Council has been somewhat tardy in meeting the requirements of the Land Acquisition (Just Terms Compensation) Act 1991. I raised this matter with the Minister for Local Government, who found that council was in breach of section 42 of the Act. Eventually council gave notice, as required under the Act, although it was outside the relevant time limit. On 30 July 2004 the Minister stated:

As Minister for Local Government I would consider any breaches of the Act as a serious matter and as such would ask the Department of Local Government to examine the matter thoroughly and report their findings to me.

Unfortunately, Wyong Shire Council has again transgressed and not met the requirements of the Act. On 1 August 2004 solicitors acting for Mr Woodbury commenced proceedings in the Land and Environment Court and served a copy of these proceedings on Wyong Shire Council on 3 August. In accordance with section 68 of the Land Acquisition (Just Terms Compensation) Act 1991 council was required to pay 90 per cent of the amount of compensation offered in the notice within 28 days after Wyong Shire Council was given notice of the institution of proceedings. The 28 days expired on 31 August. Early last week I again had to chase up the Minister's office and I was told that Wyong council had told Department of Local Government officers about a number of problems, such as that the person authorised to sign the cheque was holidaying in New Zealand, the cat got syphilis—all the excuses under the sun—until eventually a cheque was written on 16 September and arrived on 17 September.

To date \$30,000 has accrued in interest, and Mr Woodbury's lawyers are questioning that calculation. Anyone who is involved in major issues such as land acquisition is placed under considerable stress. When the House resumes I will outline the issues relating to Landcom and planning in the new Warnervale town centre. People whose land is resumed must be given a fair go. Such action causes significant tensions, but thankfully in this case, because of Mr Woodbury's great intuition and intelligence, he has not been bullied. However, many people in my electorate would be undergoing significant stress, and I invite them to contact my office so I can deal with the matter personally and, hopefully, in a sympathetic fashion. Anecdotal and other evidence during my tenure as the member for Wyong has shown that people are placed under tremendous strain, through no fault of their own, because of the provisions of just terms compensation. Many marriages are placed under pressure and people suffer extreme distress. No level of government should go about its business in such a way. I hope that what has happened to Mr Woodbury is not repeated, but I urge my constituents to contact me if they feel so inclined and I will pursue individual cases with great vigour.

#### **CROYDON PUBLIC SCHOOL 120TH ANNIVERSARY**

**Ms VIRGINIA JUDGE** (Strathfield) [11.47 a.m.]: I inform the House of the recent 120th anniversary celebrations of Croydon Public School, 39 Young Street, Croydon, on Wednesday 8 September 2004. I was delighted to attend this day of festivities to mark this special and significant occasion in the history of the school, and I thank the school for its kindness. The principal, Mr David Horne, put in tremendous work and effort to co-ordinate the activities of the day, and he should be commended for his dedication to public education. I also acknowledge the tireless work of a number of staff members: Lyn Sentence, Janet Baker, Greg Weeks, Gaye Simpson, Scherie McDonell, Andrea Lester and Greg Lee.

The program began at 10.00 a.m. with a tour of the school for former students, followed by student performances from 11.30 a.m., open classrooms from 12.15 p.m., a picnic lunch, a special celebration assembly at 1.40 p.m., talks to classes by senior former students at 2.15 p.m., and open school until 8.00 p.m. It was a very busy day. The 10-hour marathon festival that was Croydon Public School's open day had something for

everyone to enjoy and participate in. It was wonderful to see so many former students return to the school to reminisce about their days there.

Former students in attendance included Elaine Brown, whose father, John Mills, was a pupil in 1903. Her son Alan was a pupil in 1967, daughter Lyn in 1968 and daughter Kylie in 1982. Phillis Tuchey, a 90-year-old, and Gordon Burke also attended—Martin Burke was principal from 1915 to 1927. Also in attendance were Chery Kemp, 1935-36; Eileen Stewart, 1937; Margaret Foster, 1939-46; Anne-Marie Foster, 1944-51; David Chivers; Natalie Weaving, mid-1940s; Randle Cottis; Ruth Jones; Bob Kitchen; A. Ramsey, Shirley Lowe, Helen Tucker and family; Judith Rockliff, 1963, and her husband; Paul Pracy, 1950s; Helen and Lea Russell; Keith Christie, 1929-36; sisters Shirley Rippengale and Joy Hales, 1930s; Joy Whitaker, 1951-58; Joanne Delvecchio, 1975; Peter and Joy Forge; Aileen Clarke, 1940s; Ray Thomas, 1942, and son; Fiona Knight, dux in 1974, and daughter; and Soula Caras, whose mother who worked faithfully on the parents and citizens association in 1968.

All in all, more than 300 former students and guests visited the school during this important event. The eldest was Ron Cunningham, aged 91, who attended the school from 1921 to 1928. The current students dressed in period costume from the 1880s. For the boys this meant shorts, long socks, leather shoes—if they had shoes—a cotton collar shirt and some type of jacket. For the girls it meant a dress with a hemline below the knee. Many parents also took the opportunity to dress up. It was marvellous to see a school committee so enthusiastically embrace anniversary celebrations. The children performed displays of Empire marching and demonstrations of the British standard school physical exercise routine. They also sang songs of the Queen Victoria period, including *God Save the Queen*, and performed dances of the late Victorian period.

I can only imagine the work that must have been put into the day by the many teachers, parents, friends and relatives, and of course the wonderful students. I take this opportunity to heartily congratulate them all on their efforts. I was delighted to visit the Croydon Public School and I thank the school community for its great kindness and hospitality. Croydon Public School is an excellent example of the greatness that can be achieved by a public school with support from the local community. I must say I was very impressed by the way the principal had organised the great musical items on the day.

Many years ago, when I was a teacher in a high school, I was involved in music. I used to conduct the orchestra and prepare choirs for eisteddfods and so on, so I know how hard it is to organise musical activities and I know about all the rehearsals that are involved in putting performances together on important school occasions. I must say that the principal did a great job of conducting. I think he might have a future in conducting. In conclusion, I look forward to the school's 125th anniversary celebrations. I hope I am still representing the Strathfield electorate so that I may support the school and its wonderful activities. The celebrations this year even included the lollipop lady—I do not know whether she is a parent or a teacher—who was also in period costume. It was quite a sight to see her all dressed up at the school crossing.

**Mr BRYCE GAUDRY** (Newcastle—Parliamentary Secretary) [11.52 a.m.]: Many members of this House have referred to events held during Education Week at schools in their communities. It is great to note the celebration of 120 years of public education at the Croydon Public School. When I think back to the way communities were organised in the 1880s, I am sure that a school would have been the centre of the educational and cultural life of the community. That is still the case, especially at Croydon Public School. I congratulate the principal, David Horne, staff and students of the school on the great work that is being undertaken, which has been so clearly described by the honourable member for Strathfield.

### SEXUAL ASSAULT COUNSELLING SERVICES FUNDING

**Mr BRAD HAZZARD** (Wakehurst) [11.53 a.m.]: I express concern about the axing of a sexual assault program known as the Jacaranda Project, which has operated out of the North Sydney Sexual Assault Service for approximately eight years. I remind the House that a police operation known as Paradox was under way approximately eight years ago. A huge public furore arose over the many people who phoned in with details of alleged sexual abuse when they were children or young people. The current Government ensured that counselling services were available in New South Wales to address this fundamental problem. While I was the shadow Minister for Corrective Services for two terms and the shadow Minister for Community Services for one term and overseeing the Department of Community Services, the message came through very loud and clear that people who are sexually assaulted when they are children are time bombs of dysfunction. In later life, they are likely to have all types of problems, and those problems can become intergenerational.

The current Government quite properly recognised that and initially provided \$8,000 to each of four services in New South Wales to address the needs of adults who were survivors of childhood sexual assault. However, a hotchpotch, begging-bowl mentality has been forced upon the services over the past few years. Funds are allocated periodically and are then withdrawn. The problem is that the services are aimed at working with other non-government organisations. They have a role in training councillors in other areas besides Government health services. After training, councillors work in a very intense environment while endeavouring to assist people who have suffered childhood sexual abuse, so it really is an inordinate and inappropriate extra strain on councillors to have to wonder how long the funding will last, and whether the program will continue. The uncertainty has created terrible stress and has caused a number of councillors to fall by the wayside in carrying out their role.

It is time the Carr Government translated its rhetoric into reality to guarantee the funding for counselling of sexual assault survivors. Apparently the programs were sneakily cut prior to the end of the financial year. Funding for the service that operates out of the Northern Sydney Area Health Service was cut by \$45,000, and since 1 July no counselling services have been offered through the Northern Sydney Area Health Service under the Jacaranda Project. In the past 24 months I believe 130 documented requests for service have been received by the Northern Area Health Service sexual assault program. Six groups have been run, with approximately 10 clients in each group. But there are still 39 people who are waiting for assistance—waiting for the opportunity to obtain counselling, and waiting for someone to help them to address the problems that have haunted them since they were young.

I ask the Minister for Health to heed the problems I have outlined and the need for services. I seriously wonder whether he even knows about these difficulties. It seems to me that even the current Labor Government would want to ensure that people who have suffered childhood sexual assaults, and who have issues arising from that, should be able to obtain counselling assistance. This issue should be above politics. If the Minister for Health reads my speech or is told about these problems, I hope he will gather his senior bureaucrats in NSW Health and have them restore the program to operational status, or explain to him why it is not happening.

I believe the Minister has an obligation to explain to the community why the program has stopped operating. I also point out that councillors in the Jacaranda Project work with non-government organisations such as the Baringa Women's Refuge at the Dee Why. The Baringa centre was also involved in offering programs to victims of childhood sexual abuse, but currently does not offer the service. That means for the 800,000 people who live in the northern part of Sydney, particularly those who live on the northern beaches, there are no services for those who are desperately awaiting counselling as a result of having suffered sexual abuse when they were children.

### QUARRY HOUSE INTERNATIONAL PTY LTD

**Mr PAUL LYNCH** (Liverpool) [11.58 a.m.], by leave: I advise the House of the unsatisfactory experiences of a constituent of mine, Gilbert Morvan, with an organisation that goes by the name of Quarry House International Pty Ltd. Earlier this year Mr Morvan's niece noticed an advertisement in the television magazine inserted into the 11 April edition of the *Sun Herald*. The advertisement was for a Royal Sheffield lifetime pen. It was proudly proclaimed to be now available. The advertisement had all the overblown puffing that one comes to expect:

You'll never need to buy another pen for the rest of your life. The 100-year lifetime pen can outperform even a \$100 fountain pen—and no ink to fill. 100-year, diamond-hard, iridium-osmium-ruthenium tip never dulls, clogs, skips or misses a single stroke—for life.

The advertisement also claimed:

Yes! Now get the incredible 100-year 'lifetime pen'—a \$100 value—for only \$24.95! Plus as a special bonus just for trying—a deluxe set of 5 different types of writing instruments—on this special no-risk trial offer.

And so the advertising goes on. As indicated above, the advertisement was noticed by my constituent's niece. She was in Australia as an overseas visitor. My constituent thought the pens would be a nice memento for her of her trip to Australia, and he thought he would get a set for himself at the same time. Accordingly, Mr Morvan ordered two sets of pens on 14 April and paid by money order. He expected to receive the pens shortly. They had, after all, been advertised as now available in Australia. However, the weeks passed and nothing arrived. Four weeks later Mr Morvan rang the customer service telephone number in the original advertisement. He was told that they did not then have any pens and they would have to wait for a further period. Mr Morvan sent a letter dated 19 May 2004 to Quarry House International, which stated in part:

On 11 April 04 your company advertised in a television magazine inserted in the 'Sun Herald'—Royal Sheffield pen now available in Australia.

On 14 April 04 I ordered two sets of the pen paying by money order. I wanted to give one set to my niece who was visiting Australia from overseas. On 12 May 04, 28 days after ordering them and not having received those pens, which were advertised on 11 April 04 as now available in Australia, I phoned the customer service number given in the ad. I was told that they were out of stock and I will have to wait for some more weeks. May I point out that it was never mentioned in the ad that the pens were available till stocks last.

In view of the previous, could you please answer the following?

- Did you cash my money order and if yes on what date?
- If yes, before cashing my money order why was I not notified that you were out of stock and given the option of a refund as "the pens now available in Australia" on the 11 April 04 will take months to reach me?
- When will I receive those pens now?

Mr Morvan also pointed out that on 16 May 2004 on page 45 of the *Sun-Herald* the same group was advertising six vintage cars of the early 1900s at \$19.95. I also understand that the group has continued to advertise other items even more recently. What was particularly infuriating was that the advertisements continued well after Mr Morvan and his niece first saw them—well after they were out of stock. I should add that it is not clear to me whether they had stock and ran out, or never had any stock in Australia.

Following Mr Morvan's letter, Quarry House International replied with a refund of his money, with a cheque, curiously enough, drawn on an account of Kirin Publishing Pty Ltd. The cheque was better than nothing, but quite a few weeks after his money order was sent there were still no pens apparently available. Getting a refund cheque is hardly a sufficient answer in this case. It is not just the inconvenience of the behaviour of Quarry House—Mr Morvan's niece has now returned overseas—it is that Quarry House was guilty of false advertising. It claimed, and continues to claim, that the pens were available when they clearly were not. It also had the benefit of my constituent's money for nothing in return. The Minister's office said that this does not breach any current legislation. I suggest that the Minister and the Minister's staff either look harder or strengthen the legislation. As part of its response, Quarry House also claimed that it wrote to all its customers in this situation. In relation to Mr Morvan, this was quite untrue. Its only contact with him was after he wrote to Quarry House. I urge my constituents to be very careful about having any dealings with these organisations.

### BANGOR BYPASS

**Ms ALISON MEGARRITY** (Menai—Parliamentary Secretary) [12.03 p.m.]: Since becoming the member for Menai I have taken the opportunity in this Chamber to formally raise issues relating to the Bangor bypass. Most of my colleagues would agree that I have also utilised every other possible opportunity in the meeting rooms and corridors of this place. Some of them have asked me to ensure that they receive an invitation to the official opening because they have kept close pace with the development of the project and have watched me deal with the highs and lows of the community consultation process. Having said that, the project has overwhelming community support.

During my candidacy for the new seat of Menai in 1999, the community was loud and clear in its desire for the Bangor bypass to be constructed. The rapid urban expansion of the Menai area had clearly outstripped the infrastructure, and there was a considerable backlog for me to deal with as the new member. Others had promised but never delivered on the bypass. So there was a fair degree of community cynicism about the Carr Government's commitment to deliver it. Prior to the March 1999 election Labor made a commitment to construct the four-lane \$47-million Woronora Bridge. It was delivered and is working very well.

The bypass was originally envisaged as a road travelling in an east-west direction from Woronora Bridge to Old Illawarra Road at Barden Ridge. Based on previous estimates it would cost \$36 million. As the environmental studies and design work progressed it became obvious that the real cost would be more like \$60 million. The Carr Government's commitment not only held up but our community's concerns that a north-south link needed to be included in the environmental impact statement [EIS] and budget allocations were heard. This inclusion brought the total budget commitment to \$100 million.

During the EIS consultation period a number of issues were raised by the community and various other government agencies. Honourable members may recall that the Roads and Traffic Authority [RTA] had to respond to these issues via a representations report. A further \$15 million worth of modifications were agreed to by the Minister for Roads. On behalf of my community, I reiterate my thanks for the fact that the Minister for Roads has always listened and responded to our concerns. Indeed, throughout the project I have brought

numerous matters regarding noise barriers and other aspects of the construction to his attention, and I have received a favourable response.

This brings me to unresolved community concerns about Bangor bypass intersection with Old Illawarra Road. The Safe Access for Everyone committee, Menai Public School council and other members of the school and wider community have been calling for a grade separation to be constructed at the intersection. The Minister for Roads and his Parliamentary Secretary are well aware of concerns through the many formal and informal representations I have made on this issue. I must acknowledge all sides of the argument. I appreciate that the RTA's prime objective is safety first, and that it believes the intersection as proposed is adequate. I note that the RTA has advised the Minister of this fact in its professional capacity based on the modelling undertaken and its statewide experience.

I have already acknowledged that the Minister has always listened and responded to the concerns of my community. I know that his budget is not a bottomless pit and that a pedestrian and vehicular grade separation at this intersection is variously estimated to cost about \$50 million. I echo the thanks of Mrs Jean Atherton, a parent of Menai Public School students, for the fact that yesterday the Minister met with the students of Menai Public School and one from Inaburra school to receive their letters detailing their concerns. In the time available I shall quote a couple of letters from the children. I will use their first name and their surname initial to protect their privacy. Vanessa C, aged nine, wrote:

My name is Vanessa ... and I am in year 4 at Menai Primary. With the new 9 lane road being built this will affect a lot of my activities. We do our school swimming at Menai Swim Academy and we usually walk to the pool. Now, it will be dangerous trying to cross the new road safely with so many children. Our school also goes to Menai Library, Menai Marketplace and the Fire Station on walking excursions. Trying to cross the new road will be very dangerous. Even after school or on weekends a lot of my friends and I will need to cross the 9 lanes to go to the park or the bike trails. We don't want to have to be scared to cross such a big road and hope that all drivers will stop on time and not rush the lights. Please ... build a bridge over the new road and keep us all safe.

Tom S, aged nine, wrote:

I am writing to you because I think the new intersection will be dangerous for kids like me to cross.

We will not be able to safely:

- walk to our friends houses.
- use the bike track.
- leave school quickly in a bush fire.

and lots of other activities.

I hesitate to mention only two letters, but I think honourable members can get a feel for the views of the children. While I said I acknowledge all sides of this issue, I stand in this place first and foremost as a representative of the people. I encourage the Minister and his staff to listen closely to the thoughts of these young people. To their parents and friends I say: A wise person once said that in public life some community issues are sprints and some are marathons. I will continue to utilise every opportunity, whether formal or informal, to deliver the right road for my community.

**Private members' statements noted.**

**The House adjourned at 12.08 p.m. until Tuesday 19 October 2004 at 2.15 p.m.**

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