

LEGISLATIVE ASSEMBLY

Tuesday 2 May 2006

Mr Speaker (The Hon. John Joseph Aquilina) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

Mr SPEAKER: I acknowledge that we are on the land of the Gadigal clan of the Eora nation and thank them for their custodianship of this land.

ADMINISTRATION OF THE GOVERNMENT

Mr SPEAKER: I report the receipt of the following message from the Administrator dated 19 April 2006.

K. MASON
ADMINISTRATOR

Office of the Governor
Sydney 2000

The Honourable Justice Keith Mason, President of the Court of Appeal, Administrator of the State of New South Wales, has the honour to inform the Legislative Council that, consequent on the Governor of New South Wales, Professor Marie Bashir having assumed the administration of the government of the Commonwealth of Australia, and in the absence from the State of the Lieutenant-Governor, he has this day assumed the administration of the government of the State.

19 April 2006

ADMINISTRATION OF THE GOVERNMENT

Mr SPEAKER: I report the receipt of the following message from the Lieutenant-Governor dated 19 April 2006:

J. J. SPIGELMAN
LIEUTENANT-GOVERNOR

Office of the Governor
Sydney 2000

The Honourable James Jacob Spigelman, Chief Justice of New South Wales, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Council that, consequent on the Governor of New South Wales, Professor Marie Bashir having assumed the administration of the government of the Commonwealth of Australia, and following his return to the State, he has this day assumed the administration of the government of the State.

19 April 2006

ASSENT TO BILLS

Assent to the following bills reported:

Child Protection (International Measures) Bill
Environmental Planning and Assessment Amendment (Reserved Land Acquisition) Bill
Law Enforcement (Controlled Operations) Amendment Bill
National Parks and Wildlife (Adjustment of Areas) Bill

MINISTRY

Mr MORRIS IEMMA: In the absence of the Minister for Planning, Minister for Redfern Waterloo, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer), who is on his honeymoon, the Minister for Aboriginal Affairs, and Minister Assisting the Premier on Citizenship will answer questions on his behalf. In the absence of the Minister for Tourism and Sport and Recreation, Minister for Women, and Minister Assisting the Minister for State Development, who is ill, the Minister for Local Government will answer questions on her behalf.

BEACONSFIELD GOLDMINE RESCUE

Ministerial Statement

Mr MORRIS IEMMA: I am pleased to inform the House that the New South Wales Government last night sent a crew of three special casualty access team paramedics and a doctor to assist in the mine rescue at

Beaconsfield in Tasmania. The New South Wales team was deployed after requests from the Tasmanian Ambulance Service and the Beaconsfield mine rescue team. Honourable members will know that Todd Russell and Brant Webb are trapped a kilometre underground in a cramped cage at the Beaconsfield goldmine after a rock fall last Tuesday evening. Sadly, their colleague died in the accident. The New South Wales team was called upon for its expertise, which forms a vital part of our preparedness for incidents of this nature.

All four members of the New South Wales team were involved in the rescue of Stuart Diver after the Thredbo landslide in July 1997. One of our team members, Paul Featherstone, sat with Stuart for 12 hours before he was finally brought to the surface after being trapped for 65 hours. Paul is a senior paramedic attached to the Surf Lifesaver Helicopter. Another member of the team is Dominic Morgan, a Tasmanian by birth, who has brothers and relatives in the Tasmanian Ambulance Service. Keith Williams is the manager of the team and he is tasked with managing our team's logistics. The final member of the team is Dr Richard Morris, Director of Anaesthetics at St George Hospital. He is one of our retrieval specialists and led the clinical care of Stuart Diver while Stuart was trapped underground. Dr Morris also assisted in co-ordinating our response to the tsunami disaster in Indonesia. All members of the team are involved extensively in major incident planning and response.

I am informed that the team will be working closely with the Beaconsfield rescue teams, initially in an advisory capacity but will take on a more hands-on approach if required. In a situation such as this it is not only the physical state of the trapped men that needs to be addressed but also their psychological wellbeing. I am sure honourable members from both sides of the House will wish our team well and will have the two men and their families in their thoughts. We all hope for a speedy and successful rescue.

VARIATIONS OF PAYMENTS ESTIMATES AND APPROPRIATIONS 2005-06

Mr John Watkins tabled variations of the payments estimates and appropriations for 2005-06 relating to various agencies under section 24 of the Public Finance and Audit Act 1983 flowing from the transfer of funding for water social programs from "Payments for Water and Sewerage Assistance" to the Department of Energy, Utilities and Sustainability.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Report

Mr Speaker announced the receipt, pursuant to section 78 of the Independent Commission Against Corruption Act 1988, of the report entitled "Report on Investigation into the Alleged Leaking of a Draft Cabinet Minute", dated April 2006.

Ordered to be printed.

AUDIT OFFICE

Report

The Clerk announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the performance audit report of the Auditor-General entitled "Fare Evasion on Public Transport: Follow-up of 2000 Performance Audit", dated April 2006

LEGISLATION REVIEW COMMITTEE

Report

The Clerk announced the receipt, pursuant to section 10 of the Legislation Review Act 1987, of the report entitled "Legislation Review Digest No. 5 of 2006", dated 28 April 2006.

PETITIONS

Hornsby and Berowra Train Station Parking Facilities

Petition requesting adequate commuter parking facilities at Hornsby and Berowra train stations, received from **Mrs Judy Hopwood**.

Bus Service 352

Petition requesting extension of bus service 352 to operate on nights and weekends, received from **Ms Clover Moore**.

Mount Austin Public School

Petition requesting funding for the provision of a school assembly hall facility at Mount Austin Public School, received from **Mr Daryl Maguire**.

Wagga Wagga Electorate Schools Airconditioning

Petition requesting the installation of airconditioning in all learning spaces in public schools in the Wagga Wagga electorate, received from **Mr Daryl Maguire**.

Campbell Hospital, Coraki

Petition opposing the closure of inpatient beds and the reduction in emergency department hours of Campbell Hospital, Coraki, received from **Mr Steve Cansdell**.

Breast Screening Funding

Petitions requesting funding for breast screening to allow access for women aged 40 to 79 years, received from **Mr Steve Cansdell**, **Ms Katrina Hodgkinson** and **Mr Michael Richardson**.

Singleton Hospital Land Sale

Petition opposing the proposed sale of Singleton Hospital land, received from **Mr George Souris**.

Mental Health Services

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

Caritas Mental Health Service

Petition requesting the redevelopment and expansion of the Caritas mental health service, received from **Ms Clover Moore**.

Newstan-Awaba Mines Extension Project

Petition opposing Centennial Coal Company Limited's proposal to extend the Newstan-Awaba mines for open-cut mining, received from **Mr Jeff Hunter**.

Community-based Preschools

Petitions requesting increased funding to community-based preschools to enable them to maintain parity with preschools administered by the Department of Education and Training, received from **Mr Greg Aplin**, **Mr Jeff Hunter** and **Mr Daryl Maguire**.

Drought Assistance Subsidies

Petition requesting the restoration of drought assistance subsidies for landowners in drought affected areas, received from **Ms Katrina Hodgkinson**.

Recreational Fishing

Petition opposing any restrictions on recreational fishing in the mid North Coast waters, received from **Mr John Turner**.

Crown Land Leases

Petition requesting the withdrawal of changes to the rental structure of Crown land leases, particularly enclosed road permits, received from **Ms Katrina Hodgkinson**.

Sydney Harbour Master Plan

Petition requesting that Sydney Harbour remain a working harbour, and calling for long-term strategic planning culminating in a published master plan, received from **Ms Clover Moore**.

Yass Water Supply

Petition requesting funding to provide Yass with a safe and secure potable water supply, received from **Ms Katrina Hodgkinson**.

CSR Quarry, Hornsby

Petition requesting a public inquiry into Hornsby Shire Council's acquisition of CSR Quarry in Hornsby, received from **Mrs Judy Hopwood**.

Grafton Bridge

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

Barton Highway Dual Carriageway Funding

Petition requesting that the Minister for Roads change the Roads and Traffic Authority's priority for Federal AusLink funding for the Barton Highway to allow the construction of a dual carriageway, received from **Ms Katrina Hodgkinson**.

Coolac Bypass

Petition requesting approval of the Coolac bypass, received from **Ms Katrina Hodgkinson**.

The Rock/Bullenbong Road Upgrade

Petition requesting funding for the immediate upgrade of The Rock/Bullenbong Road, received from **Mr Daryl Maguire**.

Oxford Street Clearway

Petition requesting removal of the Oxford Street clearway and the imposition of a 40 kilometres per hour speed limit in Oxford Street, received from **Ms Clover Moore**.

COMMITTEE ON THE OFFICE OF THE OMBUDSMAN AND THE POLICE INTEGRITY COMMISSION

Reports

Mr Paul Lynch, as Chairman, tabled the following reports:

Report No. 10/53, entitled "Thirteenth General Meeting with the NSW Ombudsman", dated May 2006, together with transcript of proceedings, written responses to questions and minutes.

Report No. 11/53, entitled "Ninth General Meeting with the Police Integrity Commission", dated May 2006, together with transcript of proceedings, written responses to questions and minutes.

Reports ordered to be printed.

QUESTIONS WITHOUT NOTICE

STATE BUDGET

Mr PETER DEBNAM: My question is directed to the Premier. Given that he has delayed the budget by one week to reduce parliamentary scrutiny of his budget crisis, will he agree to have Parliament sit for the week beginning Tuesday 13 June to allow proper scrutiny of the budget and to allow members of Parliament to represent the concerns of their electorates?

Mr MORRIS IEMMA: The Parliament will sit for 60 days this year.

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

Mr MORRIS IEMMA: The four parliamentary sitting days scheduled to commence on Tuesday 30 May have been rescheduled to commence on Tuesday 14 November. The sitting days at the end of May had been set aside for the presentation of the budget. As the budget will now be brought down on 6 June, the sitting week scheduled to commence on 30 May will be postponed to November. There will be no reduction in the number of parliamentary sitting days or parliamentary question times as a result of this alteration to the parliamentary schedule. Counting backwards, the sittings statistics provide a useful comparison to the last time that the Coalition was in office. In 1994, the Legislative Assembly sat for 45 days; in 1993 it sat for 45 days.

Mr Peter Debnam: Point of order: My point of order is relevance. We are talking about a week after the budget.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. The Premier is answering the question he was asked.

[Interruption]

Mr SPEAKER: Order! The Premier's answer is completely relevant. He is responding to the question by referring to the number of days that the Parliament will sit. The Leader of the Opposition will resume his seat.

Mr MORRIS IEMMA: It is a simple proposition, even for the simpleton opposite. The sitting scheduled for the last week in May had been set aside for the budget. The budget will be brought down on 6 June. That is the reason for the adjustment of the parliamentary schedule. As I said, the Legislative Assembly will sit for 60 days this year. The last time the Coalition occupied the Treasury benches, Parliament sat for 45, 45, 55, 57, 55, 52 and 41 days. That was between 1994 and 1988. Not once during the entire period of the Greiner Government did the Parliament sit for a total of 60 days in one year.

Mr Barry O'Farrell: Point of order: My point of order is relevance. The point of relevance is that each time the Coalition was in office, there were two weeks of sittings after a budget; two weeks of question time after a budget. What is the Premier hiding?

Mr SPEAKER: Order! The Deputy Leader of the Opposition will resume his seat. He must not debate the issue.

EMPLOYMENT AND INVESTMENT

Mr GEOFF CORRIGAN: My question without notice is to the Premier. What is the latest information on jobs and investment in New South Wales?

Mr Barry O'Farrell: The State's economy is a cause for national concern—the *Financial Review* today!

Mr MORRIS IEMMA: The Deputy Leader of the Opposition is showing a lot of activity today, isn't he?

Mr Milton Orkopoulos: He has shaved.

Mr MORRIS IEMMA: Yes, he has shaved. He goes to the gym, engages in lots of activity, and distributes the transcript of his interview three weeks ago when he sprang to his leader's defence.

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order. He will resume his seat.

Mr MORRIS IEMMA: The transcript was interesting. The Deputy Leader of the Opposition said he suspects his days have passed him by, in the context of the Coalition's leadership. He only suspects, while at the same time giving his leader a resounding vote of confidence in retaining the leadership.

There is good news about the New South Wales economy. I thank the honourable member for Camden for his interest in creating jobs. Since 1995, more than 500,000 jobs have been created in New South Wales. Full-time employment remains at record levels. Unemployment rates are at the lowest in 20 years. Average weekly earnings in New South Wales are \$50 higher than in the other areas of Australia. Even more important than the raw numbers are the skills and attributes of the New South Wales work force. Approximately one million New South Wales residents speak a language other than English. More than half the New South Wales work force holds tertiary qualifications, and almost half the work force is employed in knowledge-based occupations.

Therefore, it is not surprising that two-thirds of the nation's multinational firms—more than 600—have made Sydney the home of their regional operations, cementing Sydney's role as Australia's only global city. For example, in March I opened Fidelity International's new Asia-Pacific Regional Services Centre in Sydney, which created 200 extra jobs. Fidelity is the world's largest independent funds manager and it chose Sydney as its regional hub ahead of competitors such as Singapore and Hong Kong. What a vote of confidence in the economy of New South Wales!

The good news on the job front extends to regional and rural New South Wales. For example, Newcastle is set to become the hub for the construction of luxury yachts. In the past two months I have launched two major projects, Sensation yachts and Azzura Marine, involving 160 jobs at Sensation and 400 for Azzura—jobs for the Hunter. Before I get to the latest developments in country New South Wales, who will ever forget that band of prosperity in rural New South Wales? That band of profitability is alive and well and one only has to look at the Cowal gold project, which created 720 jobs during construction and is now creating 200 permanent jobs for the Central West.

Mr SPEAKER: Order! The honourable member for Lachlan will restrain his enthusiasm.

Mr MORRIS IEMMA: He should be supporting this project. The first gold was produced from the Cowal mine on Sunday afternoon, the culmination of a \$400 million investment and a tribute to Barrick Gold and its dedicated employees, who have opened the mine on time as planned.

Mr Peter Debnam: You should give them a rap too.

Mr MORRIS IEMMA: I have. That is the sign of a healthy economy: strong job prospects and a sound employment base. Every time there is a bit of good economic news, all we ever hear from the Opposition—and today we heard it again from the Deputy Leader of the Opposition—is talking down New South Wales. Members of the Opposition hate it when there is some good news on the job front and they hate it when there is good news on the investment front, and they hate it when there is good news on the economic front. The Opposition wants to see the State talked down, and that is because it simply does not have any plan for driving investment jobs and economic growth for New South Wales. At the first sign of any news the Opposition jumps up and talks down New South Wales—and that is the direct opposite to what this Government is about: activity, jobs and investment.

I am very pleased to advise the House that the latest success in attracting investment and jobs to New South Wales is that Tabcorp has decided to relocate 300 jobs from Melbourne to Sydney. That relocation will involve 300 jobs and a \$50 million investment in western Sydney. Tabcorp, as the holder of the New South Wales totalisator wagering rights, will integrate its New South Wales and Victorian wagering systems. Subject to legislation by Parliament, Tabcorp will be able to process bets from both New South Wales and Victoria here in New South Wales, in western Sydney. As a result, Tabcorp, through that integration and relocation, will move its Box Hill, Victoria, facilities to Western Sydney. Work will commence on this huge win for Western Sydney and it is a massive endorsement of the State's employment base and a significant vote of confidence in New South Wales and its economy.

While in Canberra, Mr Costello might want to pay attention to jobs and investment and lend his hand to those efforts right across the nation in keeping interest rates down so that further investments can take place, to give further stimulus to the economy and, above all, to assist families to pay off their mortgages or first home buyers to get into their first home.

STATE BUDGET

Mr PETER DEBNAM: My question without notice is directed to the Premier. Given that the Premier has increased or introduced 15 new taxes since being elected to that position, hitting New South Wales families with more than \$700 million of new taxes and making New South Wales the highest taxing State, will he rule out any new taxes and charges and any increases in taxes and charges in his June 2006 budget?

Mr MORRIS IEMMA: Vendor duty gone on day one, two reductions in workers compensation premiums, 15 per cent reduction in workers compensation premiums, and \$500 million tax cut for business. That is the record.

Mr Peter Debnam: Point of order: My point of order is relevance. This is absolutely straightforward. Is the Premier going to have new taxes or increased taxes or not? The Premier has introduced—

Mr SPEAKER: Order! The Premier has been speaking for only 23 seconds. The Leader of the Opposition will resume his seat and give the Premier an opportunity to reply.

Mr MORRIS IEMMA: The Government has a record of cutting taxes and reducing the cost of doing business. The budget will be consistent with the record established of cutting taxes and reducing the cost of doing business. When it comes to tax increases, the Leader of the Opposition, in his reply to the budget, might want to explain to businesses in New South Wales how he will pay for \$23 billion of unfunded promises. That is what he might want to explain. What taxes will be increased? What new taxes will be introduced to pay for \$23 billion worth of unfunded promises?

Mr Peter Debnam: Point of order: My point of order is relevance. The Premier simply has to answer my question with yes or no—new taxes or not?

Mr SPEAKER: Order! The Leader of the Opposition knows better than that. He will resume his seat.

TEACHING STANDARDS

Mrs KARYN PALUZZANO: My question without notice is addressed to the Minister for Education and Training. Will the Minister update the House on measures to ensure the highest standards of teaching in New South Wales schools?

Ms CARMEL TEBBUTT: I thank the honourable member for Penrith for her ongoing interest in all matters to do with education. The Government is committed to the highest standards of teaching in New South Wales. In New South Wales we are very fortunate to have committed and dedicated teachers and support staff. However, as in any workforce, a small number of employees do not meet the required standards. The Government is committed to providing a consistent framework and to streamlining the processes of dealing with poorly performing employees and employees who are found to have committed misconduct within the Department of Education and Training and TAFE.

We need a faster, simpler and far less adversarial process for dealing with those employees without diminishing their right to procedural fairness or a fair go. The students, parents and teachers of New South Wales deserve no less. The Government will provide for the efficient, timely and fair management of staff whose performance and conduct does not meet the required standard. The education of children in New South Wales is too important to accept anything less than the best—the best schools, the best curriculum and the best staff.

In New South Wales we aim to be the best and to produce the best. The Government is spending \$10.2 billion on education and training; supporting quality teaching through the creation of the Institute of Teachers; spending \$650 million over four years on a class size reduction program, and it is delivering results; and investing \$144 million over four years in teacher professional development. We are making sure that teachers have the opportunities for ongoing and lifelong learning. The Department of Education and Training provides schooling and vocational education to more than a million students in New South Wales. We all know—as citizens, as teachers, and as a government—that a quality education gives young Australians the best possible start to live and work. Research demonstrates the critical role of quality teachers in education outcomes. Accordingly we have a responsibility to deal appropriately with the small number of teachers and other employees whose work performance and/or conduct does not meet the required standard. I stress that it is a small number.

I emphasise that that relates only to a small number of teachers. The overwhelming majority of teachers and other staff working in government schools and TAFE are doing a fine job and they are dedicated and committed. As I said earlier, in all fields of work there are a small number of employees who, after receiving appropriate support and advice and an opportunity to improve their performance, are not able to work to the standard required. A small number, by their actions and their conduct, behave in a manner that is inappropriate

to professionals working with children. That small number of employees makes it harder for everyone else. They make it harder for their students whom they are entrusted to teach, guide and support, and they make it harder for their fellow teachers who are left to try to fill the gaps.

The current procedures for managing employee performance and conduct matters are lengthy, cumbersome, quasi-judicial and inconsistent. They provide for long-running adversarial mini-trials where witnesses, including children, can be cross-examined by legal representatives of employees. In many cases processes to discipline employees for poor performance or misconduct get bogged down in complex arguments about the legal process.

Mr Brad Hazzard: Point of order: I draw your attention to a learned decision from a former Speaker, who pointed out that Ministers should give Opposition members an opportunity to address policy issues through the making of ministerial statements. Obviously this Minister is afraid to address the House.

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

Mr Brad Hazzard: On page 270 of *Decisions from the Chair* Speaker Ellis is noted as having ruled:

To preserve the rights of Members during Question Time, when replies to questions are to take the form of Ministerial Statements they should be deferred until the time allotted for questions has expired.

Minister, give us a go. Let us debate this issue.

Mr SPEAKER: Order! The honourable member for Wakehurst will resume his seat. I have given him a fair go on the point of order.

Mr Carl Scully: To the point of order: The honourable member for Wakehurst well knows that any member is entitled to elicit information from a Minister during question time. The question elicited information. The Minister is providing that information; she is not providing advice about policy changes.

Mr SPEAKER: Order! The Minister for Education and Training has the call. Her answer was in order.

Ms CARMEL TEBBUTT: As I said, in many cases, rather than focusing on issues about employee performance and conduct, the whole process gets bogged down in complex arguments about the legal process. It is not unusual for such cases to take well over 12 months to resolve. That is not good enough.

Mr SPEAKER: Order! The honourable member for North Shore will come to order.

Ms CARMEL TEBBUTT: The complexity acts as a disincentive for principals and senior employees to initiate proceedings to discipline employees whose performance and/or conduct are not of the standard required. The Government will fix that by simplifying the process and removing red tape. This Government is committed to a contemporary approach to public sector human resource management that balances the rights of employees with the public interest. It will continue to provide for appeal rights for employees. Employees will still have the right to lodge claims for unfair dismissal to the Industrial Relations Commission or appeal other decisions to the Government Related Employees Appeal Tribunal.

The Government is committed to reducing the time taken to discipline employees whose performance or conduct is of an unsatisfactory standard. These changes, which are fair but firm, will give the community the confidence that public education standards will be improved through the adoption of modern, streamlined and fair procedures for the management of performance and conduct within the Department of Education and Training. They will ensure the highest standards of conduct and performance amongst teachers in New South Wales. They will also ensure that quality teaching and protecting children remain the two cornerstones of public education.

SNOWY HYDRO LIMITED SALE

Mr ANDREW STONER: My question without notice is directed to the Premier.

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

Mr ANDREW STONER: Given that he has ignored widespread community concern and refused to halt the rushed fire sale of Snow Hydro, will he guarantee that 100 per cent of the funds raised will go towards rebuilding this State's decaying essential infrastructure and that not one cent is siphoned off to cover this Government's budget black hole?

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

Mr MORRIS IEMMA: As stated previously, the decision to divest the Government's interest in Snowy Hydro is based on freeing up capital tied up in those assets for investment in infrastructure in New South Wales. It is a business that has been growing, with investments in Victoria and South Australia in the power generation and power retail areas. It is a business that wants to grow in the future and it will require support. In the sale of its interest in Snowy Hydro the Government made the decision to free up capital in that business to invest in New South Wales infrastructure for the benefit of New South Wales taxpayers, roads and hospitals.

Mr Andrew Stoner: Are you going to guarantee that not one cent goes to cover your budget black hole?

Mr MORRIS IEMMA: The Snowy Hydro decision has nothing to do with the recurrent operating expenses of the New South Wales budget. This is a decision to free up capital for investment in infrastructure in New South Wales, improving infrastructure for the citizens of New South Wales and, at the same time, creating jobs in New South Wales.

CHILDREN'S GUARDIAN AND COMMISSION FOR CHILDREN AND YOUNG PEOPLE ROLE

Mrs BARBARA PERRY: My question without notice is directed to the Minister for Community Services. Will the Minister inform the House about the role of the Children's Guardian and the Commission for Children and Young People in protecting the children and young people of New South Wales?

Ms REBA MEAGHER: In 1995 Labor inherited a child protection system that was in shambles. As the police royal commission so shamefully revealed, paedophiles were able to work with children with few checks on their background and activities, and the out-of-home system was an unregulated mess. Labor put in place a detailed system of screening and advocacy to protect children, most notably through the formation of the Office of the Children's Guardian and the Commission for Children and Young People. The Children's Guardian means that kids in out-of-home care have a place to turn when things go wrong, a watchdog to look after their interests and an independent voice within government.

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

Ms REBA MEAGHER: Likewise, the Commission for Children and Young People, headed by one of the State's most dynamic public servants, Gillian Calvert, has put New South Wales at the international forefront of protecting children. As a result of our reforms New South Wales became the first State in Australia to introduce a Working with Children Check, which employers now trust and rely on to help them recruit the right people to work with kids. I am pleased to report that New South Wales will shortly reach the extraordinary landmark of 1.25 million people having been subjected to the Working with Children Check. That is 1.25 million occasions when people have applied for a job working with children and the Commission for Children and Young People and other approved agencies have checked their background to ensure that known paedophiles and others with a dangerous or unsuitable profile are excluded from working with our children.

If one had read the alarmist nonsense peddled in the press by the honourable member for Willoughby one would have thought New South Wales had lurched back to the pre-royal commission bad old days. The honourable member for Willoughby made demonstrably false and reckless allegations that the Commission for Children and Young People and the Children's Guardian had been "quietly abolished". I assure all honourable members that they have not. The Commission for Children and Young People and the Office of the Children's Guardian are alive and well. Their leadership, their staffing and their functions remain in place. Indeed, how could it be otherwise? These two organisations are statutory bodies created by this Parliament and they can be abolished only by this Parliament. The honourable member for Willoughby should have known that. This Government created the Office for Children to provide administrative and financial support to the Commission for Children and Young People and the Children's Guardian, to promote back-office efficiency and to free up resources to plough into front-line service delivery.

Ms Gladys Berejiklian: Point of order—

[Interruption]

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

Ms Gladys Berejiklian: The Minister for Community Services has an obligation to explain to the House why she gazetted the abolition of the Commission for Children and Young People—

Mr SPEAKER: What is the point of order?

[Interruption]

Mr SPEAKER: Order! The honourable member for Willoughby should know by now that this is question time. It is not a debate. There is no point of order. The honourable member for Willoughby will resume her seat.

[Interruption]

Mr SPEAKER: Order! The honourable member for Willoughby will resume her seat. The Minister has the call.

Ms REBA MEAGHER: I suggest to the honourable member for Willoughby that less coffee before question time would be helpful. This Government created the Office for Children to provide agency support to the commissioner and the Children's Guardian and to promote back-office efficiency so that resources could be ploughed into front-line service delivery. I do not know what part of that the honourable member for Willoughby does not understand. This is back-office housekeeping. The commissioner and the Children's Guardian remain in place. Their staffing is in place and their functions are in place. To depict this as an abolition, as the honourable member for Willoughby has done, is desperate and hysterical. It is a desperate and hysterical misrepresentation.

Ms Gladys Berejiklian: Point of order: I again raise a point of order in relation to the Minister misleading the House.

Mr SPEAKER: Order! That cannot be the basis of a point of order.

[Interruption]

Mr SPEAKER: Order! The honourable member for Willoughby should know that an allegation of misleading the House cannot be the basis of a point of order. The honourable member for Willoughby will resume her seat.

[Interruption]

Mr SPEAKER: Order! The honourable member for Willoughby will resume her seat.

Ms REBA MEAGHER: I have the press release that was issued by the honourable member for Willoughby, which says that the web site of the Office of the Children's Guardian was still stating that "it is one of the most significant reforms in out-of-home care in New South Wales"—

Mr Brad Hazzard: Point of order: The Minister has identified that she is quoting from a press release. Can she verify the document in accordance with standing orders because she is actually holding a media report? It has nothing to do with a press release. You are telling porkies again, Minister.

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

Ms REBA MEAGHER: The honourable member for Willoughby said that she was concerned that last week the Office of the Children's Guardian web site was still stating that it is one of the most significant reforms in out-of-home care. She went on to ask, "That being the case, why has the office been abolished?" It has not.

Mr Donald Page: Point of order—

Ms REBA MEAGHER: You can fly as much air cover as you like but you have to admit that she is wrong.

Mr SPEAKER: Order! The Minister will resume her seat.

Mr Donald Page: The standing orders provide that if a member wishes to attack another member he or she must do so by way of substantive motion.

Mr SPEAKER: Order! The honourable member for Ballina will resume his seat.

[Interruption]

Mr SPEAKER: Order! The honourable member for Ballina will resume his seat. I suggest that he spend some time studying the standing orders. The Minister has the call.

Ms REBA MEAGHER: The commissioner issued a statement on 23 April, which said that there have been no changes to the Children's Guardian or the Commission for Children and Young People legislation, and both the commissioner and the guardian continue to carry out their legislative responsibilities and functions unchanged. It is interesting to note that this position was outlined to the honourable member for Willoughby on 20 April by the director-general of the Department of Community Services [DOCS], Dr Neil Shepherd. So the honourable member for Willoughby knew four days before she made the accusations that she was wrong. She knew, and she went ahead and recklessly misled the people of New South Wales. Thousands of children in New South Wales and their carers rely on the Commission for Children and Young People and the Children's Guardian for protection and support. To sow fear and despair through a cheap and lazy—

Mr Brad Hazzard: Point of order: They certainly do not rely on the guardian because—

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

[Interruption]

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

Ms REBA MEAGHER: It is irresponsible of the honourable member for Willoughby to sow despair amongst children and their carers by recklessly alleging that these statutory authorities charged with protecting their interests had been abolished. The honourable member's comments and actions are reckless and desperate. This is not the first time that the honourable member for Willoughby has misled the people of New South Wales. In fact, on 15 November 2005 she said in the House:

The Coalition ... has a very strong record on issues relating to protection of young people.

How the honourable member for Willoughby could come into the Chamber and make such a claim is astounding. It shows that she is loose with the truth. Let us look at the Coalition's record in government. Let us look at how it abolished 1,000 DOCS positions, closed 25 per cent of DOCS offices across New South Wales and disbanded the child mistreatment units. As recently as before the last State election, the Coalition threatened to cut \$700 million from the DOCS budget and take 675 caseworkers from the front line.

Mr Brad Hazzard: Point of order—

Mr SPEAKER: Order! If the honourable member for Wakehurst cannot help himself the Chair may have to assist him in resuming his seat.

Mr Brad Hazzard: Thank you, Mr Speaker. My point of order goes to relevance. Carmel Niland was forced to resign because the Coalition exposed—

Mr SPEAKER: Order! The House will not debate that issue.

[Interruption]

Mr SPEAKER: Order! The honourable member for Wakehurst will resume his seat or he may get more help than he anticipates.

Ms REBA MEAGHER: Time and time again I have said in this House that the Leader of the Opposition should renounce his policy and make clear to the families and children of New South Wales the investment that the Coalition would make if they came to government. Time and time again my calls have been

met with deafening silence. The Leader of the Opposition is not prepared to stand up and make that investment. The Opposition's answer is to have its community services spokespeople—there have been four in 12 months—try to muddy the waters. In the process, they generate fear and despair and create uncertainty in the sector. The Leader of the Opposition has a responsibility to make sure that his shadow spokespeople approach their portfolio responsibilities with respect for the sector they represent. They must not simply make desperate and hysterical claims to try to attract media attention.

PRESCHOOL FUNDING

Mr GEORGE SOURIS: My question is directed to the Premier. In the forthcoming budget will the Government match the Coalition and commit an additional \$360 million to New South Wales preschools, given that in the past two years preschool fees in rural areas have increased by 22 per cent and preschools such as Coolah Preschool Kindergarten have been forced to cut operating days and may even have to close their doors by the end of the year?

Mr MORRIS IEMMA: Turn up to Parliament on the first Tuesday in June. Stay tuned. That is when the budget will be delivered. If the honourable member for Upper Hunter wants to find out what is in the budget—the Government's priorities for New South Wales—he should turn up on budget day. Read the budget papers. Perhaps he should read the newspaper coverage of the budget papers because we know it is difficult for him to read the budget papers. Maybe the Wednesday after the budget he will skim through the newspapers to find out what is in the budget.

ACTIVE LEAK REDUCTION PROGRAM

Ms VIRGINIA JUDGE: My question is addressed to the Minister for Water Utilities. What measures is the Government taking to actively reduce water loss across the Sydney metropolitan area?

Mr DAVID CAMPBELL: I am pleased to inform the House that more than 48 million litres of water are being saved in the greater Sydney region each day through an innovative leak detection program. That is 48 Olympic-size swimming pools worth of water saved every day. Sydney Water's Active Leak Reduction Program reduces the amount of water lost through concealed pipe leaks and breaks. However, the leak reduction program would surely be under threat if the Leader of the Opposition were to get his way because that program uses people power. Sydney Water's supply system is a complex network of 21,000 kilometres of mains and more than five million joints. In the past 10 months, more than 15,450 kilometres of Sydney Water's main network have been checked for hidden underground leaks. It takes workers to do the checking, workers whom the Leader of the Opposition would cut from the work force if he were to get his hands on water in this State.

Members of the Opposition can deny until they are blue in the face that programs such as the Active Leak Reduction Program—and other critical programs—would face the axe, but Blind Freddy can see it. How do we know that they will go? Because the Leader of the Opposition, aside from having no policy, no vision, no plan for water, does have one plan: to axe 29,000 public service jobs. The Leader of the Opposition claims they will not come from front-line services, such as nurses, teachers and police. The Nationals claim they will not come from regional areas.

Mr Andrew Stoner: That's right.

Mr DAVID CAMPBELL: Then where will they come from?

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

Mr DAVID CAMPBELL: Apart from the Leader of the Opposition saying, "I'll get back to you on that", he simply says they will not come from front-line services. The Nationals say they will not come from regional areas. Therefore, they will come from programs such as Sydney Water's Active Leak Reduction Program, a program that is making significant and critical savings to Sydney's water supplies. This is an innovative and sophisticated process that uses listening equipment to track the flow of water through the pipes.

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

Mr DAVID CAMPBELL: Variations in the sound can reveal tiny leaks and breaks hidden below the surface. In 2005 the Government accelerated the program. The amount of pipe work to be inspected has

increased to 18,000 kilometres each year over the next four years. Sydney Water has a 24-hour response capability to attend to and repair broken and leaking pipes. Up to 70 work crews on the ground are currently available to fix leaks each day. I acknowledge the contribution made by those individuals. There is no way that will continue if the Leader of the Opposition and his gang have their way. They will not have enough workers to fix leaks that occur above the ground during office hours, let alone the problems that can and do occur at night and out of sight. Like much of the Coalition's policy, it is obviously out of sight, out of mind.

A range of Government programs have contributed to a 25 per cent reduction in water leakage over the past couple of years. The Iemma Government has imposed new conditions in Sydney Water's operating licence that will see leakage cut by a further 25 per cent during the next four years. This will be achieved through an investment of at least \$300 million over four years on a range of measures such as the Active Leak Reduction Program, the Water Main Renewals Program, the Pressure Management Program, and improved response times to major leaks and bursts. In regard to water conservation, I have imposed additional requirements on Sydney Water to take further steps to meet its 2010-11 water conservation target. Those directions include: Sydney Water to investigate and implement all feasible options for industrial and domestic re-use and report back to the Government by 1 September on its progress, to implement new recycling water opportunities, to undertake reuse trials, to prepare a sewer mining policy, and to assist development of recycling opportunities by third parties.

The Iemma Government has a sound and thorough plan for water and we are already delivering on that plan. Leakage from water systems is a worldwide problem. No-one would be foolish enough to guarantee that there would never be a water main break, but the Government is going to great lengths to minimise the loss of precious drinking water from the water mains system. More than \$9.4 million has been spent on the Active Leak Reduction Program and a further \$5.5 million has been allocated this financial year. This work will continue to deliver significant water savings and ensure the reliability of Sydney's water supply because that is what this Government is about: getting on with the job and investing in infrastructure for the people of New South Wales.

The Leader of the Opposition would destroy in one fell swoop that good work with his hatchet job on New South Wales public servants—staff who are working to protect our precious water supply. All the noise is being made by the Leader of The Nationals, who does not have a single policy. The Nationals have it all contracted out to their consultant, the Federal member for Wentworth, the Parliamentary Secretary in Canberra. The Leader of The Nationals has no capacity to develop policy on these important water issues.

CRESTWOOD PUBLIC SCHOOL

Mr WAYNE MERTON: My question is directed to the Premier.

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

Mr WAYNE MERTON: Given that parents of students at Crestwood Public School were forced to accept an upgrade of the electricity supply to run the school computers instead of urgently needed repairs to the school toilets, an issue that was first raised more than four years ago, will the Premier give an assurance that he will include in his 6 June budget an upgrade of the cockroach-infested toilets?

Mr MORRIS IEMMA: I will seek the advice of the Minister for Education and Training as to whether the honourable member for Baulkham Hills has made representations on behalf of the school, and provide a report.

LOCAL GOVERNMENT REFORM

Mr BRYCE GAUDRY: My question is addressed to the Minister for Local Government. Will the Minister advise the House on proposed reforms to the local government sector?

Mr KERRY HICKEY: The Iemma Government will continue to work closely with major stakeholders in the local government sector in order to implement reforms that will benefit ratepayers in this State and many local communities that rely upon council services. In this regard, I will introduce legislation that will make the running of local government more effective and efficient. In order to assist ratepayers to save time in their busy lives, the Local Government Act 1993 will be amended to allow a council to serve rates and charge notices electronically as an alternative to the post.

Mr John Turner: Point of order: The Minister is clearly making a ministerial statement. Today the Minister gave notice of a motion to introduce a bill to amend the Local Government Act 1993 in respect to constitutional referenda and the ability to pay council rates by electronic means.

Mr SPEAKER: Order! I did not hear the Minister make reference to the legislation in his reply. The question sought information from the Minister and he is perfectly within the standing orders in providing that information. He is not speaking to a bill.

Mr John Turner: Point of order: With due respect, the Minister's opening words were, "I am introducing legislation to amend the Local Government Act."

Mr SPEAKER: Order! If that is so, I caution the Minister that, in responding to the question without notice, he is not to make reference to legislation before the House.

Mr KERRY HICKEY: In order to assist elected representatives to undertake and complete their duties more productively and in an open and transparent manner, a number of changes will be made. In relation to votes at a constitutional referendum—

Mr Andrew Fraser: Point of order: Mr Speaker, it is obvious that the Minister is canvassing your ruling in that he is now talking about provisions of the amending legislation that he is about to introduce. The Minister ought to thank the House for its attention and sit down.

Mr SPEAKER: Order! I did not hear the Minister mention provisions of the legislation.

Mr Andrew Fraser: *Hansard* will record that the Minister referred to amending legislation of which notice was given today. The Minister's response is clearly outside the standing orders of the House.

Mr SPEAKER: Order! I again caution the Minister that, in responding to a question without notice, he is not to debate legislation that may come before the House. However, that does not preclude the Minister from providing information that could be of use to members in a future debate on legislation.

Mr KERRY HICKEY: In relation to votes at a constitutional referendum, legal advice by the Crown Solicitor's Office prepared for the State Electoral Office indicates that when counting votes at a council constitutional referendum or opinion poll, all votes should be counted whether they are valid or not. The Government will amend the Act to make it clear that when counting votes at a constitutional referendum or opinion polls, only valid or formal votes are counted.

Mr SPEAKER: Order! Opposition members will come to order.

Mr KERRY HICKEY: The honourable member for Newcastle raised the issue of councillors' leave of absence. The Government will ensure that leave of absence is permitted only by council resolution. The amendments we are proposing will clarify the position where a councillor returns from such leave to participate in council meetings to deal with the business of the council.

Mr Brad Hazzard: Point of order: How many cautions must the Minister have before he wakes up that he should give up and sit down! If he keeps making references to the legislation while trying to find ways to avoid that, he will end up bringing himself unstuck yet again. Minister, we accept you want to say something about the legislation, but let it take its usual course and sit there quietly.

Mr SPEAKER: Order! I respectfully suggest that the Minister determine the most relevant information to convey to the House and round off his response.

Mr KERRY HICKEY: For a councillor to obtain leave of absence there needs to be a resolution of council, and that leave expires when the councillor attends a council meeting. To resume leave, the councillor must obtain a further resolution of the council giving the councillor leave of absence. We are discussing with the honourable member for Newcastle issues regarding by-elections. Currently, a by-election must take place unless a vacancy occurs within six months of an impending election. We will extend that period to 12 months in response to requests to the Government from councils.

Mr Bryce Gaudry: Mr Speaker, I ask you to bring the House to order. I am most interested in the Minister's response and concerned that the Minister be given the opportunity to give the House further information.

Mr SPEAKER: Order! I took what was said by the honourable member for Newcastle to be a comment about his concern about being unable to hear the Minister rather than a point of order.

Mr KERRY HICKEY: Ratepayers' concerns about councillors' overseas trips are constantly being reported in the media, and we need to justify such overseas travel on the ground of economic benefit that the local community may derive from such trips. While details of overseas travel must be disclosed in a council's annual report, councils are not consistent in providing details. There have been several recent instances of community criticism of councillors and staff travelling overseas for little, if any, tangible benefit to the council. At a State and Federal level, approval is required for overseas travel of Ministers, departmental heads and representatives. It is proposed that the director general approve overseas travel for councillors and council staff. In regard to written disclosure of pecuniary interests, councillors need to supply written returns within three months of becoming a councillor or designated person, and thereafter within three months of 30 June each year. If the written return is lodged on 30 June and an interest is acquired on 2 October—

Mr SPEAKER: Order! Despite several warnings, the Minister is giving information about proposals that may come before the House. I have allowed him considerable latitude in providing information, but I ask him again to restrict his response to providing information requested by the honourable member for Newcastle, and not to pre-empt any legislation that may come before the House.

Mr KERRY HICKEY: There are reforms proposed to the local government sector that the Local Government Association—

Mr Barry O'Farrell: Point of order: Could I move for an extension of time for the Minister?

Mr SPEAKER: Order! I call the Deputy Leader of the Opposition to order.

Mr KERRY HICKEY: The proposed reforms to the local government sector have been discussed at length with the Local Government Association and many councils, and I look forward to debate in the House on further reforms to local government. The Leader of the Opposition should make it clear in his remarks how he would reform local government. He wants to amalgamate councils into bigger conglomerates, as he has told the general manager of Shellharbour council.

Mr Peter Debnam: Mr Speaker—

Mr SPEAKER: I take it the Leader of the Opposition wishes to take a point of order and does not intend to respond to the Minister's invitation.

Mr Peter Debnam: You are right, Mr Speaker. My point of order is that this Minister is a fool.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

[*Interruption*]

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

[*Interruption*]

Mr SPEAKER: Order!

Mr KERRY HICKEY: This Government stands for no forced amalgamations, and that is what it has done. Whilst I have been Minister, there have been no forced amalgamations. I look forward to informing the House of further reforms to local government in the near future.

Questions without notice concluded.

CHILDREN'S GUARDIAN AND COMMISSION FOR CHILDREN AND YOUNG PEOPLE ROLE

Personal Explanation

Ms GLADYS BEREJIKLIAN, by leave: I wish to make a personal explanation. Today in question time the Minister for Community Services made some very serious allegations in relation to my responsibilities as shadow Minister for Community Services. I refer the House to page 2 of the *Government Gazette* of Friday 31 March 2006, in which part 5 (2) of an order is published stating:

The Office of the Commission for Children and Young People is abolished as a Department of the Public Service.

Part 6 (2) of the order states:

The Office of the Children's Guardian is abolished as a Department of the Public Service.

I call on the Minister to stop misleading the House, to withdraw her remarks, and to explain to the community why she abolished those two agencies.

Mr SPEAKER: Order! The honourable member will resume her seat. She is not making a personal explanation. She is clearly debating an issue raised by the Minister.

CONSIDERATION OF URGENT MOTIONS

Interest Rates

Mrs KARYN PALUZZANO (Penrith) [3.28 p.m.]: My motion is of the utmost urgency. Today the future of families and businesses across New South Wales hangs in the balance as they await the Reserve Bank of Australia's decision on interest rates. Tomorrow businesses, individuals, families—including young families in the electorate of Penrith who have achieved their dream of home ownership—small business owners and farmers will learn whether interest rates will rise, blowing their budgets and plans for the future. It is crucial and urgent that honourable members place on record their positions in relation to this issue. Families and businesspeople we represent need to know where we stand. The Lemna Government is proud to stand up for the people of New South Wales and to make it clear that we oppose any rise in interest rates.

It is imperative that honourable members opposite nail their colours to the mast. Will they join us to defend New South Wales family budgets and the growth plans of New South Wales businesses, or will they sit on their hands while Peter Costello robs New South Wales of \$2 billion in goods and services tax [GST] revenue? Will they stand by and let Peter Costello slug New South Wales motorists twice: with the spiralling cost of petrol and double dipping directly out of the pockets of hardworking families and the cash registers of our businesses with his 38¢ per litre fuel excise—a nice little earner that puts \$13 billion into his coffers every year? To add insult to injury, Peter Costello then adds GST to the cost of fuel. He must be rubbing his hands with glee as the cost of petrol skyrockets and he grabs more tax across the State.

Peter Costello knows full well that if inflation hits 3 per cent the Reserve Bank Board will be pushed towards a rate increase. With inflation heading full steam towards that mark and the pressure unlikely to ease in the next 12 to 18 months, the board will be forced to act, punishing hardworking families for Peter Costello's arrogance and lack of backbone to tackle the real issues that confront those families on a daily basis. This motion is urgent and deserves the support of this House because, as I said, the future of families, businesses and farmers across this State hangs in the balance as they await the Reserve Bank's decision on interest rates. Tomorrow those families, businesses and farmers will learn whether interest rates will rise, blowing their budgets and their plans for the future.

Native Vegetation Act Compliance Inspections

Mr ANDREW STONER (Oxley—Leader of The Nationals) [3.31 p.m.]: On 5 April I raised in this House the urgent need for more police in country New South Wales to curb an increase in violent crime. That call was made in response to a University of New England publication that revealed that violent crime in rural areas exceeds the State average by 58 per cent, and a police report following the recent Bourke riots that stated, "Police do not have the numbers on shift to deal with these types of incidents." What I failed to realise at the time was that the Minister for Police was planning to send more police to country New South Wales, but for all the wrong reasons: to harass farmers in the Warren, Marthaguy, Coonamble and Moree districts—and this during a severe drought. The House needs to urgently consider why the Minister for Police—Sparkles Scully—was able to find 18 police, at an estimated cost of \$62,000, to harass farmers when he is unable to find local police to tackle violent crime.

This is an urgent issue because the farmers in these districts are not hardened criminals. They included an elderly widow who felt grossly stigmatised by the fact that police were outside and around her property and she was being talked about in the town. There was a suggestion that perhaps it was a drug bust or something. This matter is urgent because we have heard of one elderly farmer who subsequently suffered a heart attack and required surgery. These farmers have not been found to do anything wrong prior to being intimidated by this

Government's heavy-handed, over-the-top actions. It is urgent that this matter be debated because this Labor Government is treating the farmers of this State worse than it is treating criminals. In this State criminals get away with their actions because of a lack of police, yet farmers going about their normal day-to-day business are harassed and intimidated by this Labor Government. It is an absolute disgrace!

We need to urgently debate this Government's misguided priorities. Violent crime is out of control in country New South Wales, yet police numbers are being slashed. For example, since 2003 the Darling River Local Area Command has lost 17 officers. The Government is prepared to use the few police that remain in country New South Wales to pursue farmers but not violent criminals. This Government is charging country shows to have police present. However, it can fly in large numbers of heavily armed police to intimidate farmers who are working hard to make a living on the land. We need to urgently debate where this leaves the native vegetation issue. Any genuine solution requires the co-operation of all stakeholders, but this Labor Government is so focused on Green preferences that it sent police after farmers in a highly provocative and intimidatory manner.

The matter is urgent because this breach of trust has resulted in large numbers of farmers refusing to co-operate with the authorities. That is the last thing we want in this State, but those farmers have every right to do that after having been provoked and intimidated by this Government. This Government needs to urgently answer these questions: Which Minister authorised these draconian tactics? Which department is footing the bill? It is going to be normal practice in respect of future native vegetation compliance checks? If, as has been mooted, the Minister for Primary Industries, and Minister for Natural Resources—

Mr Gerard Martin: Point of order: The Leader of The Nationals is not addressing urgency. While he is on his feet he might tell us why his mate beside him was out on the same property—

Mr SPEAKER: Order! The honourable member for Bathurst will resume his seat. I note the point of order taken by the honourable member for Bathurst in relation to the necessity for the Leader of The Nationals to establish the priority of his motion. However, that does not allow the honourable member for Bathurst to enter into the debate.

Mr ANDREW STONER: This matter is urgent because we have a Minister who purports to represent both primary industries and natural resources in this State. Clearly, he has a conflict of interest and it is a conflict of interest that he is not managing. As Minister for Primary Industries he is supposed to support this State's farmers, but he has failed miserably by kowtowing to the extreme greens. It is important that this debate take place to restore trust and the relationship between rural communities and the State Government. The Labor Government's provocative and intimidatory actions have destroyed that relationship. This matter must be debated today.

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

The House divided.

Ayes, 48

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

Noes, 37

Mr Aplin	Ms Hodgkinson	Ms Seaton
Mr Armstrong	Mrs Hopwood	Mrs Skinner
Mr Barr	Mr Humpherson	Mr Slack-Smith
Ms Berejiklian	Mr Kerr	Mr Souris
Mr Cansdell	Mr McTaggart	Mr Stoner
Mr Constance	Mr Merton	Mr Tink
Mr Debnam	Ms Moore	Mr Torbay
Mr Draper	Mr Oakeshott	Mr J. H. Turner
Mrs Fardell	Mr O'Farrell	Mr R. W. Turner
Mr Fraser	Mr Page	
Mrs Hancock	Mr Pringle	<i>Tellers,</i>
Mr Hartcher	Mr Richardson	Mr George
Mr Hazzard	Mr Roberts	Mr Maguire

Pair

Ms Gadiel

Mr Piccoli

Question resolved in the affirmative.**INTEREST RATES****Urgent Motion****Mrs KARYN PALUZZANO** (Penrith) [3.46 p.m.]: I move:

That this House:

- (1) supports the Government's call on the Reserve Bank of Australia not to raise interest rates;
- (2) notes the devastating effect any rates rise would have on families and businesses across New South Wales; and
- (3) condemns Peter Costello for failing to recognise the concerns of New South Wales families and small business owners.

It is with pride that I lead for the Government in debate on the most critical issue currently facing families and businesspeople across New South Wales. The prospect of a hike in interest rates hangs over the heads of the people of New South Wales—mums and dads, small businesspeople and farmers—like a black pall and causes terrible anxiety in homes across our State. Anyone in New South Wales who has a mortgage will be very concerned about Peter Costello's plan to buy his way into the Lodge with a budget spending spree.

Money well spent on facilities such as hospitals benefits us all. Money that could be spent on the general practice clinic at the Nepean Hospital could benefit us all, but money spent on pork-barrelling simply drives up interest rates. The last increase in interest took the rates from 5.25 per cent to 5.5 per cent. Consequently, monthly repayments on an average Sydney mortgage of \$220,820 jumped to \$1,607, an increase of \$36 more each month. For a mortgage of \$434,000, which is the median Sydney price for a flat, borrowers were stung an extra \$64 each month. First home buyers who pay the median price to get their foot in the door have had to find an additional \$108 each month.

John Howard told us that cutting services was the key to low interest rates. At the most recent Federal election he conducted a scare campaign based on interest rates rising under a Labor Government and he has had the hide to claim low interest rates as an achievement. The Howard Government's report card, which was well and truly distributed throughout the Federal electorate of Lindsay and includes the State electorate of Penrith, was displayed on the Prime Minister's web site and shows that his statements could not be further from the truth. Compared to other Western economies, interest rates in Australia are not on par. This country's economic professionals scoffed at John Howard's claims. Rory Robertson, an interest rates specialist at the Macquarie Bank, told the *Sydney Morning Herald* that John Howard was deliberately misleading voters. During the most recent Federal election Howard and Costello went on a spending spree for the purpose of being re-elected, and \$65 billion disappeared within weeks. On 7 February on the ABC's *7.30 Report* Stephen Koukoulas of Deutsche Bank Securities said:

... when we look through the checklist of issues that have forced the Reserve Bank to send a signal rates are about to go up, one of the issues is the extra government spending, the cash handouts that were all during the election campaign at the middle of last year.

The risk of interest rates crippling New South Wales households is greater under the Howard Government than at any time in recent history. Experts have criticised Peter Costello's failure to look for productivity anywhere beyond the labour market. At the time of the last interest rate rise the *Australian Financial Review* stated:

Costello has tried to put the blame on the states ... to divert the attention from the increasingly obvious shortfall in his own economic management.

Nothing has changed! Peter Costello's arrogant and out-of-touch attitude is truly breathtaking. On Channel 10's *Meet the Press* program on Sunday morning, Peter Costello made his position clear when he said:

I don't predict the future of interest rates. I've got other things that I'm turning my mind to at the moment.

I wonder what they are! What could be more important to a Federal Treasurer than interest rates; maybe getting his hands on the keys to the Lodge. No wonder the Prime Minister has remained silent on this issue. The Federal Treasurer should listen to the pleas of ordinary families, who are already suffering under the burden of skyrocketing petrol prices. It is interesting that earlier The Nationals in this House interjected, "What would the member for Penrith know about farmers". Last week in Gunnedah, during a visit by the Standing Committee on Public Works, I spoke to the mayor of Gunnedah. She raised the effects of skyrocketing petrol prices on her farm.

As I stated earlier, the double dipping of the Federal Treasurer is adding to that concern. Did any member on the other side of the House support this motion? No, they did not. They have certainly tied their flag to the mast regarding this motion. Opposition members are not supporting farmers in their local areas. Understandably, families have been speaking to me and I have spoken to many people in and around the Penrith electorate. People are nervous about their job security, thanks to the so-called WorkChoices legislation—or Howard's IR changes—that the Iemma Government is fighting every inch of the way, even to the High Court.

I proudly told nurses from Nepean Hospital and members of the Health Services Union at Nepean Hospital that the Iemma Government has fought for a cognate bill to include more than 28,000 State public servants as Crown employees—and that was done in the last session of Parliament. Families living in outer suburban and rural areas will be the first to reach breaking point, including the families represented by me, the honourable member for Londonderry and the honourable member for Menai. We are standing up for those families today, but where is the Opposition? The Opposition supposedly represents families living in The Hills, on the South Coast, further west, in the east and in the north. However, in today's *Daily Telegraph* working mums and dads have made their feelings clear: Not happy, Peter—Costello, or Debnam. Karyn Firth of Baulkham Hills said:

It is ridiculous ... we will lose about \$70 a month.

Linda Orr of Castle Hill spoke of her worries, and said:

We don't have a high mortgage, but every rise means budget cuts. For my sister, it will be a matter of whether she can continue to have a mortgage, it is that fine.

Maher Badawy of Baulkham Hills said:

It will affect us dramatically. We won't have any spare money. The kids' sport will have to be cut back.

Peter Costello may have important things on his mind, as he said last Sunday on the Channel 10 program. However, decent, hardworking people across New South Wales struggling to pay off their credit cards, small business owners wading through the nightmare of GST paperwork, and our farmers, who have carried huge debt levels throughout years of drought, are reeling from record fuel costs. The Mayor of Gunnedah, Gae Swain, outlined quite distinctly the effect of the rise in fuel costs on her farming operations. An interest rate hike will be a triple whammy and the factor that could force many families, businesses and farmers to the wall. This afternoon there is no more urgent or important issue facing us. I urge the Opposition to break away from their mates in Canberra and to stand up for New South Wales for a change. I urge the Opposition to break away also from the habit of changing a motion before the House.

I foresee that the Opposition will move to amend the motion, but I challenge the Opposition not to do so. I urge the Opposition not to stand up and say, "I move that the motion be amended by omitting all words

after 'That this House', and inserting instead ...", and not to delete the words of my motion. I challenge the Opposition to stand up for their local businesses, local farmers and local residents. There is no more important issue than a rise in interest rates and the resulting impacts. As stated earlier there will be impacts on families. This is not only about balancing a budget for a mortgage, it is also about balancing a budget for the recreational aspect. As one person stated in the *Daily Telegraph*, a rise in interest rates may lead to a child not having a sporting, cultural or recreational activity.

What is Peter Costello doing about his narrow mindedness? He said he has more important things on his mind than the financial wellbeing of people in New South Wales and the financial wellbeing of people in Australia. He should think about keeping interest rates low. As stated earlier, there was a scare campaign and pork-barrelling in the local Federal election. In the electorate of Lindsay \$10 million was given to a private company, not to the community of Penrith, by the Liberal candidate. That is what Peter Costello and the Howard Government are doing to areas such as Penrith and New South Wales generally.

Ms PETA SEATON (Southern Highlands) [3.56 p.m.]: There is only one thing scarier than a State Labor Government, and that is a Federal Labor Government. The honourable member for Penrith should have said no to this motion. If she knew her history and if she had any experience of what families in Penrith and other parts of New South Wales, indeed Australia, went through during the last Federal Labor Government she would know that the last time Federal Labor was in power unemployment was 11 per cent, interest rates ranged from 18.5 per cent at the upper limit for mortgages to about 23 per cent or even 25 per cent on credit cards, and people were paid lower real wages. That was all part of Paul Keating's recession that we had to have.

We know what Labor is like when it is in power federally; we know what happens to interest rates under Labor and we know that families and businesses suffer. They have to go without essential basics. Businesses simply go under and go out of business: they have to put off staff and employees. That is why unemployment was about 11 per cent under Labor. I believe the honourable member for Penrith has typed her motion incorrectly. My proposed amendment will correct her motion for her. If she had concentrated while she was typing her motion she would have done it slightly differently. I give notice of my amendment to the motion. I move:

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

"this House:

- (1) supports strong economic management to keep interest rates as low as possible, understanding their importance to families and businesses;
- (2) condemns the Government for its economic vandalism and New South Wales housing affordability crisis, and
- (3) condemns the Premier for failing to recognise the concerns of New South Wales families and small business owners."

The Coalition understands the need for the lowest possible interest rates. The Howard Government has done an excellent job in managing the economy of Australia exceptionally well and exceptionally strongly, and with great discipline. That is why we are enjoying some of the lowest interest rates in living memory, some of the highest real wages and the lowest unemployment rates.

Ms Linda Burney: Point of order: The honourable member for Southern Highlands would know that interest rates are set by the Reserve Bank and not by the Government.

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

Ms PETA SEATON: The honourable member for Penrith should take note of what the honourable member for Canterbury just said. She should know that the Reserve Bank is an independent setter of interest rates. On all occasions the Reserve Bank looks to the nature of the economic management of the government of the day. When Paul Keating was Prime Minister interest rates were set at 18.5 per cent because the Reserve Bank understood that Australia was a banana republic. Young families who are trying to buy a home would find it difficult to pay interest rates that were set at 18.5 per cent.

The honourable member for Penrith is saying, "Bring back Labor and the bad old days. Let us go back to 18.5 per cent interest rates and 11 per cent unemployment under Labor." That is what we would get if ever the Federal Labor Party got its hands on the budget. The Howard Government has delivered, and it continues to deliver, lower interest rates than Labor could ever produce. Today Government members indicated that they are

proud of the Keating Labor Government, which set interest rates at 18.5 per cent. They want Paul Keating back. They invite him to all their fundraisers and he promotes Frank Sartor as the next Premier of New South Wales. Goodness knows what other disasters he predicts.

The honourable member for Penrith should have moved a motion relating to home affordability as that would have been relevant and of interest to people in her area. Clearly, housing affordability is a State responsibility. Home affordability is at a crisis level in New South Wales because of the work of this Premier. Several issues have contributed to the New South Wales housing affordability crisis. I refer to the planning paralysis that has occurred over the last decade. Land release at Edmonston Park is three years late and who knows when the Bringelly land release will commence because this Labor Government cannot afford the necessary infrastructure.

There has been complete paralysis in the preparation and finalisation of regional plans from the Illawarra through to the Hume corridor, the North Coast, the Central Coast and the mid North Coast, and still we have no metropolitan strategy. Local environmental plans have been stalled across the State. New South Wales has the highest taxes and we have seen increases of around \$2,600 for everyone in this State. There are levies on new land releases of around \$200,000 per block before even one brick has been bought or one house has been built. This Government has failed to provide sufficient infrastructure in New South Wales and, as a result, we are running out of water and electricity.

We have seen a blow-out in the cost of homes and home units—a blow-out of some thousands of dollars for each unit. Land releases are at their lowest levels in more than two decades. Under the Greiner Government around 10,000 blocks were released each year on new greenfields sites. Under the Iemma Labor Government we are down to 2,000 or 3,000 land release sites a year—an appallingly low number. We have a shortfall in the number of homes that are required. Assessments by BIS Shrapnel in the last month have shown a shortfall of 15,000 dwelling units between now and 30 June, which will increase the price of homes. If the supply of homes and home sites is strangled, amazingly the price of available homes will go up. That is what is happening.

All these issues are the responsibility of the State Labor Government. It has failed to plan for land releases and new dwellings. It has failed to keep taxes at a reasonable level and it has increased business and family taxes. Since Sussex Street appointed the Premier to the top job 15 new taxes have been introduced, amounting to \$700 million additional revenue each year. What does the honourable member for Penrith think about the Coalition's policy to reduce payroll tax? She talked earlier about the concerns of New South Wales families and small business owners. If she is so concerned about them I look forward to her voting with the Coalition to cut payroll tax. Such a tax cut would mean businesses in the Penrith area would be exempt from payroll tax if the payroll were less than \$850,000. At the moment if a business has a payroll of \$600,000 it becomes one of the Premier's new taxpayers.

If the honourable member for Penrith is so interested in what is good for small businesses and families in her area I look forward to her supporting our policy to cut payroll tax when that matter is debated and voted on later. This is a classic distraction and blame-shifting exercise by an increasingly desperate and panicky Labor member for Penrith and her colleagues. The housing affordability crisis in New South Wales is the fault of the Premier. For the past 11 years he sat around the same Cabinet table as other Government Ministers and signed up for vendor duty, land tax and all these additional taxes.

The Premier and his Labor colleagues who signed up for wasteful and duplicative spending are responsible for this housing affordability crisis. If Government members want further evidence of that they have only to look at the rising level of mortgage defaults in New South Wales, as shown in the records of the Supreme Court. Mortgage defaults in New South Wales are increasing because State taxes are at record levels. Taxpayers in New South Wales pay the highest level of taxes in this country. They simply cannot afford to pay this Premier's taxes and also buy cars, own or rent homes, or run their businesses. If the honourable member for Penrith is looking for someone to blame for this crisis she should look no further than her boss, the Premier.

Mr ALLAN SHEARAN (Londonderry) [4.06 p.m.]: I support the motion moved by the honourable member for Penrith, which is in the following terms:

That this House:

- (1) supports the Government's call on the Reserve Bank of Australia not to raise interest rates;
- (2) notes the devastating effect a rates rise would have on families and businesses across New South Wales; and
- (3) condemns Peter Costello for failing to recognise the concerns of New South Wales families as small business owners.

Tonight hundreds and thousands of families across New South Wales are holding their breath. Families and budgets are under pressure. At a time when surging petrol prices are costing families an extra \$40 to \$50 a week the last thing they need is an extra slug on their home mortgage. During the last Federal election the Federal Coalition promised it was the only Government that could sustain low interest rates. The Iemma Government believes any Reserve Bank decision to lift interest rates would be contrary to the economic interests of this State.

The Iemma Government is pulling out all stops to get New South Wales moving, which means generating economic activity. To do that the Premier has cut taxes, abolished vendor duty, cut workers compensation premiums twice, awarded payroll tax concessions for companies wanting to establish in areas of higher than average unemployment, and lifted the land tax threshold to \$352,000. Reducing the cost of doing business and investing in New South Wales is a crucial part of this Government's policy to get New South Wales moving.

The Premier is actively competing for new business for New South Wales. In just five months the New South Wales Government has secured more than 100 jobs with Fidelity Investments, one of the world's biggest fund managers; two new yacht building businesses for the Hunter Valley, with up to 600 jobs created; landed 115 new rail technology jobs in Newcastle; approved the expansion of Port Kembla, which will underwrite the expansion of the car trade in the Illawarra; and secured 1,000 jobs for the region. The New South Wales Government is actively supporting the bid by Australian Defence Industries to construct two amphibious warships for the Australian Navy, which brings shipbuilding back to Sydney Harbour, with a potential spin-off of 600 new jobs.

Of course, it was also announced this afternoon that Tabcorp will relocate 300 jobs to Sydney from Melbourne to support its wagering operations. All this is designed to get our economy moving. However, an increase in interest rates will deliver a crucial blow to families and to our economy. Families and businesses in New South Wales can ill afford a decision to lift interest rates from 5.5 per cent. Australian Business Limited is sounding the warning that higher interest rates will mean less money in the purses and wallets of New South Wales families. That means they will have less money to spend. They will have less to spend on a night out with the kids or on a trip to the movies. These simple pleasures may become unaffordable luxuries.

Families and businesses are already paying record prices at the petrol pump. Many working families are also facing uncertainty regarding the security of their pay packets under John Howard's new industrial relations legislation. The Federal Treasurer stands condemned for his stance on those issues alone. He tries to claim credit for low interest rates as an achievement of the Commonwealth Government but then washes his hands of responsibility when interest rates start to rise. He cannot have it both ways. If Mr Costello seeks to take credit for low interest rates he must also accept responsibility when they start to rise. His position is much the same when it comes to the price of petrol. What does he do? He washes his hands of responsibility for that also.

As reported in this morning's press, the Australian Industry Group stated that an increase at this time would be only counterproductive for manufacturers. It was also reported that the Housing Industry Association described rate rises as "unfounded and simply irresponsible". In other words, when it comes to the real issues that affect household budgets—petrol and interest rates—Peter Costello, the wannabe Prime Minister, does not want to be involved in helping families.

Mr ANDREW CONSTANCE (Bega) [4.11 p.m.]: I support the amendment to the motion moved by the honourable member for Southern Highlands. This afternoon's debate is particularly alarming. I hope that Michael Costa's staff and not Treasury prepared Government members' speeches because they were the worst that I have heard in the House. There is no doubt that on 25 March Labor strategists changed their tack in relation to the profile of the honourable member for Penrith. An article in the *Sydney Morning Herald* entitled "Overcoming the federal factor" states:

At a focus group involving older voters in Penrith—

I am sorry; I will move on.

Ms Linda Burney: Tell us!

Mr ANDREW CONSTANCE: Okay. The article states:

At a focus group involving older voters in Penrith, seen by the *Herald* ... Alarming for Labor in an area of Sydney where the high profiles of Jackie Kelly and Pat Farmer have helped win seats, no one in one of the focus groups could name the Penrith MP, Karyn Paluzzano. Paluzzano, who holds a 6.6 per cent margin, replaced the former minister Faye Lo Po' in the seat in 2003.

My point is that Labor has changed its strategy and is trying to get the honourable member for Penrith to debate issues in this place. My advice to the Labor strategists is to sit her back down and make sure that she does not say anything else in the life of this Parliament because this afternoon she demonstrated clearly her incapacity to deal with monetary policy.

Mr Geoff Corrigan: Point of order: I ask you to draw the honourable member for Bega back to the leave of the motion before the House. He has drifted off onto other matters.

Mr DEPUTY-SPEAKER: Order! I uphold the point of order. The honourable member for Bega cannot attack another member unless he uses the proper forms of the House.

Mr ANDREW CONSTANCE: I was merely pointing out that the honourable member for Penrith does not understand monetary policy. The honourable member for Canterbury said clearly that the Reserve Bank of Australia acts independently. The honourable member for Canterbury, who gave the honourable member for Penrith a lecture on monetary policy, knows her stuff but we know that the honourable member for Penrith does not. As to the impact of monetary policy, it is a proven fact that the New South Wales Labor Government does not know anything about that either because it introduced vendor duty and abolished the threshold for land tax, thereby drawing half a million New South Wales residents into the land tax net.

A deceitful campaign is now being run from the Premier down that this is a new government—which just happened to introduce 15 new taxes, but we will not worry about that—that had nothing to do with the introduction of vendor duty and land tax. But guess who was sitting around the Cabinet table making decisions on those issues? It was Premier Iemma. The Carr-Iemma Government has no idea about housing affordability in New South Wales or the impact of taxation. It certainly has no idea about monetary policy. I am sure that the Federal Treasurer is shaking in his boots because this afternoon in the New South Wales Parliament the honourable member for Penrith expressed concern about interest rates.

The honourable member for Penrith should be concerned about housing affordability. She should be worried that families are struggling to make ends meet. They cannot afford to buy their own home. We know that families in places such as Penrith, where the aspirational voters live, are keen to move into their own homes. Yet today the honourable member for Penrith lectured the House on petrol taxes and told us about trips that she has made around country New South Wales. What does that say about her?

Why does the Government not give back the 8¢ a litre that it collected as part of the business franchise levy prior to the introduction of the GST? New South Wales kept that money but Queensland never collected it. The Government is double-dipping on GST and ripping off people across New South Wales through its grubby tax system. Government members express concern about monetary policy when housing affordability in New South Wales is at rock bottom. The Housing Industry Association made that point clearly when it said that the Premier cannot grasp the severity of the situation—and neither can the honourable member for Penrith. [*Time expired.*]

Ms ALISON MEGARRITY (Menai—Parliamentary Secretary) [4.16 p.m.]: I am proud to join the honourable member for Penrith and the honourable member for Londonderry in putting the Iemma Government's stance on any interest rate rises well and truly on the public record. Today we say no to any rise—and no means no! I am proud to say that Labor members can stand up for the people of New South Wales with the facts on the table, in contrast to the fiction and the weasel words of Peter Costello and his namesake in this place, the Leader of the Opposition. Today the honourable member for Southern Highlands and the honourable member for Bega tried to assert that interest rates are a State Government responsibility. I am sure that is news to everyone. They told us that the Howard Government does not set interest rates. But any student of economics will tell you that the Howard Government has created the economic conditions that have put us in a situation where the Reserve Bank of Australia is considering the fate of interest rates. We must put those facts on the table.

In the last sitting week we called on the Federal Government to step in and give the Australian Competition and Consumer Commission more teeth to act on petrol gouging. But there has been no movement on that front. What is a prime driver that the Reserve Bank considers when reviewing interest rates? It is the prices that we are paying at the petrol pump, which are impacting on our economy. The Federal Government cannot wash its hands and say that interest rates have nothing to do with it. Expert opinion on the outcome of today's Reserve Bank board meeting is split, but there is one certainty: the inflationary pressures that will trigger a rate rise are already evident. I have mentioned the crippling fuel prices. Pharmaceuticals are costing more—

ask any family about that—and a tight labour market is being squeezed from all angles. In February the average credit card balance hit a record of \$1,988. The economy is reliant on the boom-and-bust mining industry to hide its underlying weaknesses, unprecedented foreign debt in particular. This is all compounded by Peter Costello, a tired Treasurer, hell-bent on buying his way to The Lodge at any cost.

The families and business people we represent in this House—and I say "we" because this decision will hit everyone in New South Wales—deserve to have us stand in bipartisan opposition against an increase in interest rates. The honourable member for Penrith canvassed many of the real concerns of families about the prospect of such an increase and its day-to-day impacts. Yesterday's *Daily Telegraph* quoted Mr Pat Miller, who said he dreaded an interest rate rise because he has mortgages on both his small business and his home. He said that his family faces selling its second car if interest rates rise. He also said:

It will mean we will have to think about everything we buy—from our oldest one's school uniform to books. Treats will go out the window.

When families and those who run businesses in the 17 suburbs in the Menai electorate read those types of comments and think about the impact of an interest rate rise on young families and businesses, they certainly experience shivers down their spines. According to census data businesses in Menai have the highest number of employees of any electorate in this State. Much of that is due to the small businesses in the electorate. Only last Friday I was privileged to open the new Mortgage Choice franchise at Menai. Similarly, I recently attended the opening of the Bank of Queensland branch in my electorate. Those enterprises are run by local people. Martin Beanland from Mortgage Choice and Michael Zachariah from Bank of Queensland live and work in my electorate. What sort of impact will an increase in interest rates have on their businesses, and so many other businesses directly involved in providing mortgages so that young and older families can move into their own homes?

Peak organisations are also concerned. Paul Ritchie from Australian Business Limited said that households will batten down the hatches, and businesses will be hard hit as the family budget shrinks. Let us not forget that inflation rose by almost 1 per cent from the fourth quarter last year. The horse has bolted and Peter Costello has no intention of doing a thing about it. What a difference the election cycle has meant for the battered and bruised perennial bridesmaid of Liberal politics. In the last Federal election campaign Costello could not crow loudly enough about how he would keep interest rates low. We have not heard a peep from the Prime Minister, the man who pleaded with us to trust him to keep interest rates down. Peter Costello has done a reverse somersault with double pike, a potential gold medal performance, but it is time for the Opposition and the Government today to stand united and say no to an increase in interest rates.

Mrs KARYN PALUZZANO (Penrith) [4.21 p.m.], in reply: I thank honourable members representing the electorates of Londonderry and Menai, who spoke on this motion. It is interesting to note that members of the Opposition did not comment on issues relevant to the motion or the amendment. The people who live in Penrith, Londonderry, Menai, the Southern Highlands and Bega have several things in common: they are part of a family, they are part of a workplace, perhaps a small business, and they are part of a community. It is families, workplaces, small businesses and community groups that will be impacted on by a rise in interest rates. Honourable members opposite attacked me rather than the issue at hand.

I have lived in Penrith for more than four decades. I have spoken to many people who say that the most important issue they speak to me about is how they live and operate within the community, and their budget is a major part of that. Any rise in interest rates will increase the burden on a family's budget and its mortgage repayments. It will also impact on the recreational and cultural aspects of the lives of the members of that family. I spoke about small businesses. As the honourable member for Menai and the honourable member for Londonderry said, New South Wales is open for business under the Iemma Government, which introduced payroll tax concessions in areas of high unemployment. The honourable member for Londonderry and I understand what it is like to represent areas of socioeconomic hardship. For example, businesses may need encouragement to establish in areas such as Mount Druitt and Fairfield.

Bluescope Steel is one of the band of businesses that is mushrooming near the M7. The number of businesses in that area that will have access to the payroll concessions will be phenomenal. The honourable member for Londonderry also acknowledged the announcement today of the relocation of Tabcorp and 300 jobs to New South Wales. The honourable member for Menai also reminded the House of the importance of economic conditions, which are controlled by the Federal Government. For the past 10 years that has been the Howard-Costello Government, and it is the policies of that Government that have led the Reserve Bank to consider a rise in interest rates. It is worrying that the Federal Treasurer has more on his hands than the possibility of an interest rate rise.

The honourable member for Menai outlined the number of small businesses in her electorate that will be impacted by an interest rate rise. I also went to the opening of a branch of the Bank of Queensland. It is two doors from my electorate office in Station Street, Penrith. The GIO has also opened lending and finance services. On my way to Parliament today I spoke the GIO manager, who outlined her concerns about the pressures on her area of operations that will result from any interest rate rise. Honourable members know that any interest rate rise will impact not only on communities but also on small businesses in both rural and urban areas. As I said earlier, members of the Opposition have not pinned their flag to the mast; they have not supported their local communities. [*Time expired.*]

Question—That the words stand—put.

The House divided.

Ayes, 48

Ms Allan	Mr Gibson	Mrs Paluzzano
Mr Amery	Mr Greene	Mr Pearce
Ms Andrews	Ms Hay	Mrs Perry
Mr Bartlett	Mr Hickey	Mr Price
Ms Beamer	Mr Hunter	Ms Saliba
Mr Black	Ms Judge	Mr Shearan
Mr Brown	Ms Keneally	Mr Stewart
Ms Burney	Mr Lynch	Ms Tebbutt
Miss Burton	Mr McBride	Mr Tripodi
Mr Campbell	Mr McLeay	Mr Watkins
Mr Chaytor	Ms Meagher	Mr Whan
Mr Collier	Ms Megarrity	Mr Yeadon
Mr Crittenden	Mr Mills	
Mr Daley	Ms Moore	
Ms D'Amore	Mr Morris	<i>Tellers,</i>
Mr Debus	Mr Newell	Mr Corrigan
Mr Gaudry	Mr Orkopoulos	Mr Martin

Noes, 35

Mr Aplin	Ms Hodgkinson	Ms Seaton
Mr Armstrong	Mrs Hopwood	Mrs Skinner
Mr Barr	Mr Humpherson	Mr Slack-Smith
Ms Berejiklian	Mr Kerr	Mr Souris
Mr Cansdell	Mr McTaggart	Mr Stoner
Mr Constance	Mr Merton	Mr Tink
Mr Draper	Mr Oakeshott	Mr Torbay
Mrs Fardell	Mr O'Farrell	Mr J. H. Turner
Mr Fraser	Mr Page	Mr R. W. Turner
Mrs Hancock	Mr Pringle	<i>Tellers,</i>
Mr Hartcher	Mr Richardson	Mr George
Mr Hazzard	Mr Roberts	Mr Maguire

Pairs

Mr Ashton	Mr Debnam
Ms Gadiel	Mr Piccoli

Question resolved in the affirmative.

Amendment negatived.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 49

Ms Allan	Mr Gaudry	Mr Orkopoulos
Mr Amery	Mr Gibson	Mrs Paluzzano
Ms Andrews	Mr Greene	Mr Pearce
Mr Barr	Ms Hay	Mrs Perry
Mr Bartlett	Mr Hickey	Mr Price
Ms Beamer	Mr Hunter	Ms Saliba
Mr Black	Ms Judge	Mr Shearan
Mr Brown	Ms Keneally	Mr Stewart
Ms Burney	Mr Lynch	Ms Tebbutt
Miss Burton	Mr McBride	Mr Tripodi
Mr Campbell	Mr McLeay	Mr Watkins
Mr Chaytor	Ms Meagher	Mr Whan
Mr Collier	Ms Megarrity	Mr Yeadon
Mr Crittenden	Mr Mills	
Mr Daley	Ms Moore	<i>Tellers,</i>
Ms D'Amore	Mr Morris	Mr Corrigan
Mr Debus	Mr Newell	Mr Martin

Noes, 34

Mr Aplin	Mrs Hopwood	Mrs Skinner
Mr Armstrong	Mr Humpherson	Mr Slack-Smith
Ms Berejikian	Mr Kerr	Mr Souris
Mr Cansdell	Mr McTaggart	Mr Stoner
Mr Constance	Mr Merton	Mr Tink
Mr Draper	Mr Oakeshott	Mr Torbay
Mrs Fardell	Mr O'Farrell	Mr J. H. Turner
Mr Fraser	Mr Page	Mr R. W. Turner
Mrs Hancock	Mr Pringle	
Mr Hartcher	Mr Richardson	<i>Tellers,</i>
Mr Hazzard	Mr Roberts	Mr George
Ms Hodgkinson	Ms Seaton	Mr Maguire

Pairs

Mr Ashton	Mr Debnam
Ms Gadiel	Mr Piccoli

Question resolved in the affirmative.

Motion agreed to.

PUBLIC HOUSING FOR SENIORS**Matter of Public Importance**

Miss CHERIE BURTON (Kogarah—Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)) [4.42 p.m.]: The Government is taking social housing in a new direction in New South Wales. We started with the delivery of the reshaping public housing reforms, which refocus our priorities to deliver housing to those most in need while they are in need—people suffering from a mental illness, people with a disability, young homeless people and, of course, the elderly. In line with this, on Sunday I was pleased to visit the home of Elizabeth Cartwright in Ultimo with the Premier. We were there to announce the first phase of the Premier's affordable housing plan, \$420 million over the next five years for more housing dedicated to our seniors. This will see seniors housing increase by 10 per cent to 30,000 homes. Under our plan we will build or buy 2,800 additional homes for seniors.

The Government will spend \$75 million to make sure our homes meet the needs of older people. We know they want to feel independent and secure, which is why this \$75 million investment is so important. It will

help our elderly tenants to stay in their own homes for longer, and that is what is important for our seniors. Instead of ending up in hospital or in a nursing home, they will have the ability to stay in their homes for longer. The Iemma Government is providing that support. Lifts, handrails on walkways, and improvements to bathrooms and kitchens will help older people to maintain their independence. At the same time as we are building new homes for seniors, we are planning to help them build communities. We want seniors to be housed appropriately and with other seniors.

The Government is taking a new direction, setting up designated seniors precincts in all major redevelopments, and housing older people only with older people. We want to encourage older people to become leaders in their community. We want to ensure that our elderly people are housed together and looking out for each other. We want to ensure that they are getting the services they need to keep them well and active in the community. We want them to become leaders in the community so they can make it the type of community in which they want to live. We want to ensure that our seniors are not being told what to do, but that they continue to be contributing members of the community for many years to come.

I know from experience in my electorate that this system works. For example, I refer to May Harris, who lives in a seniors complex in Bexley North. Honourable members may remember reading about May in an article that appeared in the *Sunday Telegraph*. May is 81 years old. Since her move to the Shaw Street complex, her life is only getting better. To quote May, "I love it. It is very peaceful and the neighbours are very friendly." After my election as member for Kogarah I visited that complex and spoke to one lady who said to me:

I used to live in a three-bedroom house, where I brought up my children. I was very scared about moving into this complex but it was the best thing that ever happened. My health has improved. We have bingo on Monday nights. I get days out with the Kogarah senior citizens. Everyone looks out for me. We have barbecues on Saturday, play cards on Wednesday afternoon and fight over whose turn it is to do a bit of gardening.

She loves living there. She said she has never been in better health, her enjoyment of life has never been better and she has never felt safer. The out-of-touch Leader of the Opposition is putting May and all of her friends at risk. He does not want to give elderly people the security of living in a house that is owned by taxpayers. Instead, he wants to lease properties. Well, most people would agree that it is much better to own than to rent. Leasing would be a great cost burden to the taxpayer and a greater cost to the elderly people of New South Wales. Over five years it would cost an extra \$31.5 million to lease the same number of properties that the Iemma Government will buy. The greatest risk to the New South Wales economy is the Leader of the Opposition—Peter Debnam, as we like to refer to him.

Our commitment is funded and paid for. I ask the Leader of the Opposition how he will pay the extra \$31.5 million. That is just a starting figure. Honourable members will have noted his off-the-cuff comment on television the other day. The Leader of the Opposition was lost for words. He knows that the direction the Iemma Government is taking is the right direction so he came up with this hare-brained scheme to lease property, as opposed to buy property and give people security of tenure. How can the Leader of the Opposition justify this added cost to the people of New South Wales with absolutely nothing to show for it at the end?

The security of knowing that New South Wales taxpayers own their homes is invaluable for our elderly citizens. Taxpayers will have a value-added asset and we will spend less to provide it than the Leader of the Opposition has proposed. Honourable members know, because we have seen it time and again, that the Opposition is a policy vacuum. When the Premier and I made the announcement on Sunday it was obvious that the Leader of the Opposition did not know what to say. His eyes were practically rolling to the back of his head. Instead of doing the right thing, the honourable thing, and welcoming this new direction by the Iemma Government, this massive investment in providing homes for one of their most vulnerable groups in the community, the Leader of the Opposition came up with a very expensive and dangerous idea. It was obvious that he made it up as he went along.

The Leader of the Opposition put no thought into it. The suggestion that it would be preferable to lease properties is a dangerous proposition for a number of reasons. The Government buys housing stock to provide security for people as they move in and out of public housing. Public housing is a hand-up for the future, not a hand-out for life. It is important that we provide stability and security for our elderly tenants and for our other tenants by ensuring that we can always provide the housing stock that is needed. Ownership of that stock gives the State assets and an ability to ensure security of tenure to people who are in need. We can provide housing when they are in need for the time that they are in need.

All members of Parliament know that older people want safety, affordable housing and the security of knowing that the Government owns the house in which they live. The Government's new direction in providing

social housing for older people will meet all those needs, but without the additional cost that the Leader of the Opposition would impose on the New South Wales taxpayers. The Iemma Government respects the contribution that our seniors have made to the community, and will continue to provide the support and housing they need. The first phase of the Iemma Government's affordable housing strategy will go a long way toward providing support and facilities.

I conclude with a tribute to the seniors of our community for the contribution that they make to our society—that they have made and continue to make. The Iemma Government wants to ensure that they receive the support they need, that they are housed together, that, for health and social reasons, they support each other, and that they are living in safety. The Iemma Government wants to ensure that elderly people live together so that they can keep an eye on each other. The functioning of precincts has been successful and the Government's recent announcement has been widely welcomed. Labor members have been inundated with extremely happy people contacting their offices and making favourable comments about the new direction that the Iemma Government has taken to ensure that one of the fastest-increasing sectors of the population—the elderly people of our community—receives support.

The precincts will make it easier for support services to provide community aged care and in-home care. For example, in my electorate it will be much easier for Nurses on Wheels Inc. to provide support for senior citizens who live in the same precinct. Kogarah senior citizens visit the precincts and organise days out. When I attend the quarterly tenant group meetings at the seniors precincts the residents have plenty to say. They actively ensure that maintenance is kept up to date and that all is well in their little corner of the world. The elderly people in our community know that they are supported by the Iemma Government. The first phase of the Iemma Government's affordable housing strategy will maintain support and safety for the elderly citizens of New South Wales.

Mr GREG APLIN (Albury) [4.52 p.m.]: I am pleased to have the opportunity to address this matter of public importance. The Coalition shares the view that social housing for the elderly is a critical issue because all forecasts indicate that there will be a substantial increase in the percentage of senior citizens in New South Wales. A recent study conducted by the New South Wales Local Government and Shires Associations predicted that the number of people aged over 85 living in Sydney will rise from 69,520 this year to 113,351 by 2022. Of the anticipated 4.9 million residents living in Sydney, those aged over 65 are expected to make up 17 per cent of the population, whereas in 2004 that age group made up only 12 per cent of Sydney residents.

For 11 years this Labor Government has failed to recognise that senior citizens have a growing need for public housing. The many others who wait with their names on public housing lists—for periods in excess of 14 years in some cases—have similarly not been recognised. The failure of this Government is palpable. No matter where one walks in the city or regional areas, there are desperate people, often in dire circumstances, who are waiting for public housing. It is most significant that in an announcement made over the weekend regional areas were almost completely overlooked by the concentration on the Sydney and the Central Coast, with the Tweed district included as the token regional coastal area. Once again, as has been the case over the past 11 years of the Carr and Iemma governments, regional areas have failed to register on this Government's radar. Labor has squandered massive stamp duty and other unprecedented incomes to the State and has not even had public housing tenants on its radar.

The issue of people getting onto public housing lists is difficult enough in itself. Single people who are unemployed, have no children or medical ailments have no chance. Sadly, single people who have serious medical ailments or disability also find it almost impossible to get assistance. Mothers or fathers and children, even if they fall within the economic guidelines and may have other complicating circumstances such as medical issues or disabilities, still have to scramble in most areas to get on the priority housing list. The list was developed some years ago to reflect the fact that many applicants are in dire circumstances and should be given priority, but in this sense it has become the list that one has to be on—or risk the serious possibility of never getting public housing. For 11 years the Labor Government has not lifted public housing standards: in fact, the standards have deteriorated.

Any member of this Parliament who has public housing areas in his or her electorate would know that for years the Labor Government has dumped people who have mental illness and/or disabilities into public housing blocks of units or townhouses that previously were occupied by senior citizens in the Liberal-Nationals terms of government. Many members of Parliament have faced agonised senior tenants who decry the Labor Government's policy of dumping people who have mental illness and people who have disabilities into public housing without giving the support that is necessary to ensure that these people have quality of life. At the same time, the failure to co-ordinate services for such people has meant that many senior citizens have felt as though they are under siege.

The Labor Government's failure to address support services is seen at some housing estates such as Villawood and Macquarie Fields in riots that have utterly destroyed the self-confidence of all residents, including the seniors who often feel most vulnerable. Labor's weekend announcement that there would be a new focus on seniors and housing is welcome, but at the same time it is concerning. We were told that there will be \$420 million, but we were not told where it was coming from. Is it new money? Is it money that is being shifted? Is it the usual re-announcement? Or was it Commonwealth money? An examination of the current five-year Commonwealth-State Housing Agreement shows that it is funded in the proportions of \$1.5 billion of Commonwealth money compared to \$597 million of State money. In 2005-06 the Commonwealth contributed \$297.2 million compared to \$119.1 million in State funding.

Next year the funding arrangement will change, with the Commonwealth Government contributing \$301 million compared to \$120 million from the State. As an initial matter, the Coalition notes that Labor failed to declare that this was not new money: indeed, it was not in the budget, perhaps. It appears to have been shifted away from other areas of need. How can a Government tell people who have already waited between 10 and 14 years that they will be waiting longer because it has decided to shift the focus to just one area—support for seniors? Seniors and each of the other vulnerable sectors of people in our community deserve a fair go, and a fair go means that we cannot repeat the mistakes of the past. Even this Government has recognised that enclaves of public housing tenants—or, for that matter, any other group—is not helpful. The Coalition is absolutely committed to ensuring that as far as practicable new housing will not be in estates unless there is a tangible advantage, such as sharing of services provided for people with particular needs.

However, there should not be the assumption that every older person wants to be in a de facto public housing retirement complex—hence the announcement on the weekend by the Leader of the Opposition that the Coalition would engage more of the private sector in long-term leases. If a senior citizen wants to live surrounded by the mix of our society rather than in a particular uniform environment, such as one for seniors only, such options should be available. Clearly, tying up capital in new complexes that may go the way of Villawood and Macquarie Fields is not necessarily a sensible option. Flexibility for seniors housing is critical. It may be offered through community housing, private housing, long-term leases or, in some circumstances, private housing through short-term leases—for example, for seniors who anticipate needing medical assistance at a local hospital over a year or two but who want long-term security at an alternative location near to family.

We talk about security, so let us look at the record of the Department of Housing and this Government. Let us look particularly at the area of Stockton in the Newcastle electorate. Let us re-examine the issue of two people living in Department of Housing units: a lady in her sixties who is still grieving over the sudden death of her husband just four months ago, and a gentleman in his seventies who has a heart condition and has been living in his house—it is a Department of Housing house—for the past 19 years. These people will be removed from their houses. So much for the security of living in your own house under this Government! They are currently surrounded by family, neighbours and friends, and they belong to the area. They are supported by a close community. They volunteer much of their time to community projects, only to be treated like disposable objects by the Department of Housing. This is morally and ethically wrong. They are being moved because 11 Department of Housing units are to be constructed; two-storey units, supposedly for seniors and a mix of people. That is what is behind the current plan.

However, the Department of Housing cannot maintain the existing houses in the area. In the immediate area surrounding Stone and Dunbar streets there are some 44 empty and disused houses, which are obviously not occupied or are in some state of disrepair. So much for the maintenance issues, so much for this new plan. The proposed development on Dunbar and Stone streets is 50 metres from the beach and in a very high-maintenance area. At a recent public meeting the action group asked the Department of Housing representatives why the seniors houses were to be built in that particular area. The answer given was "people like to live here". When asked why two-storey units were being built for seniors and people with a disability because the steps may become a problem, the answer was "they could just live downstairs". So much for the thought behind this new process that was announced on the weekend. So much for thinking about the needs of seniors.

That location is two kilometres from the shopping centre, two kilometres from the library, two kilometres from the post offices and newsagents, two kilometres from a general practitioner, two kilometres from banks, two kilometres from the chemist and two kilometres from the supermarket. What about transport? Yes, there is a bus service, but it does not have wheelchair access. It is two kilometres to the one pedestrian crossing in Stockton, and there are no traffic lights in Stockton. The footpaths are narrow and many are in bad condition. Is that suitable for seniors? However, that is the plan under the Iemma Government. There are no rest stops, sheltered bus seats or footpaths on the western side of Mitchell Street. There are eight cross streets between Stone Street and Crown Street and a children's day-care centre is some 60 metres away with 245 children attending each week. That is great, but for seniors possibly not the ideal setting.

Regarding essential services, there are no after-hours doctors, no dentist, no physiotherapist and no occupational therapist. This is behind the so-called thinking, consultation, new plan of the Iemma Government. The people of Stockton are not alone in calling for consultation. The Macarthur Housing Coalition gathered for a public meeting and asked for support in reversing the "Reshaping Public Housing" agenda and encouraged the Government to do what it has not done before: to consult the people most affected. That call comes from people in Lightning Ridge, who again asked for consultation. Labor has failed in its 11 years in office. It certainly does not deserve another term in office. [*Time expired.*]

Ms MARIE ANDREWS (Peats) [5.02 p.m.]: As the representative of the Peats electorate, which has more than the State's average of persons aged 60 and over, I welcome the Iemma Government's new direction for delivery of public housing for senior citizens in New South Wales. The announcement of a five-year \$420 million plan to boost affordable seniors housing means that those people most in need will now have access to secure and suitable housing. Currently 60,000 people over 60 live in public housing in New South Wales. It is expected that that number will increase by about 36 per cent over the next decade. In addition, it is estimated that about 14 per cent of the homeless population in New South Wales is aged 55 years or older.

The number of people aged over 60 living on the Central Coast who will need to access social housing is expected to grow by 39 per cent by 2011. The plan announced by the Premier last week will include 111 new homes specifically for seniors residing on the Central Coast by June 2007—an investment of \$27.12 million. This means that on the Central Coast and across New South Wales we will be better able to meet the growing demand for housing for seniors, supporting the elderly in our community to live in stable and safe housing. The Iemma Government's "New Directions in Social Housing for Older People" policy will also make it easier for seniors to stay longer in their own homes. A further \$75 million will be invested in modifying existing homes to ensure they are suitable for senior residents. The Iemma Government will invest in facilities such as hobless showers, grab rails, lever taps and enlarged light switches, all of which will make life a little easier for those residents. Seniors value their home and the stability that public housing offers.

Staying in a familiar environment, with their friends and their usual services nearby, is important for senior residents—and this Government's plan makes that possible. Only 3 per cent of older people currently live in retirement village type accommodation and 6 per cent currently live in residential aged care. The Iemma Government's new plan offers elderly people more choice about where they live. It offers them an affordable form of accommodation and one that offers independence to residents, especially those who do not want to move to residential aged care homes. Under the Howard Government the Commonwealth has progressively withdrawn its support from public housing. It continues to walk away from public housing and in total has cut \$850 million out of the New South Wales public housing system between 1996 and 2005.

More than 3,800 potential new homes have been ripped out of the system. I call on the Leader of the Opposition to take a stand and to tell his mates in Canberra to put this money where it is needed. This massive investment in seniors housing is the first phase of the Iemma Government's affordable housing plan which will continue to ensure that those most in need get access to housing in New South Wales. I congratulate the Premier and the Minister for Housing on listening to the seniors in our midst, who have contributed and continue to contribute to the wellbeing of our society and, more importantly, for catering to their housing needs.

Miss CHERIE BURTON (Kogarah—Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)) [5.06 p.m.], in reply: I thank the honourable member for Peats for her contribution to the debate and for her continued support of elderly people in her electorate and across New South Wales. I will address a few matters raised by the Opposition. I acknowledge that the shadow Minister for Housing is new to that position. The Government has offered to hold briefings at any time and I am happy to bring him up to speed on what is happening in Housing. It is about time that the Opposition got behind the plan and supported the elderly. It is no use bagging this plan, because he knows it is a good policy. It has been welcomed by the community and particularly the elderly.

Furthermore, if the Opposition were serious about supporting public housing they should get up and pay it lip service; they have all the rhetoric at hand. I would like the Coalition to go to Canberra and get the \$850 million that I am owed by the Federal Government and put that money into public housing, where it should be. I would like the Coalition to support the State Government so that we can provide even more homes. With \$850 million we could develop many facilities to support our elderly, but those opposite want a lease. Let us get serious about this; what a joke it would be to lease properties. It would be a recurrent budget nightmare. The Leader of the Opposition, as I said, is Peter Debnam. God help us if the ever got his hands on the State.

Concerning regional areas, the focus is across New South Wales where the demand is. The Department of Housing does not see any point in building homes where there is no demand. And where there is demand, the Government will build homes, and that is what this strategy is all about. That is what "Reshaping Public Housing" is about: it is about providing stock where it is needed, when it is needed and for the length of time that it is needed. It is important to reprioritise, and if the shadow Minister had done his homework he would know that in the 1970s 70 per cent of housing applicants were young families. Now it is 11 per cent, with the overwhelming majority of applicants being the elderly, people with a disability, people suffering from a mental illness, the young homeless, and single parent families. They are the Government's target groups in the "Reshaping Public Housing" reforms.

This is about providing housing to those most in need for the time that they are in need. In addition, this is about making sure that we are providing security so that when people are in a period of crisis that they can get access to housing. In addition, we will make sure that our elderly can get security of tenure. If an 80-year-old leases a property and the landlord decides to sell it, that would be very distressing. This is Opposition policy on the run, because it has no ideas. It is a bit rich for the Opposition to espouse about people who need public housing when the Federal Government has been ripping the guts out of the Housing budget since 1995.

This Government has kept up with the demand for public housing. It is committed to providing housing where and when it is needed. I am happy to inform Opposition members that this Government has made available 240 new properties outside Sydney, which I am sure will please the shadow Minister who has not done his homework. The door is always open to him to visit my office, to obtain the proper statistics and to receive a proper briefing, which will ensure he understands how public housing works in New South Wales. I do not believe in politicising these sorts of issues.

This issue is about ensuring that people who are in need receive public housing. Back in the 1970s, when my family was in need, it was able to obtain public housing. We had a roof over our heads and food on the table, and we were able to go to school. The Government's policy is not only about rearranging the way it delivers public housing; it is also about accelerating the delivery of public housing. This Government will meet the demand for housing faster. My message to Opposition members is to get their Federal mates to give this Government the \$850 million that is owed to it so it can provide better public housing for the people of New South Wales.

Discussion concluded.

BUSINESS OF THE HOUSE

Notices of Motions

Mr ACTING-SPEAKER (Mr John Mills): Order! It being almost 5.15 p.m. the House will now deal with General Business Notices of Motions (General Notices).

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

BLACKTOWN BOYS HIGH SCHOOL

Mr PAUL GIBSON (Blacktown) [5.15 p.m.]: Tonight I refer to Blacktown Boys High School, which is located in my electorate—a good school and one at which my son has taught. On 19 March 2006 the school received some bad publicity in the *Sunday Telegraph*. Before I deal with that issue I would like to state that young people need all the support we can give them. They need to know that their school has a good reputation because that has a lot to do with their self-respect, pride and self-esteem. If we hurt a school we hurt the kids who go to that school.

The story in the *Sunday Telegraph*, which was entitled "School a disgrace due to neglect", referred to rat infestations in classrooms, asbestos problems, terrible floor coverings, broken chairs, a lack of resources, police problems and brawls in the playground. Three photographs accompanied that story, the first of which showed a police car coming out of Blacktown Boys High School after a brawl. A good look at that photograph

establishes the police car was coming out of Blacktown Girls High School and not Blacktown Boys High School, not after a brawl but after a Jim Anderson scholarship presentation that was attended by members of the police force and by me. So the first photograph was wrong.

The second photograph showed the principal putting a young person into an ambulance after a brawl, which again was wrong. The principal was putting a sick boy with a temperature of 36 or 37 degrees into an ambulance so he would receive appropriate medical attention. The third photograph depicted the terrible state of a classroom at that school but again that photograph was wrong. No such classroom exists at the school. The principal issued a report in which she stated there were no rat infestations at the school, no asbestos problems and no problems with brawling in the playground. She also said that five laboratories had had floor coverings replaced over Christmas and she answered all the criticisms aimed at the school. Blacktown Boys High School Parents and Citizens Association sent a letter to the editor in which it stated:

As parents and active members of the Blacktown Boys' High School P&C we find ourselves very irate and disappointed with the majority of the allegations that have been printed about our school and comments made by the Teachers Federation through their representative Mr Theo Bougatsas.

Our association with the school dates back to the 1960s. We are frequently at the school attending to P&C matters, school functions, panel duties and helping out anywhere as required. We are therefore quite familiar with the grounds, building, resources, teachers and students and we are very indignant at the allegations expressed in this article.

To make things worse, the shadow Minister, the honourable member for Wakehurst, visited the school at 3.50 p.m. on 11 April. After touring the school he described it as the most disgusting and the worst he had ever seen. He referred also to occupational health and safety nightmares and said he would shut up about conditions at the school if they were fixed, otherwise he would bring them to the attention of the Department of Education and Training. The shadow Minister was critical of the Department of Commerce and the Government's lack of action in relation to school maintenance. Yesterday the shadow Minister issued another press release in which he said:

Blacktown Boys High deserved better than Labor's 12 years of neglect and today's Federal funding of \$150,000 shows the Liberal Party is serious about delivering a better learning environment to the boys of Blacktown High.

When I visited Blacktown Boys five weeks ago the physical surroundings shocked me.

Since the year 2000 this Government has spent over \$600,000 on Blacktown Boys High School, not a measly one-off funding amount of \$150,000 that has been received from the Federal Government. In the past 12 months alone this Government has spent \$320,000 on carpets for 15 rooms, new floor coverings for five science laboratories, paint for classrooms and general roof repairs. But it gets better. I found out that New South Wales schools had to apply by August last year for round two funding under the Commonwealth Government's program. Blacktown Boys High School is one of only a handful of schools to receive funding—which should have been allocated nine months ago—under round two of the program. I have also discovered that the Commonwealth Government has called for applications under round three of the program. Those applications close on 10 May. The Federal Government has requested schools that applied for funding in round two to resubmit their applications during round three. It is the old pea and thimble trick. The Commonwealth Government is finally giving schools funding that it should have provided nine months ago.

DEATH OF MRS SHIRLEY BYRNE

Mr ANDREW TINK (Epping) [5.20 p.m.]: I refer to circumstances surrounding the death of patient Shirley Byrne at Ryde District Hospital. Mrs Byrne, who was transferred to Hornsby hospital, died on 4 February 2000 from complications following an operation performed at Ryde hospital. On the *Sunday* program on 2 November 2003 reporter Ross Coulthart alleged:

... when Sydney anaesthetist Gerrit Reimers stood trial in 2001 for the manslaughter of 74-year-old Sydney grandmother Shirley Byrne, he had already secretly confessed to the Medical Board of NSW that he had used narcotic drugs the night before her operation. Even more concerning, Dr Reimers told the Board "he conceded that his judgment may still have been impaired the following day [the day he anaesthetised Shirley Byrne]".

He further alleged:

This express admission by Dr Reimers that he was possibly under the influence of narcotic drugs during an operation where a patient died was never provided to the police investigating Mrs Byrne's death. Other evidence showing there had been longstanding concerns about Reimers' drug abuse inside several hospitals was also not given to police.

According to the *www.sunday.ninemsn.com.au* web site:

As Coulthart explains, this meant that the prosecution of Gerrit Reimers for manslaughter was denied key evidence.

In response to the allegations aired on the *Sunday* program, the New South Wales Medical Board advised that it had conducted an inquiry in April 2000—shortly after the patient's death—under section 66 of the medical practitioners Act. As a result, Dr Reimer was suspended on 7 April for 30 days. NSW Health advised Ross Coulthart in a memo dated 30 October 2003:

... the Medical Board wrote to PSB—

that is the Pharmaceutical Services Branch—

on 31st May 2000 following the holding of a S.66 inquiry in relation to Reimers. The PSB immediately took steps to revoke Reimers' authority to prescribe drugs of addiction based on his admissions to the Medical Board that he had used narcotic drugs.

I then made representations to the Attorney General about the role of the Director of Public Prosecutions in this matter. I was advised in a letter from the Attorney General dated 7 November 2005 that a solicitor from Mr Cowdery's office who inspected documents produced on subpoena at the doctor's manslaughter trial maintained:

... there were no documents detailing any admissions by Gerrit Reimers of drug use at about the time of the operation on Mrs Byrne. The Medical Board was recently requested by the DPP to provide a copy of the section 66 Report to allow the solicitor to view the document and provide further comment.

I then put some questions on notice to the Attorney General about this matter. I received a reply on 5 April in the following terms:

The Director of Public Prosecutions has advised that a DPP prosecutor inspected documents subpoenaed by the DPP and produced by the HCCC. The prosecutor maintains that the s66 document was not included in the material produced on subpoena.

The problem with that answer is that on 7 November 2003 the Health Care Complaints Commission wrote to Mr Coulthart of the Nine network, and said:

This is to confirm to you that the Health Care Complaints Commission received a copy of the s66 inquiry report into Reimers from the NSW Medical Board, dated 28 April 2000.

Further, the s66 report in question was submitted in the documents under subpoena to the court.

I have obtained a printout of the Supreme Court's "Exhibit Enquiry" record, which indicates that "Records Box Green X1 by Health Care Complaints Commission" was made available. This is an exceptionally serious matter. It appears that there may be evidence of drug abuse on the part of Dr Reimers that was not placed before the jury during his manslaughter trial. There also seems to be a fundamental dispute between the Director of Public Prosecutions and his solicitor on the one hand and the Health Care Complaints Commission on the other as to what was produced to the court in relation to a trial involving the death of a person under criminal circumstances.

I believe the New South Wales Coroner must act urgently to get to the bottom of this matter and determine who is lying: the Health Care Complaints Commission or the Director of Public Prosecutions. Either way, the situation is completely unsatisfactory. If action is not taken in a very short space of time the matter should be referred to the Independent Commission Against Corruption. When patients enter hospital they expect things to be done correctly. When they are not, people expect that a decent and competent inquiry will be conducted. They do not expect the two arms of government designed to be watchdogs and to bring accountability into the health system to call each other liars.

NO. 450 SQUADRON ROYAL AUSTRALIAN AIR FORCE SIXTY-FIFTH ANNIVERSARY

Mr JOHN BARTLETT (Port Stephens) [5.25 p.m.]: Occasionally as a member of the Parliament of New South Wales an event occurs that has significance extending far beyond the Port Stephens constituency that I represent. Such an event occurred on Sunday 9 April this year, when I was asked to speak at a celebration marking the sixty-fifth anniversary of the departure overseas of No. 450 Squadron Royal Australian Air Force from Williamtown RAAF base during the Second World War. At the time they did not know where they were going, but they ended up in North Africa. I spoke to more than 100 people at the 450 Squadron reunion, including 36 members of the squadron, their family and friends. We had a great morning together.

In the past 10 or 15 years I had spoken at the squadron's get-togethers and memorial services as the mayor of Port Stephens. This was the second time that I spoke as a member of Parliament. It was the last reunion for the survivors of 450 Squadron, whom their enemies in North Africa nicknamed the "Desert Harassers". The 450 Squadron was formed on 16 February 1941 and left Civic station in Newcastle on 19 February 1941. Some 279 men sailed from Sydney Harbour, 49 of whom paid the ultimate sacrifice and never returned. Squadron members served continuously from that date until the squadron was disbanded at Lavariano on 20 August 1945. They served during the North African campaign, pursuing Rommel's forces across North Africa and into Italy.

I have known a number of squadron members over the years. I pay tribute to the President of the 450 Squadron (RAAF) Association, Phil Masson; executive members Doug Millar, Rodney Brooker and Gordon Denny; and secretary/editor Sandi Nipperess. Alan Harris, an international member from Canada, was also at the reunion. I think Alan came to see me after the memorial service. He was the last remaining survivor of 10 pilots from the Canadian air force who flew with 450 Squadron. The sixty-fifth anniversary of the squadron's departure from Williamtown RAAF base will be the last that the squadron celebrates. Several events were held during the day, including the burial of a time capsule at Civic station marking the squadron's departure 65 years ago on 19 February 1941. This was a sad occasion. It is the fourth time I had addressed the members. I praised them for their sacrifice and their work in the Middle East. I also made the point that not many squadrons have had a sixty-fifth anniversary. There is something special about the 450 Squadron that kept the men together for so long. We respect their sacrifice and we are sorry that they will not meet again. On behalf of the New South Wales Parliament I wish every one of them all the best for the future.

BURRINJUCK ELECTORATE MENTAL HEALTH SERVICES

Ms KATRINA HODGKINSON (Burrinjuck) [5.30 p.m.]: Recently I made representations on behalf of a private clinical psychologist practice that operates in Goulburn, Crookwell and Queanbeyan. Ms Nicole Rogers, Dr Melinda Linton-Bradley and Dr Tania Lioulios informed me of the need for continuation of funding for the Better Outcomes in Mental Health Program. This is a Federal program funded through the Department of Health and Ageing with referrals being made through the south-east division of general practice. The program gives general practitioners [GPs] a preventative strategy option for patients presenting to them with depression and anxiety problems. It aims to get on top of problems early before patients hit crisis point and require the intervention of the area health service mental health crisis teams.

Referrals to the Goulburn, Crookwell and Queanbeyan practice have ranged considerably from young children refusing to attend school, young adults requiring drug and alcohol counselling, reducing self-harm behaviours in suicidal individuals, anger management, mothers with post natal depression and elderly citizens dealing with depression. It also offers support to GPs, increasing their early ability to diagnose mental health problems. Doctors at the practice informed me of an overwhelming need for greater mental health services in the Southern Tablelands. They are very concerned that the demand by local GP's for their services is significantly exceeding the funding provided for the program.

Their experience further supports the many statements that I have made in this House calling for greater State Government funding for mental health services. The necessity and great demand for this Federal Government program is a severe condemnation of the Carr-Iemma Labor Government's failure to properly fund public mental health services in rural New South Wales. Recently I was told of an incident where police took a mentally disturbed person to Yass Hospital. Help was sought from the Greater Southern Area Mental Health Team, but their intervention service had been cut back because of cost constraints and they were unable to attend outside business hours. As a result, this poor hapless individual spent the night in a police lockup. I am already on record in this House quoting a local magistrate saying he had no option but to send a mentally ill person to gaol, because of inadequate public mental health facilities.

On 20 March a Community Mental Health Awareness Forum was held at the Gunning Shire Hall. Well over 100 people attended the forum, which is a good indication of the level of concern about mental health issues in this community—Gunning is quite a small community. The even smaller village of Dalton, just 12 kilometres away from Gunning, has been devastated by four suicides in recent times. A large number of the people who attended the forum were seeking a way to make sure that mental health problems could be identified and dealt with early.

One of the speakers was Mr Joe Medway, the team leader of the Goulburn Community Health Team. While I strongly support the great work that is being done by front-line mental health workers, Joe Medway's

comments were not reassuring. He informed the meeting that in the Southern Area Health Service, mental health caseworkers were being forced to handle about double what is the normally accepted case load because of limited funding. He stated that mental health accounts for about 14 per cent of all patients that the Greater Southern Area Health Service deals with, but that mental health services receives only about 7 per cent of the service's budget. I have previously questioned the Premier, both in his position as Premier and also his former position as Minister for Health, about funding issues with the Southern and Greater Southern Area Health Service. He has always denied that there is a funding problem, fobbing off his responsibilities, and merely stating that funding shortages are a management problem within the area health service.

The Premier continually talks about addressing the problem, but is doing nothing. The reality is that the Premier knows that the Carr-Iemma Labor Government has been underfunding public health services in rural New South Wales for more than a decade. All he is doing is casting around wildly trying to blame everyone else—the doctors, the nurses, the Greater Southern Area Health Service, the Federal Government, the GST—you name it! He has blamed everyone but the true culprit—his own Government and his own failure. One example of his incompetence is the cancellation of the Mental Health Family and Carer Support Program. In just one location, the Carers Lodge at Young, the program has regularly assisted up to 50 people at a time, offering education and support for the carers of people with a mental illness across 11 towns including Queanbeyan, Cooma, Bungendore, Bombala, Young, Yass, Goulburn and Bega.

The program was so successful that it was a finalist in the prestigious Baxter 2004 Health Awards. The program costs about \$200,000 per annum. With much fanfare, Labor has scrapped that program and replaced it with what it describes as an innovative family friendly mental health services initiative, and crowed about increasing the funding to \$320,000. This is purely lies and deception by Labor, as the new program will be spread across all six mental health clusters in the Greater Southern Area Health Service—effectively less money to provide a service for at least 44 major towns and cities. This Government is a disgrace. Its actions demonstrate that it just does not care about mental health problems in rural areas. The State budget will be brought down on 8 June. I call on the Iemma Labor Government to make funding for mental health programs in my electorate a priority.

Miss CHERIE BURTON (Kogarah—Minister for Housing, and Minister Assisting the Minister for Health (Mental Health) [5.35 p.m.]: I am alarmed by that statement and re-iterate to the House what I have said time and time again, that is, this is the only Government that has done something for mental health. It has increased funding from a measly \$350 million provided by the Coalition to a record \$854 million—a 141 per cent increase.

[Interruption]

Just listen! I listened to you; you listen to me. This Government has rolled out 300 extra beds over the past four years, with another 300 to come on line. The Government's court diversion program has diverted 12,000 people out of the gaol system into appropriate care. Its housing and support initiative means that Housing provides the stock and Mental Health provides the support. The Government has increased funding to its Families and Carers Program. The Federal Government counterparts agree that mental health is a top priority, and recognise and support the work of this Government. The honourable member for Burrinjuck talked about access to services in regional and rural areas, but this Government has provided funding for services that have staffing issues.

During the Council of Australian Governments meeting the Prime Minister acknowledged that staffing concerns was one of the major issues. The money that the Prime Minister outlined will fund initiatives started by this Government. The Government looks forward to working with the Federal Government in a co-operative way to deal with outstanding mental health issues. The Carr-Iemma Government has come a long way, but it has a long way to go. Instead of the Opposition scaremongering and making destructive criticisms about carers and people who want to access services it should be like its Federal counterparts and work with this Government to continue to improve mental health services in New South Wales.

LIVERPOOL TO PARRAMATTA TRANSITWAY

Mr PAUL LYNCH (Liverpool) [5.37 p.m.]: I draw the attention of the House and relevant Ministers to some aspects of the Liverpool to Parramatta Transitway. I preface my comments by emphasising how valuable the services of the transitway are to my constituents. The steadily rising patronage figures confirm this—as do the many residents to whom I speak about the issue. I have made this comment before in this place.

It is worth noting that my constituents who support the transitway perceptively point out that many of the transitway's noisiest critics have little experience of it, do not use it and live very far away from Liverpool

One resident who has raised this issue with me is Mr Tom Murphy. Mr Murphy is supported in his views by the Green Valley Precinct Committee and by the community action group, whose meeting I recently attended in Miller. The most immediate concern that they raise is parking at the transitway station near the intersection of Hoxton Park Road and Banks Road. That transitway station is opposite Miller TAFE. There is some parking provided there that was constructed when the transitway was developed. My recollection is that a larger parking area was originally proposed but that technical problems—I think flooding—limited the size of it. The current provision, however, is totally inadequate.

The current problem is that almost all the parking at the transitway station is taken early in the day by TAFE students. That reduces what would otherwise be the effectiveness of the transitway. The TAFE students are, of course, entitled to commute to TAFE and pursue their education. In recognition of that, TAFE has provided its own car park at the TAFE for students. However, TAFE imposes a fee for parking. The entrance to that paid area is almost directly opposite the free transitway parking. It is not exactly rocket science to work out why the transitway parking area might be fully occupied by non-transitway vehicles. At the request of my constituent I raised this issue with the Minister responsible for TAFE. The response from the Minister to these concerns said in part:

I am advised that Miller College provides secure parking for staff, students and visitors. Since security parking was introduced at Miller College there have been no reported incidents of car theft, or the theft of equipment and tools from apprentices' vehicles within the college grounds. There are approximately 460 marked car spaces within the college car park, which is generally filled to 90 percent capacity each day.

Student and staff parking fees help offset the costs of security and maintenance of the car park. Students may purchase an annual parking ticket for a nominal fee or single entry fee parking. Loading and other delivery vehicles are able to access the college grounds and visitor car parking is providing at the northern entry/exit access in Banks Rd.

As interesting and accurate as that may be, it does not do anything to deal with the issue at hand. I would ask the Minister for Education and Training to review this issue with a view to removing TAFE parking fees to allow the transitway area to be used for its intended purpose. I also ask the relevant Ministers to consider strategies to restrict parking in the transitway parking area to transitway-related vehicles. I understand there may be practical problems with that, but I would like someone to have a proper look at it. In addition, I would ask that consideration be given to dealing with parking facilities at other transitway stations.

That is the particular suggestion of Mr George Smith from the community action group, who chaired the meeting of the group that I most recently attended. If the problem at Miller TAFE is insoluble—that is, if TAFE is obdurate on the issue of its fees—then thought should be given to parking facilities at a nearby station, such as the one in Rundle Road near the intersection with Orchard Road. That might be an alternative way to solve the problem of providing extra car parking spaces, not at the location near Miller TAFE but at a nearby station. I should finish where I started, by emphasising the great support that the T-way has in my area. One particular constituent, Barbara Wright, has written this about the transitway and the service:

The T-way is the first regular transport service away from railway lines that is always accessible for people with disabilities. It is very hard to guarantee accessibility on the local private bus services as they have only a small number of low floor buses. The T-way has air-conditioned buses which are a boon to someone like myself. I have MS and have a very poor toleration of heat.

I bet Barry O'Farrell has never even set foot on a T-way bus, much less seen how comfortable, speedy and modern the whole set up is.

I look forward to the Minister responding to the issues that I have raised.

MS NATASHA TICHON RAIL TICKET

Mr MICHAEL RICHARDSON (The Hills) [5.42 p.m.]: On 15 April 2006 my constituent Natasha Tichon, a student, travelled from Parramatta to Leura in the Blue Mountains by train to see her grandmother—a perfectly normal thing to do, one would think, and indeed admirable in a young person. At Parramatta station Natasha asked for a one-way ticket to Leura. She was given a ticket to the Royal Easter Show. The ticket, which included the cost of entry to the show, cost \$23.50. The cost of a student concession single ticket to Leura is \$4.40. Natasha, whose mother had told her that the ticket would cost less than \$10, queried the fare, but the rail staff insisted it was correct. The ticket she was given was unquestionably a Parramatta Showlink ticket which gave admission to the Royal Easter Show. On the reverse side was an advertisement for the Blue Mountains

Explorer Link under the legend "Need a day out to the Blue Mountains?" It seems clear that the ticket officer, incredibly, read the back of the ticket as the front and charged Natasha 434 per cent more than she should have been charged for her ticket.

What is even worse is that despite paying an extra \$19.10 for her ticket Natasha travelled to Leura illegally. She did not have a valid ticket for the journey. Fortunately, she was not grilled by an enforcement officer, but the trip could have ended up costing her \$219.10 courtesy of the mistake made by the ticket officer at Parramatta station. Natasha's father, Michael, was understandably incensed about what happened that day. He rang RailCorp to complain. A female staffer explained that, first, it is the purchaser's responsibility to ensure the correct ticket is issued; and, second, if Mr Tichon wanted to complain, he and Natasha would have to go back to Parramatta station, find the officer who issued the ticket, and confront him or her. This was, of course, impossible.

On 24 April Mr Tichon received a telephone call from Mr Tim Davidson of RailCorp Customer Relations. Mr Davidson explained, one, that it is the purchaser's responsibility to ensure the correct ticket is issued; two, it is the traveller's responsibility to understand the requirements, and failure to understand the requirements is not accepted as an excuse for travelling on an incorrect ticket; three, it is the responsibility of RailCorp to ensure people do not travel on invalid tickets or without tickets, and the traveller's responsibility to ensure they have been issued with the correct ticket; four, if Natasha had been caught travelling to Leura on the Showlink ticket, she would have been fined; and, five, in response to his questions concerning normal supply of goods and services obligations, Mr Davidson stated they did not apply to RailCorp, which is governed by the Transport Administration Act.

This is an appalling state of affairs. A young girl who travels by train about once a year—we do not yet have a train to Castle Hill, despite the Government's promises—is sold a dud ticket, identifies it as a dud ticket, is refused an exchange, and then is told it is her fault. What other business can we think of that could operate like this and survive? But it happens every day on the New South Wales railways. We have gone back to the bad old days when the passengers were regarded as an inconvenience, a hindrance to the staff's enjoyment of their day. Surely it would not have been too difficult for Mr Davidson to have apologised and to have issued a refund. That is what good businesses that want to retain goodwill do. I suspect it would have been possible for Natasha to have proved she went to Leura rather than the show that day. In any case, who would want to go through this amount of unpleasantness for the sake of a \$19.10 refund? Mr Tichon has written to the head of RailCorp, Vince Graham, about this issue. He asked Mr Graham the following questions:

1. It is the responsibility of the traveller to obtain the correct ticket. How does a blind person ensure they have been issued with a correct ticket?
2. It is the responsibility of the traveller to obtain the correct ticket. How does a person with a learning disorder who has difficulty reading ensure they have been issued with the correct ticket?
3. How would RailCorp treat a visitor to this country who travelled to Leura from Parramatta, where their destination (Leura) was printed on the "advertising" side of the ticket when an incorrect ticket had actually been issued (for example, to the city)?
4. What are the relevant sections of the Transport Administration Act 1988 ... that remove from RailCorp all responsibility to provide a consumer with the ticket requested by the consumer?
5. What are the relevant sections of the Transport Administration Act 1988 ... that permit a RailCorp employee to:
 - (a) Falsely represent that the ticket issued is valid for travel to a specific destination, and/or
 - (b) Misrepresent the cost of travel to a specified destination, and/or
 - (c) Expose the consumer purchasing and using the ticket to potential fines for travelling on an invalid ticket by the above-mentioned misrepresentations?

Today I ask the same questions of the Minister for Transport—with one additional one: What is he going to do about training his staff to ensure passengers once again become their primary concern, as they were under the Greiner and Fahey governments? I was a fairly regular train commuter in the mid-1980s and the early 1990s, and I will remember the change that came over the rail system under Bruce Baird. Not only did the trains run on time but the staff treated passengers as valued customers. What happened to Natasha Tichon is a disgrace. She should have her \$19.10 refunded, and she should also receive an apology from the Minister. Otherwise, this impressionable young girl will learn a very bad lesson about the nature of authority.

WESTHAVEN ASSOCIATION

Mr ANDREW FRASER (Coffs Harbour) [5.47 p.m.]: I speak tonight on behalf of the Westhaven Association in Dubbo. In my shadow ministerial role, I took the opportunity some 10 days ago to visit and speak

with Mr Gordon Tindall, in the company of representatives of the Dubbo chamber of commerce, about their unique situation at Westhaven. I would like to outline the content of a paper they gave me. The Westhaven Association has real concerns about the occupational health and safety legislation. I read dot points from the representations they made to me:

There are serious conflicts in respect of requirements on employers between the OH&S Act and the Disability Services Act. This has caused considerable concern for several years amongst all service providers. It is possible that to comply with one Act a service may be in breach of another. It has been the subject of numerous meetings between WorkCover, DADHC and our peak body ACROD and a working party is in place for ongoing discussions. ...

Workers Compensation premiums are hitting services hard. We are no longer classified at the lowest rates as had been the case until the last four or five years. Westhaven's premiums have jumped from \$87,009 in 04/05 to \$142,885 ... in 05/06. Our wages increased by 7.5% in the same period but our premiums went up 64% as a result of several relatively small claims so that our "experience premium" component jumped from \$4,326 to \$38,534—an 891% increase—and this will be maintained for these claims over three years. Although the risks in running a disability service can be high, there is no allowance made for whether a service is a low/medium support service type or a high support service (where the risks are much higher).

Westhaven Association is an absolutely fantastic service provider. I met some of the workers, volunteers and other paid staff who work there. They do a phenomenal job. They make the original Ugg boot and package documentation for postage on behalf of local businesses and local community organisations. The Westhaven Association provides paid jobs for people who otherwise would not have an opportunity to participate in society in a useful way. It also supplies its workers with accommodation. Unfortunately, there is a conflict between the Acts. In summary, there are conflicts in regard to Westhaven's obligations under the Occupational Health and Safety Act and the Disability Services Act. For example, employees need to be aware of the risks to and the privacy of supported residents and workers.

The Act provides that they must have a foreseeable interest, but, unfortunately, there are incidents in respect of people with disabilities where potential occupational health and safety claims are not necessarily foreseeable. Someone may have a history of, for want of a better phrase, exploding or going off the deep end. No-one can predict when that will happen, but the employer is held responsible for maintaining a safe workplace. When one takes into account the great job Westhaven does in the Dubbo community and the product it sells, it is a business in every sense of the word.

These people are finding it almost impossible to keep their heads above water with, as I said, a workers compensation premium of \$142,000, including an 891 per cent increase in their experience premium, and payroll tax problems. This business not only provides a community service but also produces a great product for the people of Dubbo. At the same time it gives supported residents and workers some hope. I appeal to the Minister Assisting the Minister for Health (Mental Health), who is at the table, to urge the Premier and Cabinet, in the review of the Occupational Health and Safety Act, to consider some way of sparing organisations such as Westhaven, which are found in electorates right across the State, this conflict.

I urge the Government to continue discussions with these organisations on a one-to-one basis, especially with Mr Gordon Tindall and the people of Westhaven, and to tell them that the conflict between the Disability Services Act, the Occupational Health and Safety Act and WorkCover will be forgiven. If the Government does not do so, it will find that these valuable services will be fined out of existence because of some totally unforeseeable event and, in the end, the personal liability of the directors, the employees and the people who provide care will lead to the closure of the facilities. That would be a great shame.

SNOWY HYDRO LIMITED SALE

Mr STEVE WHAN (Monaro) [5.52 p.m.]: On Thursday 20 April 300 people turned out at a public meeting in Cooma to express their very strong opposition to the sale of Snowy Hydro Ltd. At that meeting I also expressed my strong opposition to the sale, as I have previously done in this place and in many forums within government. In the short time available to me this evening I want to reiterate my opposition to the sale and outline some of the issues that the community has raised. Snowy Hydro is an icon in the region that I represent and the communities of the Snowy Mountains and Monaro have a close link with Snowy Hydro, having built it. They expressed their views in no uncertain terms to me and to the Minister for Commerce, the Hon. John Della Bosca, who attended the meeting. I thank him for his attendance at that meeting; it was a very positive thing for him to do.

I have done everything possible within government to oppose the sale of Snowy Hydro Limited and to persuade the Government to change its decision. Unfortunately, there will not be a vote in Parliament about

whether Snowy Hydro Limited should be sold off because the 1997 corporatisation Act made it possible for the Minister to dispose of the shares without reference to Parliament. That was six years before I was elected to Parliament, so it was not possible for me to vote on that issue. I have been put in the difficult position of trying to work out how best to get something for the community out of this sale, if it is to go ahead. Balanced against that was my strong opposition to the sale. It is a judgment that I have had to make to try to work out how to get a good dividend for the community. There would be nothing worse for our community than to have Snowy Hydro Limited sold and a local member who had managed to martyr himself to the cause but had failed to get anything out of it for the community.

That is the line that I have been treading and I have had some positive discussions today with the Premier's Office and the Treasurer's office about the dividend that the Snowy communities might be able to get from the sale. That dividend would be in the form of capital works projects in the area. A number of issues raised by the community can be answered on the sale and I will briefly run through some of those. I have distributed in the community a question and answer booklet that I put together on the Snowy sale, which is available from my electorate office. People have raised the question of the sale endangering the Snowy Hydro Southcare rescue helicopter. I have dealt with that issue in this House before: the service will not be endangered because it is backed by the Government. Indeed, Snowy Hydro Limited has just renewed its sponsorship of the service.

People raised questions about ownership of the water. Snowy Hydro Limited does not own the water. It has a right only to collect, divert, store, use and release the water, and it has to do that in accordance with the conditions of the Snowy Water licence. There will not be any change in access to lakes for fishing. I have confirmed that and, indeed, the Federal member for Eden-Monaro has had legal advice to confirm the advice that I had already provided. There will not be any change to access to areas of national park that are leased by Snowy Hydro Limited, or access to the foreshores of the lakes. The councils will continue to receive the income that they earn from rates on freehold land, and the Government's commitment to Snowy River environmental flows will be met in full. That is a massive environmental achievement for the whole of Australia, and it will not be changed at all by the sale of Snowy Hydro Limited. The Government will deliver its commitments in that area.

The Snowy scientific committee was raised by the community and by the Snowy River Alliance. That committee had not been formed and I took action by speaking to Minister Della Bosca, who immediately took steps to respond quickly to those concerns and form that committee. There is still a great deal of concern in the community, and I understand that most of it, like my own, is an ideological commitment to keeping Snowy Hydro in public hands. People feel very passionately about this issue and I support them in their stance. But, as I have said, it has been a difficult issue and one in respect of which I have had to try to ensure that we get a good result for the community if the sale goes ahead.

The Opposition, of course, has been quick to criticise me, but it has been totally leaderless. The Leader of the Opposition has taken no position, apart from saying last week that he wanted to wait to see how the money is to be spent. The Federal Liberal member voted for the sale in Parliament and The Nationals candidate for Monaro told ABC radio in Canberra on two occasions that he is not opposed to the sale. The only member of the Opposition who has had the courage to do something different is the honourable member for Murrumbidgee, and I compliment him on that. The Leader of the Opposition and the Leader of The Nationals have been wishy-washy and have tried to score political points at my expense, but the reality is that they have been totally gutless in regard to telling the people of the Snowy region what they think about this issue. I totally oppose the sale and I have said so, but they have not done the same. Indeed, they did not even have the courage to send a representative to speak at the public meeting.

HENTY AGED CARE FACILITY CONSTRUCTION

Mr GREG APLIN (Albury) [5.57 p.m.]: Last week Thursday night 317 people turned out at the Henty Civic Centre for a public meeting to hear why a government agency is blocking the development of a retirement village. There were 165 apologies on the night and more were received the next day. It has to be something extremely important for a meeting called at short notice to attract around half the town's population. The issue is the construction of a \$14.6 million retirement village and aged care facility in Henty on a five-hectare site comprising residential land and part of an established golf course. This is quite possibly the largest development ever to occur in Henty. The proposed 71 serviced self-care housing units and the 90-bed residential care facility will significantly increase employment opportunities in the town and the residents would boost spending in the sports and community clubs, retail outlets, service stations and even increase patronage of the CountryLink XPT.

It is no easy feat to attract major development to country areas and the Premier and the Minister for Regional Development are usually only too happy to appear to be assisting in saving jobs or promoting initiatives in regional locations, but on this occasion the Government has blocked the development. In pandering to one section of the community, it has made itself a victim of its own legislation, turned a whole region against it and quite possibly has threatened development across the State. The issue is the refusal by the Murrumbidgee Catchment Management Authority of a request to clear nine trees on land that has been part of a golf course for the past 40 years.

On 20 March the catchment management authority [CMA] wrote to the developer advising that approval to clear native vegetation could not be given because the vegetation on site is within a vegetation type that is overcleared, and that using the environmental outcomes assessment methodology, according to section 26 (1) of the Native Vegetation Regulation 2005, the proposal does not maintain and improve environmental outcomes. Now, we are talking about a golf course—a location that has been cleared to provide for fairways, greens, tees and walking tracks. We are talking about the already agreed offset of replanting 3,100 trees on adjoining land. We are considering native grasses on an established commercial golf course, grasses that have been preserved through the selective application of herbicides.

Let us consider the progress of this project to better understand the frustration felt by the developer, the Greater Hume Shire Council and the Henty community. Following discussions and planning over many months in 2004 and 2005, various public forums were held, and the consultation phase accepted and accommodated community concerns. On 23 September 2005 a development application was lodged for the removal of nine native trees on land that is subject to Native Vegetation Act assessment. Other trees requiring removal were in the urban area and it was assessed that 3,100 compensatory trees were to be replanted in nearby areas at a rate of 100 new trees for each tree removed.

On 30 November 2005 council issued a development consent, including the condition that 3,100 native trees be planted. On 1 December the Native Vegetation Regulation 2005 commenced, and on 21 December the CMA advised the developer that approval would be required for any native vegetation removal. In February the CMA notified the developer that the property vegetation plan would not be very time consuming, particularly given the offsets proposed, and that the agency would work hard to ensure a smooth process. Then on 20 March the refusal was sent and, despite the best efforts of council and others to discuss the process, the CMA and the Department of Natural Resources stood by the assessment methodology that caused the computer to show a red light. The Native Vegetation Act provides no appeal mechanism, hence the council's appeal to me to seek a meeting with the Minister.

In all of the dealings to date there is no mention of world's best practice, no mention of the triple bottom line, and no concern for the social and economic impacts of these computer-driven environmental decisions. We are expected to accept that the computer-fed selective environmental input can deliver a whole-of-community output. We are expected to ignore the 5,000 hectares of forested area adjacent to the proposed site. There is no consideration of context, no true regional application. The Department of Natural Resources itself has doubts about the new software. In a recent public hearing, a senior executive of the Department of Natural Resources discussed the implementation of government policy by the CMAs and said that the property vegetation plan developer software was almost brand new, and there obviously would be glitches with it. Another senior executive described the system as a decision support tool, with opportunities to exercise local judgment and discretion. He went so far as to say that its flexibility will ensure that the outcomes of the system are practical on the ground. I ask the Minister to be flexible and balanced in his dealings tomorrow with the shire council and the developer.

HURSTVILLE CITY COUNCIL SMALL BUSINESS AWARDS

Mr KEVIN GREENE (Georges River) [6.02 p.m.]: It gives me great pleasure to inform the House of a function that my wife, Frances, and I attended last night: the Annual Hurstville City Council Small Business Awards. I compliment the mayor, Vince Badalati, and the councillors on the event. This is the fourth year that they have put together a function which recognises, in a magnificent way, the contribution that small businesses makes to local communities. The Federal member for Watson, Mr Tony Burke, also attended, and it was a good opportunity for us to recognise many local businesses. In excess of 300 people attended the function that was well put together by Cheryl Flynn and Paul Spyve and their teams on the Hurstville City Council. It was fantastic to see such diversity of small businesses represented on the occasion. I am pleased to acknowledge the contribution of the St George Bank, which obviously has a long history of involvement in the Hurstville community. Although the St George Bank is not a small business, it commenced trading in the Hurstville area in 1937 and was one of the major sponsors of the event.

I take this opportunity to mention some of the winners of the major awards, recognising that in each of these categories there were runners-up who also won awards for their contribution to small business in their areas. As the awards have evolved over the past four years, for the past two years the Hurstville City Council has recognised excellence, not only in the Hurstville CBD but, most significantly, within the smaller shopping precincts and neighbourhood centres. I acknowledge those who won awards because placing the names of organisations and businesses on the record of this House is a good way for this Parliament to acknowledge the diversity of businesses throughout the community.

Recipients of the Business Excellence Award were Carmen's Nail and Beauty Centre in Hurstville, Blackmoor Confection in Kingsgrove, Montessori Preschool at Narwee, Lugarno Family Doctors in Lugarno, FunHouse Adventure Play and Party Centre in Mortdale, Mullane's Pharmacy in Oatley West, the Penshurst Hotel in Penshurst, Galluzzo's Pharmacy in Riverwood, the Beverly Hills Hotel in Beverly Hills, and Russo's Pizzeria in Peakhurst. The People's Choice Award was presented to Sunny's Seafood Restaurant. The Best Business Under One Year Award was won by a business in Penshurst named Something Fishy, which probably in some cases should be the name of an award for politicians. I note the laughter of the Minister for Housing, who is at the table. Best Customer Service Awards, which would be most appropriate for the Minister, were presented to the Mortdale Veterinary Hospital and the Mortdale Heritage Pharmacy, which, if my memory serves me correctly, also won an award last year.

Awards of excellence were presented in various categories, such as the award given to the Penshurst Deli and the Hurstville Aquariums for street presentation. The Award for Excellence in Community Contribution was given to Henry Pan and CASS. I certainly wish Henry all the very best because he has been most unwell lately. He has been an enormous contributor to the community for more than 25 years. Awards for interior presentation went to the Conca D'ora Lounge at Riverwood and Martinello Exquisite Chocolates at Penshurst. The award for light industry was given to Label House at Mortdale. The award for business spirit was presented to the Daily Fortune Supermarket. The supreme award for overall excellence was given to the Penshurst Deli.

The list of award winners makes quite obvious the diversity of businesses within the Hurstville City Council area, as well as the hard work being contributed by so many local business people to provide a service to their community. One of the acknowledgments made last night by the Federal member for Watson, Tony Burke, and me was the contribution that small businesses have made to community life and the involvement they have within their local communities through sponsorship and the presentation of their businesses to the community. It is important that, as people walk through small shopping centres, they are uplifted when they see the presentation of their local businesses. Community spirit is built in many ways, and small businesses have a major role to play in building community spirit, a sense of wellbeing as well as a sense of being part of the local area. I congratulate Hurstville City Council on recognising and continuing these important small business awards.

Miss CHERIE BURTON (Kogarah—Minister for Housing, and Minister Assisting the Minister for Health (Mental Health)) [6.07 p.m.]: As the parliamentary representative for the Kogarah electorate, which is near the Georges River electorate, I endorse the support expressed by the honourable member for Georges River and highlight the Government's support for small business in our local areas. I also acknowledge the work of the Hurstville City Council. Anyone who knows anything about the St George area would know that we are quite parochial. There is always a big battle between us and the shire.

Mr Kevin Greene: The Dragons and the Sharks.

Miss CHERIE BURTON: The honourable member for Georges River is right. There will be a big battle between the Dragons and the Sharks next Sunday. St George always comes out on top of the shire, but I will not go there today. Nevertheless, one of the features that is most remarkable about our area is the community spirit. It is the community that rallies around the hospital and supports sporting organisations, and that support has been extended to small businesses. I thank the *St George and Sutherland Shire Leader*, the St George Bank group, and all of the other groups that confirm small business as the backbone of this great State and nation. I also acknowledge the great deal of hard work done by those involved in those businesses.

I frequently talk to small business people in Kogarah about the long hours they work and their dedication and commitment to providing a service to our community. This is a great way to make sure that we say thank you for the contribution that they make to our community and making St George a great community in which to live. It is an honour to work with my colleague the honourable member for Georges River in our local

area. Together we have been able to achieve a lot. His support of the awards, and of his local area and of us working together to achieve many things in St George in the past years is magnificent. I look forward to continuing that hard work with him in future.

ABORIGINAL GIRLS CAMPS

Mr PETER DRAPER (Tamworth) [6.09 p.m.]: Tonight I inform the House of a number of innovative programs to address issues of crime, drug and alcohol abuse, sexual health and sexual assault, and domestic violence experienced by Aboriginal girls in the north-west of New South Wales. Recently the Violence Against Women Specialist Unit in the New England conducted a number of camps that were developed specifically to address issues experienced by Aboriginal girls in our local area. The first of those camps was called the Sista Girls, and targeted girls aged 7 to 16 years. At this camp, workshops were conducted on young people's health, breast checks and menstruation, personal hygiene, dental health and grooming, bullying, motivational talks on better life choices, drug and alcohol sessions, sexual health, healthy relationships, domestic violence and sexual assault. As part of the mission statement for the program, organisers have developed a model of practice to promote and acknowledge community-driven and facilitated solutions that are holistic as well as spiritually and culturally appropriate.

The camps are co-ordinated to break the cycle of everyday negativity associated with low socioeconomic public housing estates and the many social issues associated with them. Aboriginal people are three times more likely than non-Aboriginal people to be the victims of violent crime, and they are at an even higher risk of assault, sexual assault, robbery or partner abuse. Incarceration rates of Aboriginal people are five to six times higher than the national average. Identified risk factors including low family income, poor housing and unaddressed special needs all increase the likelihood of an Aboriginal child getting into trouble with the law when they become a teenager or adult. There is a strong belief from those who conducted the Sista Girls camps that childhood education can decrease that likelihood, and research shows that risk factors are most effectively addressed in childhood and youth, as it is the cumulative effect of multiple risk factors that is most damaging.

Another camp included the programs Miyay-Yinarr Health and Wellbeing Project, the Miss Indigenous Beauty Pageant and Ball, plus healthy relationships and violence prevention workshops, and its focus was aimed at Aboriginal girls aged 16 to 18 years. It is run by the Yinarr Health and Wellbeing Group, and includes community women and staff from the Tamworth Women's Refuge, the Tamworth Community Health Centre and the Sexual Health Unit. Yinarr is a committed, proactive group of Aboriginal women who are concerned about the social, emotional, cultural, physical and spiritual health and wellbeing of Aboriginal women, their children and the wider community. Issues of concern that were identified for exploration at that camp included the increasing dropout rate of young Aboriginal girls from the education system, the rising rate of teenage pregnancies, plus drug and alcohol abuse. The girls learnt about unhealthy relationships, domestic violence and sexual abuse, and were taught techniques to develop self-esteem and confidence. They were made aware of increasing numbers of sexually transmitted infections, especially chlamydia.

The group conducted many programs and workshops covering issues including healthy relationships, healthy choices, motivational talks, sexual health, domestic violence, sexual assault, spiked drinks, public speaking, deportment and grooming. The Hunter New England region has one of the highest birth rates in New South Wales at 6 per cent compared to 1.6 per cent in northern Sydney and the Central Coast, and has double the State average of teenage pregnancies. Of the 705 births recorded at Tamworth Base Hospital in 2004, 92 were teenage pregnancies. Of those, 36 were to Aboriginal teenagers aged between 12 and 18 years. Childbirth and sexually transmitted infections are major contributors to overall morbidity in the adolescent age group. Research indicates that some teenage pregnancies occur due to sexual inexperience and an inadequate understanding of their reproductive cycle. It seems that knowledge about reproductive matters and access to contraception can reduce unintended adolescent pregnancy.

Because of changes in social attitudes towards single parents and illegitimacy, plus the introduction of the Supporting Parent Benefit, there has been a dramatic fall in the number of teenagers choosing adoption should they fall pregnant and deliver a child. Teenagers as a group have significantly higher complication rates during pregnancy and delivery. In teenagers over 16 years, these can be attributed mainly to poor antenatal care, smoking and inadequate diet. It is also common for teenagers falling pregnant not to complete school, which may result in long-term unemployment or poorly paying job options. Teenage parents may also experience alienation from their peers and families. I wholeheartedly endorse these projects to the House as a creative community solution to very serious issues. I congratulate the Violence Against Women Specialist Unit in the New England and the Yinarr Health and Wellbeing Group on their innovative efforts to address these very serious issues. I am extremely pleased to note that moves are under way to set up similar programs for young Aboriginal males in the New England and north-west areas.

PRESCHOOL FUNDING

Mr RICHARD TORBAY (Northern Tablelands) [6.14 p.m.]: The Minister for Community Services, and Minister for Youth recently visited the Northern Tablelands. During that visit she gave a commitment to review State Government funding to community-based preschools. This is long overdue as New South Wales compares very unfavourably with other States in the assistance it offers this sector. Recent research from the New South Wales Children's Services Forum has shown that preschool fees in New South Wales average more than \$25 a day. This compares with an average \$5-\$10 per day in all other States. There are 21 community-based preschools in the Northern Tablelands, which I represent, and I have spoken with committee members in all of our centres. Their story is the same: they have to increase fees to meet costs.

Parents cannot meet the fees and withdraw their children or reduce the time their children spend at preschool. Without high attendance numbers the preschools cannot afford the teachers and equipment they need. It is a vicious circle. It is ironic that this crisis comes at a time when preschool education is universally recognised as vitally important to the way children settle into and perform at school. Recently in Inverell I met a group representing the three community-based preschools in the town. They handed me a petition bearing 97 names, 165 letters, 23 impact statements and 310 tracings of children's hands with their names on them. Right across the region the stories are remarkably similar. Parents are seeking preschool education, not child care. Even parents with joint incomes are finding it difficult to afford the fees.

One infant schoolteacher and mother of four children told me she could see a big difference between the children who start school with some preschool education and those who have not had the opportunity. Yet despite her convictions she is finding it difficult to pay the fees to provide this advantage for her own children. In country regions there is an added component of social isolation. Many young children who are brought up in isolated villages or farming properties rely on preschool for social interaction and their parents are prepared to travel long distances to achieve this. As the fees mount, this option is becoming less and less available to them. New South Wales has two-thirds of the nation's preschool aged children and yet only 60 per cent receive preschool education. This is a shocking state of affairs—that 40 per cent of the State's young children miss out on preschool because the fees are too high. Preschools are about training, equipping and preparing children for school and later life. Preschools develop a child's social skills, fine and gross motor skills, confidence and how to manage in a structured learning environment. One mother expressed it very well. Amongst other things she wrote:

... preschools teach kids to be responsible for their own things, to learn to unwrap their own lunch, to listen when someone is talking.

Those skills are essential to prepare children for school life. Within the preschool system many problems are also detected early—developmental and speech problems, hearing and eyesight disabilities, social and emotional issues. Early detection and intervention means many children can enter the school system having overcome those disadvantages. It often makes the difference between their doing well at school or slipping behind. In my talks with the Minister she said that the high-level task force she had appointed to look into this important issue was due to report back to her soon. The Productivity Commission stated that preschools are seen as educational services and are therefore the responsibility of the States and Territories. Clearly, this is an education issue and the case for the allocation of more resources is simply overwhelming. The Federal Government should also make its contribution by paying child care benefits to families using preschool services. This will provide those families with \$4,000 annually in subsidised child care.

I stated earlier that I have spoken to many anxious preschool members and teachers who are facing the prospect of closing down because parents cannot afford the high fees. The Children Services Forum report shows that children are dropping out or are attending fewer days and members of management committees are tearing out their hair trying to meet costs. At stake is the viability of many preschools and the quality education they can offer as their resource base is continually being eroded. I am pleased that the Minister is prepared to reconsider the allocation of resources to bring the New South Wales system more into line with other States. If we are to avert the closure of many community-based preschools and the educational advantages they offer to young children in this State that cannot happen soon enough.

Private members' statements noted.

[Madam Acting-Speaker (Ms Marianne Saliba) left the chair at 6.19 p.m. The House resumed at 7.30 p.m.]

MOTOR ACCIDENTS (LIFETIME CARE AND SUPPORT) BILL

In Committee

Consideration of the Legislative Council's amendments.

Schedule of amendments referred to in message of 4 April

No. 1 Page 2, clause 2, line 6. Omit all words on that line. Insert instead:

- (1) This Act commences on a day or days to be appointed by proclamation, except as provided by subsection (2).
- (2) Section 66 (Auditor-General to report on Costing Study) commences on the date of assent to this Act.

No. 2 Page 4, clause 6 (2). Insert after line 17:

- (g) domestic assistance,

No. 3 Page 4, clause 6 (2). Insert after line 19:

- (i) education and vocational training,

No. 4 Page 13, clause 25. Insert after line 24:

- (5) In conducting its review, a Review Panel must take into account any written submissions prepared by or on behalf of the participant that are submitted to the Panel.

No. 5 Page 30. Insert after line 34:

(66) Auditor-General to report on Costing Study

- (1) In this section:

Costing Study means the study entitled *NSW CTP No-Fault Long Term Care Costing Study* prepared by PricewaterhouseCoopers Actuarial Pty Ltd (ACN 003 562 696) and issued on 17 June 2005, which forms the Appendix to the New South Wales Government publication entitled *Lifetime care and support for people with a catastrophic injury from a motor vehicle accident* (ISBN 1 876958 22 7) issued by the Motor Accidents Authority in June 2005.

- (2) The Auditor-General is to conduct a review of the Costing Study in order to determine whether the assumptions and costing projections set out in the Study are soundly based.
- (3) The Auditor-General must, as soon as practicable after the expiration of the period of 6 months commencing on the date of assent to this Act, prepare a report on the conclusions reached on that review and furnish a copy of the report to the Minister.
- (4) The Minister is to lay (or cause to be laid) a copy of the report before both Houses of Parliament as soon as practicable after the Minister receives the report.
- (5) If a House of Parliament is not sitting when the Minister seeks to lay a report before it, the Minister may present copies of the report to the Clerk of the House concerned.
- (6) The report:
 - (a) is, on presentation and for all purposes, taken to have been laid before the House, and
 - (b) may be printed by authority of the Clerk of the House, and
 - (c) if so printed, is for all purposes taken to be a document published by or under the authority of the House, and
 - (d) is to be recorded:
 - (i) in the case of the Legislative Council, in the Minutes of the Proceedings of the Legislative Council, and
 - (ii) in the case of the Legislative Assembly, in the Votes and Proceedings of the Legislative Assembly,

on the first sitting day of the House after receipt of the report by the Clerk.

No. 6 Page 31. Insert after line 8:

67 Appointment of Parliamentary Committee

- (1) As soon as practicable after the commencement of section 33 (Constitution of Authority) and the commencement of the first session of each Parliament, a committee of the Legislative Council is to be designated by resolution of the Legislative Council as the designated committee for the purposes of this Act.
- (2) The resolution of the Legislative Council is to specify the terms of reference of the committee so designated which are to relate to the supervision of the exercise of the functions of the Authority and the Advisory Council under this Act.

Mr CARL SCULLY (Smithfield—Minister for Police) [7.37 p.m.]: I move:

That the Legislative Council's amendments be agreed to.

Mr CHRIS HARTCHER (Gosford) [7.37 p.m.]: I thank the Hon. John Ryan, who is in the Speaker's gallery, who led for the Coalition in debate on this bill in the Legislative Council. I acknowledge the work he put into this legislation and the amendments he was successful in negotiating for and on behalf of the Coalition in collusion or agreement with the Greens. There were four main amendments to the Motor Accidents (Lifetime Care and Support) Bill. The first major amendment, which was sponsored by the Opposition, refers the PricewaterhouseCoopers costing study to the New South Wales Auditor-General for report to the Parliament. The Opposition sponsored this amendment because it is concerned that this scheme would impose a significant new potential liability on the public purse. This scheme has the potential to return billions of dollars in contingent liability to the State budget and to have an impact on our triple-A credit rating. The New South Wales Government has achieved a gold medal performance for its incompetence in financial management, and its promises about the cost of anything cannot be trusted.

The scheme will generate a revenue stream of about \$250,000 a year which, over time, will involve billions of dollars. We should not embark on such a scheme without comment by the Auditor-General. Opposition members are determined to ensure that the Government is held accountable for its promise that the additional premium motorists will pay for compulsory third party green slips will be limited to an average of \$20. We also point out that the Government's estimate has been formulated in 2005 dollars and not in 2007 dollars, which is when the scheme will be introduced. We are pleased that the Legislative Council passed this amendment and we look forward with great interest to the Auditor-General's report. When this matter was debated in the Legislative Assembly I spoke on behalf of the Coalition and I said that we would be moving an amendment in the Legislative Council. I acknowledge the support for that amendment by members of the Legislative Council. It is simple commonsense. Clearly, any scheme that has the potential to cost the taxpayers of this State millions of dollars should be properly assessed, and the Auditor-General is the appropriate person to make that assessment.

It is unfortunate that the Government had to have this amendment forced upon it. The Government was so determined to have its way that it was prepared to act recklessly regarding the liability that could be imposed upon the people of this State. This is not a reflection on the merits of the scheme but a recognition that Parliament—as the body responsible for the finances of the State of New South Wales and to which the Government is accountable in the final analysis—must ensure that the community can afford the schemes that Parliament puts into operation. We are conscious of the New Zealand example, where the accident compensation scheme accrued a bill of some \$6 billion after several years of operation and simply became unaffordable. We cannot afford to take that risk in New South Wales so it is appropriate that the Auditor-General assess the scheme's potential costs.

Two other amendments sponsored by the Greens but supported by the Opposition were designed to ensure that the scheme provides for domestic assistance, and education and vocational training. This type of care was promised in the white paper but was not specifically included in the bill that the Government presented to Parliament. I acknowledge again the work of the Hon. John Ryan in examining the white paper, assessing the Government's promises in this area and then comparing those commitments with the bill introduced in Parliament. The Hon. John Ryan noticed the variations between the white paper and the legislation, and kept the Government honest by obliging it to keep the promises it made in the white paper.

Incredibly, the Government was set to refuse these amendments when the Hon. Lee Rhiannon first proposed them to the Legislative Council. The Hon. John Della Bosca said that they would make no difference to the bill and that cover for these types of claims was provided in other legislation. The combined Opposition forces shamed the Government into agreeing to the amendments during consideration of the bill in Committee, when the Hon. John Ryan pointed out that, if the amendments made no difference to the Government's intent, no harm could be done by including them in the bill. That simple, self-evident point had been lost on the Hon. John Della Bosca. Amending the bill made the Government's intent clearer and had the advantage of clarifying the rights of catastrophically injured people to these forms of claims.

The final amendment, which was also sponsored by the Opposition, ensured that a review panel operated by the Lifetime Care and Support Authority must take into account any written submissions prepared by, or on behalf of, a participant in the scheme. These panels, to be set up by the Lifetime Care and Support Authority, are the final forum of appeal in relation to medical disputes. The Coalition's amendment was designed to ensure that participants in the scheme have the right to make submissions and ensure that the review panel takes into consideration written submissions made by participants in the scheme; otherwise it is possible that a review panel could determine an appeal without considering the exact circumstances of a person with a disability.

Scheme participants who have a disability are entitled to know that an assessment panel fully understands their needs for treatment and care. The kinds of assessments made by these review panels are not exactly the same as the medical assessments made under the Motor Accidents Compensation Act 1999. These decisions are not limited to objective considerations about physical impairment but also include issues relating to social situations in which the participants may find themselves. The support needs of a parent with dependent children may well be different from the support needs of a single adult. These needs vary with age or with a participant's residential location. These considerations are very personal and people with a disability should be entitled to express their needs or to have them expressed to a panel through an advocate, at least in written form. We are pleased that the Legislative Council passed this amendment.

The passage of these amendments illustrates the important role that the Legislative Council plays as a House of review. In the Legislative Assembly the Government traditionally ignores and overrides sensible ideas proposed by the Opposition. It does not have that luxury in the Legislative Council, which functions appropriately as a House of review. I am glad that the honourable member for Bligh is here to lend me her support. The Coalition was successful in gaining support for the amendments, which improve the legislation and present better opportunities to people who have suffered catastrophic injuries. They ensure accountability and give panel representation to injured parties.

The amendments also make sure that the costs of the scheme are assessed properly so that Parliament and the people of New South Wales know the exact extent of the potential liability imposed by the operation of the scheme. These amendments are beneficial and are a sign that Parliament is functioning properly. Had they been suggested in the Legislative Assembly, the Government would have rejected and overridden them in its usual manner—probably without even bothering to respond or to consult its advisors. It simply refuses to accept amendments and uses its sheer weight of numbers to push legislation through.

Ms Clover Moore: And you wouldn't do that in government, would you?

Mr CHRIS HARTCHER: I assure the honourable member for Bligh that we would not do that in government. The honourable member for Bligh was in this place when the Coalition was in government. She knows what a co-operative and consultative government we were. The Coalition supports the Legislative Council's amendments.

Motion agreed to.

Legislative Council amendments agreed to.

Resolution reported from Committee and report adopted.

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

BUSINESS OF THE HOUSE**Routine of Business: Suspension of Standing and Sessional Orders****Special Adjournment**

Mr CARL SCULLY (Smithfield—Minister for Police) [7.47 p.m.]: I move:

That:

- (1) standing and sessional orders be suspended to permit:
 - (a) the introduction of the following bills forthwith, notice of which was given this day for tomorrow, up to and including the Minister's second reading speech:

Electricity Supply Amendment (Protection of Electricity Works) Bill
Judicial Officers Amendment Bill
Local Government Amendment (Miscellaneous) Bill
Totalizator Legislation Amendment (Inter-jurisdictional Processing of Bets) Bill
 - (b) the taking of up to eight private members' statements, at the conclusion of which the House shall adjourn without motion moved; and
 - (c) until the rising of the House, no divisions or quorums to be called
- (2) the House at its rising this day do adjourn until Wednesday 3 May 2006 at 10.00 a.m.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [7.48 p.m.]: The Opposition opposes this motion. It is further evidence of the inability of both the State Government and the Leader of the House to manage Government business. On the very day that the Leader of the House—perhaps he will be the Leader of the Opposition after the next election—issued a press release entitled "Changes to parliamentary sitting days", in which he announced that the sitting week scheduled to begin on 30 May will be rescheduled to 14 November, the Opposition simply cannot agree to a motion that again seeks to deny members on both sides of the House the opportunity for debate. The intent of the motion is simply to allow a number of second reading speeches to be delivered and several private members' statements to be made. It does not allow for the real business of this place: cut-and-thrust debate on other legislation and the calling of divisions and quorums.

During question time today the Premier, who is clearly sensitive about the path that he was been led down by the Leader of the House, sought to defend the change to the budget sittings by somehow or other comparing parliamentary sittings under this Government with those under the previous Government. I will compare the way in which this Government is heading into its last budget with the way in which the former Coalition Government led into its last budget. The Coalition Government delivered its last budget on Wednesday 14 September 1994. Parliament sat that week and the week after, which meant there were many question times during which the Treasurer, who, at least in those days, sat in and could be questioned in the Legislative Assembly for four days following the delivery of the budget, was able to be tested and held accountable in relation to the appropriation bills delivered in 1994.

This year the Treasurer, who sits in another House, will be brought into this Chamber by virtue of a motion, give his speech and then run, rabbit, run. He will not be subjected to questions for two weeks in this Chamber as occurred when the Coalition Government delivered its last budget. That simply is not good enough in the year in which this Parliament celebrates the 150th anniversary of responsible government. What is responsible government? Responsible government is when Ministers are accountable and responsible to this very Assembly.

Yet in the delivery of this year's budget and the passing of the appropriate motion, responsible government is buried in machinations designed to protect Ministers and to give backbench members on the other side a few early hours. That is no way to run a Parliament or a democracy in New South Wales—certainly not in the sesquicentenary of responsible government. Coalition members and Independent members should not lie down on this issue. When the Parliament adjourns on 8 June, two days after the budget is delivered, it will not resume again until late August. Replacing a sitting week before the budget with a sitting week in November does not lead to greater responsibility or accountability by this Parliament. It is a travesty of all the traditions that have grown up in this place for more than 150 years.

The Opposition might have agreed to this motion if the leader of the House had proposed that there be an additional sitting week following the budget week. It will not agree with the motion until such time as the Leader gives way on that and convinces his colleagues to allow the Premier to do what needs to be done. If the Premier is going to be in this State the week after the budget is delivered, as he told me today, why not sit? Who is going overseas who is more important than the Premier? Is it the Minister for Energy? Is it the Hon. Eddie Obeid going overseas? Is Mark Arbib going overseas? Those three people got the Premier across the line against the Minister for Police. It was a Fine Cotton result: rigged from start to finish. The Opposition knows that the Leader of the House is the person who, on merit, should have the Premier's job. It knows that the Leader of the House would not push this motion through if he were in a good frame of mind. The Opposition opposes the motion.

Mr CHRIS HARTCHER: Pursuant to Standing Order 157 I ask that separate questions be put in relation to the two paragraphs of the motion. That will enable debate to take place on the second paragraph of the motion, which deals with the special adjournment. That is provided for in the standing orders.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! On the basis of advice from the Clerk, my interpretation of Standing Order 157 is that the honourable member for Gosford can certainly require me to put separate questions, but he cannot require me to allow further debate. I propose to put the questions separately, but there will be no further debate.

Mr Carl Scully: Are you pressing the request?

Mr CHRIS HARTCHER: No.

Mr ACTING-SPEAKER (Mr Paul Lynch): Order! I note the honourable member for Gosford has withdrawn his request. I shall now put the question.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 44

Ms Allan	Mr Greene	Mrs Paluzzano
Mr Amery	Ms Hay	Mr Pearce
Ms Andrews	Mr Hickey	Mrs Perry
Mr Bartlett	Mr Hunter	Mr Price
Ms Beamer	Ms Judge	Ms Saliba
Mr Black	Ms Keneally	Mr Scully
Mr Brown	Mr Lynch	Mr Shearan
Mr Campbell	Mr McBride	Mr Stewart
Mr Chaytor	Mr McLeay	Ms Tebbutt
Mr Collier	Ms Meagher	Mr Tripodi
Mr Crittenden	Ms Megarrity	Mr Whan
Mr Daley	Mr Mills	Mr Yeadon
Ms D'Amore	Mr Morris	<i>Tellers,</i>
Mr Gaudry	Mr Newell	Mr Corrigan
Mr Gibson	Mr Orkopoulos	Mr Martin

Noes, 34

Mr Aplin	Ms Hodgkinson	Mr Roberts
Mr Armstrong	Mrs Hopwood	Ms Seaton
Mr Barr	Mr Humpherson	Mrs Skinner
Ms Berejiklian	Mr Kerr	Mr Stoner
Mr Cansdell	Mr McTaggart	Mr Tink
Mr Constance	Mr Merton	Mr Torbay
Mr Draper	Ms Moore	Mr J. H. Turner
Mrs Fardell	Mr Oakeshott	Mr R. W. Turner
Mr Fraser	Mr O'Farrell	<i>Tellers,</i>
Mrs Hancock	Mr Page	Mr George
Mr Hartcher	Mr Pringle	Mr Maguire
Mr Hazzard	Mr Richardson	

Pairs

Mr Ashton
Ms Gadiel

Mr Debnam
Mr Piccoli

Question resolved in the affirmative.

Motion agreed to.

LOCAL GOVERNMENT AMENDMENT (MISCELLANEOUS) BILL

Bill introduced and read a first time.

Second Reading

Mr KERRY HICKEY (Cessnock—Minister for Local Government) [8.05 p.m.]: I move:

That this bill be now read a second time.

The Local Government Amendment (Miscellaneous) Bill reflects the Lemma Government's commitment to the ongoing reform of local government. This commitment means that the Local Government Act is kept continually under review to provide a transparent and effective legislative framework for the administration of local government in New South Wales. The amendments in this bill address issues highlighted by State Government agencies and peak industry bodies, including the Local Government and Shires Associations of New South Wales. The bill proposes changes that have arisen out of issues with the day-to-day operation of the Act and that require legislative amendment to improve the way the sections apply. First, the bill amends the Act in relation to the counting of votes at council referendums and polls. The Act currently does not make it clear that in determining the outcome of a referendum or a council poll only formal, valid votes cast are to be counted.

The need for this amendment was highlighted when Warringah Council held a constitutional referendum seeking its residents' approval to change the number of wards. The voting was extremely close and the outcome of the referendum was determined by the informal votes cast. The need for the amendment became apparent when the Crown Solicitor prepared advice for the State Electoral Office. The advice indicated that the Act could be understood to say that all votes should be counted, whether they are valid or not, when votes at a constitutional referendum or a council poll are counted. As a result of this anomaly in the Act, the informal votes were counted in the result and the constitutional referendum to change the wards of Warringah Council was lost. To prevent any confusion and to avoid what is clearly an unintended situation the Act will be amended.

The proposed amendment makes it plain that in the counting of votes at a constitutional referendum or a council poll only the number of formal votes cast determines the outcome. This will bring the voting at a constitutional referendum or a council poll into line with the way ordinary council elections, State elections and Federal elections operate. The bill will also clarify the requirements for a councillor who returns prior to the end of a leave of absence that has been approved by a resolution of council. Communities complain about these issues when there is a contentious development application [DA] before council and a councillor who has an approved leave of absence for illness or personal travel returns to make sure a DA has the support to be approved. As it stands, the Act allows for a councillor to be absent from three or more consecutive meetings with the prior leave of the council or leave granted by the council at any of its meetings. If the council did not grant the leave of absence, the civic office held by that councillor becomes vacant.

There have also been recent instances where councils accepted apologies from a councillor for absences from more than three consecutive meetings without making a formal resolution to grant the leave of absence. This has created uncertainty in the mind of the council and the councillor as to whether a vacancy in civic office has occurred. Media reports of such situations have naturally caused the community and councils to express their concerns. The bill will amend the Act to put the matters beyond doubt and to address community concerns. In particular, the bill provides that when a councillor applies for the leave of absence leave may be granted only by a council resolution. Where a councillor attends and participates in the business of a meeting of council during a period of leave of absence his or her leave is ended.

If the councillor wishes to return to the interrupted leave of absence, another resolution of the council approving the new leave of absence is needed. Otherwise if a councillor misses three consecutive ordinary

council meetings without permission, the office would be declared vacant under subsection (1) (d) of section 234 of the Act. It is also proposed that a councillor should provide the general manager with a minimum of two days notice of the intention to attend and participate in a meeting of council during a period of leave of absence. This is simply for administrative reasons so that the council staff can make sure the councillor returning can be provided with the necessary agenda papers before the meeting.

At the same time, I want to make it clear that if a councillor failed to give such notice it would not prevent a councillor from attending the meeting or voting at it. Any business conducted at the meeting would not be invalidated because of the failure to notify the general manager within two days of the meeting. As members would appreciate, this amendment is to make very clear what the requirements are for a leave of absence so that the community can have confidence in decisions of councils in these types of situations.

The bill will also amend the Act to allow a council to resolve to apply to the Minister to dispense with a by-election where a casual vacancy occurs within 12 months of an ordinary council election. For example, where a council's term is due to end in September 2008 and a casual vacancy occurs after 1 October 2007, it will be open to a council to resolve to seek my approval, as Minister, not to fill that vacancy. Currently, section 294 of the Act allows a council to apply to the Minister to dispense with a by-election where the vacancy occurs six months out from the ordinary election. Previously it was nine months. In 2003 the Act was intended to be amended to extend that period of time to 12 months. That proposal, together with other legislative amendments, was contained in an amending bill during 2003.

However, when the bill reached the upper House it was amended in relation to when ordinary elections for councils were to be held. An unintended consequence of the amendment was that the period in section 294 was reduced to six months instead of increased to 12 months. Councils are required to meet the costs of ordinary elections and by-elections held for their local government areas. This means that the costs are borne indirectly by ratepayers. Given the recent concern by councils and the community over the costs involved in holding elections, it is appropriate to give effect to the Government's original intention and extend the period to dispense with by-elections to 12 months. It must be remembered that the decision to apply to the Minister requesting that an election be dispensed with is entirely up to the council, which should reflect community concerns on the issue.

The next amendment in the bill proposes that general managers must inform councils when the council receives a fine, penalty notice or a cost order from a court. Recent Promoting Better Practice reviews and public inquiries of councils have revealed that not all councils are advised of those matters by their general managers. The Act gives to the general manager of a council the principal responsibility for the efficient and effective operation of a council's organisation. It is the general manager who is responsible for the day-to-day management of the council. However, there is nothing in the Act to make it plain that the general manager is also responsible for ensuring that a council is kept informed of its financial exposure to penalties or the like for a failure to comply with legal and financial obligations.

Instances have arisen in the past when councils have received a penalty notice or fine from the Australian Taxation Office or orders for costs have been made by the Land and Environment Court and the councillors have not been advised. The Act will be amended to provide that a general manager must promptly report to a council meeting the fact and the reasons why a council has received a penalty notice or the like from government agencies, or when a court or tribunal makes an order as to costs against a council. As the democratically elected representatives of the people councillors must be able to keep track of the council's financial situation to undertake their duties appropriately on behalf of the community. This amendment allows councillors to be fully informed and places a legal obligation on a general manager to report these matters to the councillors at the next meeting of the council.

The final amendment relates to the electronic payment of rates. The bill will amend the Act to allow a council to serve rates and charges notices electronically as an alternative to the post if a ratepayer elects that mode of service. This proposal was developed by the Department of Local Government in collaboration with the Business Solutions Unit of the Local Government and Shires Associations. The proposal gives effect to the Government's 2003 State election policy for local government to amend the Act to allow for electronic payment of rates to benefit New South Wales families and businesses when paying their rate notices. Based on the existing legislative provisions relating to the issuing of rates and charges notices, the bill will allow ratepayers to choose to receive their rates and charges notice electronically by email.

The new provisions will allow councils to require those ratepayers to agree to the council's terms and conditions for electronic issuing of rates and charges notices. If a ratepayer chooses to receive rate notices

electronically, they will have to provide their written consent. If the ratepayer changes their mind, that change will also be required to be notified in writing. This will ensure certainty as to a ratepayer's choice. The Department of Local Government will be drafting guidelines for councils around issuing rate notices by email. These guidelines will address issues like a requirement that a council must test an email address before issuing a rate notice to ensure the email address is valid.

I am pleased to advise the House that these reforms have met with strong support from the Local Government and Shires Associations and rating professionals. Councils believe that the electronic issuing of rates notices will add to efficiency in local government and reduce costs. This will mean better services to ratepayers. I can advise the House that the Local Government and Shires Association has been given a copy of the bill. The proposals in this bill aim to clarify and strengthen the day-to-day operations of the Local Government Act to give the community confidence in the processes of councils. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire.

ELECTRICITY SUPPLY AMENDMENT (PROTECTION OF ELECTRICITY WORKS) BILL

Bill introduced and read a first time.

Second Reading

Mr JOSEPH TRIPODI (Fairfield—Minister for Energy, Minister for Ports and Waterways, and Minister Assisting the Treasurer on Business and Economic Regulatory Reform) [8.17 p.m.]: I move:

That this bill be now read a second time.

The amendments in this bill arise from the need to protect existing electricity infrastructure. Electricity works in New South Wales are owned by the three electricity network operators: Country Energy, Energy Australia and Integral Energy. Around 44 per cent of the electricity network in New South Wales was built decades ago on land over which network operators now do not have a formal easement or ownership. During this time electricity distribution was undertaken by county councils, under local government control. Under the local government laws in place at the time, these councils had the power to undertake works on private land with the consent of the owner without having an easement or other interest over the property. These laws were widely relied upon by councils to construct electricity works on private land at a reduced cost to benefit local communities. The rapid extension of the electricity network throughout this time delivered enormous benefits to residents and businesses across the State.

Landholders generally welcomed the extension of electricity infrastructure over their land, as it allowed the area to be powered for the first time. Easements were rarely negotiated or registered as this would have added time and cost to the process of providing new electricity supplies. At the time it seemed unthinkable that a landholder would object to the benefits of electricity connection. Generally speaking, the existing infrastructure was constructed with the original landholders' consent and has remained visible to the subsequent purchasers of that land. Owner consent to the presence, operation and use of electricity works on private land does not, however, legally bind subsequent purchasers of the property, despite the fact that they have paid a reduced price for the property. Today we live in a more litigious society and the former legal regime has been forgotten.

There is a real risk that opportunistic individuals may jeopardise the future of electricity infrastructure by taking legal action in relation to the presence of electricity infrastructure on their land. Such actions may be commenced even where the original landholder gave consent to the installation of the equipment. Other States in Australia have passed legislation in the past 10 years to protect electricity works on land over which network operators hold no formal interest. It is appropriate that New South Wales does the same. Electricity is an essential service. Electricity infrastructure requires the benefit of solid legal protection to ensure that power can be practically and affordably provided to homes and businesses across New South Wales. Without such protection investments in electricity infrastructure could be put at risk. In most cases, network operators have been operating these electricity works for decades. The long-term use of these works, combined with the statutory rights and responsibilities of network operators to operate, maintain and repair essential electricity infrastructure, may provide a defence to any legal action. This, however, is by no means certain.

There is no clear provision in the Electricity Supply Act to protect the presence, operation and use of electricity works on land not owned by the network operator. This ongoing uncertainty needs to be addressed in

order to protect the public interest in a safe and reliable supply of electricity at affordable prices. Item [3] of schedule 1 inserts new section 53 into the Electricity Supply Act so that no legal proceedings may be taken against network operators due to the presence, operation or use of pre-existing electricity works on land not owned by the network operator. This provision will prevent actions in trespass or nuisance being taken against network operators for the presence, operation or use of electricity works on land that they do not own. This protection applies only to pre-existing electricity works and any works subsequently erected on the same site to repair, replace, modify or upgrade those works.

Network operators will be required to obtain formal easements and compensate landholders in accordance with the Land Acquisition (Just Terms Compensation) Act if they wish to protect future electricity works constructed on private land. This will provide certainty for both landholders and network operators. Actions in negligence against network operators are expressly preserved by the bill. The bill does not seek to discontinue or affect any legal proceedings already commenced against network operators, except to prevent the court from making an order requiring a network operator to remove electricity works. This provision will help ensure the security and reliability of supply of electricity for residential and business customers who are not party to these proceedings.

The bill also clarifies the power of a network operator to remove dangerous structures that interfere with its electricity works. Section 49 of the Electricity Supply Act enables network operators to take action to remove structures that endanger their electricity works. Under the existing provisions, the cost of carrying out the work and repairing any damage to the electricity works is borne by the owner of the dangerous structure, not the network operator. The bill amends section 49 to ensure that network operators may remove dangerous structures even if the electricity works are situated on land owned or occupied by the person having control of the structure. This will ensure that network operators can take action to remove structures that pose safety risks to the public.

Where the electricity structure is covered by new section 53, network operators will be required to pay for the removal of these structures as long as they were lawfully installed before these amendments commence. The network operator will also be required to pay for the removal of structures built by a landowner after these amendments commence where the structure was built with the agreement of the network operator. The bill also expressly provides that in the above circumstances the network operator must compensate the owner of the structure for any loss or damage arising from its removal. These amendments to section 49 of the Electricity Supply Act will ensure that electricity works are protected from dangerous hazards in a fair and equitable manner. I trust honourable members will support the protection of existing electricity infrastructure that is provided by this bill. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire.

TOTALIZATOR LEGISLATION AMENDMENT (INTER-JURISDICTIONAL PROCESSING OF BETS) BILL

Bill introduced and read a first time.

Second Reading

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [8.25 p.m.]:

That this bill be now read a second time.

The Totalizator Legislation Amendment (Inter-jurisdictional Processing of Bets) Bill amends the Totalizator Act 1997 and the Unlawful Gambling Act 1998 to allow Tabcorp to integrate its New South Wales and Victorian wagering operations. Tabcorp's integration process will lead to major capital investment in Western Sydney and create 300 new jobs. It will be of enormous benefit to the State's racing industry and the New South Wales economy. The Government is continuing to work with Tabcorp and its investment in New South Wales will establish a head office for Tabcorp's wagering businesses and associated management personnel for both New South Wales and Victoria in Ultimo, New South Wales; close Tabcorp's Box Hill call centre in Victoria and see the relocation of the Victorian telephone betting operation to Granville, New South Wales; create 300 additional jobs at the call centre in Granville, New South Wales; relocate the Victorian Sports Betting management from Victoria to New South Wales; integrate Tabcorp's fixed-odds wagering systems with national TAB fixed-odds race and sports betting managed from Ultimo, New South Wales; and lead to synergy savings that will benefit the racing industry after integration has commenced.

Tabcorp's technical integration—that is, its back-of-office integration—will create a common wagering system operating platform for both the New South Wales and Victorian TAB, providing New South Wales with state-of-the-art wagering software systems; share Tabcorp's betting systems—that is, computer infrastructure—so that all bets received by Tabcorp can be processed in both New South Wales and Victoria; and allow Tabcorp to process bets through its computers located in New South Wales. For example, this will now allow a punter betting on the Victorian tote in Victoria to have his or her bet processed by Tabcorp computers in New South Wales and create a far more cost-effective and efficient means of processing bets. It is very important to understand that this integration proposal does not involve the merging of New South Wales totalisator pools with totalisator pools in other jurisdictions.

Under this integration proposal, New South Wales pools and SuperTAB pools will remain separate. In December last year the Government decided responsibly not to approve of merged pools on the basis that there was no guarantee there would be a benefit to the racing industry and the people of New South Wales. However, this issue is very much alive and the Government will continue to work with Tabcorp to ensure any change to tote pools will benefit the entire racing industry and the people of New South Wales. By way of background, in 1998 the New South Wales TAB was privatised, with licences for the conduct of both on-course and off-course totalisator betting in New South Wales issued to TAB Limited. The totalisator licence is for a 99-year term. Tabcorp Ltd's off-course totalisator licence includes an exclusivity period of 15 years. TAB Limited also holds an approval to conduct fixed-odds betting in New South Wales on a limited number of racing events and prescribed sporting events.

By way of clarification, I will outline the distinction between totalisator betting and fixed-odds betting. Totalisator betting involves money bet on a particular outcome in an event being placed in a common investment pool. Following the deduction of an amount as commission from the investment pool, the remaining dividend pool is divided among winning punters proportional to the amount bet. In practice, this involves the declaration of a dividend payable for each \$1 bet on the winning outcome. Fixed-odds betting is essentially a bookmaker-type operation where a set price and a guaranteed return on successful bets is offered to punters. Unlike totalisator betting, where a profit is assured, fixed-odds betting involves a level of risk.

The profits from Tabcorp's New South Wales based wagering operations are shared between the New South Wales racing industry, the State Government in the form of betting tax, and the Federal Government in the form of GST and the TAB. In July 2004 TAB Limited was acquired by the Victorian based company Tabcorp Holdings Limited and is now a wholly owned subsidiary of that company. Tabcorp holds a licence issued by the Victorian Government to conduct totalisator betting in that State. Under its Victorian licence, Tabcorp operates a merged totalisator pool, known as SuperTAB, which combines investments from the TABs in Victoria, Western Australia, Tasmania and the Australian Capital Territory. Tabcorp also holds Victorian Government approval to conduct fixed odds racing and fixed odds sports betting. Its Victorian based fixed odds operation incorporates investments from all Australian jurisdictions apart from New South Wales. In 2005 Tabcorp approached the Government with its plans for the technical integration of its wagering businesses in New South Wales and Victoria.

I will now refer to just some of the important detail regarding the key elements of Tabcorp's integration proposal. The first is the establishment of the head office for Tabcorp's wagering businesses and associated management and personnel for both New South Wales and Victoria at Tabcorp's New South Wales base at Ultimo. Tabcorp will replace the now ageing New South Wales betting computer systems and create common wagering system operating platforms for both the New South Wales and Victorian TABs. This will provide New South Wales with state-of-the-art wagering systems. This bill will allow Tabcorp to locate separate totalisator wagering computer systems in New South Wales and Victoria. Each system will be capable of operating the entire Tabcorp New South Wales and Victorian totalisator betting networks. At any one point in time, one system will be the primary host system processing all transactions for both States and the other will act as a back-up system in the event of a system failure.

The existing Melbourne and Sydney based computer centres, where computer equipment and technical staff are located, will be capable of supporting the combined wagering operations of New South Wales and Victoria, as well as the interstate totalisator and fixed odds betting functions. The Account Sales Call Centre located at Box Hill in Victoria will be closed. The call centre at Granville in New South Wales will be expanded to service the combined Victorian and New South Wales customer base, supported by the Victorian Bowen Crescent call centre on weekends and public holidays. As the Premier has outlined in this House, this will create 300 new jobs for Western Sydney. The bill also allows Tabcorp to relocate Victorian sports betting management to New South Wales. The infrastructure to operate Tabcorp's New South Wales and Victorian Internet betting sites will be consolidated into one system located in New South Wales.

The integration project essentially involves a non-New South Wales licensed wagering operator, being the Victorian arm of Tabcorp, forwarding totalisator and fixed odds bets placed with it for processing by computers located in this State. Similarly, bets placed through the New South Wales totalisator licensee, TAB Limited, may be processed through computers located in another jurisdiction. Under existing legislation, betting on racing and sporting events may only be conducted in New South Wales by licensed bookmakers while fielding at licensed racecourses and by TAB Limited and race clubs as the holders of totalisator licences issued under the Totalisator Act 1997. While TAB Limited holds licences to conduct totalisator betting in New South Wales, its parent company Tabcorp does not. Accordingly, there is a need to amend the legislation to facilitate Tabcorp's wagering integration proposals.

The bill amends the Totalisator Act to make provision for a New South Wales totalisator licensee to process in New South Wales bets placed with authorised wagering operators in other jurisdictions on behalf of those other wagering operators. It also provides for the processing of bets placed with a New South Wales totalisator licensee by authorised wagering operators in other jurisdictions. These bets will remain subject to New South Wales legislative and regulatory provisions, including New South Wales betting tax. It is important to understand that New South Wales bets processed in Victoria will still be subject to New South Wales betting tax. Equally, Victorian bets processed in New South Wales will be exempt from New South Wales betting tax. In addition, the bill extends the existing trade practices exemptions within the Totalisator Act so as to authorise, for the purposes of the Commonwealth Trade Practices Act 1974 and the Competition Code of New South Wales, the proposed new bet processing arrangements.

An amendment is also made to the Unlawful Gambling Act 1998 so as to make it clear that the processing of bets in accordance with the new arrangements is exempt from the prohibitions in that Act. This integration process is not in conflict with New South Wales gambling laws. That is, it will allow the Victorian Tabcorp to process bets in New South Wales. Responsibly, there are important safeguards within the proposed legislation to ensure that appropriate controls are maintained over Tabcorp's integrated wagering operations. In the case of a New South Wales licensee processing bets on behalf of a wagering operator from another jurisdiction, the Minister for Gaming and Racing must approve of the wagering operator and the method by which the operator processes the bets, for example through a totalisator.

Similarly, in the case of a wagering operator from another jurisdiction processing bets on behalf of a New South Wales licensee, the Minister must firstly nominate the particular wagering operator. This approval and nomination process is facilitated by the publication of appropriate notices in the Government *Gazette* and the Minister may revoke his authorisations at any time by a further gazettal notice. The Office of Liquor, Gaming and Racing regulates Tabcorp's betting operations in New South Wales through a comprehensive inspection program designed to respect and protect the interests of punters and ensure the New South Wales racing industry receives its fair share of revenue. This rigorous inspection regime will continue under the proposed new integration arrangements, with the Office of Liquor, Gaming and Racing maintaining access to all records of betting transactions in the New South Wales totalisator and fixed odds systems, irrespective of whether bets are processed in New South Wales or another jurisdiction.

The existing automated totalisator monitoring system, whereby relevant data from the New South Wales totalisator betting system is recorded in a secure data storage vault, will apply to the new integrated system. Bets placed with an approved wagering operator in another jurisdiction and processed in New South Wales will be subject to regulation by the appropriate authorities from the other jurisdiction. Responsibly, the integration of Tabcorp's wagering operations will not involve the redirection of TAB customers from one State to another, and the bill does not provide for an expansion of gambling opportunities for New South Wales residents. It will merely provide flexibility to Tabcorp to deliver a more cost-effective and efficient means of processing bets. Importantly, there will be significant economic benefits flowing to New South Wales as a result of this integration.

Tabcorp has indicated that further synergy savings will be delivered to the New South Wales racing industry after integration has commenced. This legislation is evidence of the overwhelming confidence Tabcorp, a major Australian corporation, has in New South Wales. This confidence has led to Tabcorp proposing this major investment in New South Wales and the Government is moving forward with the necessary changes. The New South Wales economy will benefit from capital investment and the additional 300 jobs Tabcorp indicates will be created from the expansion of the Granville call centre. This bill allows this investment and job creation while maintaining important safeguards. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire.

JUDICIAL OFFICERS AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [8.40 p.m.], on behalf of Mr Bob Debus: I move:

That this bill be now read a second time.

Last year the Minister announced a review of the Judicial Officers Act 1986 in the lead-up to the twentieth anniversary of the introduction of the legislation. The Judicial Officers Amendment Bill introduces changes arising out of the review of the Act. The proposed reforms have been developed in consultation between the heads of jurisdiction and the Director General of the Attorney General's Department. Submissions to the review from members of the public, the legal community and other interested parties were considered as part of the consultative process.

Before proceeding to explain the provisions of the bill, I would like to briefly remind honourable members of the background to the legislation and the important principles that continue to guide its operation. The Judicial Officers Act, which establishes the Judicial Commission of New South Wales, remains one of the few pieces of legislation in the world that provides for a separate statutory body to examine complaints about judicial officers. The proposed amendments continue the progressive approach taken by the New South Wales Government in this area. At the time it was introduced, the Act raised considerable disquiet amongst the judiciary and the legal profession.

The legislation was seen as undermining judicial independence so that judicial officers would not be able to conduct their work free from improper pressure by executive government, litigants or other pressure groups. These concerns have not eventuated. Judicial officers are generally supportive of the role of the Judicial Commission in complaints handling. The commission's role in judicial education, research, and the compilation of statistical and other information on sentencing for the information of the judiciary is greatly valued. The scheme under the Judicial Officers Act gives participants in the justice system a means of raising concerns about the performance of judicial officers. At the same time the complaints handling provisions of the Act provide some protection for judicial officers against groundless complaints that may unfairly damage their reputation. The proposed amendments promote greater transparency in the complaints-handling process without compromising judicial independence.

The initiatives relating to impaired judicial officers will assist in ensuring that judicial officers are able to exercise efficiently the functions of judicial office. Equally, they may help prevent the loss of the unique experience and expertise accumulated by judicial officers during their years in office. The proposals relating to impairment will also complement the new Judicial Assistance Program recently introduced by the Government. The program, which is administered by the Supreme Court, provides a 24-hour counselling service for judicial officers and optional annual health assessments.

I will now outline the principal amendments contained in the bill. Under the Act, any person may complain to the Judicial Commission about a judicial officer. A complaint may relate to the performance of judicial duties, but may extend to matters bearing upon fitness for office. The Attorney General may also refer a matter to the commission. The Judicial Commission makes a preliminary assessment of all complaints it receives. The legislation provides that a complaint that is not summarily dismissed by the commission must be classified as minor or serious. This distinction is artificial. The classification of a complaint as "minor" diminishes the significance of the concerns raised by the complainant. The bill will therefore remove the requirement for complaints to be classified in this way.

The commission may also establish a Conduct Division, which consists of a panel of three persons appointed by the commission, one of whom is appointed chairperson. Panel members must be judicial officers, although one may be a retired judicial officer. The primary function of the Conduct Division is to examine and deal with complaints referred to it by the Judicial Commission. For this purpose the Conduct Division may initiate such investigations as it deems appropriate. The division may also exercise the functions conferred by the Royal Commissions Act 1923 in conducting a hearing into a serious complaint.

The bill updates a number of the provisions relating to complaints handling by both the commission and the Conduct Division. The amendments make it clear that, like the Conduct Division, the Judicial Commission may determine that a complaint has been wholly or partly substantiated. This will assist in clarifying the action taken by the commission regarding a complaint. The powers of the Judicial Commission will also be aligned with the Conduct Division, by allowing the commission to expand the scope of an initial complaint to other matters arising in the course of dealing with a complaint.

The commission will also be able to deal with grounds for complaint disclosed against another judicial officer. Currently, where the Conduct Division decides that a minor complaint is wholly or partly substantiated, it must either inform the judicial officer who is the subject of the complaint, or decide to take no action. Where a serious complaint is substantiated, the division may form the opinion that the matter could justify parliamentary consideration of the removal of the judicial officer.

However, the Conduct Division does not have the power to refer a complaint to the head of jurisdiction. This means that where a complaint is substantiated, but does not warrant parliamentary consideration of the removal of the judicial officer, no significant action is taken regarding the complaint. The bill addresses this disparity and will give the Conduct Division the power to refer a matter to the relevant head of jurisdiction. The head of jurisdiction may either counsel the judicial officer or take such steps as the head of jurisdiction considers appropriate regarding the administration of the court for which he or she is responsible.

The Act provides that the Conduct Division must hold hearings concerning a serious complaint in public, unless the Conduct Division directs on certain grounds that the hearing take place in private. Hearings relating to minor complaints must be held in private. Consequent upon the removal of the minor/serious distinction in the classification of complaints, the bill provides that the Conduct Division will have a broad discretion to allow any hearing to be heard in public. The commission will be able to develop other guidelines to provide guidance for the members of a Conduct Division panel examining complaints and conducting hearings into complaints. Matters about which the commission may make guidelines include the manner in which the Conduct Division conducts its examination of complaints generally, the manner in which the Conduct Division conducts its hearings in connection with complaints and the criteria that should be considered when determining whether a hearing should be held in public or in private, and the criteria that the Conduct Division should consider when exercising its power to consent to legal representation for persons appearing at its hearings.

The Judicial Commission will also be able to develop guidelines regarding its own complaints-handling procedures. The guidelines will also help clarify the complaints-handling process for complainants and other interested persons. The Conduct Division must provide the Governor with a report regarding its conclusions concerning a serious complaint. Where the Conduct Division finds that the complaint may warrant parliamentary consideration of the removal of the judicial officer, the report must be laid before both Houses of Parliament. As is appropriate, a copy of the report must be furnished to the judicial officer concerned. However, there is currently no requirement to provide the complainant with a copy of the report. The bill introduces a statutory obligation for the complainant to be provided with a copy of a report, once it has been tabled.

The proposed legislation introduces a number of groundbreaking provisions that will allow a head of jurisdiction to refer a judicial officer who may be suffering an impairment to the Judicial Commission, without the need for a complaint to be lodged. At present, a judicial officer can only be requested to undergo a medical examination by the Conduct Division. Such a request may only be made in relation to a serious complaint and the members of the Conduct Division are of the opinion that the judicial officer may be physically or mentally unfit to exercise efficiently the functions of judicial office. Where a head of jurisdiction refers a judicial officer who may have an impairment to the Judicial Commission, the commission will have the power to conduct a preliminary examination. For this purpose, the bill empowers the commission to require a judicial officer to undergo a medical or psychological examination. Where a judicial officer refuses or fails to comply with such a requirement, the commission may then deal with the matter as a complaint. Where a psychological or medical report does not indicate a problem, the commission may summarily dismiss the matter.

If the report reveals that the judicial officer has an impairment, the commission will report to the relevant head of jurisdiction or refer the matter to the conduct division for further examination, depending upon the seriousness of the matter. The conduct division may conduct a further examination. The division will also have the power to dismiss the matter, report to the head of jurisdiction, or present a report to the Governor setting out their findings and opinion that the judicial officer's impairment may warrant parliamentary consideration of his or her removal from office. In referring a matter to the head of jurisdiction, the Judicial Commission or the conduct division may make recommendations regarding steps that might be taken to manage

the judicial officer's impairment. As occurs with complaints, the head of jurisdiction may either counsel the judicial officer or take such steps as are deemed appropriate regarding the administration of the court for which he or she is responsible.

The bill contains a number of minor related amendments to the Judge's Pensions Act 1953 and courts legislation relating to leave without pay. The Magistrates' Leave Determination provides that the Chief Magistrate may grant leave without pay to a magistrate if good and sufficient reason is shown. Other judicial officers are not currently entitled to leave without pay. A judicial officer may not have sufficient sick or extended leave entitlements to allow him or her to address emotional, mental health, alcohol or drug dependency, or family problems which may impact upon his or her ability to function in a judicial capacity. It is therefore proposed to amend the terms and conditions applying to judicial officers to allow them to take leave without pay at the discretion of the relevant head of jurisdiction. The amendments in the bill make it clear that leave without pay does not count for the purposes of the judges' pension entitlements. Another proposed amendment to the Act will give the Judicial Commission an express power to enter into contractual arrangements for the provision of goods and services that have been developed in the exercise of its functions.

The commission has been at the forefront of judicial education and research and has developed some innovative programs, such as the judicial information research system, which includes online statistical and reference material designed to assist the judiciary. The amendments will enable the Judicial Commission to market its accumulated expertise and intellectual property within New South Wales and elsewhere and to recover some of its investment in these programs. The proposed reforms in the bill are aimed at providing greater transparency in the handling and outcomes of complaints dealt with by the Judicial Commission. The initiatives are aimed at assisting judicial officers who have an impairment and will promote public confidence in the judiciary who, for many people, are the embodiment of the judicial system. The proposed legislation will be commenced once the Judicial Commission has developed guidelines relating to complaints handling. I commend the bill to the House.

Debate adjourned on motion by Mr Daryl Maguire.

DISTINGUISHED VISITORS

Madam ACTING-SPEAKER (Ms Marie Andrews): I welcome to the House Mr Ibrahim Kanaan, a member of the Lebanese Parliament, who is a guest of the honourable member for Auburn.

PRIVATE MEMBERS' STATEMENTS

PORT KEMBLA MISSION TO SEAFARERS

Ms NOREEN HAY (Wollongong) [8.57 p.m.]: As we are all aware, Australia is the only nation in the world which occupies an entire continent; our international borders are entirely maritime. As a nation, we owe so much to the dedicated seafarers of the world. I recently attended the Port Kembla Mission to Seafarers annual general meeting, as I do each year, and was once again amazed at the dedication and expertise of the volunteers. Without their support the mission would not be able to provide the services it does for visiting seafarers to our port at Port Kembla. I was also met there by a long-time local community activist, Bob Turner, and a former Federal member of Parliament, Colin Hollis, who do so much work with the mission's seafarers.

The Mission to Seafarers is a worldwide agency of the Anglican Church which cares for seafarers of all nationalities and creeds. As a Christian ministry, the mission is actively involved in service, prophecy and proclamation within the seafaring community. This includes matters relating to seafarers' justice and welfare issues. The Mission to Seafarers operates in some 300 ports around the world. In Australia it operates in 23 ports around our extensive coastline, where possible in association with other like-minded organisations. The missions work through a network of chaplains, lay staff and volunteers who offer seafarers a warm welcome, friendship, and practical and spiritual help, with the Flying Angel flag being a well-recognised sight to visiting seafarers. More and more in recent years, seafarers have been asking Mission to Seafarers chaplains and staff for help not only with personal problems, but also with work-related problems, such as non-payment of wages, difficult relationships on board, poor living conditions and safety defects. The mission is also ready to help seafarers' families, and shipping company personnel departments, with welfare problems, and in emergencies.

The Mission to Seafarers in Port Kembla provides international telephones and postal services; a small shop selling toiletries, stationery, confectionery, souvenirs and gifts; leisure facilities, such as table tennis, dart board, reading matter, television and videos; a chapel or quiet room; local information and an Internet room. The lay chaplain at Port Kembla is David Masters, who started at the mission four years ago as a volunteer. In January this year he took over the reins from John Bradd, who did an outstanding job. Since January the Port Kembla mission has had over 1,000 seafarers through its doors. Over the past year it has had around 6,500 to 7,000 visitors. The chaplain informs me that a brief analysis of the signatures in the mission's visitors book indicated that approximately 30 per cent were Chinese, 25 per cent were Indian and 20 per cent were Filipinos. The balance consisted of Fijians, Croatians, Dutch, Norwegian, Burmese, Iranians, Portuguese and Cape Verde Islanders, along with many others.

The Port Kembla mission is a warm and welcoming place. Of late there has been some welcomed additions, including a bright mural depicting the Illawarra coastline, a 4,000-litre rainwater tank and a refitted kitchen. The mission's aim for the future is to increase volunteer numbers so that it can open on a Sunday, as often it is the only time seafarers get time off. This opens up the possibility of bus trips, picnics, and the opportunity to go shopping for personal items and life's necessities. I congratulate the president, Bishop Reg Piper, the long-serving secretary, Phyllis Coulstock, the vice-president and resident workhorse, Mick Coulstock, the treasurer, Rod Thompson, and the dedicated 25 to 30 volunteers who staff the mission seven nights per week.

The mission is a place where seafarers from across the world can relax and get any assistance they may need. The Port Kembla mission is a shining attribute to my electorate of Wollongong and a credit to all missions across the world. I wish them all the best in their future endeavours. Once again, the warmth and generosity of the volunteer spirit of the people at the mission toward seafarers from anywhere in the world who arrive in Port Kembla is outstanding and should be recognised.

PRESCHOOL FUNDING

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [9.02 p.m.]: Last month I received 13 postcards. The front of the cards featured drawings by preschoolers who live in my electorate of Ku-ring-gai. They featured everything from a beautiful flower, drawn by Emily; a dog, drawn by Sasha; a rocket ship, drawn by Sam; and one of those wonderful stick figures that children this age draw, drawn by Luke S. These wonderfully decorated postcards were sent by the children's parents, who are concerned about the State Government's inadequate funding of preschool education across the State. Among the parents' messages to me about this important issue were:

We want a safe, secure and caring environment with an education focus to prepare our child for future learning.

Preschool helps to identify problems that can often be addressed long before it affects their classwork, such as speech and vision problems.

My son (now at school) certainly benefited from his preschool experience and he had no trouble in transition to the school environment.

Another parent wrote of preschool:

It is a place where the children are the priority not the parents or their needs.

I raise this issue and these marvellous postcards because I am a strong supporter of preschool education and the need to better equip our young people at this stage of their lives. Lifelong education is a reality, and better funding and provision of preschool education is the first step along the educational pathway. Yet this State Government has put New South Wales families at the bottom of the preschool ladder in Australia. New South Wales has the lowest preschool participation rates in Australia with less than 60 per cent of children attending preschool immediately prior to starting primary school. In other States the figure is 90 per cent or higher. The New South Wales Labor Government invests less in preschool education than any other Australian State or Territory. New South Wales spending per child is around \$1,000 compared with as much as \$3,000 per child in other States.

A direct consequence of this underfunding is that New South Wales families pay the highest preschool fees in the country. It is a disgrace. It again highlights the utter untruth of any claim to New South Wales being the "Premier State". We are the "wooden spooners" of this interstate competition and, in this instance, it is our young children who are losing. The consequence of this underfunding is that too many children miss out on

preschool education altogether despite the clear benefits it offers to young people in assisting the transition to primary school. The Country Children's Services Association, for instance, estimates that as many as 20 per cent of children miss out on preschool education. The Labor Government can always find millions for pet projects, can spend tens of millions each year promoting itself, and a similar amount due to waste and mismanagement in the public sector, yet it cannot adequately fund this critically important area of preschool. It regrettably reminds me of Labor's campaign against the introduction of lower class sizes in the early years of primary school—an opposition only overcome in the midst of the last election campaign when it dawned on Labor just how important that program was to the voting parents of school students.

I look for a similar conversion on preschool education as we progress along the road to next year's State election. On Saturday 8 April community preschool parents, teachers and supporters held a day of protest across Sydney and the State. I attended the local rally held at Wahroonga Park in my electorate and spoke to parents and others about their concerns and the importance of preschool education for their children. The New South Wales Liberal Leader used the day to re-state the Liberal Party's determination to give greater priority to preschool education across New South Wales. The Liberal Party's preschool policy would see \$362 million invested over four years—an investment that would return us to the premier league of State funding of this sector. Importantly, the Liberal Party is also committed to shifting responsibility for preschools from the Department of Community Services to the Department of Education and Training. This change is far more than window dressing; it would give recognition to what parents, teachers and early learning specialists understand: that preschool education is part of the lifelong learning continuum.

As many of the postcards I received from local parents highlighted, it is an important introduction and transition phase for children about to embark upon their primary school education. As a parent with pre-teenage children I appreciate the importance of this level of education. I have seen my own and friends' children clearly in need of the stimulation and socialisation offered to them by preschool. I have seen children forced to wait because of a lack of places. More importantly, I have watched the growth, development and progress of these children through preschool and seen their successful transition to primary school. It is an area that should be beyond politics. Parents and teachers should not have to engage in days of action to get a fair deal from any government, let alone one led by a bloke with preschool-aged children.

I am more than aware of the imperfections of the State's political system—and local residents and others readily point out any I may have missed. I do not believe there is a more pressing area for funding than preschools. Literally, the future of our State relies on current and future preschoolers getting a better deal. I hope the State Government is embarrassed into matching the Liberal Party's policy. If not, I look to a change of government in March next year to deliver the improvements in preschool education that the State deserves. Finally, I thank Archie, Charlotte, Emerald, Emily, Georgia, Harry, Isobelle, Jack, Juliette, Luke S, Sam, Sasha and Will for their artwork. I enjoyed receiving them and I hope they provoke more politicians to pay greater attention to this important area.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [9.05 p.m.]: Unfortunately, the presentation this evening by the Deputy Leader of the Opposition was used politically. The reality is that the public system provides greater access to preschools in this State than any other State and that system has been denigrated tonight by the Deputy Leader of the Opposition.

Mr Barry O'Farrell: Point of order: It is against both the spirit and the letter of standing orders for the Parliamentary Secretary to lie in this place.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! I will not accept that as a point of order. I ask the Deputy Leader of the Opposition to resume his seat.

Mr Barry O'Farrell: I am appalled that you would seek to defend something that even Mr Speaker criticised on 8 April.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! That is not a point of order. The Deputy Leader of the Opposition must resume his seat.

Mr Barry O'Farrell: The Government's record in preschool education is an absolute disgrace. I would like to see the Parliamentary Secretary go into his electorate and explain to community preschool parents why they pay the highest in the State and why we have the lowest participation rates.

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! That is not a point of order. I call on the Parliamentary Secretary to continue his response.

Mr TONY STEWART: I just make the point that while I respect the sentiments put forward by the Deputy Leader of the Opposition, the reality is that he is using a four-year-old girl in a political argument. That is not fair or reasonable in any political sense. The Deputy Leader of the Opposition said this should not be a political argument. Just to put it in perspective, this State raises \$13 billion in GST and it gets \$10 billion back. That is not fair or reasonable.

Mr Barry O'Farrell: Point of order—

Mr TONY STEWART: It is absolutely ridiculous in the context of a private members' statement that Deputy Leader of the Opposition wants to politicise this.

Mr Barry O'Farrell: It is absolutely ridiculous!

Madam ACTING-SPEAKER (Ms Marie Andrews): Order! There is no point of order. The Deputy Leader of the Opposition should know better than that. The Deputy Leader of the Opposition must resume his seat.

AUSTRALIAN ENTERTAINMENT INDUSTRY

Ms VIRGINIA JUDGE (Strathfield) [9.07 p.m.]: Tonight I speak on behalf of the participants of our gifted and wonderfully diverse Australian entertainment industry. I urge this House to support the efforts of the Australian Entertainment Industry Association [AEIA] to get a better tax deal for commercial entertainment productions. I speak about theatres, films, television films, concerts and the financial viability for producers to make our many accomplished productions in New South Wales, in rural Australia and, if possible, overseas. These arts make up the culture and identity of Australia. The arts welcomes diversity, embraces cultural difference and new ideas, and provides a sophisticated and talented medium for our community to come together. They are, in a way, the social fabric that contributes to the social connectedness of our neighbourhoods, of our communities and of our nation. Through the experience of live entertainment we can together shape a creative future for Australia and contribute to our country's cultural and economic wellbeing.

Sydney is the major tourist gateway to Australia. Approximately six million people come through Kingsford Smith airport each year. This number is predicted to rise 5 per cent annually. The entertainment industry is a major economic activity for our State. In 2004, 13.5 million tickets were sold for live performances in Australia, and that figure does not include sporting events. These 13.5 million tickets generated gross box office revenue of \$689 million; 80 per cent of this was generated by the commercial sector. The industry aims to push these figures over the next decade to 80 million tickets—about \$1 billion in sales.

We are informed that the Federal budget will produce a surplus in the vicinity of \$13 billion. It is absolutely imperative that the Howard Government does something useful for the entertainment industry of this great nation. It is necessary to redress the glaring lack of any tax-based initiative for investors in the live performance industry if the industry is to achieve tangible growth. The Australian Entertainment Industry Association is seeking two principal tax improvements. First, it is seeking sensible and proper tax deductions for investors in live productions. Currently, the live production industry is actively discriminated against by the established tax rules and it is unnecessary to keep this burden on the industry. The commercial entertainment industry needs to obtain a tax-offset arrangement. This will encourage international producers to bring successful overseas productions to our shores and further add to the vibrant culture of the arts in our community.

Secondly, I urge the Federal Government to consider substantive tax deductions for Australian investors of an eligible, live production with significant Australian content seeking to tour overseas. Touring overseas, especially in Asia and the Pacific, helps promote a positive image for Australia and allows us to showcase our great local talent and let others embrace our unique cultural identity. The Government's tourism strategy is paying off. New South Wales was ranked number one in tourist spending last year—that is for both foreign tourism and tourism by Australians. Last year tourist spending was up 3.4 per cent over the previous year. These are good figures, but better financial arrangements and a better policy mix can lead to better figures.

My matter for debate today, concerning taxation and the problems outlined in the Australian Entertainment Industry Association report, is just one part of the needed policy mix. We certainly have the talent to mount world-class productions on stage and screen. Australians now make Academy Award winning films and attract the world's best music to our great Sydney Opera House. We should aim to increase the entertainment activities available for tourists entering Sydney and for our wonderful local resident families.

Much is possible if the taxation finances are corrected. In Australia there are many things to see and do, including attending live theatre, music and concerts and witnessing the talents of our composers, actors, writers and directors. To continue these wonderful opportunities a further recommendation is needed.

Research and development concessions are necessary for investors developing new and original Australian works. Unlike research in science and technology fields, the entertainment industry is not able to apply for the current grants provided by the Federal Government. This leaves exceptional and unique ideas begging for funding from long-awaited and often unlikely government grants. These creative ideas are the basis of Australian identity and should be embraced and nurtured, but that requires financial support. We as a nation have to maintain our level of creativity in all fields. It is creativity that keeps us living as a nation and moving forward.

The financial values of accountancy cannot become the key benchmark of our national way of life. Australia as a nation is not a business; it is about people. We have to build it up and push it forward. I have confidence that the Australian people are capable of embracing that challenge. We can make progress, real progress, as a nation if we learn the value of things, not just the cost of things. Many talented Australians, both on stage and behind the scenes, are now world class and recognised as such. To cite one example from our great film industry, Australians have won or been nominated for Academy Awards in every year since 2000.

I call on the House to lend support to my call for a far better set of Federal tax arrangements for commercial productions in the Australian entertainment industry. It is in the interests of Sydney as a tourist venue, it is in the interests of regional New South Wales, and it is in our national interest as a unique and diverse Australia to promote our artistic talents and acknowledge the role that the arts play in helping to bring our community closer together. [*Time expired.*]

MR JOHN GORDON CHEMICAL USER ACCREDITATION COURSE

Mr RUSSELL TURNER (Orange) [9.12 p.m.]: I refer to two matters raised by a concerned Orange constituent, Mr John Gordon. In an email to me he wrote:

I am advised by the media that all Green Cards issued by WorkCover NSW have been expired, due to "problems with records". To get a replacement card I will have to sit another 1 day course, and pay an additional \$120 or so to the relevant department. This is, to me, just a money grab by NSW government.
Is there any alternative to the extra time and expense? Why are we not being advised by WorkCover?
My initial training was received from a registered provider, who must keep records of such issues. There couldn't be too much trouble to get the records right.

The second issue raised by Mr Gordon refers to chemical user accreditation certificates. His email stated:

On the same subject, Chemical User Accreditation Certificates, have similar onerous requirements, and a much higher cost. I am in communication with the authorities on this one. I requested the use of RPL (Recognition of Prior Learning) provisions to gain a Chemical User Certificate, *after I sat a qualification exam*.
I was told to "provide them with my qualifications and the committee would consider my application". Of course I have no printed certificates from other training courses. I do have 30+ years of working knowledge of chemical use, formal training in HAZMAT & fire fighting etc., and as I have always stated I simply wish to avoid the expense & time of a 2 day training course, and I do wish to sit the appropriate exam (as is acceptable in other fields of excellence) to prove my knowledge on the subject, and having done so, gain the required certificate.

To satisfy the requirement of the legislation, I sent my teenage daughter to a training course. She has no training or experience with chemical handling. She now has a Chemical Users Accreditation Certificate, and, will be the registered purchaser and user of chemicals in our farm business.
The problem is that: Following the course, I asked her to mix some herbicide in a mobile tank for some spot spraying work, no calibration required. She replied that she could not, she didn't know how. She had not been shown how to do this. Yet, she can legally buy & use chemicals, any quantity, any situation, and I cannot.
I remain on a "waiting list" with a trainer, to possibly sit in on a 1 day course, then exam.
I suggest I'll probably wait a fair while.
Once again thanks, John Gordon.

Mr Gordon has highlighted an issue that comes up continually, especially in regional areas. Whilst no-one is against more training to make farm or other business operations safer workplaces, the questions and complaints that continually arise concern the cost of those courses and the difficulty experienced when someone rings WorkCover or any other appropriate agency. The inquirer has to go through a large amount of bureaucracy and encounter a lack of public relations by the faceless person on the other end of the line. The authorities that set the rules, whether the Government or a department, or a combination of both, must realise that in regional areas the cost of attending a one-day or two-day course could range from \$200 to \$400, and that the attendees have to travel hundreds of kilometres to the course. They are not always available in a particular town.

The attendee may have to travel up to 400 kilometres and stay overnight for a two-day course. The attendee is then up for a hotel or motel bill in addition to the cost of travel. We all know that that cost is increasing daily, with the price of fuel. I have nothing against extra training but on behalf of Mr Gordon and other people who must undertake continuing training courses to maintain their trade or professional certificates or purely to get a Chemical Users Accreditation Certificate to use chemicals on their farm, I call on the Government to take into account the cost of those courses. I ask that bureaucracy be limited as much as possible. I ask that people who answer those telephone inquiries be required to attend a course in public relations, because a lot of them just say "That is the rule, take it or leave it." That is not good enough for the people who have gone to a lot of cost and trouble to attend those courses.

SYDNEY (KINGSFORD SMITH) AIRPORT RAIL LINK FARE

Ms KRISTINA KENEALLY (Heffron) [9.16 p.m.]: In the State seat of Heffron a campaign is under way to lower the fare on the Sydney Airport Rail Link. Honourable members may recall that the Sydney Airport Rail Link is the result of a deal made in 1991 between the then Liberal Government and the privately owned Airport Link Company. In May 2004 the Deputy Leader of the Opposition, Barry O'Farrell, told ABC radio:

I am very proud of the Airport Rail Link. It was a Coalition achievement.

His former boss, the then Liberal Minister for Transport, Bruce Baird, said that the Airport Rail Link would cost "not one cent of public money". That so-called Coalition achievement is an underused and overpriced rail line. The Airport Link Company collapsed six months after the line opened in May 2000. The *Australian Financial Review* recently called it "one of the first spectacular, failed public-private partnerships". The contract that was supposed to deliver a cost-free rail line to taxpayers has now cost a staggering \$800 million. The Leader of the Liberal Party, Peter Debnam, told Channel 9 news on 11 March 2006 that the Airport Rail Link was "a stuff-up from day one". For once I agree with the Leader of the Opposition.

The Iemma Government has had to work hard to sort out the mess that the Liberals left us. As a result we are no longer bound by the ridiculous contract that Bruce Baird and the Deputy Leader of the Opposition negotiated. The receivers are now about to sell off the Airport Link rail line. We need to let the new owners know what we think about ticket prices, the type and number of services, and how to get more people to use that local line. Some people have asked me why the Government does not buy the line outright. It is important to understand that this is not a case of the Government simply buying out a contract.

The receivers of the failed Airport Link Company will seek to maximise their return for the sale and have called for tenders on the open market for the remaining 24 years of the 30-year contract. I do not believe it is an appropriate use of taxpayers' money to spend several hundred million more dollars bidding against the private sector for this rail line, particularly in the context of other demands on our budget, including housing affordability, mental health and disability services. As a local member I know only too well the growing demands these areas put on families in this State.

The good news is that the Iemma Government has extracted taxpayers from a bungled contract set up by the Liberals that would have seen us spend millions more over the next 24 years to prop up this failed company. I want to see the money that the Liberals wanted us to pay to a failed private company go instead into essential services for families in New South Wales. The Government will work with any new owner to get the best deal for users of the service. The Minister for Transport said that a review of station access fees is critical to helping the airport rail link overcome its unfortunate and expensive past. I am running a petition that will make clear to any new owner that cutting ticket prices is the best way to get more people to use the line. With cheaper prices, local residents would have an incentive to use the line instead of driving to the city.

A resident of Rosebery, who is featured on the petition, previously used Green Square station, but she can park in the city for only a few dollars more than the cost of a round-trip ticket from Green Square to the central business district. The petition is going very well. We have been seeking signatures at Green Square and Mascot stations and we are receiving them at the rate of one every 40 seconds. Indeed, we can barely keep up with the demand. This will send a message to the new owners of the airport rail link that the people of Heffron—and, indeed, if the signatures on the petition are any indication, people throughout Sydney—are fed up with the high price of the airport rail line. We would like a cheaper fare and a better deal for the people of New South Wales in accessing airport rail services.

ROADS AND TRAFFIC AUTHORITY RULES FOR DIABETICS

Mr DARYL MAGUIRE (Wagga Wagga) [9.21 p.m.]: I draw to the attention of the House concerns raised by a constituent of mine, Mr Chris Condon, regarding the Roads and Traffic Authority [RTA] rules for diabetics. The law requires the holder of any drivers licence to notify the RTA of any long-term injury or illness that may impair their ability to drive safely. If the driver is required to have a medical examination, the RTA will send a letter approximately eight weeks before renewal is due so that a medical examination can be undertaken. Drivers who disclose to the RTA for the first time that they suffer from diabetes, epilepsy, giddiness, blackouts, fainting or other sudden periods of unconsciousness must provide a satisfactory medical report before they can receive or renew their licence.

If a doctor considers the driver to be medically fit to drive and completes a report, the driver can either post it or take it to a motor registry. If the doctor wants to refer the case to a second doctor or specialist, the doctor's report is sent to the RTA and the RTA notifies the driver of any decision. Drivers wishing to upgrade their licence to higher than an LR licence must see an endocrinologist for assessment and, subject to specialist approval, ongoing medical reviews of commercial drivers can be undertaken by their treating doctor.

Only 51 endocrinologists in Australia are listed on the Internet. In rural communities it can take six months or more to get an appointment to see a specialist. Mr Condon received a letter suspending his licence one working day before it was due for renewal after doing everything in his power to abide by the RTA's request. He obtained his referral from his general practitioner on 15 November 2004 yet his appointment with the endocrinologist was not until 27 May 2005, six months later. If a specialist is required, the driver would more than likely have his licence downgraded until the endocrinologist's report is received. In a letter dated 27 July 2005 the Hon. Eric Roozendaal said:

The Roads and Traffic Authority (RTA) has a statutory obligation to ensure the safety of all road users and that a driver is both medically fit and competent to continue to drive.

I agree. Drivers booked for driving under the influence can keep their licences until the case goes to court, and drivers booked for speeding up to 45 kilometres over the limit will lose either three or four points but are still allowed to drive until they receive 12 demerit points. However, drivers with controlled diabetes or other conditions are almost immediately penalised because of the short time frame allowed for arranging specialist appointments. They will either lose their licence or have it downgraded. Country people, in particular, experience difficulties because they often have to wait up to six months to obtain a specialist's appointment.

However, I do not merely wish to complain. On behalf of Mr Condon and all diabetics who face the extraordinary difficulty of being unable to get a specialist appointment when they are required to do so and have their licence downgraded or cancelled, I put forward this solution. It would make sense to appoint a neutral doctor in each of the larger country centres and towns who could adjudicate on an applicant's condition, thus eliminating the lengthy delays regularly experienced by diabetics and others. I know from correspondence sent to me that Mr Condon's situation is not unique. Many diabetics in New South Wales face similar circumstances. I appeal to the Minister to adopt my suggestion or to come up with an alternative, sensible solution that does not penalise diabetics but allows them access to medical assessment so that the RTA will let them retain their licence.

These people are encouraged to do the right thing and declare that they have a medically controlled illness. Therefore it is only fair that the Government seriously consider the matter and provide them with access to appropriate medical assessment through a more simple process that will enable them to drive. Country drivers in particular need their licence and I appeal to the Minister to amend the appropriate legislation or regulation.

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [9.26 p.m.]: I am happy to raise with the Minister, on behalf of the Government, the concerns outlined by the honourable member for Wagga Wagga. Many people suffer from diabetes and the Government should not abandon its responsibilities with respect to it. The honourable member has raised this health concern in a bipartisan way, without political bias, and the RTA should deal with it in a fair and reasonable manner.

Private members' statements noted.

The House adjourned at 9.27 p.m. until Wednesday 3 May 2006 at 10.00 a.m.
