

LEGISLATIVE ASSEMBLY

Thursday 23 October 2008

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

Mr Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

TRANSPORT ADMINISTRATION AMENDMENT (RAIL AND FERRY TRANSPORT AUTHORITIES) BILL 2008

Bill introduced on motion by Mr David Campbell.

Agreement in Principle

Mr DAVID CAMPBELL (Keira—Minister for Transport, and Minister for the Illawarra) [10.10 a.m.]: I move:

That this bill be now agreed to in principle.

This Government is committed to doing what it takes to improve transport services for the people of New South Wales. The citizens of our State look to the elected members of Government to deliver on our commitments, and that is exactly how it should be. The buck stops here. We, as a government, are accountable for the delivery of essential services such as rail, bus and ferry transport. We accept this responsibility and we take it very seriously. However, at the moment we do not have sufficient control over RailCorp or Sydney Ferries to produce results. This must change.

The public expects and demands that the Transport Minister is able to direct government-owned public transport service providers so that they deliver the services the Government has been elected to provide. Operating transport services in New South Wales is a complex task. Approximately two million passenger trips are taken on public transport in New South Wales every day, and about half of them are on our rail network. Ferry services in Sydney serve a smaller market, but even so provide around 35,000 passenger trips on an average weekday.

Transport is also an essential public service. It plays a vital role in the social and economic wellbeing of a community and we need a governance structure that works. We need transport agencies that can effectively run safe and reliable services that the people of New South Wales expect and, importantly, deserve. We also need our transport agencies to be ultimately accountable to the people of New South Wales through their elected representatives. The Government is introducing this legislation to change the corporate structure of RailCorp and Sydney Ferries to make that happen. Under the current model, the Government does not have sufficient control over the operations of rail or ferry services. Even a matter of urgency or public safety requires a written direction to the board and otherwise requires following a slow and cumbersome process.

This legislation will give the Government the ability to direct the management of RailCorp and Sydney Ferries in the delivery of one of our State's vital public services, to ensure that the Government can deliver on its policy directions for public transport. State-owned corporations work well in some areas. They have worked well in the utilities and ports sectors and have allowed government organisations in these industries to be commercially focused in a competitive environment in which we expect to see dividends. However, public transport services in New South Wales are heavily reliant on government funding and do not operate in a competitive market—they are essential public services not profit-making enterprises.

The community needs transport services every day—to get to work and school, to access shopping and commercial centres, to visit friends and family—but the needs of the community are not being met under the

current arrangements. It has become clear that public transport services cannot be effectively managed under a system in which the delivery agency is a state-owned corporation, reporting to an independent board and not the accountable Minister. Even privately operated transport service providers have contracts with Government that provide for far greater accountability than the model that currently applies to government-owned rail and ferry services.

Mr Bret Walker, SC, in his 2007 report on the Special Commission of Inquiry into Sydney Ferries, highlighted the problems of the type of governance model that is currently used in the management of Sydney Ferries services—and which, of course, is also used for RailCorp. Mr Walker drew attention to the fact that throughout Australia and internationally experience has shown that public transport systems do not operate on a commercially viable basis because they are unable to run services without significant funding contributions from government. He also commented that, while the Government is held responsible for public transport, the state-owned corporation governance model limits the Government's control over the delivery of these services.

Five years ago, consistent with recommendations of the Ministerial Inquiry into Sustainable Transport in New South Wales, the Government corporatised the organisations responsible for rail and ferry service delivery with the aim of improving management, increasing accountability and lifting the performance of transport services in a financially responsible way. For the past few years RailCorp and Sydney Ferries have operated as businesses and have taken direction from and reported to a commercial board of management. These agencies have not delivered the results that the Government or the people of New South Wales expect under this arrangement and it is time for us to reclaim control. I make no apologies for this Government taking the necessary steps to make sure we have a direct say in the running of our public transport services. We are not afraid to make the changes necessary to get the very best results when it comes to providing transport services for the community and getting value for money for taxpayers.

As a result, the bill before this House amends the Transport Administration Act 1988 to reorganise the corporate structure of the existing rail and ferry agencies so that they become statutory authorities. They will retain the corporate names of RailCorp and Sydney Ferries Corporation to avoid unnecessary costs. There will be a board for each authority and I will appoint members who have the necessary skills and experience to get on with the job of delivering safe and reliable services in an efficient, effective and financially responsible manner. The boards will be subject to the direction and control of the Transport Minister in the exercise of their functions to ensure rail and ferry services are delivered in line with the Government's policies and to the high standards that public transport users expect.

Contrary to accusations that, in taking back control, we are "handing over the keys to union bosses", this Government has put RailCorp and Sydney Ferries on notice: They must lift their game or face the outsourcing of functions like maintenance or face private sector competition for the delivery of services. This means that both management and the relevant unions must put the interests of commuters first and get on with the job of improving the delivery of services. If they are not up to that task we will find someone who is.

In keeping with the recommendations made by Mr Bret Walker, SC, this bill will also allow the Government to put arrangements that are similar to the current bus service contracts in place for ferry services. It also creates a similar framework for contracting passenger rail services. Mr Walker pointed out the need for an effective contracting regime to specify and regulate the provision of public transport and the Independent Pricing and Regulatory Tribunal's recent draft report titled "Improving CityRail's accountability and incentives through stronger governance arrangements" also supports an effective contracting regime.

Therefore, the bill provides for the establishment of contracts that clearly stipulate what is expected of the rail and ferry authorities in terms of service levels, service alterations, community consultation, regular service reviews, performance standards and the handling of complaints. The new arrangements will also provide incentives for patronage growth and service quality improvements. We can already see how successfully these same contractual arrangements are working in the delivery of bus services. There have been steady increases in patronage on bus services operating under the new contracts and there is now a level of community consultation in integrated bus network planning that has not been seen before in New South Wales.

Bringing rail and ferries into line with the provision of bus services in New South Wales will also assist the Government to deliver improvements across the transport portfolio such as fare harmonisation and reform, the introduction of a common ticketing system, standard performance reporting, better coordination between transport modes and network planning. Importantly, the rights of existing private ferry operators who hold contracts under the Act are not affected. These operators are a small but vital part of the public transport network, particularly those providing services to communities that are difficult to reach by land-based transport.

Finally, as Mr Walker also recommended, the bill provides the maximum fares for contracted ferry services to be regulated—whether operated by Sydney Ferries or a private sector operator—and the Independent Pricing and Regulatory Tribunal will be the determining authority. Similar provisions govern fares for contracted passenger rail services. I commend this bill to the House.

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

WATER MANAGEMENT AMENDMENT BILL 2008

Consideration in Detail

Consideration of the Legislative Council amendments.

Schedule of amendments referred to in message of 22 October 2008

- No. 1 Page 5, schedule 1 [1], proposed section 60E, lines 35 to 37. Omit all words on those lines. Insert instead:
- (1) The occupier of premises at or from which water is taken in contravention of a provision of this Division is taken to have contravened that provision unless it is established that:
 - (a) the water was taken by another person, and
 - (b) the other person was not associated with the occupier at the time the water was taken, and
 - (c) the occupier took all reasonable steps to prevent the water being taken.

A person is associated with the occupier for the purposes of paragraph (b) (but without limiting any other circumstances of association) if the person is an employee, agent, licensee, contractor or sub-contractor of the occupier.
- No. 2 Page 12, schedule 1 [4], proposed section 91I. Insert after line 17:
- (3) Subsection (2) does not apply if:
 - (a) the person is authorised by the Minister in writing to take water by means of a metered work while its metering equipment is not operating properly, and
 - (b) the water is taken in accordance with any conditions specified in the authorisation and any requirements prescribed by the regulations for the purposes of this subsection.
- No. 3 Page 13, schedule 1 [4], proposed section 91L, line 18. Omit "Subject to section 91M, the". Insert instead "The".
- No. 4 Page 13, schedule 1 [4], proposed section 91L. Insert after line 24:
- (2) However, subsection (1) does not apply if it is established that:
 - (a) the work was constructed or used, or the activity was carried out, by a person other than the occupier, and
 - (b) the other person was not associated with the occupier at the time the work was constructed or used or the activity was carried out, and
 - (c) the occupier took all reasonable steps to prevent the work being constructed or used or the activity being carried out.

A person is associated with the occupier for the purposes of paragraph (b) (but without limiting any other circumstances of association) if the person is an employee, agent, licensee, contractor or sub-contractor of the occupier.
- No. 5 Page 57, schedule 6 [3], line 17. Omit "consult with". Insert instead "obtain the concurrence of".

Motion by Mr Phillip Costa agreed to:

That the House agree to the Legislative Council amendments.

Legislative Council amendments agreed to.

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

BUDGET ESTIMATES AND RELATED PAPERS**Financial Year 2008-09****Debate resumed from 29 August 2008.**

Mr THOMAS GEORGE (Lismore) [10.21 a.m.]: I commence my contribution by referring to the Health budget. I place on record the appreciation of the Lismore electorate and all the northern rivers communities for the opening of the Lismore Mental Health Unit. Sadly, that unit has been needed for a long time. An added feature is the child and adolescent unit, which has eight beds. The unit will support families within the northern rivers area as its services extend from Coffs Harbour to Tweed Heads, though some families will have to travel a long way to visit their family members. A concern I have is whether the unit is fully staffed, and I await an answer to that question.

The site is being cleared to commence stage two, the integrated cancer unit that was referred to in the budget. The Federal Government requires completion of that unit by March 2010. I am pleased that funds have been allocated for a rural cardiac catheterisation unit, which has been on the drawing board for a long time in the Lismore electorate. That unit will be included in stage two of the development. However, in giving those bouquets, I am disappointed about stage three, the final redevelopment of the Lismore Base Hospital. The community had been informed over the years that stage three would commence immediately following the completion of stage two. However, the chief executive officer of the North Coast Area Health Service has indicated that stage three is not on any plan for immediate development. I will certainly make representations on behalf of the community, as Lismore Base Hospital is the major hospital for the northern rivers area. The emergency and accident unit at Lismore Base Hospital needs to be updated immediately.

Cuts have been made to the services at Murwillumbah District Hospital, which is also in my electorate. That hospital is in a lot better condition than Lismore Base Hospital. However, it is not fully utilised and the community is very concerned that there is an agenda to run down Murwillumbah hospital probably with the intention to expand the Tweed Hospital. Importantly, the Murwillumbah hospital services 30,000 people south or south-west of the Tweed Hospital. Outlying hospitals have had their services cut to push people to go to the major hospitals. But the trouble is that the major hospitals are overworked. It is of concern to have a hospital such as Murwillumbah District Hospital, which has operating theatres as good as any in the northern rivers area, not fully utilised. The community is concerned about the cutback to the maternity unit and obstetric services at Murwillumbah. This has been well and truly documented. I ask the Minister to review those cutbacks. Recently I met staff from the Minister's office and highlighted my concerns about Murwillumbah District Hospital.

I am gravely concerned about the way that the North Coast Area Health Service handles complaints involving the Lismore electorate. Problems associated with Dr Hasil have been well and truly documented. Connie Scholl reported her concerns to the Lismore Base Hospital and the then Northern Rivers Area Health Service in 2003. She received two letters in acknowledgement of her complaints in 2003, but nothing was done about them until she went public this year and came to me as her local member. When her matter was reported in the press the hospital and the health service doubted whether they had received a letter from Mrs Scholl. Her complaints, finally, are being dealt with. I have expressed to the Minister's office my concerns about the way complaints are handled, if indeed they are handled at all, is a major concern to me. I ask the Minister to follow up on that.

I am sure that all members of Parliament have received complaints about the Isolated Patient Transport and Accommodation Assistance Scheme [IPTAAS]. The scheme charges \$40 for every claim. Recently I put a question on notice about the number of patients who applied for and how many received IPTAAS between January and March 2008. I was amazed to learn that 2,531 claims were made of which 2,324 were paid. At \$40 per claim, in three months the IPTAAS received \$92,960. Only two people work in that office, and I do not know what they make over 12 months. Yet everyone who puts in a claim to the IPTAAS is out of pocket. I can see where the money is going: \$40 per claim is going to the North Coast Area Health Service or the Isolated Patient Transport and Accommodation Assistance Scheme. The administration costs of that office must be very high. I am sure all members of Parliament will be continuing their campaign about IPTAAS.

We need to expand our public dental care scheme for people on low incomes. That is of major concern to probably every member in this House. Aboriginal health services certainly need support and we need an increase in funding for non-emergency health-related transport to help low-income families who do not have

transport available to attend their health service appointments. I am also concerned about the program of appliances for disabled people [PADP] scheme. Approvals under the scheme are difficult to achieve: it seems to take a long time to meet the requirements.

The Pacific Highway does not pass through the electorate of Lismore but the east-west connections are of concern. Mr Speaker, connections exist, but only just, to get from my area to your area. The Woodenbong to Legume Road, the main access to Toowoomba and Warwick in south-east Queensland, is described as the worst road in New South Wales. It is of great concern that trucks, school buses and other vehicles travel that road. I will continue to advocate for the road east of Mount Lindsay. We should be encouraging transport up the Summerland Way east of Mount Lindsay, into Beaudesert and into Brisbane. That would take a lot trucks direct from Brisbane to Grafton instead of down the coast. I was pleased with the completion of the new police station in Lismore, which also houses the Richmond Local Area Command office. Superintendent Bruce Lyons was formerly the local area commander in the Northern Tablelands electorate, the Speaker's electorate, and he is now stationed in my electorate. He is doing a tremendous job.

The SPEAKER: What an excellent commander he is.

Mr THOMAS GEORGE: Yes. The police are pleased with their new station and the new office for the Richmond Local Area Command. We are all waiting with bated breath for the official opening. I highlighted the concerns of Murwillumbah in my speech on the budget last year. We still do not have extra police there but I pay tribute to the police on the ground in Murwillumbah. There has been a change of policing in Murwillumbah and the community seems to accept that. We will continue to pursue the operation of a 24/7 police station.

I am still very concerned about long-term police sick and stress leave. Every command on the coast and in the northern region must have a problem. This is causing major problems in the community. Up to 25 per cent of officers are on leave, which creates major problems for the rest of the officers. I support the work of the rural crime investigators; however, they are very underfunded. They are driving around in ordinary cars when they need four-wheel-drive vehicles to do their jobs properly. I would like to see more funds to meet this need.

I also place on record my concerns about the need for additional funding for the Northern Rivers Conservatorium, which is doing a tremendous job in Lismore. It is providing a much-needed service. It has expressed concern to me about its funding. It would certainly appreciate the opportunity to expand its services. Extra funding would enable it to continue to offer its services, which are very much needed in country areas. The North Coast Sports Academy has expressed its fears about its enhancement grants not being available. Recently the North Coast Nationals met with the Minister and he assured us that funding for 2009 is okay, but the academy is concerned about maintaining future funding. It looks forward to continued support, and we will continue to support it to achieve that funding.

I was disappointed not to see a response in the budget to the recommendations of the regional task force. Those recommendations were ignored not only in the State budget but in the infrastructure strategy as well. The committee went around the State listening to people in country and regional New South Wales. It was disappointing that none of its recommendations received support in the budget or in the infrastructure strategy program. Library funding in New South Wales is a joke compared to the situation in other States. Libraries provide enormous support to our communities, especially in country and regional areas. I highlight the service that libraries provide in our communities. They were not recognised with additional funding, and they certainly need it.

A lot of fanfare was made in the budget about payroll tax. I put on record the true picture in country and regional New South Wales, and what we are up against in border areas. It was announced that our payroll cuts would be fully phased in by January 2011, when our payroll tax will still be 5½ per cent with a threshold of \$700,000. Today's rate is 6.75 per cent with a \$1 million threshold. A business in the Northern Rivers with a \$900,000 wages bill will pay \$54,000 payroll tax this year and \$49,500 in 2011. It will receive a reduction of \$4,500. A similar sized business over the border—in some cases just 10 minutes over the border—will pay nothing. [*Extension of time agreed to.*]

A Queensland business with a wages bill of \$900,000—and that is no small business—pays no payroll tax today, yet a New South Wales business pays \$54,000 on a reducing scale. I turn now to education. Whyrallah Road Public School is still waiting for its school hall, which was promised in this term of Government. I have been assured that that will happen. We were all surprised but very pleased to see that the

replacement of the demountable classrooms was in the budget. I again make a plea on behalf of Richmond River High School. Sadly, this school is affected whenever there is a flood and this year's flood caused a lot of anxiety, stress and cost. Schools do not get any extra funding if they are flood-prone, but Richmond River High School is making representations and we hope to gain support for it.

I pay tribute to Wilson Creek School near Mullumbimby, The Risk School, and Woodenbong Central School, which celebrated 100 years of public education. That is no mean feat. While I am talking about Woodenbong Central School, which is west of the Range, I refer also to another school in that area, Bonalbo Central School, a K-12 school, which does a tremendous job. It is great to see the Parliamentary Secretary in the Chamber. I want to make this comment while I am talking about schools. Old Bonalbo welcomed home one of its students, Jacqui Lawrence, who came from Old Bonalbo, but now lives in Penrith. She and her sister Kate were welcomed home. Kate this year won the World Cup and Jacqui won a silver medal at Beijing. We are all very proud of them. I attended a function last Friday for them. They have both been recognised at home for their great achievements.

I cannot believe the attitude of this Government towards community preschools. They do a wonderful job but, sadly, they have to compete with long day care centres and community preschools based at public schools. I will place on record some costs related to the different preschool education systems in this State. If a child goes three days a week to a community preschool based at a school the annual cost is \$615. For a child that goes to a community preschool three days a week it is \$2,829 a year. Wait for it: for a senior student going to a private school, say, Trinity College in Lismore, five days a week the cost is \$2,200 a year. That is \$615 annually for three days a week at an education department community preschool, \$2,829 for a community preschool place three days a week and \$2,200 for a senior student for five days a week at a private school in Lismore. Explain that to me and the parents who want to send their children to community preschools. That is unbelievable.

I met recently with Melinda Gambley and other representatives of community preschools. They are all about to go out the door backwards: they are fighting to keep their preschools open. They are continually seeking more funding as they have been doing it tough. Only one community preschool in my electorate is not worse off under the new funding scheme that is available to them. The rest of them have lost funding. One out of about 30 has not. I know the Minister recently defended preschool funding but really it is a joke when it costs \$2,829 a year for a child to attend a community preschool three days a week but it costs only \$2,200 to send a senior student to a private high school. Tell me that shows equitable funding.

We do not appreciate the job the community preschools are doing with the funding that is available to them. The Government needs to look at that because the community preschools do a mighty job in the community, especially in country and regional areas. They are a focal point and they provide an opportunity for children in the local area. If children start going to preschool in the major centres that is where they will go to school. Community preschools lead them into the local primary school, which is necessary if public education is to go ahead. The freeze on TAFE fees is of major concern to regional and country areas. That needs to be addressed. I am also concerned about what is happening to libraries in the TAFE system.

In the short time I have left I want to highlight a couple of rural matters. A gentleman wrote to me recently, one of the successful dairy farmers in our area, about putting in a pivotal irrigation system to conserve water. He wanted to irrigate 160 acres on a property of only about 300 acres. The Department of Environment and Climate Change thought that was a tremendous idea, and it is working with him. However, to put in a pivotal system he has to take out 60 trees on the property. He said that was no problem. But he was then told that he could not do that without the approval of the Department of Primary Industries. That department told him that the only way he could take out the trees was to buy the 590-acre property next door, value \$1 million, and plant every acre with trees. That is what our native vegetation laws have done. One department is encouraging him—he is a professional farmer and wants to put in a better water saving system to do the job properly—but another department says that he cannot. Putting in the new system would have cost about \$1.5 million. What are we doing to these farmers? It is not the first time something like this has been highlighted in this House and it will not be the last.

I also want to refer to the cattle tick problem in my area. I have spoken frequently about cattle ticks but their control is a major concern. We seem to have relaxed our efforts in this area. Farmers are the innocent victims. They are being subjected to horrific financial costs and subjected to emotional costs as well. We have to start looking after our farmers because, if we do not, who knows where we will end up. I know the cuts to the

Rural Land Protection Board have been recommended from within the organisation but I do not think it was done in a manner that suits different areas. The North Coast boards are very concerned about it. The list goes on.

In summing up I pay tribute to all our emergency services following the major storm and floods that we had last year. Blow me down: yesterday we had another major hailstorm right throughout the Northern Rivers. Don Page, Katrina Hodgkinson and I had a person on the phone last night telling us that yesterday's storm could cost him something like \$2 million. But his concern was that he had just started 55 casual workers that have come to the area to pick fruit. He is more worried about the staff than he is about himself. Another constituent, Ridley Bell, rang me this morning. He also suffered severe damage and major losses. He is a blueberry farmer who has had a big loss. My advice is to get in touch with the Department of Primary Industries. The local State Emergency Service attended about 50 callouts last night as a result of the hailstorms and we are hoping the Minister will declare it a natural disaster area because these people need support. I know that respective Ministers are waiting for information on whether to declare this area a natural disaster area.

Last but not least, I pay tribute to our rescue services. The Rural Fire Service, New South Wales Fire Brigades, the New South Wales Ambulance Service and organisations such as the Salvation Army, St Vincent de Paul Society, Lifeline and the Westpac Life Saver Rescue Helicopter Service do a tremendous job. The community helps fund the helicopter service, with the support of Westpac. Earlier this week in Sydney a person lost his life, and I extend sympathies to the family. I could not believe that although helicopters were in the vicinity there was a delay because of confusion over phone calls. I am not sure what happens in the case of mobile phones but the location of a person ringing the 000 number from a landline can be pinpointed.

I am a great supporter of the Westpac Life Saver Rescue Helicopter Service and, although I did not support the Government's handing over the contract to an overseas organisation, people's lives are of paramount importance. We must continue to support these important organisations. The Lismore electorate needs much more support and I will continue to champion on behalf of my constituents. I will continue to place on record matters that affect my electorate, both good and bad. At this time my heart goes out to those suffering as a result of the storm yesterday. I will do all I can to obtain support for them.

Mrs KARYN PALUZZANO (Penrith—Parliamentary Secretary) [10.51 a.m.]: I speak on the New South Wales Budget 2008-09. I shall comment also on previous budgets because it is vital to follow up on the wonderful budgets that have rolled out over the years to improve services and facilities for the Penrith electorate. In particular, this year's budget was a record \$47.6 billion—seeking to get the balance right with improved services and infrastructure, and cutting taxes across the State. New South Wales is delivering record spending on services, the focus being in the priority areas of emergency departments, child protection, mental health and disability services.

The budget delivered on infrastructure, with \$13.9 billion this year and \$57.6 billion over the next four years invested in public transport, water, electricity and roads. The budget will also deliver tax cuts of \$3.6 billion over the next four years, including significant benefit to business, with a reduction in payroll tax. The budget delivered responsible financial management—13 consecutive budget surpluses. The budget delivered on jobs, with a major boost to front-line workers, including 100 more police officers. Since the introduction of the budget I have welcomed new probationary constables into Penrith and St Marys local area commands.

In addition, there will be 300 more nurses, 120 disability workers and funding for non-government organisations to employ 1,500 disability workers. Within my electorate I have visited many non-government organisations that supply services in the disability sector. I have spoken to Nova, Sunnyfield and recently I visited Cumberland Industries Ltd, where I met the chief executive officer and board chair. That company has a long relationship with social enterprise, dealing with people with disability and providing employment opportunity and services. This new food production company at Emu Plains is employing people with disabilities. The company has expanded production from one line to two. I commend Cumberland Industries Ltd and wish it well with its opening, which, unfortunately, will be on a sitting night in the near future. The Government's record infrastructure investment is estimated to directly and indirectly support 158,000 jobs. This was a true Labor budget that supported jobs, growth and investment while helping those most in need.

The budget delivered for our most vulnerable in that \$263 million was allocated for prevention and early intervention to support children, young people and families before their problems turn into a crisis, a 16 per cent increase; \$109 million to fund 620 supported accommodation places to provide community-based residential support for people with a disability, a 55 per cent increase; \$17.7 million for disability services to

prevent young people entering nursing homes, improve services to young people who live in nursing homes, and develop alternative models of support and accommodation for young people with a disability, a 75 per cent increase; \$10.1 million to assist eligible people with a disability and people with HIV-AIDS to access the private rental market; \$22.9 million over four years to combat child sexual abuse in Aboriginal communities, with the expansion of the Safe Families Program in an additional five communities in the Orana Far West region; and \$30 million over four years to provide ongoing support for the operation, maintenance and monitoring of water and sewerage systems, in partnership with the New South Wales Aboriginal Land Council.

The budget funds vital services in the Penrith electorate while injecting money into infrastructure. Local families will see money spent in key areas of education, health, roads and public transport. They will see some of the 100 new police officers, 300 more nurses, 120 extra disability workers and 1,500 non-government disability workers working in Penrith. Local businessmen and women have raised the subject of the lowering of payroll tax and recently I held a business forum when Cabinet visited Western Sydney. They were keen to hear from the Treasurer with respect to the promotion of business. It is pleasing that Premier Rees has announced that he is considering looking at State and regional development offshore in China and India to help with exports. Local people who export into China and Asia look forward to support mechanisms when undertaking trade negotiations.

Payroll tax will decrease by 0.5 per cent and for the first time for any State in Australia it will be indexed to the consumer price index. Locally, the State budget will give major projects in my electorate new funding, as well as continued funding, including \$10 million to the Penrith State Office Block, \$5.6 million to relocate allied health services at Nepean Hospital, \$3.6 million for easy access upgrades to Emu Plains railway station, \$936,000 to upgrade the traffic lights at Parker Street and Jamison Road to the Great Western Highway and, I am pleased to say, \$700,000 to upgrade public housing units in Cranebrook. Recently I visited with the Minister for Housing the public housing units in Hefferman Place that will undergo renovation. Also, the allocation of \$128,000 towards upgrades of Penrith High School is an ongoing budget commitment by this Government, and I will highlight that shortly. Within the relocation project at Nepean Hospital is an allocation \$3.6 million towards the upgrade of the Emu Plains railway station, one of the highlights of this budget.

In health, \$6.6 million is allocated for the relocation of Nepean Hospital Allied Health. The budget also provides an allocation of \$10 million towards the construction of the local State office building. This is in addition to the \$4.4 million already allocated for those construction costs. This State office building is nearing completion; it will be opened before Christmas. It will house the Office of Fair Trading, the Sydney Catchment Authority and the Department of Community Services as well as the new authority for the Hawkesbury-Nepean catchment. The office block is welcome because it will create jobs for the people of Penrith and the Lower Blue Mountains. The office block is one of the key hallmarks in the Government's delivery of local jobs for the people of Penrith and the Lower Blue Mountains. Penrith wins its share of the \$13.9 billion being invested in schools, hospitals, roads, transport and other infrastructure. The Government is also spending a record \$47.6 billion on vital services, such as funding for nurses and teachers, more police and new technology in schools.

The budget is supporting a number of other projects in Penrith, including \$4.9 million for roadworks. Of that, \$936,000 is for the upgrade of Parker Street and Jamison Road to the Great Western Highway, and that will bring about great improvements. Also, planning money is allocated for the Mulgoa and Jamison roads intersection to convert the roundabout and install traffic lights. At the moment, that conversion is under public exhibition on the web. People who live in the area of Jamison and Mulgoa roads have had letterbox drops of a community update flier. I would like to say to those living in the area that if they have not received one of those fliers they can pick one up from my office—if I have not already written to them about that public exhibition process. I urge residents to email the Roads and Traffic Authority [RTA] and to have their say. Alternatively, if they pass by my office they will see a huge diagram of the changes proposed to the Mulgoa and Jamison roads roundabout to install traffic lights.

Twelve public housing units are to be upgraded. As I mentioned previously, the Minister for Housing has visited Penrith on a number of occasions to see the rollout of improvements to those housing units. This is part of a \$3.9 million project, with Penrith being allocated \$700,000 for that part of it. There is also \$2.1 million allocated for Community Services caseworker accommodation, as well as \$1.5 million to continue the rollout of Juvenile Justice's groundbreaking intensive supervision pilot program, with a total project cost of \$5.5 million. It should be noted that, although the Penrith electorate does not have a juvenile justice centre, there is one just outside the Penrith electorate at Cobham, in the electorate of Mulgoa. That juvenile justice centre is where the pilot of this intensive supervision program is being rolled out. I commend the workers in the juvenile justice area for their commitment in the supervision of this pilot program.

It should also be noted that there is provision for short-stay accommodation, which is being constructed in the electorate of Penrith. The electorate has a correctional facility for females at Emu Plains. Part of that Corrective Services land was acquired by Juvenile Justice to provide short-stay accommodation at Emu Plains for Juvenile Justice clients. That is being refurbished as we speak to provide that service to the people in Juvenile Justice who require it. This budget makes an allocation of \$128,000 towards the \$5.8 million upgrade of Penrith High School. I am pleased to announce that those works have been completed, and the upgraded school will be opened very shortly by the Minister for Education and Training. I will join the school community to mark the occasion.

It has taken a while to have these upgrades included in the public capital works projects and major capital works projects. I acknowledge the Federal Government's contribution to the project. Penrith High School is one of the State high schools in the electorate of Penrith, but it is also a selective high school within the Western Sydney area, attended by students from greater Western Sydney. The science laboratories and performance spaces available prior to my election were, as outlined by the school community to me, not up to the standard required by the students in the subjects for which they had enrolled. I looked around other high schools in my electorate and saw that the provision of services in those was satisfactory, but Penrith High School had not had a major upgrade for decades.

Being a selective high school, Penrith High put forward a case to me, to the Minister and to the Department of Education and Training. It had to start from scratch—that is, get the works put on the capital works project, undertake reviews, do audits, get a budget allocation and get an acknowledgement in the budget from the State Government as well as from the Federal Government. So I am pleased to say that the works have been completed. The school has brand-new, refitted science laboratories to meet the needs of its students who are taking science courses. It has a totally refurbished library area, and the space provided meets not only the library and information technology needs but also students' study needs. The jewel in the crown of this upgrade is in the performing arts space.

The purpose-built performing arts space provides classrooms for instrument performance, as well as an area for dance and movement performance. This area has a purpose-built floating floor, with bars and mirrors. Rooms are set aside for the storage of musical instruments, in addition to the space to accommodate performance and provide learning classrooms. The school's performance space used to be in heritage-listed demountables—quite an interesting term. These demountables, delivered to Penrith High School in the 1920s, had been providing teaching and learning spaces for drama classes. Many of the students who study drama and performance at Penrith High School had some achievements in their performance areas, such as in the Shakespeare competition. Now, they have a brand-new, purpose-built performing arts space. I commend Penrith High's school council and the teachers and students who supported this project, and I look forward to being present at the official opening of the new premises—although they are already being used.

Penrith High is not the only school to obtain education funding under this budget. Jamison High School has been allocated funding to construct a trades school—another great win for education opportunities in the Penrith electorate and broader Western Sydney. The Jamison High School trades school, which will offer courses in health and allied health, is under construction at the moment. There will be purpose-built areas that look like a hospital, or a waiting room, or a medical administration facility. Students will be able to undertake courses in nursing and allied health, to be provided by TAFE. The subjects will be negotiated through the school and TAFE.

At the moment, students have a virtual trades school; they have been enrolled this year, but their buildings will not be ready until term one next year. Construction of the buildings is being undertaken by the Department of Commerce. This brings to mind an interesting story. When I visited the construction site I met the foreman—a former student of Jamison High School who went on to be employed as an apprentice by the Department of Commerce, undertook more study and now is the foreman on site. That is a great acknowledgement of a system that allows students to serve an apprenticeship, undertake further study and remain employed in the same institution. It is a great story.

The budget allocates some \$4.4 million to Nepean Hospital's Pathways Home project, and over the next four years \$5.6 billion will be spent on key infrastructure capital works. Works at Penrith High School, Nepean Hospital, Jamison High School and Emu Plains railway station, and the Penrith State office building are evidence of the Government's commitment to funding key capital projects in the Penrith electorate. The budget for water assets has also increased. The Minister for Water and I recently viewed the Western Sydney recycling project. [*Extension of time agreed to.*]

This is a massive commitment to the Western Sydney water supply. The recycling project, which will take water from the sewerage treatment plants at Penrith, St Marys and Quakers Hill, will be based at St Marys. The pipes from the Penrith and Quakers Hill plants are being laid as we speak, and construction of the recycling plant is underway. The recycled water will be piped back to Penrith and into the Nepean River to increase environmental flows and improve water quality in the Hawkesbury-Nepean system. It is a wonderful commitment by this Government to the people of greater Western Sydney.

A record \$872 million has been allocated to emergency services. Other members also mentioned the State Emergency Service [SES] and its volunteers. The emergency services budget has a major impact in Western Sydney. The local SES units are very efficient. I joined members representing the electorates of Londonderry, Mount Druitt, Blue Mountains and Hawkesbury at a ceremony to acknowledge the contribution of State Emergency Service volunteers over the years, and their work during last June's floods in the Hunter region. State medals were presented to volunteers to acknowledge their contribution during storm events from December 2007 to late February 2008 in Western Sydney, which mainly affected Blacktown but also impacted on Penrith. During one severe hailstorm Mulgoa Road, which is a key feeder road to Penrith, suffered severe damage, as did the many caryards situated along it.

The ceremony acknowledged the contribution of State Emergency Service volunteers from the greater Western Sydney area, but I pay particular credit to those from the Penrith State Emergency Service. One can imagine the intense work involved during critical storm events that last for three months. The Blacktown unit required support from State Emergency Service units throughout Western Sydney, and the Penrith unit provided communication, operations and catering assistance. The \$872 million budget allocation for emergency services will be rolled out across the State. We must support our State Emergency Service volunteers, who make a selfless and extraordinary contribution to the community. To this end, the funding allocation will enable the employment of additional full-time firefighters in the Queanbeyan, Coffs Harbour and Narellan stations that provide 24-hour fire and emergency protection. A further 21 firefighters will be employed at the new Kincumber fire station when its construction is completed. That is very good news.

The Cumberland area command centre of the NSW Rural Fire Service is located at Cox Avenue in the Penrith electorate. I commend Richard Petch and his colleagues at that centre for doing an admirable job in ensuring that the Rural Fire Service delivers essential services in times of need. The 2008-09 Rural Fire Fighting Fund will receive \$201 million, which is an increase of \$3.1 million on last year's allocation. Some \$31 million will be provided for bushfire tankers; \$15 million for new and upgraded brigade stations and fire control centres, and the installation of rainwater tankers; and \$14 million for maintenance grants to local councils. I acknowledge support of Penrith City Council for the command centre.

This year the New South Wales Fire Brigades budget will be \$578.3 million, which is an increase of \$33.8 million—or 6 per cent—on last year. Some \$8 million will be spent on 34 new fire engines, \$1 million will be spent on a ladder platform for Revesby; \$15.5 million will go to firefighting and counterterrorism equipment; \$10.4 million will be used to employ 65 new firefighters at Narellan, Coffs Harbour, Queanbeyan and Kincumber; and \$5 million will be spent upgrading fire stations and other facilities around the State. I acknowledge that Penrith fire station has been upgraded also.

Previous budget allocations have helped to fund the construction of the State Office Block in the Penrith electorate. The building—its construction created 450 jobs—is now almost complete, and it will house government departments in one central and convenient location directly opposite Penrith railway station and the bus interchange. The State Office Block will be home to the Department of Community Services, Office of Fair Trading, Sydney Catchment Authority and the newly created authority for the Hawkesbury-Nepean catchment. I recently visited the Department of Community Services office in Penrith and spoke to the hardworking front-line staff, who are eagerly awaiting the move to their new offices. I am particularly excited to have a purpose-built office for State Government workers in my electorate. That is very good news for small businesses in the Penrith central business district. I have mentioned the upgrade to Penrith High School, and I take this opportunity to send my best wishes to those students who are sitting for the Higher School Certificate.

Funding from previous budgets has led to major improvements in health. The psychiatric emergency care centre [PECC] at Nepean Hospital has opened, funded by \$2.1 million in the 2007-08 budget. The North Block Older Persons Evaluation Review and Assessment Project unit, which I mentioned last year in my speech on the budget, has opened. The medical assessment unit—an innovation of Nepean Hospital—has also opened. The unit cares for older people and those suffering chronic illnesses who require complex medical procedures. Patients with complex needs who attend the emergency department are taken to the medical assessment unit to receive specialist treatment.

Elderly patients will receive specialist treatment in a timely manner. Studies have shown that the longer elderly patients have to wait for specialist treatment, the more complex are their needs in hospital. The medical assessment unit is innovative and will take elderly and chronic patients as well as patients who need complex care out of emergency departments, thus freeing up emergency department specialists to deal with emergency cases. The medical assessment unit is a great innovation. My electorate also has an after-hours general practice clinic that has been operating for more than a year. According to feedback I receive from my constituents when I am out and about in the community, it has been very successful. I hear many positive comments about it. It is based at Nepean Hospital, and people seeking treatment now are able to see a general practitioner at the hospital after hours.

I acknowledge that Emu Plains railway station has been allocated funds for the planning of an upgrade. Assessments are being made of the ramifications of providing easy access, including the positioning of the lifts and how the upgrades will fit into the Emu Plains railway station. The station building was built in 1882 and is heritage listed. It is one of the oldest railway stations in the State. I commend the work of this project to the House. I restate that the public exhibition associated with the commitment of funding for traffic lights to be installed at the intersection of Mulgoa Road and Jamison Road includes public comment. People who wish to comment should go to the Roads and Traffic Authority website or, if they have not already received a letter from me, phone my electorate office to have their say. Since the last budget, the St Marys police station has been opened and provides upgraded facilities that include a charge room. I commend the budget to the House.

Mr JONATHAN O'DEA (Davidson) [11.21 a.m.]: This is the fourteenth budget that has been delivered since Labor was elected in 1995. Once again, New South Wales has been badly let down. It is a do-little budget that ignores the social and environmental costs to the State of Labor's waste and mismanagement. More than any of the past 13 years, this year has been marked by constant scandals that have embroiled Labor since the last election. This long record includes a public hospital crisis, transport delivery failures, infrastructure project overruns, Wollongong City Council's systemic corruption, overriding the role of local government and planning, including in my electorate of Davidson, the Iguana-gate scandal and the electricity privatisation debate that culminated in the dumping of the then Treasurer, Michael Costa, and the then Premier, Morris Iemma.

Ms Kristina Keneally: Oh Jon, come on!

Mr JONATHAN O'DEA: I note the presence in the Chamber of the Minister for Planning. I thank her for meeting my delegation this week, a result of which I have hope that there will be a change in approach to planning, particularly as it relates to Ku-ring-gai. I will deal with that in more detail later, but I pause now to place on the record my thanks to the Minister for meeting community representatives. We live in hope! While the economic costs of the budget are often discussed, it is far more difficult to quantify the more elusive social and environmental costs. The simple fact is that the biggest challenge facing our State today is not economic decline, but social decline. While it is easy for the Government to disclose how much a promise will cost, it cannot disclose what the budget will cost in social and environmental terms.

With infrastructure in the State crumbling, it sounds commendable that the largest increase in spending is for capital works. But we will see what casualties there are in the November mini-budget. Also, some of the \$14 billion allocated will be spent on questionable projects, such as the \$886 million allocated to the desalination plant. How many extra tonnes of greenhouse gases will the desalination plant add? It would have been better to invest the money in large-scale stormwater harvesting and water-recycling infrastructure. A recent article in the *Economist* commended Australia's previous water-saving initiatives and compared them favourably to Israel's reliance on desalination. The Government wants to reverse that world-leading progress in favour of a massive energy-sucking water factory.

Projected spending on improvements to public transport, let alone a much-needed expansion, is woefully inadequate. Despite warnings of the urgent need to cut greenhouse gas emissions, the budget increased spending on roads. More than \$2.2 billion has been committed to fund these projects, including the controversial duplication of the Iron Cove Bridge, which planners say will have a negligible impact on reducing peak hour travel times on Victoria Road in Sydney. At the same time, just \$1.8 billion has been committed to improving inadequate public transport infrastructure. The pre-budget hype was that the Government would spend an extra \$112 million on more buses to ease overcrowding. However, only \$100,000 has been committed for the next financial year—not enough, it seems, to purchase even one bus.

We should take a more holistic environmental approach to follow sustainable planning policies and sound environmental practices. As I pointed out last year, the Government should attempt an environmental economics approach as part of its budget process to place a clear value on environmentally sensitive initiatives. Governing is not just about what we do, but also what we leave behind. As well as fighting for better management and government, a Coalition government would invest in our future and in improving social capital. A fund to improve services and infrastructure for critical State employees should be established. It is New South Wales Coalition policy to invest windfall revenue to fund a better workplaces for teachers and nurses program. That would be used to fund improvements in the workplaces of the State's teachers and nurses. The improvements would help those working in our public schools and hospitals to perform their jobs better, and could include upgrades, such as new staffrooms for teachers or secure parking for nurses.

It is also New South Wales Coalition policy to enable children to have greater access to preschool education. It is our policy to increase the preschool participation rate to 95 per cent. The Productivity Commission's "Report on Government Services 2008" found that New South Wales had the lowest levels of preschool participation and real funding, with the highest weekly average cost per child after subsidies of any of the States and Territories. Under the New South Wales Coalition's policy, the participation of New South Wales four-year-olds in preschool for two days a week would increase to 95 per cent through the provision of up to an additional 25,000 preschool places. This initiative is estimated to cost \$50 million annually over four years. Too many parents struggle to find places for their children in the Davidson electorate's preschools. I am determined to address that struggle while improving the wellbeing of our future generations.

Initiatives like those I have referred to indicate the Coalition's willingness to search for sensible solutions to our State's problems, and they would greatly benefit my electorate of Davidson. On the topic of my electorate, we need a clearer timetable and real action in relation to the proposed new hospital at French's Forest. My community and the surrounding communities are sick—sick of the Government's continued broken promises on this much-needed facility for Sydney's north. We also need relief from a reliance on demountable classrooms in our schools, particularly the overcrowded Killara High School, to which I referred in a private member's statement earlier this week. How can our schools be beacons of learning when they look like caravan parks? We need to cater properly for today's children while planning for the next 20 years, especially in areas like the North Shore where there will be significant population growth.

Under the Metropolitan Strategy and the draft subregional strategy, it is clear that there will be substantial population growth in the northern region to 2031. That is accepted to a reasonable degree. However, the Government does not seem to have adequate plans for how the basic needs of this population will be met in terms of services and infrastructure. It has overridden local planning and pushed through unreasonable urban overdevelopment, particularly in some areas in Ku-ring-gai, but not addressed additional needs for education, health services and public transport.

With wall-to-wall Labor governments at the Federal, State and Territory levels only just broken, more progress on reform of State-Federal responsibilities should already have occurred. While the Council of Australian Governments [COAG] is charged with the responsibility to initiate, develop and monitor the implementation of policy reforms that are of national significance, and that require cooperative action by Australian governments, it seems incapable of dealing with the more vexed issues facing the Federation. The Business Council of Australia estimates the cost of dysfunction in our Federation to be \$9 billion or more than double what New South Wales spends on public transport.

The previous Treasurer noted that the annual increase in the population aged over 65 will more than double over the next four years, increasing the pressure on a range of services, including health, ageing and disabilities, transport and community services. He seemed to be relying on the Rudd Government to reform the Commonwealth-State financial arrangement to ensure that these services are funded and delivered. Even under the so-called new regime, it still seems that our plan for the future of New South Wales relies on some fairy godmother Rudd delivering more money to our State. This seems to ignore the fact that New South Wales Labor has already squandered record revenues.

We should not simply be waiting with our hands out but working actively through COAG to reform State-Federal responsibilities, especially in the area of health, where New South Wales is meant to be taking a lead. The health system has a complex and complicated division of responsibility between the State and Federal governments, and produces enormous duplication and wasteful spending. Short of funding for the whole system being vested in one level of government, COAG should work on creating a more seamless system. One practical and basic reform, which I support, would be the creation of a central purchasing point for public health expenditure by all levels of government.

In a Newpoll survey conducted for Griffith University in July, voters rated State governments below even local councils for doing their job effectively. In terms of State-Federal relations, more than nine in 10 voters think it is desirable for different levels of government to be able to collaborate on solutions. However, 58 per cent of New South Wales residents felt that collaboration on problems between different levels of government is poor. This Labor Government has also delayed occupational health and safety reform, which this State desperately needs. The Stein report on New South Wales occupational health and safety legislation was released only fairly recently, a year after it was put on the Minister's desk. The Government has relied on this report in its submission to the national review. However, it voted against a private member's bill introduced by the Leader of the Opposition earlier this year that mirrored many of the recommendations in the Stein report.

The Government did not release the report for more than a year, rejected a bill with similar provisions and then relied on the report as its submission to the national review. Frankly, the Government does not know whether it is coming or going. I know the people of New South Wales wished that it was going, but right now we must live with this administration, which continues to dither post Iemma and under Rees. The release of the report one business day after the cut-off for public submissions to the national review on occupational health and safety laws is indicative of the Government's lack of transparency and contempt for the people of New South Wales. Despite having a relatively high level of prosecutions, fines and occupational health and safety inspectors, New South Wales still has a workplace injury rate that is worse than the national average.

We should be leading the charge towards a stronger national model. Instead, the slow progress towards reform is indicative of the New South Wales Government's lack of meaningful contribution to reform in the area of occupational health and safety. We need to move beyond the talk of cooperative federalism to a concerted effort to achieve a constructive federalism. We need an approach that is focused on delivering better outcomes for the people of New South Wales rather than on compromises designed to preserve power bases for each level of government. I welcome some payroll tax relief to New South Wales business, as I called for during my contribution to the debate on the budget last year.

Ms Kristina Keneally: We did it because you called for it.

Mr JONATHAN O'DEA: I thank the Minister for Planning, and Minister for Redfern Waterloo for acknowledging that. After sustained pressure, the decision to honour the commitment that then Premier Iemma made in 2006 to cut payroll tax is one of the commendable aspects of this budget. The payroll tax rate will be cut from 6 per cent to an eventual 5.5 per cent, which will put New South Wales in line with Western Australia but still higher than Queensland at 4.75 per cent and Victoria at 4.95 per cent. We need to continue to lower this tax to keep New South Wales competitive with other eastern States. The cuts will be introduced gradually, hitting the headline 5.5 per cent level in 2011. This staged introduction makes the benefit somewhat illusory in the current economic environment. The Government has decided to index the threshold of the tax at \$623,000, which will rise in line with the Sydney consumer price index, giving employers some protection from wage inflation. However, I query the adequacy of threshold adjustment when rising wage costs means that more employers are already creeping above the threshold.

It is disappointing that the people of my electorate of Davidson, and of northern Sydney in general, have essentially been ignored by this budget. While I acknowledge the ongoing upgrade work at Lindfield train station announced last year, and required under the Government's public transport access policy, generally there has been a lack of expenditure for Coalition seats compared to Labor seats. I listened to the member for Penrith give a list of ongoing expenditure in her electorate, and I compared it with the paucity of expenditure in my electorate. This is indicative of the tribal bunker mentality that infects this Government. This pervasive "us against them" sentiment has been consistently pursued, often to the detriment of the people of New South Wales.

As chair of the Coalition's waste watch committee I would be remiss if I did not highlight that Labor has enjoyed and squandered record revenues. The Government has allowed uncontrolled expense growth, waste, mismanagement and incompetence. Recently we voted on the Appropriation (Budget Variations) Bill 2008, and heard that Parliament and the community should now simply accept such top-up funding bills because they have occurred in four of the past five years. While I am speaking on the main budget today, we will be back debating a mini-budget next month. Labor is no longer able to rely on extra revenue generated from a strong national economy managed by a Howard-Costello Federal Government.

Labor has consistently overrun its expenditure budget to the tune of an average \$1 billion a year. It has wasted and mismanaged taxpayers dollars—Premier Rees has acknowledged that—which has resulted in the

current situation of inadequate services, rundown infrastructure and an uncompetitive, highly taxed State exposed to risks and growing debt pressure. We should always strive to get it right when managing public money. On behalf of the people of New South Wales we should not simply accept that close enough is good enough, as this Government has proposed in the past. Let us hope that it will not continue to mismanage and waste revenues allocated in this budget, as it has done for the past 13 budgets. The people of New South Wales deserve better.

ACTING-SPEAKER (Ms Diane Beamer): Order! I welcome primary school civics and citizenship professional development teachers to the Parliament.

Mr ALAN ASHTON (East Hills) [11.40 a.m.]: As one who taught civics and citizenship in schools, it is good for our visitors to see this bear pit as I now rip into the member for Davidson for the outrageous bunk that he just delivered in this House. We should recognise that since the 2008-09 budget was delivered in June events in the world financial markets have changed dramatically, which has escaped the notice of Malcolm Turnbull—who seems to think he is still a banker and not the Federal Leader of the Opposition—and the member for Davidson. Of course, it is appropriate for a mini-budget on 11 November—a day of infamy in Australian history in 1975. Let us remember that it is not uncommon for governments to introduce mini-budgets, especially in this world economic climate that has not been seen since at least 1987 and may not have been seen since 1929.

The member for Davidson talked about the great legacy that the Howard Government left New South Wales, but let us not forget that about four years ago John Howard said to the Liberal Party—not The Nationals, because we know what is going on there—State Executive, "I will do everything I can to make sure Peter Debnam is the Premier of New South Wales." That was code for what he had already been doing for about eight or nine years—robbing New South Wales of approximately \$3 billion a year in GST revenue as he continued to pork barrel every State out of which he might get a Liberal vote, and do everything in every dam, river or creek in marginal electorates around the coast of Australia that he felt he could hold. What was the most recent one to be highlighted? A couple of million dollars went to an organisation in the northern part of New South Wales that did not even submit a grant application to get money. There were horse studs everywhere, and that suited his mates. Look after horse studs because some well-known—

Mr Richard Amery: He looked after his brother.

Mr ALAN ASHTON: His brother was bailed out—we cannot knock a bloke for looking after his brother, but your brother should be bailed out with your money, not with taxpayers' money. I thank the member for Davidson for opening up that ambit for me; it is unusual for me to attack the Opposition in that fashion.

Ms Kristina Keneally: Very unlike you!

Mr ALAN ASHTON: As the Minister pointed out, it is not like me. As a rabid left-winger, I usually try to get above that. The unlamented Howard Government has gone and Prime Minister Kevin Rudd is doing a great job, recognising long before so many other people that there is a financial crisis in the world and that we need to do something about it. Malcolm is running around not quite knowing how to cope with it. He wanted a cap of \$20,000, then talked about \$100,000 being too much, and now it might be \$1 million. If it is adopted he will say it is all his idea anyway. This morning I heard him interviewed by Chris Uhlmann on the ABC *AM* program. If he attacks interviewers all the time—

Ms Kristina Keneally: It was extraordinary!

Mr ALAN ASHTON: As the Minister said, it was an extraordinary interview that demonstrated that if Malcolm is asked one reasonably tricky question he cannot handle it because he is used to the days when he called the shots and ran the whole show. I have digressed, but they are the facts.

Mr Richard Amery: It is a passing reference.

Mr ALAN ASHTON: A passing reference, that is right.

Mr Jonathan O'Dea: I would not want to talk about New South Wales budget estimates either if I were you.

Mr ALAN ASHTON: I have talked about it. Essentially I have said that if New South Wales has been robbed of \$30 billion over the past 10 or 12 years the money has to be made up somewhere, which is what this Government will be doing. In the budget that was delivered in June by the former Treasurer Michael Costa—long lamented by many—the Government put much more funding into transport, education, health, police, roads, disability services and all areas of government responsibility. Again record funding was set aside. The budget provided a record \$47.6 billion to be spent on vital services, which includes more nurses, teachers, police and care workers. I had the privilege to work with former Minister Rodney Cavalier for a couple of years. Rodney would probably claim that he invented the line he used to say, "demands are infinite but finances are finite". There comes a point when everybody has a genuine demand in their electorate, whether it is for more police, better railway services or the like. I heard the member for Penrith talk about all the good things that are happening in Penrith.

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

WALLSEND ELECTORATE DISASTER RELIEF FUNDING

Ms SONIA HORNERY (Wallsend—Parliamentary Secretary) [11.45 a.m.]: I move:

That this House congratulates the Government on its commitment to rebuild the Wallsend community following the June 2007 flood through provision of disaster relief funding packages to many worthy organisations and sporting groups in the region.

Let me set the scene: The June long weekend 2007 was shaping up to be a very pleasant one indeed. Little did we know that we were about to experience a storm and tempest of the harshest kind and the worst weather conditions in 50 years. The storm created massive flooding that did millions of dollars worth of damage in my electorate in the towns of Wallsend, Cardiff, Lambton, Rankin Park, Maryland, Kotara and New Lambton. During the storm 50 per cent of the Wallsend business district was inundated with stormwater, up to 26 buildings and businesses were completely gutted, as were footpaths, roads and human souls. The recovery process occurred quickly for Wallsend, as is its nature, mainly due to the rapid actions and coordinated effort of the Wallsend town committee and the immediate funding relief from the New South Wales Government, for which I thank it. Very important basic services were implemented immediately, such as waste removal, volunteer coordination, business communication via meetings, newsletters, and connection and liaison with key stakeholders.

The Department of State and Regional Development granted \$5,000 assistance in a "Wallsend We Love It" joint marketing campaign to advise the community that the Wallsend business district was back in business again and to help promote the Wallsend Winter Carnivale, which a record 30,000-odd people attended. Incidentally, that was a prizewinner in the Australia Day Community Event of the Year competition conducted by Newcastle City Council. The town committee received \$25,000 from the Hunter Recovery Fund and contracted a dedicated disaster coordinator to implement a Wallsend town disaster toolkit, community notice boards, Wallsend emergency network, street speakers to assist with the process of engagement, information to update local businesses and the community should this type of event ever happen again—I certainly hope that it does not. Those investments by the Government assisted the town committee to leverage current funds to build an overall program to the value of approximately \$50,000 in cash and \$30,000 in kind with volunteer support.

Once the regional clean-up was complete, the rebuilding process commenced. The effect of the June storm also impacted negatively, of course, on businesses in Cardiff and Wallsend that were not directly affected by the storm. A sense of safety needed to be re-established in the shopping district. Embracing the disaster, the Hunter Community Recovery Fund committed \$25,000 to rebuild the confidence of the Wallsend town community—the property owners, the businesses, the customers and the social networks—to feel safe and empowered with the correct information to react during a time of disaster, and to reduce considerable anxiety through actions such as the community working together to mitigate any further harm. Ninety per cent of businesses affected by the disaster were supported by the New South Wales State Government through the Business Disaster Relief Fund, totalling approximately \$100,000 in direct support.

Without those much-needed injections of funds that were delivered in a timely manner to hurting businesses—which is really important, the operative word being "timely"—Wallsend town would have lost many more businesses in the area, and the economic fallout from that happening would have created another disaster for that small, but thriving, business community. A total of 61 projects totalling \$838,345 were funded and included replacing community infrastructure damaged by the storm. That assisted in the recovery of community, economic, social and emotional wellbeing, and enabled communities to be more resilient in the

event of future disasters. As well as the significant contribution from the State Government, I recognise also the vital role played by the local Newcastle City Council and Lake Macquarie City Council to support the day-to-day activities and improvements to the townships in Lake Macquarie and Newcastle.

One important aspect of recovering after a flood is repairing and improving the physical aspect and access for people who have suffered damage during the storm. One example in Wallsend is the pedestrian bridge that was severely damaged during the storm and tempest of 2007. That small pedestrian bridge links the Stockland Wallsend centre to the central business district of Wallsend, across the Ironbark Creek canal. It is a high-density usage bridge that has wheelchair access and is used by mums with prams. It is on a flat plane and is designed to provide perfect access for those vehicles and walkers. Now that it is known that thousands of people use that bridge on a regular basis, I ask Newcastle City Council to repair the bridge as soon as possible, as the June 2007 storm was many months ago. I hope that the development application for the bridge repair is in the hands of Newcastle City Council. I hope also that the council will agree that repair of the bridge is a priority, and not put it off for another year or so. I ask the council to repair and reconstruct this bridge urgently for their people in the Wallsend community.

While mentioning statistics and disaster relief, in an overall assessment of the status of repairs in the whole area, 33 per cent of road pavement repairs have been completed; 90 per cent of footpath, drainage pits and kerb and gutter repairs have been completed; 80 per cent of damaged trees and stumps have been removed; 85 per cent of damaged signs and guardrails have been repaired; 75 per cent of building damage works have been completed; 50 per cent of park access trails have been completed; and 100 per cent of playgrounds have been repaired. That is the sort of action the community wants to see. The community recognises that disasters happen—although we do not want them to—but it also expects local and State governments to make sure that the rebuilding process is timely and that money is allocated to do it.

The Disaster Relief Program has been very successful in my area. There is still a long way to go for Newcastle, Wallsend, Cessnock and Maitland, and we are on the road to recovery. The outcome of the June long weekend storm and tempest is acknowledged by the State and local governments in their Drought Relief Support Scheme and funding, which gives the community the ability to reinstate capital works and community services. They can look to reconstructing and rebuilding their communities. I thank the State Government for its disaster relief packages. I thank the Lake Macquarie and Newcastle city councils for carrying out repairs. Some local government work remains to be done and I am sure that Newcastle City Council will get the message and build those little bridges in Wallsend. I again thank the Government. I look forward to hearing from further members in support of the Disaster Relief Fund.

Mr ANTHONY ROBERTS (Lane Cove) [11.55 a.m.]: As shadow Minister for Emergency Services, it is with great pleasure that I support the emergency service personnel. I move the following amendment to the motion:

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

"this House congratulates the New South Wales Emergency Service volunteers, agencies and community organisations for their work, effort and commitment in assisting the Wallsend, Hunter and North Coast communities following the 2007 floods and calls upon the New South Wales Government to provide additional funding for emergency services and community organisations in the 2008 mini-budget."

Ms Kristina Keneally: You just cannot say thank you to people without making it political, can you? That is a grubby amendment.

Mr ANTHONY ROBERTS: It is quite interesting that the Minister for Planning calls my amendment "grubby", as it supports emergency service personnel. I will address her comments and the failure of the Government to support emergency service personnel. I fully support the motion moved by the member for Wallsend, because she is well known by her local volunteers as being supportive.

Mr John Williams: They didn't have money for disability services, you know that.

Mr ANTHONY ROBERTS: No money for disability services, as the member for Murray-Darling stated. The Coalition joins with some members opposite in supporting our emergency services personnel, their agencies and also the community organisations that came together during those disastrous periods throughout New South Wales last year. State Emergency Service, Rural Fire Service, St John Ambulance and Royal

Volunteer Coastal Patrol personnel came together with government agencies, councils and organisations such as the Country Woman's Association, local Returned and Services Leagues and other community groups to ensure that local communities and families in strife were looked after during this great disaster.

Recently I had the honour of visiting volunteer emergency services units across the State and meeting with their members. Over almost two weeks I travelled across the State, visiting the Lake Macquarie State Emergency Service, the Rural Fire Service and Royal Volunteer Coastal Patrol, the Royal Volunteer Coastal Patrol Pelican Flats, the Royal Volunteer Coastal Patrol at Point Clare, the Bundarra State Emergency Service, the Tingha State Emergency Service, the Armidale State Emergency Service, the Bellingen State Emergency Service, the Ashford Rural Fire Service, the Inverell Rural Fire Service, the Tuncurry State Emergency Service, the Tanilba and Lemon Tree Passage Rural Fire Service and the Port Stephens Royal Volunteer Coastal Patrol.

I also visited the Volunteer Marine Rescue Coffs Harbour, the Coffs Harbour State Emergency Service, the Tenterfield State Emergency Service, the Yetman State Emergency Service, the Ashford State Emergency Service, the Inverell State Emergency Service, the Lismore State Emergency Service, the Coraki State Emergency Service, the Woodburn State Emergency Service, the Richmond Valley State Emergency Service, the Gunnedah State Emergency Service, the Murrurundi State Emergency Service, the Muswellbrook State Emergency Service, the Muswellbrook Rural Fire Service, the Great Lakes Rural Fire Service, the Volunteer Rescue Association Taree, the Taree State Emergency Service and Rural Fire Service, the Camden Haven State Emergency Service, the Tamworth State Emergency Service and the Uralla State Emergency Service.

I went all along the coast and through central New South Wales. Members may say it was a nice holiday, but I have to say that it was good to get out amongst the people. I am sure the member for Murray-Darling, as a local member who gets out and talks to people, appreciates that when we do that we listen to people. We do not listen to the bureaucrats; we do not have to travel to Europe, as some Ministers do, or to the United States to find out what is going on. We want to find out what is going on in New South Wales and about the poor resourcing of emergency services. We have to go to the bush and to the coast. That is why I have sought to amend this motion. One thing that came out very strongly is that in recognising emergency service personnel and community groups that work together so well in times of crisis it is important that we recognise those outside the major cities of Newcastle, Sydney and Wollongong. As the member for Murray-Darling would say, the further one moves away from Newcastle, Sydney and Wollongong, the greater the disparity in the equipment that is provided. The levels of training are very similar but the equipment—

Mr John Williams: Out of sight, out of mind.

Mr ANTHONY ROBERTS: It is a case of out of sight, out of mind. The member would be able to tell the House that if someone has a crash near Lightning Ridge, Baradine, Bourke or Brewarrina they will find that the troop carrier at Baradine is a 1972 model and that Bourke has no primary rescue vehicle; it is a 1982 Isuzu truck that has been on loan for two years and the locals are saving up to buy a 10-year-old second-hand truck this year. At White Cliffs the troop carrier is a 1976 model; at Wilcannia it is a 1983 Isuzu. There are about 517 vehicles in the SES equipment in New South Wales and 89 are more than 15 years old, 82 are more than 10 years old, and 200 vehicles are between 5 and 10 years of age. The Minister has made some comments during this debate. When she gets into her limousine to go home tonight with its air-conditioning—the Minister might laugh—and its airbags she should think about those people in the bush who are responding to crises and accidents and putting their lives at risk in vehicles—

Ms Kristina Keneally: That is a cheap shot!

Mr ANTHONY ROBERTS: The Minister should be quiet if she does not want to attract a response. The vehicles are '83 or '84 models.

Ms Kristina Keneally: I don't even have that. It is just ridiculous.

Mr ANTHONY ROBERTS: You have an '83 model vehicle, do you? The Minister should be quiet and stick to her knitting, which is currently—it keeps changing—planning, and I will stick to emergency services.

Ms Kristina Keneally: You are pathetic.

Mr ANTHONY ROBERTS: I will tell the Minister what is pathetic. We are putting people's lives at risk and all the Minister can do is sit here and harp from Macquarie Street, Sydney. The Minister should go and

visit these people. This motion is all about praising and acknowledging the great work our volunteers and community organisations do on a shoestring budget outside Newcastle, Sydney and Wollongong. They did a great job recently, as the member for Wallsend stated. We have an issue before us. There is climate change and we will see spikes in the weather, be they storms, floods or fires. That is all the more reason for providing appropriate funds for rescue vehicles and other equipment outside Newcastle, Sydney and Wollongong, as well as adequately funding those vehicles in the metropolitan areas. The motion before us, and a quite acceptable amendment, is saying that all those wonderful professional individuals who train so hard and save this Government so much money, and put their lives on the line—my fiancée is a member of the SES, so I know what it is like when she gets the call—

Ms Kristina Keneally: So it's a matter of passion.

Mr ANTHONY ROBERTS: This is the sort of behaviour and arrogance I would expect. The way this Minister is treating volunteers who put their lives on the line in crisis periods—why does she not go out on a callout at 2 o'clock in the morning during a hailstorm? Why does she not do that? Then she would have a different view of it. I commend the member for Wallsend because this is a very good motion. We are seeking to amend it by expanding it to thank all those people and community groups and organisations that have done such an incredible job. That is only fair.

Ms Kristina Keneally: We agree.

Mr ANTHONY ROBERTS: The Minister is now agreeing. I am glad we have been able to have this robust discussion. We will get that increase in funding. I hope the Minister will take the case to Cabinet. I commend the amendment to the House.

Mr KERRY HICKEY (Cessnock) [12.05 p.m.]: I support the motion congratulating the Government on its commitment to rebuild the Wallsend community following the 2007 flood. I acknowledge what the Opposition is trying to do in thanking the volunteers. I am not totally across all the budgetary issues but since 1995 there has been a 100 per cent increase in most funding for the State Emergency Service [SES], the Rural Fire Service and all the other services that this Government provides—an increase of more than 100 per cent since 1995. If the member for Broken Hill says that services in his electorate are inadequate and that it is not getting its fair share of funding, when has he met with the Minister? When has he raised this issue with the Minister? Instead of coming to the House and glorifying his stance and playing politics why does he not do as the member for Lismore does? He picks up the phone and rings the Minister and achieves a lot of things for his electorate.

The member for Broken Hill really needs to talk to the member for Lismore to learn how to operate as an effective member, because the member for Lismore is a good, effective member. He has been a member since 1999 and, frankly, the member for Broken Hill could learn a lot from him. The member for Lane Cove has not outlined any policy in regard to funding commitments on behalf of the Opposition. He made a comment about the Minister driving a limousine. The Minister drives a Toyota: that is far from a limousine. It may be the norm for the member for Lane Cove to ride around in a limousine but that is not what members on this side of the House do. The member should take a good, long look at himself, stop playing politics and start congratulating hardworking volunteers.

Volunteers from the Cessnock electorate are out there mucking out the mud from people's homes. I was there on Saturday working with these people. They were sandbagging and working their fingers to the bone and all the member can do is play politics. How dare he! How dare he diminish so easily the hard work that these volunteers are doing! It is great to hear that the member for Broken Hill takes off his coat now and then and gets out into the streets and rubs shoulders with his constituents who are working tirelessly and will continue to do so. It is great to hear the member for Lane Cove refer to his fiancée and her work for the SES. She deserves a big tick for that.

The Cessnock electorate suffered a substantial impact from the 2007 flood in the Hunter Valley. It had a massive impact in areas such as Abermain and South Cessnock. The catchment management authorities need to work with local councils to look at the problems raised during the 2007 floods and address the issues. In the South Cessnock area the Mine Subsidence Board needs to work with the local council to put in more retention basins above the area that flooded to prevent further flooding on a massive scale. This is not the first time the area has flooded. It has gone under on numerous occasions, mainly due to mine subsidence causing damage to stormwater drains. Cessnock is very fortunate that it had such massive mining years ago.

Mr John Williams: Tell us about your mates who let that happen.

ACTING-SPEAKER (Ms Diane Beamer): Order! The member for Murray-Darling will cease interjecting.

Mr KERRY HICKEY: Mate, you are a goose. I repeat that Cessnock is very fortunate it had massive mine subsidence because the floodwater drained into the mine subsidence area, preventing flooding—

Mr John Williams: Point of order: I ask the member for Cessnock to withdraw his comment. I am not a goose, and I find the remark offensive.

Mr KERRY HICKEY: I withdraw the comment. The intent remains.

ACTING-SPEAKER (Ms Diane Beamer): Order! The expression used was unparliamentary. I ask the member for Murray-Darling to cease interjecting. I am pleased the member has withdrawn the comment.

Mr KERRY HICKEY: I have withdrawn the comment, but the intent remains. Mine subsidence was a major issue in the Cessnock community, but it saved the community from massive flooding. [*Time expired.*]

Mr THOMAS GEORGE (Lismore) [12.10 p.m.]: I support the amendment. The member for Cessnock said, "Stop playing politics." Let me tell him that the Government plays politics, because the relief given to the communities of Wallsend, Cessnock and so on was much greater than that given to the people on the North Coast. I place on record the level of support made available by the Queensland Government and who could apply for that assistance. A grant of up to \$10,000 was available in Wallsend, in the area to which the motion refers. Sadly, that sort of money was not made available to the people of the North Coast. The amounts granted by the Government fluctuated according to the affected areas. The Federal Government also had something to do with this.

When Queensland had monsoonal flooding in January this year the Queensland Government made available grants of up to \$10,000 to those who had suffered direct damage. A further grant of up to \$15,000 was available depending on the extent of the direct damage caused by the flood event. No such assistance was made available to the people of the North Coast by the New South Wales Government. That is playing politics, because areas further down the coast, referred to in the motion, did get that assistance. I place on record that those eligible to apply for the grant in Queensland were primary producers or small business owners. The Queensland Government said that to be eligible you must have been engaged in primary production or small business when the disaster occurred.

It does not happen that way in New South Wales. I have a letter from the Rural Assistance Authority stating that eligibility was dependent upon the condition that "the majority of your gross income was not from the family enterprise". The reason that people did not qualify was that they bought their property the year before and were in the process of planting down the property. They were in full agricultural mode. They had to have funds to do that planting, and they had an enterprise from the previous financial year that raised money, but they used that money to plant down the property. They applied for a low-interest loan of, I think, \$58,000 but their application was knocked back because that year their property did not return any money and therefore they were not eligible for the loan. That needs to be looked at, because many people who take up farming do not get a return in their first financial year. Yet they need a return to be eligible for the funding.

I place another issue on record: I have already sent correspondence about it to the Premier. I received a letter from the Lismore City Council following the disastrous hailstorm in the area 12 months ago. It noted that if the council brought in contractors tomorrow to do the cleanup work—that is covered by virtue of the declaration of the area as a natural disaster area—the council would be fully recompensed. But if the council uses its own workforce to do the work the cost is not recoverable.

Mr Anthony Roberts: It is ridiculous.

Mr THOMAS GEORGE: It is ridiculous. The council argued that it did the work cheaper by having its own workforce do the remedial work straight away, but because it used its own staff and council equipment it was not eligible for funding. That is another problem with this funding, and it needs to be highlighted. I have already sent correspondence pointing out that because the council was efficient and was able to do all the

cleaning up itself, without using contractors, it did not receive any of the funding. I thank the State Emergency Service workers and volunteers. We have just had another major hailstorm in the area, and we will be looking for more support.

Mr DAVID HARRIS (Wyong) [12.15 p.m.]: It gives me great pleasure to support the very good motion moved by the member for Wallsend. I point out to the member for Lane Cove that, in framing his very political amendment, he left out a very important place, the Central Coast. This was one of the hardest-hit places damaged in the June 2007 storms. I note that he wrote his amendment quickly to try to turn this into a political issue, but in his haste he left out one of the most important areas directly affected by the storm. I hope he will take that information into account.

The storm that hit in June 2007 was one of the biggest, most damaging and costly storms in the history of New South Wales. That must be taken into account when discussing the level of support to the Hunter and the Central Coast. I recall that the damage cost insurers about \$3 billion. Our communities certainly were severely affected. There was severe flooding in the electorate of Wyong, particularly in Tuggerah Lakes, with electricity being cut to some communities for four or more days, even though electricity company crews were out there working in bad weather to restore power. The flood damage made their work very difficult.

The people of my local area were impressed by the fact that the then Minister for Emergency Services, now Premier of New South Wales, Nathan Rees, instead of going directly to the command centre and talking to officials, went into the flood-affected areas, waded through the water with the Minister for the Central Coast, the Hon. John Della Bosca, and doorknocked locals to make sure they were all right. That is a fantastic example of getting out there amongst the people and demonstrates the commitment of the Premier to making sure that local people were looked after. In a number of instances he beat State Emergency Service [SES] workers to the scene. He had his mobile phone with him and, as he found out that people were in trouble, he was ringing up and making sure that those people got the help they needed.

I and the Federal member for Dobell, Craig Thomson, on the anniversary of the storms in 2007, held a community function at Chittaway Point, one of the flooded areas most seriously affected. We invited to that function SES and Rural Fire Service people, as well as local scouts and other groups. We had a really good, fun-day picnic, attended by people from benevolent societies and other community groups. We were celebrating the great work of those emergency service groups, but were also checking to make sure that the people in the community had been properly looked after. One lasting legacy of the June 2007 storms is ongoing planning and programs: sometimes good things come from a disaster.

The Government, through the Premier's department, has been meeting with a number of local groups, councils, support groups and community organisations to work out ongoing programs—funded by the State Government—to ensure the proper relocation of people and better connection in communities. Some excellent programs have emerged from that funding—community congresses and the establishment of support services. But, most importantly, the local councils have undertaken flood mitigation planning to make sure that with the effects of climate change and changing weather patterns these areas are looked after.

The member for Hawkesbury commented on that aspect. Although the member for Lane Cove acknowledged climate change and that we must take into account the changing climatic circumstances, I was interested to hear during a recent committee inquiry the scepticism of the member for Hawkesbury on whether climate change data exists. We are seeing the early signs and the experts tell us that they will continue. We must be prepared. The State Government certainly is putting in place important plans to ensure the community is looked after not just in case things recur but for future events.

Mr RAY WILLIAMS (Hawkesbury) [12.20 p.m.]: I move:

That the amendment be amended by adding "St Albans and Central Coast" after "Wallsend".

The amendment to the motion would then read:

This House congratulates the New South Wales Emergency Service volunteers, agencies and community organisations for their work, effort and commitment in assisting the Wallsend, Hunter, North Coast, St Albans and Central Coast communities following the 2007 floods and calls upon the New South Wales Government to provide additional funding for emergency services and community organisations in the 2008 mini-budget.

My amendment points out that in my electorate of Hawkesbury the areas of St Albans and the Lower Macdonald particularly suffered tremendously during the June 2007 floods. However, emergency relief funding to those areas was not forthcoming immediately. In the days following the floods, during which many homes had water flowing through and many businesses suffered loss of machinery such as tractors et cetera, one local resident Tony Simpson contacted me to tell me about the emergency in the Lower Macdonald and St Albans areas.

The floods in St Albans at that time were on par with the floods of 1949. Up the road from the Settlers Arms hotel a rock was placed at the height the 1949 floods reached. The June 2007 floods reached exactly the same height. This merely demonstrates the devastating effect of the 2007 floods in this area. A week later I travelled to the area with my good friend and local resident Bruce Rann in his four-wheel drive ute to view the consequences of the flood. We saw that many farms had lost fences and property, and much rubbish had been washed down the river: the people were in dire straits. It took the New South Wales State Government a long time to recognise that the areas of Lower Macdonald and St Albans had suffered this devastation.

It is no good patting the New South Wales Government on the back; we should be giving it a quick boot in the backside. The Government needs to recognise when devastation strikes communities, especially remote communities. The Government pays scant regard to remote communities. The good people of the Lower Macdonald Bush Fire Brigade gave up their time during the June floods to rescue and look after people, provided refuge for up to three weeks while making arrangements for accommodation and helped as the floodwaters subsided from homes.

I place on record also the good work of Sergeant Mick Elvin at Wisemans Ferry police station. He went above and beyond the call of duty for 24 hours around the clock rescuing people and providing information on just how bad and devastating the floodwaters were. These are the people who should be congratulated, not the New South Wales Government, which just sits back and signs the chequebook. The people on the ground, the good hardworking volunteers, the rural bush fire brigades, should be congratulated.

Ms Kristina Keneally: We are not suggesting they should not be.

Mr RAY WILLIAMS: I hear the jibe across the Chamber from the Minister for Callan Park. I do not think the Minister for Callan Park would be out in her gumboots saving these people in times of flood. The good people from the rural bush fire brigade, the Lower Macdonald Rural Fire Brigade, the Wisemans Ferry Fire Brigade, and State Emergency Service volunteers from Wisemans Ferry all pulled together and did a marvellous job in the absolute devastation caused by the June floods. That is why I support this worthwhile amendment moved by the shadow Minister for Emergency Services.

I commend the great work he has done visiting the countryside telling these valuable volunteers that the Opposition is there to support them into the future. These volunteers give up their family time and time they perhaps should be committing to their jobs and bosses, but they do so on behalf of our communities for absolutely nothing. Whenever we have the opportunity we should praise these people for the wonderful job they do. We do not need to pat the New South Wales Government on the back. It causes devastation in other parts of New South Wales when it strips money out of valuable funding for cancer research in Western Sydney. That is how the Government treats the people of Western Sydney. We will praise our volunteers any time we can. I commend the amendment to the House.

Ms SONIA HORNERY (Wallsend—Parliamentary Secretary) [12.25 p.m.], in reply: I thank the members for the electorates of Lane Cove, Cessnock, Lismore, Wyong and Hawkesbury for their contributions. I am afraid I cannot support the amendment proposed by the Opposition even though I agree with some of its clever intent. In response to the amendment, I refer to a couple of the operative words in my motion. My motion was about rebuilding the Wallsend community. It was about the provision of disaster relief funding packages to sporting groups and worthy organisations in Wallsend. Basically, my motion was confined to the Wallsend area and to disaster relief funding packages. Unfortunately, Opposition members spoke about many areas outside the leave of the motion. Their topics were worthy and they talked often and long about volunteers. Every member on this side of the House, indeed, every member of Parliament, acknowledges the hard work of all our volunteers during the storm. They continue that hard work, but that was not part of this motion.

Mr John Williams: We have broadened the motion for you.

Ms SONIA HORNERY: The relevance of the proposed amendment should be the subject of a notice of motion on behalf of the Opposition. We will happily listen to a notice of motion about volunteers. In fact, this

side of the House has mentioned in many speeches the good work of New South Wales volunteers. I too wish to acknowledge a few people and clarify the suggestions of some members. The member for Lismore spoke about the hailstorms last year and recently. We all acknowledge and thank the volunteers for their help during those times. I am sorry that the member for Lismore has experienced such disaster in his area. We should all band together and help him.

I acknowledge the contribution made by the member for Cessnock, whose electorate adjoins mine. I commend him for his quick, hands-on action in setting to work to assist Cessnock during and immediately after the flood. The member for Wyong is right: Cessnock, the Central Coast and Swansea were hit very hard. Emergency services have worked very hard since to improve their services. The Premier was out and about in the Newcastle and Central Coast communities, trying to assist the recovery process.

I wish to refute some of the comments suggesting that State Government assistance was lacking. I mention the packages that the very hardworking Wallsend Town Committee achieved through comprehensive fundraising campaigns: \$500,000 in assistance from the New South Wales Department of State and Regional Development in a Wallsend—We Love It campaign; \$25,000 from the Hunter Recovery Fund; \$50,000 in cash; and \$30,000 in kind from volunteer support. The money was raised ethically and appropriately because we have a very busy and active town committee that does wonderful community work. I am sure there are other community and town committees in other members' electorates that do similar work.

Let us again acknowledge that volunteers do a great job. Let us also acknowledge that the motion was framed around Wallsend, and that the State Government does good work in providing local area disaster relief. While I am talking about local issues, I commend the fantastic running commentary provided by the ABC during the flood. It certainly justified the ABC's role in New South Wales as an organisation that assists communities. The ABC radio broadcast was continuous. Like those in other flood-affected areas in New South Wales, the people of Wallsend were without electricity for a number of days and we relied on the radio for information. I also acknowledge that the Government worked effectively with the Insurance Council of New South Wales to remunerate as quickly as possible those people whose property was flood affected. The State Government set up a one-stop shop in Newcastle on the Central Coast to help people rebuild. I thank members for their support of the motion, and I urge them to continue to work hard to rebuild communities after natural disasters.

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

Amendment of the amendment agreed to.

Question—That the amendment as amended be agreed to—put.

The House divided.

[In division]

ACTING-SPEAKER (Ms Diane Beamer): Order! When I ordered the doors to be locked, the member for Wakehurst was seated on the Government side back row, indicating a "No" vote. His occupying a seat on the Government side back row was duly noted by the Chair and the Government Whip.

Mr Brad Hazzard: I was under the impression that the back row was among the benches occupied by members voting "Aye".

ACTING-SPEAKER (Ms Diane Beamer): Order! Members occupying seats on the back row have been counted with the majority for the past 13 years.

Mr Chris Hartcher: Point of order: The tradition of the House has been that when members have voted in error, the division is called off and reconstituted.

ACTING-SPEAKER (Ms Diane Beamer): Order! In this instance, I will restate the question so that the member for Wakehurst may change his seat.

Question—That the amendment as amended be agreed to—put.

The House divided.**Ayes, 38**

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

Noes, 46

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

Question resolved in the negative.

Amendment as amended negated.

Motion agreed to.

COUNTRY TOWNS WATER SUPPLY AND SEWERAGE PROGRAM

Ms MARIE ANDREWS (Gosford) [12.44 p.m.]: I move:

That this House:

- (1) congratulates the Government on meeting its election commitment in the recent State budget with a boost of a further \$160 million to the Country Towns Water Supply and Sewerage Program;
- (2) notes that this brings the total funding for the program to over \$1 billion and extends the program until 2014-15;
- (3) welcomes the Government's announcement that funding includes the sewerage schemes for Little Wobby, Bar Point, Bensville and Patonga Creek; and
- (4) notes that the new funding of \$160 million will enable the completion of 54 projects.

The Country Towns Water Supply and Sewerage Program is an important initiative to assist local water utilities across country New South Wales to plan and manage their water supply and sewerage systems, and reduce the backlog of water supply and sewerage infrastructure. In 2007 the Government demonstrated its commitment to the country towns program and to the people of country New South Wales by announcing a \$160 million boost

to the program. This funding boost has extended the country towns program to 2014-15, enabling an additional 54 projects to be funded, and increased the New South Wales Government funding to the program to more than \$1.1 billion.

Earlier I referred to a backlog in this area of infrastructure. I point out that that backlog refers to those works necessary to bring the level of service and standards in terms of water and sewerage treatment quality and capacity to meet demand to those required by regulatory authorities in 1996. Works required to meet growth demands beyond 1996 are not eligible for funding under this program. The Government has already spent more than \$750 million on the country towns program. This expenditure has enabled more than 350 water supply and sewerage projects to be completed, providing for improved public health, and environmental and security of water supply outcomes for more than one million people living in country New South Wales.

The remaining money will fund the construction of a further 140 projects and enable the Government to assist drought-stricken towns to ensure that they do not run out of water. For the current 2008-09 financial year the Government has allocated \$53.5 million under the country towns program. This will enable works to proceed or commence on sewerage improvements in country centres throughout New South Wales, including Tamworth, Coffs Harbour, Maclean, Townsend, Bundanoon, Grafton, Tenterfield, Cowra, Geurie, Cudal, Tullamore, Mooney Mooney, Manildra, Brunswick, Stroud and Trundle. Centres that will benefit from improvements to water services include the mid coast, Coffs Harbour, Grafton, Mendooran, Urbenville, Woodenbong, Muli Muli and Bonalbo. Emergency drought works will also be funded to ensure that no town runs out of water.

Gosford City Council is responsible for the provision of water and sewerage services in the Bensville, Patonga Creek, Little Wobby and Bar Point areas. I understand that council has undertaken some preliminary investigations for sewerage schemes for those areas, and will commence more detailed investigations in due course as its resources permit. Funding rules for the country towns scheme were modified in 2004, following a review of the program. The changes were designed to ensure that the remaining funds under the country towns program were allocated to the most needy projects and spread across as many projects as possible. The rule changes recognised that large utilities had a large rate base and therefore better opportunity to spread costs across that rate base than did small utilities. The rate of subsidies for the large utilities dropped from 50 per cent to 20 per cent of the 1996 backlog component of the project.

To date, Gosford City Council has concentrated its efforts on the provision of sewerage services to Mooney Mooney and Cheero Point, and the Government has provided \$4.6 million towards these schemes. The residents of Mooney Mooney and Cheero Point have expressed concern to me about the cost of having the sewerage connected to their homes. As I have already pointed out, the project being undertaken at the southern end of my electorate is the responsibility of Gosford City Council. Several years ago when I made some inquiries through the then Minister for Land and Water Conservation, I discovered that Gosford City Council had not even applied for funding under the Country Towns Water Supply and Sewerage Program. This is typical of that council, which has a deplorable history of procrastinating.

Ms Katrina Hodgkinson: Who wrote this?

Ms MARIE ANDREWS: I did. Earlier I advised of a notice of motion calling for Gosford City Council to cease procrastinating and accept an offer from the Minister for Lands, the Hon. Tony Kelly, of \$250,000 to enable essential dredging to be carried out in Brisbane Water. I took it upon myself to write to residents of both Mooney Mooney and Cheero Point and point out that under the priority sewerage program Gosford City Council will receive from the Government subsidies of \$3,000 per lot, up to a total of \$747,000. I also pointed out that under the Country Towns Water Supply and Sewerage Program Gosford City Council would receive 50 per cent of the capital cost of the scheme to serve residential areas. Gosford City Council has advised me that there has been extensive consultation with affected households over the years on this matter. The consultation included community meetings and newsletters. Gosford City Council has decided to charge only Mooney Mooney and Cheero Point residents for this work, rather than spreading the cost across the whole local government area. The Government has also fully funded the connection of the old sewerage system on Peat Island to the new sewage treatment works that are under construction.

The Government is to be congratulated on its commitment to improve the water supply and sewerage services for people of country New South Wales. The additional \$160 million being injected in the country towns project is evidence of that commitment, but the Government's commitment does not end there. In August 2007 the Government launched an inquiry into the institutional and regulatory arrangements by which town

water supply and sewerage services are provided in country New South Wales. The purpose of that inquiry was to identify the most effective governance arrangements for the long-term provision of water supply and sewerage services in country New South Wales, and to ensure that these arrangements are cost-effective, financially viable, sustainable, optimise whole-of-community outcomes and achieve integrated water cycle management.

The inquiry was a consultative process. It involved 17 public hearings across the entire State, with almost 500 people in attendance, 115 verbal presentations and more than 140 written submissions. Almost every local water utility in New South Wales provided input into the inquiry. The independent panel—headed by the Hon. Ian Armstrong, a former member of this place, and Dr Col Gellatly—has submitted its final draft report, which is currently being reviewed by the Government. The people of country New South Wales deserve secure, reliable and high-quality water and sewerage services. They quite rightfully expect that those services will be delivered in the most efficient and effective manner. The country towns program is just another fine example of how the Government is meeting those expectations. It should be congratulated on supporting and enhancing the program. I commend the motion to the House.

Mr JOHN WILLIAMS (Murray-Darling) [12.53 p.m.]: I move:

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

this House:

- (1) notes the Government's failure to adequately fund the Country Towns Water Supply and Sewerage Program to ensure that all country areas are fully compliant within the next five years;
- (2) notes the failure of the scheme to include Mooney Mooney and Cheero Point on the Hawkesbury River and calls upon the member for Gosford to explain to the communities in her electorate her failure to have these areas included in this scheme.

I am amazed that the member for Gosford spoke about this program when recently in this House, after the failed bid to privatise electricity, the former Minister for Water Utilities said that projects that were to be funded by the \$160 million were under a cloud. Is there \$160 million? If so, is it under a cloud? We will not know until the mini-budget in November. I am sceptical because if it was under a cloud when the electricity privatisation failed, it remains under a cloud.

Mr David Harris: I hope it is under a cloud. Then you will get lots of water and you will not have to worry about it.

Mr JOHN WILLIAMS: I would love some clouds to bring rain to my electorate. The \$160 million is pie in the sky. Historically, shires have found it most difficult to access funding under the Country Towns Water Supply and Sewerage Program. If we investigate the 2007 budget allocation of \$34 million—only \$17 million of which was spent—we find that shires that believed they were eligible applied for funding only to see the criteria of the scheme change midstream. For example, Berrigan Shire Council wanted to renew some water towers in the townships of Finley and Tocumwal and applied for funding that the Government promoted as being available to support shires in their endeavours to ensure a quality water supply for their communities. Consequently, the shire identified the towers that would be adequate to supply the needs of those communities and submitted an application for part funding of the total project to be provided by the scheme.

The council was advised that the scheme would support the project in principle. However, the department then notified the council that it had to reapply for funding. When it did, the council discovered that the criteria had changed and the towers did not meet the specifications. As a consequence, the one-third funding was no longer available from the Government and the shire had to borrow the money, which was a major impost. The shire was already experiencing problems collecting rates because of the drought. It had recognised the need of farmers and tried to alleviate some of their pain by not passing on rate increases. But the council then had a debt it had not planned for.

If the member for Gosford thinks the Country Towns Water Supply and Sewerage Program is working well she should think again, because it is an absolute and utter disaster. She thinks shires can be led to believe funds are available and then the Government can pull the program at the last minute. Some \$34 million was allocated to the program and the Government expended only \$17 million. Where did the remaining \$17 million go? The Government probably shored up its shortfalls, put more money into the coastal areas of New South Wales and walked away from the bush. Shires do not trust government programs.

I do not understand the current move by the Government to support drinking water supplies for all communities in New South Wales. The shires do not understand it either. What does it mean? What will the Government do? How will the scheme be rolled out? Is it a takeover of the shires' current advocacy to supply water and sewerage needs for its community? Is the Government going to take it over? Is it going to form county councils? Is their suspicion correct? No-one can answer those questions.

The major income to the shires in my electorate is in doubt if the supply of those services is taken over by the Government. There is no homogenous way of supplying facilities and infrastructure to my electorate or services to each shire. The shires are asking: What is the Government about? Where are we going with this? What will the report find? It would be great to find out what the Government has in mind, whether this is to be a takeover, a way of removing revenue for the shires and passing that on to the Government, which is what many shires believe. Most shires have a major sinking fund. What will happen to those funds? Will they be caught up, netted out, and put into the State Treasury?

Those questions should be answered. No answers or plans have been provided. No-one knows what the Government has in mind with the proposed takeover. There is no trust in the Government, and there is no trust in the scheme supplied by the Government. The \$160 million program is under a cloud, as already recorded in *Hansard* and as admitted by the then Minister for Water Utilities, now Premier of this State. All those projects are under a cloud, and this matter needs to be cleared up. Will an additional \$160 million be provided? If so, will it be available to the shires that need to improve their infrastructure? Will the \$160 million roll out fairly and squarely across the State, or will it be limited to projects on this side of the sandstone curtain?

Those concerns must be addressed. Yet, once again, the Government is giving itself a bouquet for something that really does not have legs and has not delivered. I cannot find a shire that has commended this program adequately. Most shires involved in it have been burnt midstream, because they believed that the Government would provide funding. However, they now realise that the Government's assistance to rebuilding the infrastructure that they had budgeted for is suddenly unavailable. Those are real concerns. I ask the Government: Is this a real program? Will real money be put behind it? Is it available to shires in my electorate? Can the shires trust the system? Can the trust be rebuilt within the shires? Is the needle to be moved? Are the shires to supply water to communities in my electorate? Will the needed sewerage infrastructure be provided? Or, are we going to face an historical situation and leave them in the lurch?

Mr DAVID HARRIS (Wyong) [1.03 p.m.]: I support the motion moved by the hardworking member for Gosford, who has achieved so much for her community. I can say that, because my family lives in the Gosford electorate and they are certainly appreciative of her work for her local area. The New South Wales Government has a proud history of improving services for the people of country New South Wales. The injection of an extra \$160 million into the Country Towns Water Supply and Sewerage Program is another example of her commitment.

Government funding under this program, which now exceeds \$1.1 billion, plays a critical role in ensuring that country communities have access to water and sewerage services that enhance public health, secure supply and ensure environmental outcomes. The program is undertaken in partnership with local water utilities to maximise the benefits to the people of country New South Wales. The Government subsidy available under the program is 50 per cent of the backlog component of the works for small local water utilities and 20 per cent for large local water utilities. As the member for Gosford said, the backlog refers to those works required to bring water and sewerage services to the standard that was required in 1996 and to meet the level of demand that existed at that stage.

Eligibility for funding under the program is subject to compliance with the Department of Water and Energy's Best Practice Management Guidelines. I take this opportunity, for the benefit of the member for Murray-Darling, to mention two projects that were announced by the new Minister for Water, Phillip Costa, at the end of September—he is known as the good Costa! The first is the funding of almost \$4.5 million towards new and upgraded sewage transfer systems on the State's North Coast. That funding will help the Clarence Valley Council undertake vital work to improve its sewerage systems at Grafton, Maclean, Townsend and Illarwill to better service residents, visitors and businesses, and cater for future growth. Construction is set to start soon on a new sewage treatment plant on Woodford Island, eight new or upgraded major pumping stations, a submarine pipeline to cross the Clarence River near Maclean and the installation of more than 60 kilometres of sewerage pipelines. A new sewage treatment plant at Clarenza is already under construction.

The second project is funding of \$875,000 for improvements to the sewage treatment works at Kyogle, also on the State's North Coast. The work will involve constructing a new treatment facility for septic tank pump-outs, upgrading existing sludge pumps and constructing a bio-solids recycling system and a wetland, complete with plants to help clean the water. For the benefit of the member for Murray-Darling they are some concrete examples of money being spent. I suggest to the member for Murray-Darling that he has one more problem on his side of the House: get rid of the Leader of The Nationals. If he did that he would have two real country Nationals leaders who might do a better job in Murray-Darling. Leaders based on the coast were certainly looking after themselves but not the people in western New South Wales.

Mr John Williams: Good point. I did not think of that.

Mr DAVID HARRIS: I am happy to help at any time. As I said earlier, the Best Practice Management of Water and Sewerage Guidelines is the New South Wales Government's key instrument for driving sound planning and performance improvement by non-metropolitan utilities. Guidelines were released in 2004 and updated and revised in August 2007. They make sure that there is proper financial planning and business strategies. They looked at pricing and developer charges, water conservation and demand management, drought management, performance monitoring and, finally, integrated water cycle management. Utilities that comply with the requirements of the guidelines will have achieved effective and sustainable water supply and sewerage services.

The initiatives that I have mentioned and the local water and utilities inquiry mentioned by the member for Gosford are initiatives that show the Government's commitment to ensuring that country people have access to the most efficient, reliable and safe water supply and sewerage services possible, and for that the Government should be commended. That is why I support the motion moved by the member for Gosford. Slightly off the track, I draw to the attention of the House that Bob Butt, who served 38 years on Wyong Shire Council, retired this year. One of the most significant achievements during his time was the completion of the sewerage system for the whole of the Wyong shire.

Ms KATRINA HODGKINSON (Burrinjuck) [1.08 p.m.]: When the Premier, Nathan Rees, first entered Parliament and was given the Water Utilities portfolio, he approached me in my office and asked whether I had any problems with water supply and sewerage in my electorate. I replied that I would love to bring in a couple of councillors to talk it through with him. Subsequently, councillors from Yass Valley Council were brought in to meet with Mr Rees, then the Minister for Water Utilities. Midway through last year I wrote to the then Minister for Water Utilities, now the Premier, saying that he would be aware that at full storage capacity Yass Dam can retain a maximum of only eight months water supply, meaning that it is extremely vulnerable to even short dry spells.

I was encouraged by the Minister because he had approached me about this and he gave very positive indications about future funding for the scheme at the meeting on 6 June 2007. However, after badgering the Minister for a formal reply in response to that meeting he said the Government had already spent more than \$719 million on the program, which had enabled several water supply and sewerage projects to be completed. There was nothing for Yass Valley Council. It was just the most appalling brush-off I have had. I got a letter subsequently from Yass Valley Council thanking me for the meeting with Minister Rees and saying it trusted council's written submission provided sufficient detail on the background of the issue. It reminded us, as indicated at the meeting, that council had now concluded that the raising of the dam wall by three metres was the best value solution and to that end council had commissioned the Department of Commerce to undertake a concept design at a cost of \$419,000. The council went on to say that the estimate of the total cost of the project would be in the order of \$13 million with the accuracy to be refined on completion of the detail design phase of the project.

The council said that it understood the current departmental ranking of number five for the Yass water supply strategy meant that the project would not attract State Government funding assistance in the foreseeable future. That was a little perplexing to the Mayor, Nic Carmody, who wrote this letter to me and to his fellow councillors, given that Yass Valley Council had previously identified an urgent need to address the local water crisis. He went on to say that the security of supply came under threat in 1998 when the town was on level 5 restrictions for six months. The continued drought conditions affecting the catchment of the Yass River had led to the situation becoming more and more tenuous as each year passed. It is fair to say that Yass Valley Council has been one of the most drought-affected councils in the State. It is absolutely unforgivable that this Government has not seen fit to assist Yass Valley Council in its time of need.

I will provide a little more background. Yass, Bowning and Binalong are all provided with water from the Yass Water Treatment Plant, which sources water from the river via the Yass Dam. The Yass Dam, which is located just upstream of the township with an effective storage capacity of 850 megalitres, is a concrete arch dam 12 metres high with a crest length of 98 metres. To ensure the town had a potable water supply, the first water treatment facility was constructed in 1938. This was replaced with a modern higher-capacity treatment facility in 1990, which includes dissolved air flotation and rapid gravity sand filtration. The plant is designed to treat a flow of 165 litres a second, or 13 megalitres a day. Bowning and Binalong were connected to the Yass water supply in 1990. Prior to this date Bowning did not have a water supply and Binalong was supplied via an old railway reticulation system from Illalong Dam.

Murrumbateman has an independent water supply that was developed in 1984 from groundwater. For the benefit of the Minister, these are all towns and villages within the Yass Valley Council area. Water is untreated and is drawn from a bore located within the Murrumbateman Recreation Ground. The long-term security of water for the Yass water supply system and the Murrumbateman system needs to be established. The Yass water supply is highly dependent on the flows in the Yass River. Under extreme drought conditions and without the implementation of water restrictions, the capacity of the Yass Dam is sufficient to supply average summer demand for a period of only four to five months. Murrumbateman's water supply capacity is insufficient to meet the current maximum peak day demand.

So many perplexing issues surround water quality and treatment in the Yass Valley area, but pressing issues that need to be addressed are the capacity of the Murrumbateman water supply and the quality of both the Yass water and Murrumbateman water, which is hard water. Option studies and feasibility studies of sewerage systems to the villages of Murrumbateman, Binalong and Bowning, with projected populations of 430,500 and 250 respectively have been conducted. However, we definitely need much more financial assistance from this Government for the sewerage systems because without them the townships and villages will continue to suffer.

Mr CHRIS HARTCHER (Terrigal) [1.13 p.m.]: I will address the second part of the amendment moved by the member for Murray-Darling. I thank him on behalf of the people of Mooney Mooney and Cheero Point for his interest and ensuring that they get a fair deal. It is unfortunate that they are not getting a fair deal. The important aspect of the amendment is that it asks the member for Gosford to explain what actions she is taking to make sure that the residents of Mooney Mooney and Cheero Point do get a fair deal.

The residents of Mooney Mooney and Cheero Point are on the northern side of the Hawkesbury River. On the southern side of the river are the residents of Brooklyn and Dangar Island. For their sewerage connection they will pay \$148. Across the river the residents of Mooney Mooney and Cheero have been told that they will pay \$15,000 for their sewerage connection. It is \$148 on one side of the river and \$15,000 on the other side. These two villages lie in the electorate of the member for Gosford and the responsibility for ensuring that the people of Mooney Mooney and Cheero Point are not disadvantaged and get, in the Australian parlance, a fair go falls on her. They are not now getting a fair go.

The people of Mooney Mooney and Cheero Point wrote to the then Minister for Water Utilities, Nathan Rees, now the Premier of New South Wales, as recently as June 2008 asking for his assistance to remedy this gross injustice. The then Minister for Water Utilities and now Premier of New South Wales has so far not replied to that correspondence. The people of Mooney Mooney and Cheero Point still await justice from this Government. The plea now is to the member for Gosford to take up the cudgels and fight for the people who live in her electorate to make sure that they get parity and the same just and fair treatment that is being afforded to residents on the other side of the river. The river is 200 to 250 metres wide, but across the 250 metres lays a yawning chasm of injustice. It is appropriate that those people should go to their member and ask for her assistance.

The Mooney Cheero Progress Association published a schedule on 23 June 2006—this has been going on for some time—of estimated costs for connection to the mains sewerage scheme for each household in Mooney Mooney and Cheero Point. With the indulgence of the House I will read out what it says. The per-household compulsory contribution estimated and supplied to Mooney Cheero residents in July 2006 was \$9,650. The contingency, which was added on to the \$9,650, was \$4,268. The estimated total cost of those two items was \$13,918.

In addition, the residents were told that if they were unable to pay that amount as one lump sum they could take out a loan at 9 per cent interest, which would mean the total interest for the 20-year period would be \$16,000, which means that those who had to take out the loan would pay a total of \$30,052. The cost is \$30,000 in total on one side of the river and \$148 on the other side. There is now a clear opportunity for the member for Gosford to demonstrate her commitment to the electorate and to ensure that those people receive justice by 2011. One would not think there is anything significant about 2011 as a date; I have just plucked that out of the air—

Mr John Williams: March.

Mr CHRIS HARTCHER: The member for Murray-Darling says "March". I would go further and say it is about 26 March 2011. I hope the member for Gosford will be able to stand up before the residents and unveil their magnificent sewerage and water scheme on 25 March and give each of them their bill for \$148.

Ms MARIE ANDREWS (Gosford) [1.17 p.m.], in reply: I thank the member for Murray-Darling, the member for Burrinjuck, the member for Terrigal, and particularly the member for Wyong for their contributions to this debate. I do not think I need to be reminded about representing my constituents and electorate. On many occasions I have raised the issue of sewerage connection at Mooney Mooney and Cheero Point. I have raised it with various Ministers and have led delegations to this place on the matter. On one occasion the delegation led to the then Minister responsible for this portfolio, and the Minister's advice was that Gosford City Council spread the cost of sewerage connection to Mooney Mooney and Cheero Point right across the local government area. Council, in its wisdom or otherwise, decided not to adopt that suggestion. Hence, residents of Mooney Mooney and Cheero Point are faced with a rather hefty bill. However, the bill they face would be much more if the area were not included in the Country Towns Water Supply and Sewerage Program.

Gosford City Council is receiving a total of \$4.7 million in financial assistance under the Country Towns Water Supply and Sewerage Program and the Priority Sewerage Program towards the construction cost of the Mooney Mooney and Cheero Point sewerage project. Gosford City Council is working jointly with Sydney Water to provide shared infrastructure for the treatment and disposal of treated effluent from Brooklyn, Dangar Island, Mooney Mooney, Cheero Point and Peat Island. The construction of the sewerage treatment plant is nearing completion and contracts have been awarded for the construction of the remainder of the scheme. The scheme is scheduled for completion in early 2009.

Council currently estimates the capital cost of the Mooney Mooney and Cheero Point component of the scheme to be between \$9.8 million and \$10.6 million. This does not include the Department of Ageing, Disability and Home Care, Peat Island, component of the scheme, which is being fully funded by the State Government at a cost of \$4.5 million. The Independent Pricing and Regulatory Tribunal has made a determination on backlog sewerage services that reduces the capital contribution required from the ratepayers of Mooney Mooney and Cheero Point. Under this determination the ratepayers are required to pay a fixed price of \$5,400 per connection, plus two-thirds of capital cost above \$5,400 per connection, after the Government's grants have been deducted. The council has decided that the remaining one-third of the costs is being spread across council's entire sewerage customer base. As I pointed out in my opening remarks, Gosford City Council decided against spreading the entire cost across the whole of the local government area.

I point out that this Government is very much committed to the Country Towns Water Supply and Sewerage Program, and the boost of a further \$160 million will assist small locations and country towns throughout the State. It brings total funding for the program to more than \$1 billion and extends the program until the year 2015. That new funding of \$160 million, announced in the recent State budget, will enable the completion of a further 54 projects. I point out also that several years ago, as I am sure the member for Terrigal will recall, it was suggested that the State Government take over water and sewerage programs from the two local government areas of Wyong and Gosford. There was such a hue and cry about that suggestion that the programs remained in the hands of the two local government areas. That has been to the detriment of all residents on the Central Coast. I commend the motion to the House.

Question—That the words stand—put.

The House divided.

Ayes, 47

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

Noes, 39

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

Question resolved in the affirmative.

Amendment negatived.

Motion agreed to.

[The Speaker left the chair at 1.32 p.m. The House resumed at 2.15 p.m.]

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The SPEAKER: I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR
Governor

Office of the Governor
Sydney, 22 October 2008

Professor Marie Bashir, Governor of New South Wales, has the honour to inform the Legislative Assembly that she re-assumed the administration of the Government of the State on 22 October 2008.

QUESTION TIME

NURSE SHORTAGE

Mr BARRY O'FARRELL: My question is directed to the Premier. Given his commitment to end the spin, will he honestly explain why, as detailed in this official data, 6,700 nurses have quit the State's public hospitals in the past year at a rate of 550 a month?

Mr NATHAN REES: We have more nurses in the New South Wales health system than we have had for many years. The Nurses Reconnect Program has put thousands of nurses back into the system. Inevitably, as with any career, there is some turnover.

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

Mr NATHAN REES: The registered nurse and enrolled nurse workforce supply projects from 2005 onwards indicate that, like most other States, there is a significant nursing workforce shortage.

The SPEAKER: Order! Members will cease interjecting, including the member for Hawkesbury and the Deputy Leader of the Opposition.

Mr NATHAN REES: Today our health system has more than 42,500 nurses. That is an increase of 8,500 nurses over the past six years.

GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY

Mr BARRY COLLIER: My question is addressed to the Premier. Will the Premier update the House on what action the Government is taking to improve the transparency and accountability of government?

Mr NATHAN REES: I thank the member for Miranda for his question and for his longstanding interest in this most important matter. On my first day as Premier—

The SPEAKER: Order! Opposition members will cease interjecting. I am sure the public gallery is having difficulty hearing the Premier. I call the member for Wakehurst to order.

Mr NATHAN REES: On my first day as Premier, I said:

I think people expect honesty and transparency and accountability from their politicians and I am going to do my darndest to make sure that we give them that.

That is what I said on day one.

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

Mr NATHAN REES: In the estimates hearing last week—in between the bouts of animosity between Ms Cusack and The Nationals upper House member—I indicated my clear preference for publicly releasing reports that the Government has commissioned. Transparency and accountability are the cornerstones of good government. The people of New South Wales should be given as much information as possible about the activities of the Government. As members are aware, the NSW Ombudsman is conducting a review of the State's freedom of information legislation. I have examined the Act and met with the Ombudsman over the last six weeks and it is clear to me that this Act is broken. I plan to fix it. The days of a secret State are over. Queensland has done its own review recently. I support what Premier Bligh is doing and the direction she is taking: in particular, applying a stricter public interest test, reducing the number of freedom of information exemption categories and having more effective provisions so that time limits are complied with.

While it is tempting to just take the recent Queensland review and implement it here, the Ombudsman has asked me not to simply adopt those recommendations just yet but to wait until his report is complete in the new year. I have taken that advice and given my support for his review. I note also that New South Wales already has in place a number of the measures coming out of the Queensland review. I intend to create a new Freedom of Information Act in New South Wales early next year after receipt of the Ombudsman's report. One should bear in mind that this Act is 20 years old, designed well and truly before the electronic age. It is broken and we will fix it. Obviously I cannot commit to implementing all of the recommendations sight unseen but I do commit to fundamental reform of the Act.

The SPEAKER: Order! Members on both sides of the Chamber will come to order. The Premier has the call. The Leader of the Opposition will cease interjecting. I call the member for Wakehurst to order.

Mr NATHAN REES: I encourage everyone with an interest in this matter, including the Leader of the Opposition, to make a submission to the Ombudsman's review. As I have discussed with the Ombudsman in

recent weeks, the three most important protections that I think the freedom of information system needs to preserve are: first, the confidentiality of a citizen's personal information; second, the confidentiality of commercially sensitive information that might prejudice business community members; and, third, the confidentiality of Cabinet deliberations to protect the collective responsibility of Ministers in Cabinet, a notion that has served our Westminster system well, here and overseas, for centuries. Other exemptions are important but my general view is that the public interest is best served by making information freely available.

Many of the people I have spoken to in recent weeks about this matter said that it is as much about culture as it is about black letter law. In advance of a new Act I also committed to making changes promoting a pro-disclosure culture and practice in the public sector that go beyond the Freedom of Information Act. I firmly believe that the routine disclosure of information outside of freedom of information fosters transparency and makes the Government more accountable for its actions. It also cuts the taxpayer-funded cost of dealing with reams of freedom of information applications. As one of the first steps towards the proactive disclosure of information, on Wednesday last week I issued a memorandum requiring Ministers to ensure that their media releases are made available on the web, and they are up there as of this week.

The SPEAKER: Order! I call the member for Wakehurst to order for the second time. I call the member for Wakehurst to order for the third time. He is on his final warning. The Premier has the call.

Mr NATHAN REES: Today I am issuing another memorandum to all Ministers asking them to ensure that their agencies take a more proactive approach to the release of public interest information. In particular, agencies will be directed to routinely publish information that is released regularly under the Freedom of Information Act. I appreciate that government agencies already release a large amount of information to the public outside the scope of the Freedom of Information Act. However, there is always more information held by government that could be made available to the public at modest expense and without compromising the public interest.

The BCG report into RailCorp, which was publicly released by the Government earlier this month, is a good example of the kind of information we ought to share with the public. There are more. Recently we released the Clark report on RailCorp maintenance and we have said that rail maintenance statistics will be back on the web. As well, the WorsleyParsons rail report on Warabrook modified light rail has been released also. Next week I expect more reports and information to be available. It is time for the culture within government to change. My clear message to the New South Wales public sector is this: The public has a right to know.

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

ENROLLED NURSE TRAINING

Mr ANDREW STONER: My question is directed to the Premier. Given that nurses are leaving our hospitals at a rate of 550 a month, how does the Premier justify changes to enrolled nurse training that will mean trainee nurses will not get paid in their first year, making the \$10,000 course unaffordable?

The SPEAKER: Order! I call the Minister for Transport to order.

Mr NATHAN REES: No wonder the Leader of The Nationals is not worried about our triple-A credit rating. He cannot get the maths right. We cannot be losing 550 nurses a month, as he says, and having put on 8,500 nurses over the last 6½ years. We are planning to use TAFEs and registered training organisations to maximise the number of people we can train in the nursing profession. There is currently discussion between TAFE and NSW Health about introducing a new training system. Under the old system we were limited to training up to 1,000 a year, but we expect to be able to expand the number of placements. Negotiations are underway with TAFE. We envisage that there will be more flexibility. As is the case with many other TAFE courses, we hope that people will be able to do the courses full time, part time or through distance education. The nursing strength in New South Wales is at a record level with 8,500 more now than there were six years ago.

MANLY JETCAT AND FERRY SERVICES

Mr NINOS KHOSHABA: My question is addressed to the Minister for Transport. What is the latest information on the Manly JetCat and related matters?

Mr DAVID CAMPBELL: I thank the member for Smithfield for his question and for his interest in public transport across the State. This week the Government responded to the Special Commission of Inquiry into Sydney Ferries and announced a number of reforms. Our priority with the reforms is to provide safe, reliable and efficient services for the people of Sydney. In his inquiry, Mr Bret Walker, SC, identified a number of inefficiencies in the delivery of ferry services, and quite frankly we cannot go on this way. That is why we have acted on Mr Walker's key recommendations.

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

Mr DAVID CAMPBELL: We are making the tough decisions that have to be made so that real improvements for commuters can be implemented. During his inquiry, Mr Walker identified that the Manly JetCat is one of the most unreliable and costly vessels in the network. I hear the member for Manly interjecting. If he stops interjecting and instead listens, he may hear some information that helps him.

The SPEAKER: Order! The member for South Coast and the member for Hawkesbury will cease interjecting.

Mr DAVID CAMPBELL: I advise the House of some facts relating to the Manly JetCat. It provides a duplicate service to one already provided by the iconic Manly Ferry, which runs every half an hour. The Manly JetCat also breaks down 29 times more often than does any other Sydney Ferries service on the harbour.

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

Mr DAVID CAMPBELL: The Manly JetCat is used for less than 7 per cent of all Sydney Ferries services. I also advise the House of some interesting facts relating to costs. The fuel cost for the JetCat is 66¢ per passenger per nautical mile, and that should be compared to the cost of the big Manly Ferry, the *Freshwater*, which costs 21¢ per passenger per nautical mile. Last month alone a total of 128 Sydney Ferries trips were cancelled, and 116 of those were JetCat services. I am advised by Sydney Ferries that the full cost recovery of a JetCat trip is \$44 per person one way. At the moment it costs passengers \$8.20 for a return trip.

Mr Mike Baird: Point of order: The Minister is misleading the House.

The SPEAKER: Order! What is the member's point of order?

Mr Mike Baird: The Minister is misleading the House.

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

Mr Mike Baird: My point of order relates to Standing Order 129, relevance.

The SPEAKER: Order! The member for Manly will resume his seat. I call the member for Manly to order. Government members will cease interjecting.

Mr DAVID CAMPBELL: I thank the real Leader of the Liberal Party for his interruption because the real Leader of the Liberal Party stated in today's *Manly Daily* that the JetCats are too costly because of Government mismanagement. But what he is too naive to understand—as we know from his feeble attempt at taking a point of order—is that those vessels were never meant to be used for short trips, such as the service from Circular Quay to Manly. They are designed for, and best suited to, travelling long distances—for example, between islands in the Northern Hemisphere. As a result, taxpayers throughout the State have to cop a whopping bill for the privileged few who ride to and from the peninsula in just 15 minutes. I make no apology for wanting the best ferry service possible for the people of New South Wales. The Government is getting on with the job. I look forward to more senseless, silly and ill-informed points of order, such as that attempted by the real Leader of the Opposition. We will see how long it takes him to catch up with the pretend Leader of the Opposition.

NURSE SHORTAGE

Mrs JILLIAN SKINNER: My question is directed to the Premier. The Minister for Health revealed in estimates that 1,618 new registered nurses have been recruited this year. That is not the Government's figure, but

information obtained under freedom of information shows that 3,367 nurses resigned during the same period. Will the Premier end the spin and admit that his Government is driving nurses away faster than they can be recruited?

Mr NATHAN REES: It appears that there is a disparity. I will try to get to the bottom of that disparity by the conclusion of question time and provide a supplementary answer. Otherwise, I will provide the shadow Minister for Health with an answer in due course.

MANLY JETCAT AND FERRY SERVICES

Mr GEOFF CORRIGAN: My question is addressed to the Premier. What is the latest information on the open and transparent operation of the ferry system and related matters?

Mr NATHAN REES: I thank the member for his question and for his continued interest in ensuring that government is open and transparent.

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

Mr NATHAN REES: I also note the member for Manly's insistence that maintenance is the issue concerning the JetCats. It is in the interest of open and transparent government that I draw the attention of the House to a report regarding the safety of JetCats. The report has been provided by Sydney Ferries and has just come to my attention. The Leader of the Opposition and the member for Manly should pay close attention to what I am about to say: it might be an issue with which the Leader of the Opposition is particularly familiar. The report relates directly to the safety of JetCats and states:

In the past two years of operation State Transit has experienced three engine failures.

The report further states:

Two of the engines were so seriously damaged they had to be replaced under warranty and the other was extensively repaired.

However there have been recurring problems relating to the basic engine design which have proved very serious and resulted in three fires one of which extensively damaged the engine room of the *Sir David Martin*.

At this point it is important to advise the House of the date on which the report was received—26 March 1992. I make it clear that this report on safety, which is a very important issue, was brought to the attention of the government of the day prior to the purchase of the JetCats. At that time it was a government whose Minister for Transport was none other than Bruce Baird—the member for Manly's dear old Dad! But I am not having a go at him.

Ms Gladys Berejiklian: You are!

Mr NATHAN REES: No, I am not. I give the Opposition this assurance: Bruce Baird is an urbane, reasonable, sincere and decent man, and I am not going to do that.

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

Mr NATHAN REES: However, the then Minister had a faithful servant, chief of staff and closest confidant—the current Leader of the Opposition, Barry O'Farrell.

Mr Adrian Piccoli: Point of order: Standing Order 129 relates to relevance. The Premier was Milton Orkopoulos's chief of staff.

The SPEAKER: Order! The member for Murrumbidgee will resume his seat. That is not a point of order. I call the member for Bathurst to order for the second time.

Mr NATHAN REES: Bruce Baird once said of the Leader of the Opposition, "... very direct, and with a very good policy mind". We are yet to see any evidence of that from the Leader of the Opposition. The last time the Leader of the Opposition was in charge of policy, he presided over what we now know was a complete lemon. From the time the then Government cracked the champagne bottle over its shiny new luxury JetCats, there was drama after drama. The JetCats spend almost as much time off the water as they spend on the water. The safety concerns were rife, and that Government's own report told it so. It had to report to the board in 1992.

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

Mr NATHAN REES: Despite the report, the former Coalition Government purchased those lemons.

[*Interruption*]

It is a report directly relating to the safety of the boats commuters travelled on every day. What did the Leader of the Opposition and his then boss do? They left it up to the media and the workers on the boats to alert the community about these travelling firebombs. I am sure the Leader of the Opposition would remember the dozens of articles about the issue at the time. Just to refresh his memory, and for the benefit of the House, I remind him of some of the content of those articles. On 8 April 1992 the *Sydney Morning Herald* reported, "The three high-speed JetCats were taken out of service after another engine fire." The newspaper went on to say, "The JetCats have been involved in six similar incidents in the past 16 months." A headline in the *Telegraph Mirror* of 9 April 1992 read, "\$20 fault beaches JetCats". The same newspaper on 8 August 1992 ran the headline, "Long delay as JetCats cancelled".

As the Minister has outlined, the JetCat provides an unreliable service duplicated by a 30-minute ferry service and numerous bus services from the northern beaches. We are committed to retaining passenger services from Manly to Circular Quay. But we must now consider the viability of the existing service. As the Minister pointed out, the JetCat service is heavily subsidised to the tune of \$44 per person one way. I caught it the other day on my way to Peter Cox's funeral. There were five people on that JetCat. The service breaks down—

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

[*Interruption*]

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

Mr NATHAN REES: The JetCat service breaks down 29 times more frequently than any other service. In light of these facts I have asked that the future of the JetCat service be considered as part of the mini-budget process. Now we know—

The SPEAKER: Order! The Premier will resume his seat. The member for Manly rises on a point of order. I hope it is a point of order.

Mr Mike Baird: My point of order is relevance. With regard to the costing, in the last five years revenues have gone up 14 per cent, expenses have gone up 46 per cent—

The SPEAKER: Order! That is not a point of order. The member for Manly will resume his seat. I urge the member for Manly to seek advice on the appropriate way to take a point of order. I place the member for Manly on two calls to order. The Premier has the call.

Mr NATHAN REES: Let us crystallise this. The former Coalition Government knew the JetCat was a lemon, yet it proceeded with the purchase. That is why it costs a truckload of taxpayers' money to keep that lemon going.

HEALTH SYSTEM CREDITORS

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

Mr KEVIN HUMPHRIES: My question is directed to the Premier. In light of the Treasurer's revelations today that the Health budget was \$320 million overspent last year and the Premier's pledge to cut the spin, how many health invoices are in excess of 45 days overdue and what is the total amount owed?

Mr NATHAN REES: I will seek a report from the Minister and provide advice to the House.

CHILDREN'S PLAYGROUND GRANTS

Mr FRANK TERENCE: My question is addressed to the Minister for Local Government. What action has the Government taken to deliver its election commitment to improve children's playgrounds in New South Wales?

Mrs BARBARA PERRY: I thank the member for Maitland for his question and his ongoing interest in this important matter—a matter that this side of the Chamber takes very seriously and yet another example of this Government delivering on its election commitments. We promised \$2 million worth of local government playground grants, and it gives me great pleasure to inform the House today that the first phase of those grants is being delivered. The Government is rolling out 57 grants of up to \$20,000 each.

Mr Jonathan O'Dea: How many Coalition grants?

Mrs BARBARA PERRY: That is a very good question. I will come to that. I will take it as a supplementary question, if the member wants. The grants are the first of 100 grants that will be made available. Located across 33 local government areas from the city to the bush, these grants will provide much-needed new equipment and infrastructure for children's play areas. We cannot underestimate the value of having vibrant outdoor spaces for young children. This funding will boost the facilities that are available to our kids right across the State. Better, safer, shadier, modern outdoor spaces can only encourage more young people to get fit and healthy. It will also play a small role in helping tackle the childhood obesity epidemic that is currently affecting much of the developed world.

In addition, safe and secure playgrounds can only add to further build communities across New South Wales, and add to the richness of our cities and towns. I am very pleased to say that more than 50 of the 57 playground grants are in regional and rural areas of New South Wales—yet another indication of how much this side of the Chamber cares about communities outside metropolitan areas. I am pleased to tell the hardworking member for Maitland that there is a grant for his electorate of \$20,000. These grants cut across all sides of politics and across many different electorates, including—No. 1 with a bullet—\$20,000 for the electorate of Oxley to upgrade a skate park in Kempsey.

Mr Andrew Stoner: Hear! Hear! You can come up and open it, Barbara.

Mrs BARBARA PERRY: Would you like me to come up? I would like to do that.

The SPEAKER: Order! The Minister does not need the encouragement of the Leader of The Nationals.

Mrs BARBARA PERRY: There is also \$20,000 for the electorate of Murrumbidgee. I have to say, I know the funding will be put to good use, but I urge the member for Murrumbidgee to make sure it is not used for a new brown suit; it is for a new playground surface—

Mr Andrew Stoner: These women are ganging up on you, Adrian!

Mrs BARBARA PERRY: No, we are not.

Mr Adrian Piccoli: I like your brown suit.

Mrs BARBARA PERRY: I have a brown suit on today, that is right.

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

Mrs BARBARA PERRY: The grant is for a new playground in the member for Murrumbidgee's electorate, and it is for a surface to protect against hard knocks and falls from great heights—very appropriate, I would have thought, for the newly elected Deputy Leader of The Nationals. As I said, these grants will provide much-needed new equipment and infrastructure for children's play areas. We have been overwhelmed by the enthusiasm of local communities for the grants. We have assessed more than 260 applications from 109 local government areas. Just to show how bipartisan we are, the member for Murray-Darling's electorate will receive a playground grant for Greenham Park for equipment and resurfacing. The Leader of The Nationals' electorate of Oxley will also receive a playground grant. I will soon be visiting the Broken Hill area, which will also receive funding for a fencing upgrade. Just to show how bipartisan we are, the member for Bathurst will receive much-needed support for his electorate.

The SPEAKER: The support for the member for Bathurst by the whole House is noted.

Mrs BARBARA PERRY: Generally, all these works are about the installation of new equipment, upgrading existing equipment, providing shade structures and replacing surfacing. Some projects will even

provide play equipment specifically for children with disabilities. A rigorous selection process applied, and I am pleased to announce that these councils received grants in the first round. However, a second round has officially opened. I strongly encourage our 152 local councils to apply for those important grants, as they are a boost to the local community. The grants made in the first round are good news not only for kids but also for families and councils. It is another example of the Rees Labor Government delivering on its commitment.

STATE MINI-BUDGET

Mr PETER DRAPER: My question is directed to the Premier. As a recent pensioner review background study found that Australia's two million pensioners are worse off than seniors in most other affluent countries, will the State Government ensure that New South Wales pensioners are not further disadvantaged as a result of the November mini-budget?

Mr NATHAN REES: I thank the member for his question. It is an excellent and important question from a good Independent local member. He is a champion of his community, much like I expect the new member for Port Macquarie to be. As for the question, I can inform the member that we are going through a mini-budget process and I have consistently said that it will be driven by doing the right thing. The Government needs flexibility to identify areas of savings. On that basis I have not provided a running commentary of proposals that might be included in or excluded from the mini-budget. At the same time I assure the member that I am not in the business of contemplating silly proposals.

Some of the ridiculous proposals I have already said I will not consider include curtailing pensioner travel discounts, converting sports fields into residential development, introducing fees for disadvantaged kids in need of glasses, axing seniors concerts, introducing seniors card fees and cutting cancer services. They are simply silly suggestions from people who are out of touch, and they contradict the traditional priorities of good Labor governments.

The SPEAKER: Order! Members will cease interjecting.

Mr NATHAN REES: Silly proposals affecting services for pensioners, veterans and their carers will not proceed. In developing the mini-budget, the Government is taking a serious look at areas where sensible savings can be achieved. In doing so, there will be some hard decisions, but the golden rule will be fiscal responsibility that serves New South Wales well now and into the future.

COUNTRY WATER SUPPLIES

Mr GERARD MARTIN: I address my question to the Minister for Water, Minister for Rural Affairs, and Minister for Regional Development. What action is the Government taking to secure water supplies across New South Wales, particularly in the country, and related matters?

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

Mr PHILLIP COSTA: I have not even started to speak and members opposite are picking on me, just as they picked on my good friend Alby Schultz, who is my good local Federal member. Indeed, he is such a good friend that I have encouraged the Minister for Environment and Climate Change to add him to the endangered species list. I thank the member for Bathurst for his interest in the management of our State's precious water supply, because we all know how important and serious this matter is. The question is relevant, given that today is National Water Week and the community is strongly encouraged to protect and conserve water, and get involved in water management. As the Minister for Water, I am driving key reforms that will see our water supply managed responsibly to meet the growing challenges of population growth, climate change and drought.

As members would be aware, the majority of New South Wales remains in severe drought. Indeed, for the past couple of weeks I have been spending time over the mountains, travelling in the west, where I visited towns such as Deniliquin to get a first-hand impression of what is going on there. I have been to Moree, Dubbo and Narrabri, and I will be visiting other parts of the State shortly. I have discovered that the drought has had many, many impacts. One example is in the township of Deniliquin, especially with the shutdown of the rice industry in the longest drought for many years. That impact has delivered serious social and economic problems to Deniliquin—problems that will take a whole-of-government approach to solve, including State, Federal and local.

Members on both sides of the House have a responsibility to ensure that we support the people in the west, particularly in towns such as Deniliquin, because they need our help. They have lost a great deal of the workforce and the hope that that delivered, which we need to restore. They have lost trained, skilled personnel. Some have travelled to the west to find work. We will have a big task ahead of us to bring those communities back to speed. Drought and the growing impact of climate change have put rural water management policies to the test like never before. I am pleased that so far we have withstood this test and delivered on our commitment that no New South Wales town will run out of water.

The problem with the drought is that, with such a limited water supply, we must have an equitable process to ensure the delivery of that supply is to our most critical in need. Indeed, in delivering water across the State, the New South Wales Government's critical water planning program for drought-affected areas has been so successful that last week the South Australian Government announced a program based on our model. New South Wales is leading the way and it will continue to do so. We are also the only State to meet the deadline and pass legislative changes to give appropriate water management powers to the Commonwealth and the new independent Murray-Darling Basin Authority. We moved on that quickly, and I thank members opposite for their support for that bill. It is great to see that today we have finalised the bill.

Mr Andrew Stoner: Wind it up.

Mr PHILLIP COSTA: I can answer the question of the Leader of The Nationals: I am up to speed. Under the Murray-Darling Basin intergovernmental agreement signed in July this year, New South Wales secured in-principle approval from the Commonwealth for more than \$1.3 billion of funding for major infrastructure projects. This is a wonderful contribution, and we look forward to rolling that out. The dollars that will come to us will deliver real, on-the-ground results for New South Wales. The projects include up to \$137 million to reduce water lost on farms by piping water for stock and domestic supply systems. When I visited the towns in the west, I spent quite a bit of time with the irrigators who are trying to manage their water supply. That project will make a great deal of difference.

I must add that I was impressed by the irrigators who are still getting access to water, particularly in the north west, in terms of their ingenuity and capacity for delivering good-quality services to their communities. For example, I visited some gentlemen in the Moree and Narrabri area, where they are putting technology in place to reduce their water use by 30 per cent. That kind of Australian spirit is what we want to see. They are still delivering things and doing a great job. Give credit where credit is due!

The SPEAKER: Order! The member for Barwon is strongly supporting the Minister but he is out of order.

Mr PHILLIP COSTA: As the new Minister I had the pleasure to visit the west. The irrigators did not want to muck around in a building; they wanted to take my staff and me out on a bus to show us what is happening on the ground. We got on that bus and we went out and had a look.

The SPEAKER: Order! Members will cease interjecting.

Mr PHILLIP COSTA: We could see what they were doing, and I must give them full credit. They are doing a great job, and I know that will continue. We have a wonderful relationship with them. Another project is funding of up to \$300 million for modernising river diverters and up to \$221 million to upgrade the accuracy of water metering. The gentlemen I visited have put the science in place; they can tell us to the gigalitre, the megalitre and even down to the litre how much water they are using. We need to ensure that that happens right across the State and the \$221 million from the Federal Government will help that. I hope members of the Opposition are listening to this good news. It is almost like Christmas time and Santa Claus.

The SPEAKER: Order! The House will come to order. I encourage the Minister to direct his remarks through the Chair. I call the member for Cessnock to order.

Mr PHILLIP COSTA: Mr Speaker, some of my anecdotes might refer to other related matters. Other projects involve \$50 million to improve the management of water on the flood plains, and an indicative \$650 million to private irrigators for water saving upgrades.

Mr Andrew Stoner: That is Federal money.

Mr PHILLIP COSTA: It is Federal money. We are in partnership with the Federal Government. The Federal Government and the State Government have unprecedented cooperation.

The SPEAKER: Order! I call the member for Penrith to order. I call the member for Cessnock to order. I call the Leader of The Nationals to order.

Mr PHILLIP COSTA: Irrigators can apply directly through the Federal Government, which is a godsend to those communities and I look forward to them doing what they do best. In addition to leading the way with the Murray-Darling, the New South Wales Government is moving forward.

Mrs Shelley Hancock: What about the Shoalhaven?

Mr PHILLIP COSTA: We are looking after the Shoalhaven, just wait and see.

Mr Adrian Piccoli: Point of order: While I take a personal interest in the answer, he has been speaking for about 10 minutes. The member is clearly trying to pad out his answer to the end of Question Time. I ask you to draw him to a conclusion.

The SPEAKER: Order! I ask the Minister to commence concluding his answer.

Mr PHILLIP COSTA: I was so excited about my portfolio I got carried away with the time. I will be as quick as possible. The Government has gazetted 40 water-sharing plans, amended six major inland groundwater plans to reduce over-allocation, established a public register of all environmental water licences and I am moving to fix the issue of flood plain management. Only this morning Parliament passed new laws to enable more flexibility in how we share water during times of drought. Those laws send a clear message that this Government, and we as a community, will not tolerate water theft.

The SPEAKER: Order! The member for South Coast is on her final warning. I call the member for Cessnock to order for the second time.

Mr PHILLIP COSTA: The Government will continually look at new measures to protect water supplies and help country towns. I heard many heartbreaking stories out there in the past two weeks. This Government will never give up on the bush. We are here to help members in the bush. The Government will dedicate its energy to help country communities and not have political infighting, as is apparently happening in the Coalition.

EPPING TO CHATSWOOD RAIL LINK

Ms GLADYS BEREJIKLIAN: I direct my question to the Minister for Transport. In light of revelations that carriages set to run on the Epping to Chatswood rail line are so deafening that they breach RailCorp's standards, will the Minister guarantee that this latest bungle on the project will not result in further delays in its delivery, or another budget blow out?

Mr DAVID CAMPBELL: At last I have a question from the member for Willoughby about transport instead of listening to her whinging, whining and bleating as she is want to do, and which has led to her being placed on three calls to order, which is nothing unusual. The Epping to Chatswood rail link is the single largest infrastructure project under construction in New South Wales. The capital expenditure is \$2.3 billion, on a project expected to provide rail services for approximately 12,000 passengers a day. When completed, the project will take pressure off the northern and western lines.

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

Mr DAVID CAMPBELL: This \$2.3 billion of infrastructure will provide rail services to parts of Sydney that currently have no rail services. I welcome and celebrate this project. Members will appreciate that delivering such a big piece of infrastructure is a complex task and they would expect there to be testing of it. Members would also expect trial trains would run on it to make sure that it is working properly and that is exactly what is underway. Members would also expect that if a new rail line were introduced into the complex RailCorp network, work needs to be done at junction points to make sure it is efficient.

A couple of weeks ago when about 400 people spent their weekend working on that project, who whinged, whined and complained about it? The Opposition whinged, whined and complained that work was

going on so that this particular project could be commissioned. The advice that has been given to the community is that a shuttle service—Epping to Chatswood—will run from early next year, as part of the commissioning of this project. The advice I have from RailCorp and the Transport Infrastructure Development Corporation is that the shuttle service is on track to occur. The community and I have advice that the integrated timetable, expected to take effect from about mid next year, is also on track to occur. While the Government expends \$2.3 billion on an important piece of infrastructure, the Opposition whinges, whines and complains every single step of the way.

ENROLLED NURSE TRAINING

Mr NATHAN REES: Earlier the Leader of The Nationals asked me a question about nurse recruitment. As I advised, the Government has recruited 1,650 new registered nurses and midwives into the New South Wales hospital system, and that is a fact. When the Opposition claimed that 3,000 nurses have left the system, I am advised that the figures it is using—

Mr Barry O'Farrell: No, you are wrong again.

Mr NATHAN REES: The figures you are using include nurses who resigned from a job in one area in order to take up a job in another area. That is not a nurse leaving the system.

The SPEAKER: Order! Government benches will remain silent.

Mr NATHAN REES: It also includes nurses who finish their training and move into a new role.

Question time concluded.

DEPARTMENT OF COMMUNITY SERVICES LISMORE OFFICE INCIDENT

Ministerial Statement

Ms LINDA BURNEY (Canterbury—Minister for Community Services) [3.07 p.m.]: Last night a serious incident occurred at the Lismore office of the Department of Community Services. The police and fire brigades were called out in the early hours of this morning to find several cars alight. The fire was extinguished. However, a number of police officers were admitted to hospital suffering smoking inhalation, and the fire destroyed two cars. Thankfully, no other injuries occurred. Police are investigating and have encouraged anyone who may know anything about it to come forward.

This morning I spoke to the regional director of the Department of Community Services and offered my support, and I assured her that the Government's priority is the ongoing safety of staff. I also spoke to the member for Lismore to ensure that the Opposition spokesperson was aware of the situation. I advise members that security at the Lismore office has been immediately increased with security staff now on duty. A support team from head office has arrived to help staff manage the situation.

The Director General of the Department of Community Services will fly to Lismore this evening to assess the situation and support staff. I cannot emphasise strongly enough the challenges our caseworkers face each and every day. The business of child protection can be tough and gruelling work. Staff is called upon to make agonising decisions that have long-term consequences. The pressure on staff is growing as we see more children coming into the system. I speak on behalf of the Government in extending my strong support to workers at the Lismore office who are dealing with the aftermath of this incident.

Mr THOMAS GEORGE (Lismore) [3.09 p.m.]: I thank the Minister for Community Services for her reference to what happened in Lismore last night. The incident highlights what police and Department of Community Services staff face every day in their work. Earlier this year the Department of Community Services opened a new office in Lismore, which, thank goodness, is across the road from the new police station. Last night the police attended straight away and dealt with the matter. Sadly, three police officers, Senior Constable Wilson, Constable Vidler and Constable Bird, were admitted to Lismore Base Hospital, and Constable Vidler will not return to her shift this week.

I have spoken to Michael Buckley, the Chief Executive Officer at the Lismore Department of Community Services office, who indicated that the staff are well and handling the situation satisfactorily. On

behalf of members on this side of the House I join with the Minister in thanking the police for the job that they have done and I pay credit to them and to the staff of the Department of Community Services. The incident could have been a lot worse. As the Minister said, the police are investigating the incident and no doubt over the next few days there will be some sort of result.

PETITIONS

Drink Container Deposit Levy

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

Isolated Patients Travel and Accommodation Assistance Scheme

Petition objecting to the criteria for country cancer patients to qualify for the Isolated Patients Travel and Accommodation Assistance Scheme, received from **Mr Steve Cansdell**.

Breast Screening Funding

Petition requesting funding for breast screening to allow access for women aged 40 to 79 years, received from **Mr Steve Cansdell**.

Hornsby Area Haemodialysis

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

Ambulance Rescue Function

Petition opposing the recommendation of the Head Report to disband the rescue function within the Ambulance Service of New South Wales, received from **Mr Daryl Maguire**.

Tumut Renal Dialysis Service

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

Hawkesbury River Railway Station Access

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

Bus Service 311

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

Bus Service 352

Petition requesting that 352 bus services be extended to operate on nights and weekends, received from **Ms Clover Moore**.

Edgecliff Interchange Upgrade

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

Barangaroo Planning Guidelines

Petition opposing the Sydney Harbour Foreshore Authority proposal to modify Barangaroo planning guidelines, received from **Ms Clover Moore**.

Star City Casino Proposal

Petition opposing the Sydney Harbour Casino Properties proposal for the Star City Casino, received from **Ms Clover Moore**.

Pet Shops

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

Preschool Speed Zones

Petitions asking that 40 kilometre per hour speed zones be introduced outside all preschools in New South Wales, received from **Mr Steve Cansdell** and **Mr John Turner**.

Grafton Bridge

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

Broadwater Traffic Arrangements

Petition requesting the installation of speed cameras, flashing lights and a 40 kilometres per hour sign at Broadwater Public School, received from **Mr Steve Cansdell**.

Berowra Traffic Noise Abatement

Petition requesting that noise levels be reduced on the F3 Freeway at Berowra, received from **Mrs Judy Hopwood**.

Commuter Parking

Petition requesting adequate commuter parking across the electorate of Epping and Sydney, received from **Mr Greg Smith**.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Drought

Mr GERARD MARTIN (Bathurst) [3.12 p.m.]: My motion should be given priority because it is extremely important that members on this side of the House demonstrate our ongoing support for farmers during this severe drought in New South Wales. Whilst most areas have had reasonable rains over the past few weeks, and indeed the best spring rain on the Central Tablelands for some years, the situation is still dire. What we need in this House is unity, and it has been unedifying over the past couple of days to see the leadership problems amongst those opposite, particularly in The Nationals.

We all know that a lot of undermining has been going on and the pretender from Barwon has been exposed in the past few days. The member for Coffs Harbour has been despatched as the Deputy Leader of The Nationals, and that is okay: leadership comes and goes. However, all of that has diverted them from their real job. We had the very unedifying and unparliamentary conduct of the Leader of the Opposition, who seems to have everyone in his sights. It does not matter where he goes, he has been lined up.

Mr Greg Smith: Point of order: Relevance is important, despite the perhaps more tolerant attitude you take, Mr Speaker. For the member for Bathurst to use his urgency motion to try to make mischief with one of the opposing parties is a misuse of Parliament.

The SPEAKER: Order! The member for Epping will resume his seat. I ask the member for Bathurst to state why his motion should be accorded priority. However, I remind members that I allow a certain amount of latitude in relation to priority motions.

Mr GERARD MARTIN: The member for Epping was obviously not listening when I gave notice of my motion earlier today. As he is a poor listener and slow learner I read my motion to show why the leadership issue is relevant. My motion states:

That this House:

- (1) congratulates the Government for supporting New South Wales farmers during this period of drought;
- (2) notes that The Nationals are more concerned with arguments with their Coalition bosses than paying attention to the plight of New South Wales farmers; and

That was the heart of my proposed motion. The motion continues:

- (3) calls on The Nationals to stop infighting and back Country Labor's support of farmers in New South Wales.

That is what I proposed to the House. I hope the member for Epping can understand that. Just as well he bailed out of the Department of Public Prosecutions, because if he ever took over it would have been chaos.

The SPEAKER: Order! The member for Bathurst will direct his comments through the Chair.

Mr GERARD MARTIN: Sorry, Mr Speaker. It is obvious why my motion should have priority. We are talking about drought support. The Nationals do not present an alternative government; they are slipping into irrelevance right across the State. They hardly have even—

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

Mr Barry O'Farrell: Point of order: My point of order is on relevance. No-one who wanted to be generally bipartisan about an issue that is hurting rural and regional areas would put those cheap political points in the middle of the motion.

The SPEAKER: Order! The member for Bathurst has the call.

Mr GERARD MARTIN: It all gets down to leadership. I will not take up any more time of the House spelling it out in detail now. There is no question that my motion should have priority and we should expose the sham and the backbiting and the backstabbing that is going on among Opposition members. And here comes Deadeye Dick.

Mr Andrew Stoner: Point of order: I refer to Standing Order 109, which relates to consideration of motions accorded priority. If the member wishes to establish priority he should argue the seriousness of the drought and the fact that farmers are suiciding. This is a serious issue and it is an insult to farming families for the member to abuse the standing orders with those cheap political points.

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

Mr GERARD MARTIN: That point of order underscores why my motion should have priority. The Leader of The Nationals has not raised this issue in this House. He has been out on holidays on this issue, and that is why we have put it on the table. We will talk drought, and I will leave it at that.

Rail Infrastructure

Ms GLADYS BEREJIKLIAN (Willoughby) [3.17 p.m.]: The contribution by the member for Bathurst should answer why my motion should be given priority: the Labor Party is more concerned with politicising issues than dealing with issues that are important to the residents of New South Wales. My motion should be given priority because only today we learned of the most recent bungle in relation to the Epping to Chatswood rail line. The State Labor Party simply cannot deliver any public transport infrastructure. I will establish why this project is in such a mess. When the project was first announced by the

Labor Party in 1998 it was called the Chatswood to Parramatta rail link, because it was supposed to go between those two areas. In 2003 the project was cut in half and will now go only from Chatswood to Epping. Former Minister Michael Costa said that he could not see the sense in spending the money for a project to go all the way to Parramatta.

In August 2006 we learnt of the massive budget blow-out: it was revealed that the project would be nearly \$1 billion over budget. Since that time the cost has increased even more. In October 2007 then Minister for Transport John Watkins said that the line would increase capacity on the main western line but that it would take trains off the northern line. That contradicts what the current Minister for Transport said last week, when he said that no services would be cut. However, the previous Minister for Transport, the then member for Ryde, said on the record that services on the northern line would be decreased.

The problems continued. In November 2007 the Auditor-General reported a shortage of qualified skilled engineers and testing operators for the line. The Auditor-General flagged, again, that there would be further delays and an increase in project costs. In December 2007 we were again advised of another delay and the project was promised to be completed in 2008—specifically this year—but we know that that time frame has blown out again. The engineering problems were again made public with revelations that only the oldest and non-airconditioned carriages would be used on the line until new rolling stock arrived. That will be a number of years away. Passengers on the line will be subjected to substandard conditions. We also learnt last year that the rail tunnel built under the Lane Cove road tunnel is too steep for the modern Tangara trains and new rolling stock will take a number of years to arrive.

Mr Alan Ashton: Point of order: I would just like the member for Willoughby to mention the word "priority" once or twice. I gave her a couple of clues.

The SPEAKER: Order! As I ruled previously, I extend a certain amount of latitude during consideration of motions to be accorded priority.

Ms GLADYS BEREJIKLIAN: I am hoping that by highlighting all the bungling in relation to this project members will agree that this motion deserves priority. Similarly, this year's budget means nothing because the cost had blown out to \$2.35 billion, which again is a huge jump from what was projected last year. The line has to be tested and the opening date was pushed out to February next year. On 14 February this year it was revealed that 14 kilometres of the track needed to be re-laid after adhesive between the tracks and the concrete slab came unstuck. One would think that after these bungles the Government would review the future of the project and fix some of these problems, but that has not happened. This is regrettable, because this is the only public transport project the Labor Party has built in the past 13 years. It is only half the project but at double the cost.

This week in Parliament when we highlighted the massive waste and mismanagement in public transport we referred to the \$1 million tender for media and marketing research. The Boston Consulting Group report that was recently released cost \$10 million. The State Government asked the consultancy to find out what was wrong with the network. The Government needed to pay someone \$10 million to find that out. But that was not enough. The Government did not act on the report for nine months and then delayed its release. Since the report came out the Government has issued another tender document for another million dollars for another consultancy to find out what is wrong with the network.

The Premier said this week that he would look at this document and decide if it was up to muster or not. Has he decided that? Has he looked at the document and will he be spending another million dollars after wasting \$10 million on consultants to find out what is wrong with the network? That is why this motion deserves priority. Millions of dollars are being wasted by this State Government on a weekly basis. Meanwhile commuters are packed like sardines at railway stations, unable to get on a train and being stranded on platforms, unable to get to work on time and home on time because this Government wastes time. It cannot manage public transport projects and it wastes millions of dollars on a weekly basis on marketing and research while other reports gather dust in Ministers' trays.

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

The House divided.

Ayes, 48

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

Noes, 38

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

Question resolved in the affirmative.

DROUGHT**Motion Accorded Priority**

Mr GERARD MARTIN (Bathurst) [3.28 p.m.]: I move:

That this House:

- (1) congratulates the Government for supporting New South Wales farmers during this period of drought;
- (2) notes that The Nationals are more concerned with arguments with their Coalition bosses than paying attention to the plight of New South Wales farmers; and
- (3) calls on The Nationals to stop infighting and back Country Labor's support of farmers in New South Wales.

This is an important and timely motion to bring before the House. Over the recent years of the drought, particularly the past seven or eight years, the ongoing need has been for Federal and State governments to support farmers. The New South Wales Government certainly has been at the forefront: to date it has spent approximately \$400 million in providing necessary financial aid to farmers around the State. While some areas have cause for optimism after receiving reasonably good spring and winter rains, we know that the majority of the State remains in drought. Certainly, the south and south-west of the State is in much worse condition than the Central West and to the north. The drought is devastating our rural and regional communities.

But the most serious concern of The Nationals is how to control the media spin on their leader's threat to shoot a Federal Coalition member. As unedifying as that was, I was heartened to hear on Sydney radio that the New South Wales Leader of The Nationals resiled from shooting his Federal colleague and was prepared merely to hang, draw and quarter him. Such behaviour was greeted with widespread dismay throughout the State: I received a number of calls from constituents in my electorate. Our farmers are facing drought, flooding rains and a locust plague, and yesterday we heard how well prepared the State Government and its agencies are to resist a plague that threatens to be of almost biblical proportions. While the State Labor Government assists The Nationals focus on swapping deputy leaders and making gun jokes. It is interesting that it has taken 10 years for someone to make the former Deputy Leader of The Nationals look good, and that happened in only the past couple of days. This behaviour would be laughable if the plight of our farmers were not so serious.

Mr Brad Hazzard: Point of order: I refer to Standing Order 76, relevance. I ask that you bring the member for Bathurst back to the leave of his motion and remind him that whilst his motion referred to The Nationals in a general sense, it certainly does not amount to the type of substantive motion required to enable him to attack individual members. You should direct him to restrain himself.

The SPEAKER: Order! I have heard enough on the point of order. I listened carefully to the motion. At this stage the member for Bathurst is within the leave of the motion.

Mr GERARD MARTIN: The Opposition does not like the content of my motion but that is not a basis on which to take a point of order. The Opposition may argue that this is not the way to address the plight of our farmers, but it is clear on this side of the House that the motion identifies the deficit in unity on that side of the House. We would like to work with the Opposition, including The Nationals, to take a message to the community, but it is difficult to accept their support if they continue in their present manner. Yesterday the Minister for Primary Industries, Ian Macdonald, released the October drought figures, which showed some slight relief but not enough to break the drought's tight grip, especially in the south-west of the State, which I am sure the member for Wagga Wagga would agree is one of the areas hardest hit.

The solid band of drought-declared areas stretch from the Wagga Wagga and Hume areas across to the South Australian border. We appreciate the important agricultural produce from that area. The area includes the electorate of the member for Murrumbidgee, who has been the new Deputy Leader of The Nationals for a whole 24 or 48 hours, yet he seems more focused on navel gazing and points of order as his party implodes around him than on helping local farmers. Month after month large segments of the south-west have remained in drought, with the associated financial and personal costs to farmers, their families and, indeed, entire communities. Surely that spells out why both sides of the House should focus on addressing this issue.

The Government already has committed more than \$400 million to help with transport subsidies, family farm gatherings and drought counsellors. We are helping families and communities in their fight against the drought and its repercussions. But it is not just the south-west of the State that suffers; communities in my electorate of Bathurst have experienced the severity of the current drought. Just a few months ago Minister Macdonald accompanied me to a drought benefit concert in Bathurst by the Sydney Symphony Orchestra. The benefit gave them a much-needed boost and showed farmers that they were not forgotten. Like much of New South Wales, my area has been drought declared on and off for the past few years: currently Bathurst's drought rating is classified as marginal—similar to around 16 per cent of New South Wales, including the Hunter, Maitland and the Central Tablelands.

Another 69.2 per cent of the State is in drought. Cooma, Balranald, Wentworth, Broken Hill, Wilcannia, Hillston, Narrandera and Cobar are crying out for rain. Just 14 per cent of New South Wales is in a satisfactory drought stage, mostly up north, from where we expect a wheat crop of about 5.8 million tonnes, and along the northern coastal belt. Although this is a vast improvement on last year's crop, it is well down on previous tonnages: we usually expect around 8 to 10 million tonnes. We can only hope that good times will return. Last month many farmers received much-needed relief from rains. The September rain meant that the drought-declared area reduced by 2.4 per cent. The rainfall was at least average, but so far October rainfall figures have been low—until the last few days at least. In the central and southern areas of the State more rain is needed to lock in yield estimates.

Again, the New South Wales Government is helping out while members of The Nationals continue to distract themselves with infighting and fighting with their sworn enemy, according to the comments of various Federal members of the Liberals and The Nationals—they have a deep hatred for one another. That was borne

out by the comments of the Federal Leader of The Nationals and a former member of this House, Alby Schultz. The Opposition should get its act together and show some unity; get rid of the hatred that flows between the Coalition partners and come and join Country Labor in helping drought-affected families.

Mr ADRIAN PICCOLI (Murrumbidgee) [3.35 p.m.]: How disappointing it is that the motion and remarks of the member for Bathurst were so irrelevant to the drought. Nobody living in country New South Wales, or in New South Wales generally, can make light of the drought and its consequences. The Leader of The Nationals referred by interjection to people killing themselves because of this drought.

Mr Gerard Martin: Well, show a bit of support for them.

Mr ADRIAN PICCOLI: We are happy to debate a motion about the consequences of the drought and what governments can do.

Mr Gerard Martin: Do it. It is part of the motion. Get on with it.

Mr ADRIAN PICCOLI: I am happy that the member for Bathurst has moved this motion. That is why I am speaking to it. But he could not help himself and spent 75 per cent of his contribution on irrelevant rubbish. Certainly in my part of the world the drought has been a complete disaster for dry area farmers. This year for many dry area farmers it is probably the last throw of the dice. Irrigation farmers face the same hurdles.

Mr John Williams: Why don't they talk about fixed water charges?

Mr ADRIAN PICCOLI: As the member for Murray-Darling said, one way the Government can help is to waive fixed water charges. Victoria has in place a system to give farmers some relief from fixed water charges. Victoria gives its farmers assistance from council rates. They are the kinds of positive things that can help farmers. Fixed water charges amount to about \$15 million. Let us suppose that it costs \$15 million to provide relief from council rates, which happens in Victoria. That total of \$30 million happens to be the same amount of money that the New South Wales Government was happy to spend to promote a car race in Sydney so that its members could swan about in the official box and pit lane with V8 supercar drivers and the like.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The member for Murrumbidgee will be heard in silence.

Mr ADRIAN PICCOLI: I am trying to make a contribution and some suggestions.

Mr Gerard Martin: No, you're not.

Mr ADRIAN PICCOLI: I am suggesting that the Government waive fixed water charges for our farmers.

Mr Daryl Maguire: They can't even make funds available to spray locusts.

Mr ADRIAN PICCOLI: The Government is preparing to hand down its mini-budget on 11 November. It could waive fixed water charges and follow Victoria by giving rates relief to farmers. As the member for Wagga Wagga said, the Government could provide funds for aerial spraying of locusts. The effects of the drought are patchy: I have driven through parts of the Wagga Wagga electorate and some good crops can be seen. The last thing farmers need right now is a locust plague that will destroy the results of their good fortune this year.

I ask the Government to provide that money—not big money in the scheme of a \$44 billion budget. November 11 is the Government's opportunity to do something for drought-affected farmers. Those are just three things I suggest the Government do to help out farmers. But it also has the opportunity to provide more money for mental health and to get some of the counsellors, psychologists and psychiatrists from Sydney out in rural areas to help farmers. This drought is not just about crops dying and businesses; it is about people. It is about families feeding their kids boiled rice for dinner, as I was told at Ardlethan the other day. People are saving absolutely every cent yet can afford only boiled rice for dinner. Imagine having to do that as a consequence of drought.

Mr Steve Whan: What's wrong with rice?

Mr ADRIAN PICCOLI: They are feeding them rice because it is one of the cheapest foods. The families cannot afford the caviar and smoked salmon that someone on a Parliamentary Secretary's salary can buy. From question time this week we know that the Government is in crisis. The people know that, and there were massive swings in the polls on the weekend of 20-odd per cent. Still, when Ministers answer questions, even Dorothy Dixers from their own side, they cannot help but engage in pointless banter. When responding to questions about ferry services, rail services, health services and nurses, 75 per cent of what they say is rubbish. The public are awake to the fact that the Government ran out of ideas many years ago. That is why 75 per cent of Ministers' responses are rubbish. November 11 is the Government's chance to do something to assist farmers affected by the drought. I have made a number of suggestions. I urge Ministers not to engage in moving this kind of motion and this kind of banter. I move:

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

"this House supports drought-affected farmers in New South Wales".

Mr STEVE WHAN (Monaro—Parliamentary Secretary) [3.42 p.m.]: What hypocrisy we have heard from the member for Wagga Wagga in criticising the Government for raising the issue of drought in this place. We raised the issue of drought in the past sitting week and discussed in detail what was happening with government drought relief. In fact, I raised the issue. Yesterday we raised the issue of the locust plague, and have done so again today. How many times has the Opposition put forward as a priority a motion to discuss drought? In the past 12 months, not once has it put forward a priority motion on drought. The Leader of The Nationals is too busy on his website talking about waves. He goes on a country tour in New South Wales and gets off the bus looking for the inland sea. He still thinks it might be out there. His website shows that is the only thing that interests him.

We need a serious contribution from Opposition members, rather than the hypocrisy that we get from them. Critical to effective government is an effective Opposition. The Westminster system works best when the Opposition is effective. We do not have that in New South Wales; we have this lot opposite who have no policies and no unity. The member for Murray-Darling was asked earlier today whether it would not be better for his area if they got rid of that other coastal leader of The Nationals. He said, "Yes, I think that would be a good idea actually." This division within the Opposition is quite counterproductive.

Mr Thomas George: Point of order: My point of order, taken under Standing Order 76, relates to relevance. The member for Monaro has been speaking for two minutes and is yet to touch on the content of the motion.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The speech of the member for Monaro has been entirely relevant to the motion. There is no point of order.

Mr STEVE WHAN: I spoke about the drought a couple of weeks ago, but new drought figures have been released. Some areas have improved but many areas, including the South Coast and Wilcannia, have moved from the marginal to drought category. So there are still serious problems out there, and it is only this Government that is dealing with the issue. The Coalition has no policy alternatives for the people of New South Wales.

Mr Thomas George: You are in government.

Mr STEVE WHAN: But you have to be an alternative government. You have to realise your responsibility to be an alternative government. The Opposition will not even listen to the people of New South Wales. An example was an item on the website of the Leader of The Nationals. The snap poll on its website asked, "Do you think Nathan Rees is doing a good job as Premier?" Eighty per cent of people said, "Yes." The Nationals did not want to hear that, so they took it off the website. That is just another example of The Nationals not being willing to listen to the people of New South Wales. The people want positive messages from the government, not this excuse for an Opposition that we have opposite. The Opposition should sort out its problems, and stop threatening to execute at dawn those who do not agree with it—the "treacherous rats", as the Leader of The Nationals told a Port Macquarie paper.

Mr DARYL MAGUIRE (Wagga Wagga) [3.45 p.m.]: In his opening remarks the member for Bathurst said it was important to have this debate to assist farmers. But he did not put forward one initiative.

Instead we had from him mouthfuls of diatribe, in an attempt to cause trouble. He did not support farmers. Nor did the member for Monaro, for he too engaged in politics. The drought is having an enormous effect on regional communities. There is no doubt about that. There are things that need to be done. Initiatives that the Government failed to bring before this House and did not mention in this debate need to be discussed.

The first matter I want to raise is fixed water charges, a matter mentioned by the member for Murrumbidgee. Some \$15 million in fixed water charges is an enormous cost for a farmer who has no income. But we heard no mention of that from the Government. This State has a locust plague of a magnitude that it has never seen before. The locusts will decimate crops, but no money is available for wide-scale aerial spraying. Locusts have no boundaries. Whilst landholders are spraying their paddocks, in other areas—such as national parks and other Crown lands—locusts are breeding. They need spraying. That is why funding should be provided for aerial spraying. Rural lands protection boards need funding, and they need it now. If our crops are wiped out, there will be an enormous social catastrophe. I have spoken about that before in this place.

Self-congratulatory motions are no recommendation. I am appalled that the member for Bathurst, rather than deal with the issues, injected spin into the debate in an attempt to gain some political advantage. Again I refer to mental health and Sunflower House. For three years the Opposition campaigned for funding for Sunflower House. Petition after petition, signed by thousands of people, urged the Government to provide funding to help people such as farmers suffering mental crises. Eventually we got the money, in response to our protests, but it took three years. Labor members have forgotten that just six weeks ago they were in factional warfare, and that they knifed Premier Iemma. The member for Bathurst, the member for Monaro and the Minister for Transport, and Minister for the Illawarra were among those who did that. They now have a new Premier in this place, and a new member of the upper House, the Hon. John Robertson, sits in that place as a reward for the work he did. As much as I am reluctant to resort to this—

Mr Steve Whan: Point of order: In the interests of consistency, I point out that the Opposition raised points of order relating to relevance, claiming that Government members were politicising this debate. I suggest they are being somewhat hypocritical.

Mr DARYL MAGUIRE: I am responding to comments made by Government members. I wish I had more time. [*Time expired.*]

Mr FRANK TERENCEZINI (Maitland) [3.48 p.m.]: What we have heard is typical of what we get from The Nationals. It started with the member for Murrumbidgee trying to adopt the attitude of a statesman and saying the Opposition would not play politics because the matter was too important. But the contributions of those opposite degenerated to the point where the entire three-minute contribution of the member for Wagga Wagga was totally political. The Nationals are in denial. Slowly but steadily, they are sliding into the abyss called the Liberal Party. That is what is happening, and members of The Nationals know it, but they are trying to cover it up as best they can. The Government has contributed \$400 million in drought relief, and \$132 million of that has been contributed since 2002. As the member for Lismore well knows, there is a 50 per cent rebate on domestic and stock water charges to ensure that farmers are given appropriate assistance. Furthermore, \$2 million was allocated to subsidies for transportation of stock.

Beyond costs, the social impact of the drought is important, as evidenced by 16,000 calls received by the Government's hotline. The State Government held over 2,000 social events that were attended by 120,000 people who live in the country. The Nationals do not know that 120,000 people who live in country areas attended social events that the Government organised to address the social impact of drought. In addition to that, 7,000 people attended 130 workshops that were organised throughout New South Wales country regions. That is the way to assist people who are suffering the effects of prolonged drought. We have provided not only financial assistance but also social impact support because Government members realise that there is a social dimension to the problem. While we are getting on with the job, Coalition members are fighting among themselves.

Apart from trying to find a leader who does not have foot-in-mouth disease, the Coalition is trying to work out how to reverse the trend that is sweeping through The Nationals. They are sliding slowly but ever so surely towards irrelevance, and members opposite are very worried. When they approach the House's centre table and pretend to be statesmen by calling for a bipartisan approach, what they are really trying to do is deflect attention from the internal problems of the Coalition. During the last 15 minutes of this debate, not one policy has been mentioned by the Opposition, particularly The Nationals. They are worried about what will happen to them. As we have seen in the past week, the Leader of The Nationals

has foot-in-mouth disease, and if I were he, I would be worried about my position. I know there will be a leadership change; that is what is happening in The Nationals. I see a smile on the face of the member for Murrumbidgee.

Mr David Campbell: You've flushed him out.

Mr FRANK TERENCE: He is preparing himself. We have flushed him out. He has notched up an important milestone, and the next step will follow very soon.

Mr GERARD MARTIN (Bathurst) [3.51 p.m.], in reply: I thank the member for Murrumbidgee, the member for Monaro and the member for Wagga Wagga for their contributions to the debate. Much has been said about the Leader of The Nationals, Andrew Stoner, and most of the debate was directed at his lack of leadership and parliamentary sense. Earlier this year in his reply to the budget, despite having unlimited time, how many times did the Leader of The Nationals mention drought and drought-affected farmers?

Mr Steve Whan: None!

Mr GERARD MARTIN: Zero! Not once! Yet members of the Coalition claim their leader gives the impacts of drought a high priority. Those comments fly in the face of his failure to mention it once in his most important speech of the year. We all know that the Leader of the Opposition, Barry O'Farrell and the city Liberals have no idea of the impact of the drought, but one would expect the Leader of The Nationals to know. The other issue canvassed during the debate was mental health. The Government agrees it is a very serious problem that has been exacerbated by the drought. The Government has taken many initiatives to help farmers and people adversely affected by the drought to deal with mental health issues.

I know from personal experience that Professor Brian Kelly from the School of Rural Mental Health at the Bloomfield Hospital near Orange developed a program with the chief executive of the New South Wales Farmers Association, Jock Laurie, and the Country Women's Association to specifically address mental health awareness for farming communities—a first-aid mental health scheme, as we refer to it. That was a wonderful initiative. It has been supported by everybody in rural areas of New South Wales, except The Nationals who apparently still have not heard about it. The Government provided financial counsellors to assist farmers, and the only threat to their continued service came from John Howard and Peter Costello. Remember them?

Mr Steve Whan: Who?

Mr GERARD MARTIN: John Howard and Peter Costello shifted the goalposts and withdrew the Commonwealth Government's contribution towards meeting the costs of providing financial counsellors. The New South Wales Government had to keep the program going and meet all the costs until the Commonwealth Government was bludgeoned into coming back to the table. Did members of the Coalition try to help by persuading their colleagues in Canberra to provide assistance to people in rural New South Wales who had been affected by drought? They did nothing. It was yet another typically gutless performance by Coalition members when it comes to dealing with the real issues confronting people in drought-affected areas.

Coalition members should not accuse the Government of playing politics over drought assistance. Consistently the Government has proposed the issue of drought for debate. As the member for Monaro has pointed out, the Government has debated the drought and its effects consistently and as a matter of priority, but when Government members have sought to debate the effects of the drought as a matter of urgency, they have been swamped by spin merchants from the city Liberals—O'Farrell and company—who want to beat up political point-scoring opportunities. Opposition members have made no effort to focus on rural issues. Support for rural people has been left in the hands of Country Labor. The Government invites the Opposition to join in providing support for country people affected by drought. But if the Opposition refuses, we will do the job ourselves. Coalition members are not fit for government.

Question—That the words stand—put.

The House divided.

Ayes, 48

Mr Amery
Ms Andrews
Mr Aquilina
Ms Beamer
Mr Borger
Mr Brown
Ms Burney
Ms Burton
Mr Campbell
Mr Collier
Mr Coombs
Mr Corrigan
Mr Costa
Mr Daley
Ms D'Amore
Ms Firth
Ms Gadiel

Mr Gibson
Mr Greene
Mr Harris
Ms Hay
Mr Hickey
Ms Hornery
Ms Judge
Ms Keneally
Mr Khoshaba
Mr Koperberg
Mr Lynch
Mr McBride
Dr McDonald
Ms McKay
Mr McLeay
Ms McMahan
Ms Megarrity

Mr Morris
Mrs Paluzzano
Mr Pearce
Mrs Perry
Mr Sartor
Mr Shearan
Mr Stewart
Ms Tebbutt
Mr Terenzini
Mr Tripodi
Mr West
Mr Whan

Tellers,

Mr Ashton
Mr Martin

Noes, 36

Mr Aplin
Mr Baird
Mr Baumann
Ms Berejikian
Mr Cansdell
Mr Constance
Mr Debnam
Mr Draper
Mrs Fardell
Mr Fraser
Ms Goward
Mrs Hancock
Mr Hartcher

Mr Hazzard
Ms Hodgkinson
Mrs Hopwood
Mr Humphries
Mr Kerr
Mr Merton
Mr O'Dea
Mr Page
Mr Piccoli
Mr Piper
Mr Provest
Mr Richardson
Mr Roberts

Mr Smith
Mr Souris
Mr Stokes
Mr Stoner
Mr J. H. Turner
Mr R. W. Turner
Mr J. D. Williams
Mr R. C. Williams

Tellers,

Mr George
Mr Maguire

Question resolved in the affirmative.

Amendment negatived.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 48

Mr Amery
Ms Andrews
Mr Aquilina
Ms Beamer
Mr Borger
Mr Brown
Ms Burney
Ms Burton
Mr Campbell
Mr Collier
Mr Coombs
Mr Corrigan
Mr Costa
Mr Daley
Ms D'Amore
Ms Firth
Ms Gadiel

Mr Gibson
Mr Greene
Mr Harris
Ms Hay
Mr Hickey
Ms Hornery
Ms Judge
Ms Keneally
Mr Khoshaba
Mr Koperberg
Mr Lynch
Mr McBride
Dr McDonald
Ms McKay
Mr McLeay
Ms McMahan
Ms Megarrity

Mr Morris
Mrs Paluzzano
Mr Pearce
Mrs Perry
Mr Sartor
Mr Shearan
Mr Stewart
Ms Tebbutt
Mr Terenzini
Mr Tripodi
Mr West
Mr Whan

Tellers,

Mr Ashton
Mr Martin

Noes, 37

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

Question resolved in the affirmative.

Motion agreed to.

The SPEAKER: Order! It being before 4.30 p.m., the House will proceed to General Business Orders of the Day (for Bills).

TAFE (FREEZING OF FEES) BILL 2007

Agreement in Principle

Debate resumed from 25 September 2008.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [4.07 p.m.], in reply: When debate on this bill was adjourned I was telling the House that I was grateful for the support of The Nationals and Liberals—the Coalition—for this bill. I am also grateful for the support of the community at large. We had many hundreds of digital signatures—cyber signatures—on our online petition from a broad cross-section of the community. I have also received support from the Greens in the other place, as well as members of the TAFE Teachers Association, which is part of the New South Wales Teachers Federation.

In my travels as shadow education Minister I have visited a number of TAFE campuses, particularly in regional and rural New South Wales, where TAFE is extremely important as the major training provider. This is an important time to support TAFE because the nation is experiencing a skills shortage, and training in technical and trade areas in particular is critical to our economy. However, the Government has not acted to support TAFE in a number of ways. Not only did the Government increase fees by some 9 per cent in one fell swoop, contrary to pre-election promises made by senior Government members, it also embarked on a process of downgrading the institution of TAFE.

This is being done in two ways. First, the Government is downgrading the qualifications from a Bachelors degree to a Certificate IV for teachers to qualify. Members know that the quality of teachers is the number one ingredient in the achievement of successful results by students, yet this Government is effectively downgrading the qualifications of teachers in the TAFE system. Second, the Government has embarked on a radical restructure that cuts funding to TAFE and that cuts a number of positions, particularly equity-related positions which give students who have various disadvantages the opportunity to study and become qualified through the TAFE system.

The Government has made a trifecta of attacks on TAFE. TAFE and its teachers deserve better support, as do low-income students who can ill afford a steep increase of 9 per cent in fees when the cost of living puts pressure on families throughout New South Wales. I thank all members who have contributed to debate on this bill, and the community and stakeholder groups for getting behind it. I commend the bill to the House. The bill reflects statements made by senior members of the Government, and I therefore look forward to the support of Government members.

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

The House divided.**Ayes, 36**

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

Noes, 46

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

Question resolved in the negative.**Motion negatived.****Bill not agreed to in principle.****HEALTH SERVICES AMENDMENT (MANDATORY BACKGROUND CHECKS OF MEDICAL PRACTITIONERS) BILL 2008****Agreement in Principle****Debate resumed from 20 June 2008.**

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [4.21 p.m.]: The Government opposes the Health Services Amendment (Mandatory Background Checks of Medical Practitioners) Bill 2008. As I said on 27 June, Mr Graeme Reeves ceased to be a registered medical practitioner more than four years ago, in July 2004. Since that time he has had no more right to lay a hand upon another person than any other member of the public. The challenge for this Parliament is to ensure that none of his ilk—and there are others in society, like him, who would wish to do so—can ever again practice medicine in this State. The bill was introduced on 20 June 2008 for political reasons, rather than to improve public safety. The bill is about political posturing.

The operation of the bill would present significant practical difficulties for the Medical Board, public health organisations and individual medical practitioners. Most significantly, the bill would undermine important aspects of the entire regulatory system of medical practice in New South Wales. Therefore, it is

inconsistent with the object of the protection of health and safety of the public. I stress that policies to address this issue are already in place. The bill has a number of serious flaws. The bill will apply only to the public health system, giving no protection to the many hundreds of thousands of people who use private health practitioners.

I remember the Chelmsford case, even if the Opposition does not. The bill will water down the mandatory checks required since 2005 under the New South Wales health policy for doctors seeking appointment to public hospitals and it has the potential to seriously undermine the operation of the Medical Practice Act and the effective protection of the health and safety of the public that is its overarching goal. The majority of doctors and health care professionals working in New South Wales are law-abiding citizens who undertake their role with the utmost professionalism. Unfortunately there are, from time to time, doctors whose standards and performance are inadequate. That is why New South Wales already has the strongest legislation in the country to protect patients from doctors' misconduct.

It is concerning that the New South Wales Opposition introduced a bill that proposes changes to the reporting requirements for doctor misconduct. I agree that patient safety is of paramount concern to the Rees Government and we will strongly oppose any attempts by the Opposition to meddle with or water down our legislation. As the House would be aware, the New South Wales Government undertook an extensive review of the circumstances surrounding the appointment of Mr Reeves and the policies and procedures applying in New South Wales public hospitals in 2002 and at present. Action has been taken to address those issues, and further action is ongoing.

In June this year the New South Wales Government passed the Medical Practice Amendment Act 2008, the strongest legislation in Australia to protect patients against misconduct by doctors. The Medical Practice Amendment Act 2008, which passed with Opposition support, contains provisions to enhance the powers, processes and transparency of the bodies regulating the medical profession in New South Wales. The amendment Act included, for the first time in Australia, a system of mandatory reporting, requiring medical practitioners to report serious misconduct by other medical practitioners. These are the first provisions of this type in Australia and, as I have stated, are the toughest in the country.

These standards are extremely tough, tougher than some doctors or medico-legal lawyers would like, but they are vital for patient safety. The Government requested former Federal Court judge Deirdre O'Connor to review the legislative changes and to identify whether any further amendments were needed as a result of the Reeves matter. Ms O'Connor's review made a number of recommendations, which were incorporated into the Medical Practice Amendment Act 2008. They were designed to prevent an occurrence of the events involving Mr Reeves. The amendments included requiring Professional Standards Committee [PSC] disciplinary decisions to be publicly available; requiring the PSC hearings to be open to the public, unless the committee directs otherwise; and permitting the Medical Tribunal and the committee to make critical compliance orders against medical practitioners, breach of which by the practitioner would automatically result in suspension and deregistration of the practitioner.

Ms O'Connor was also asked to review Mr Reeves' appointment, management and termination at both the former Northern Sydney Area Health Service and the Southern Area Health Service. As part of her findings, Ms O'Connor noted that in March 2005 the New South Wales Department of Health issued the memo entitled "Delineation of clinical privileges for visiting practitioners and staff specialists: Policy for implementation". That policy expressly requires area health services to verify with the Medical Board a medical practitioner's registration and entitlement to practice before appointing or employing the medical practitioner.

Ms O'Connor considered the 2005 policy directive adequately addressed the gap in NSW Health policy that existed at the time that Mr Reeves was appointed by the former Southern Area Health Service. Ms O'Connor did not consider further legislative change was necessary. Finally, Mr Reeves' appointment by the former Southern Area Health Service has also been investigated by the Special Commission of Inquiry into Acute Care Services in New South Wales Public Hospitals headed by Mr Peter Garling, SC. In July this year the Garling inquiry released the first report of the commission of inquiry. The Garling report very clearly states that there were deficiencies.

Mr Andrew Constance: Point of order: My point of order relates to the fact that the member is now speaking outside the leave of the bill. The bill relates to the chief executive of the public health organisation carrying out background checks on medical practitioners. It does not relate to the inquiries undertaken in

relation to the Medical Practice Amendment Act. That legislation has been debated in this Chamber in recent months. The member should relate his comments directly to the bill. He is outside the leave of the bill, and I ask you to draw him back to it.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! At this stage there is no point of order. The member for Macquarie Fields is making reference to aspects he considers to be relevant. I will listen carefully to the member.

Dr ANDREW McDONALD: The Garling inquiry made no recommendations for changes to the legislation and this is a change to the legislation. That is why I am talking about the Garling inquiry. The Garling report very clearly states that there were deficiencies in the regulatory system at the time of Mr Reeves' appointment in 2002 and these contributed to the failure of the former Southern Area Health Service to detect the extent of the restrictions on Mr Reeves' registration. However, the report found that a number of these deficiencies had been subsequently addressed, in particular the policy requirement introduced in 2005 that area health services independently verify registration with the Medical Board prior to appointment. In addition, the report found that these deficiencies have been largely addressed by the new Medical Practice Amendment Act 2008, which was passed in June. All 10 of the Garling inquiry's recommendations have been accepted and are currently being implemented by NSW Health.

The House will not be surprised that the Opposition bill was not supported by the recommendations already made in the Garling inquiry. Had the commissioner considered that any amendment to the Health Services Act was appropriate, it was open to the commissioner to do so within his terms of reference. In fact, the recently released first report by Commissioner Peter Garling as part of the inquiry into acute care in New South Wales hospitals has publicly recognised the necessary strides that New South Wales Health has made with regard to recruitment and appointment policies. Like Judge O'Connor, Commissioner Garling chose not to recommend any legislative changes in this area.

The stated aim of the Opposition's bill is to provide mandatory pre-appointment checking requirements in the legislation and the Opposition health spokesman claims that the failure of the Medical Practice Amendment Act to address this issue was a major oversight. There is simply no basis for the premise of this bill that the New South Wales Health policy system is inadequate and the conclusion is not supported by any of the independent reviews into the Reeves matter. The bill fails to recognise compliance with policy directives is mandatory—I repeat: mandatory—for public health sector employees and managers. It is a condition of the New South Wales Health Code of Conduct and failure to comply is enforceable through disciplinary action. In addition to normal procedural checks when employing medical officers, further checks include conducting the 100-point identification check, confirming with the New South Wales Medical Board that registration is current and whether there are any conditions imposed, liaising with the Health Care Complaints Commission to ensure there are no outstanding matters, and conducting extensive referee checks with current supervisors and other relevant persons.

We have come a long way since 2002. NSW Health is establishing a service check register, which will be available to area health services and statutory health corporations to check the service record of recommended applicants, employees and contractors. Once the register is operational managers will be required to check the register as part of the recruitment process. They will also be required to check the register when considering or reviewing disciplinary action. The Government is mindful of the need to have appropriate security and privacy protections around the register. The service check register will be subject to strong security and access rules to protect the confidentiality of information. Access will be restricted and limited to specific authorised health personnel. As enshrined in the most recent legislation, the protection of the health and safety of the public is the paramount consideration for the Government when it comes to the recruitment of health professionals. The Reeves issue has given all those inside and outside the profession cause for thought. Changes were needed. After expert advice these changes were introduced. This bill makes no acknowledgement of those changes and for this reason the Government opposes it.

Mr ANDREW CONSTANCE (Bega) [4.35 p.m.]: The speech of the member for Macquarie Fields was very disappointing.

Mr Robert Coombs: I will listen to the doctor, I think.

Mr ANDREW CONSTANCE: The member will listen to the doctor. That is an interesting point. It is somewhat ironic that the Government has put up a doctor to speak about the Health Services Amendment

(Mandatory Background Checks of Medical Practitioners) Bill 2008. I note that the member for Macquarie Fields indicated that the majority of medical practitioners in this State are law abiding, and everyone in this House would concur with that fact. Without doubt, what we have seen in relation to this matter has been a cover-up and there are some very telling aspects about the way the Government has conducted its affairs. One of the reasons we are here today is that there are women victims of Dr Reeves who want to see a requirement on health bureaucrats to check the registration status of medical practitioners who are going to be employed as L-A-W—law. That is not unreasonable.

The bill does not weaken any Act. It does not weaken any policy guidelines as outlined by the member for Macquarie Fields. It strengthens the legislation and makes it law. Too often we see policy guidelines not followed in NSW Health. It happens every day. That is what policy guidelines are for; they enable people to be guided. We are talking about making it law. We know, and the shadow Minister for Health is fully aware, of the concerns that have been raised by victims in the Reeves affair. That is why we are here; that is why we have introduced this bill. We have introduced it because the Medical Practice Amendment Act did not go far enough in ensuring that this would never happen again. We all know the failures on the part of the appointments and credentials process in relation to Dr Reeves. That has been canvassed time and again in this place.

It must be noted that a bureaucrat checked a doctor's credentials—and Dr John Mortimer did that; he made a phone call after the appointments and credentials committee had met in relation to Dr Reeves. He did it a couple of days before the signing of Dr Reeves' contract. He phoned one of the referees and was told that Dr Reeves was okay when normal but not meant to practise obstetrics. Did the alarm bells start to ring? Not necessarily. I am sure they would have been ringing if it had been law. I am sure they would have been ringing if there had been penalty points attached to not undertaking that process in the first place. That is what we are seeking to do—prescribe a penalty, because it is about community safety first and foremost.

To have a doctor do what Dr Reeves did was unacceptable. This is not the 1950s, 1960s, 1970s, 1980s or 1990s. This happened six years ago under this Government's watch, under the administration of the State Labor Government. I applaud the efforts of the shadow Minister for Health in introducing this bill because it goes to the heart of what everybody wants to ensure never happens again. I cannot believe that the Government will oppose this bill. It is mind-boggling. This is one of the most important pieces of legislation to come before the House in this term of Parliament, yet Government members are opposing it.

Mrs Judy Hopwood: It is simple legislation; it is two pages.

Mr ANDREW CONSTANCE: As the member for Hornsby said, it is simple legislation and it is two pages in length. It strengthens what was undertaken in the Medical Practice Amendment Act, which we endorsed and supported. Why will the Government oppose the bill? Government members, such as the member for Monaro, have in their electorates women who were affected by Dr Reeves. Will the member debate this bill? He well knows the views of his constituents in relation to this legislation. I hope the member for Monaro has the guts and decency to cross the floor and support this Opposition bill.

This debate goes to the heart of what is wrong with this Labor Government, which was reflected in last weekend's by-election results. We see it demonstrated again in respect of women such as Carolyn Dewageneire, who has been tireless in her fight to get this legislative amendment through the Parliament. She has written letters and spoken out publicly, but she and other women get a slap in the face from the Government, which refuses to ensure it is mandatory by law for health bureaucrats to check a doctor's credentials. The bill asks bureaucrats to pick up the phone, ring the Medical Board and check the registration status of medical practitioners.

Instead, the member for Macquarie Fields, Dr Andrew McDonald, of all people told this House this afternoon that the bill would weaken the law. That does not make sense. I suspect the member does not believe what he said in his speech. I plead with the Government to go away, think about this some more, think about the effect of this measure, then come back here and join with the Opposition in a bipartisan approach on one of the most important issues that this Parliament has dealt with. The Government's attitude is mind-boggling. Does the member for Macquarie Fields think it wise to oppose a bill designed to stop a recurrence of the Reeves situation?

We are now learning what happened at Lismore, but we do not know how many others could be in the same situation. How many doctors were employed in this State's area health services before 2005 without being subject to a reference check or an inquiry being directed to the New South Wales Medical Board? Are there any

doctors working in the health system of this State who are subject to a registration restriction that the Government and area health services throughout the State do not know about? Those questions need to be answered. The Opposition, in a bipartisan manner, is seeking to work with the Government to ensure to the best of our ability that a Reeves situation never happens again. The overview of this bill is very clear:

The object of this Bill is to amend the Health Services Act 1997 ... to require the chief executive of a public health organisation to carry out a background check of a medical practitioner with the New South Wales Medical Board before the medical practitioner is appointed by the public health organisation as a visiting practitioner under Chapter 8 or is employed under Chapter 9 to enable the public health organisation to exercise its functions. The Bill provides that the medical practitioner must not be appointed or employed to carry out any medical service for or on behalf of the public health organisation if the background check shows that any order made in respect of the medical practitioner, or any condition placed on the registration of the medical practitioner, under the Medical Practice Act 1992 as a result of a misconduct finding would prevent or restrict the medical practitioner from carrying out the medical service concerned.

We also seek to attach penalty points to breaches, and therefore provide for a fine. This sharpens the attention of bureaucrats to the fact they have to do the right thing otherwise they will be breaking the law. I do not see anything wrong with that. Denise Robinson has been shown the door, Jon Mortimer has been put under suspension, and the Government is now in damage control. I fully appreciate that the Government has had some problems with its handling of this issue because Reba Meagher was the responsible Minister throughout these events. But Reba Meagher has now departed this Parliament, enabling the Government to admit it has done wrong in the past 12 months in the handling of this issue, and that this is an opportunity to rectify its mistakes.

Reba Meagher did a lot of damage. She refused on-the-ground counselling support for women victims. I hope that in this new era of the Government, with Nathan Rees saying that the Government is listening and is willing to respond to community needs, it will look at this measure closely. Putting to one side what was said this afternoon by the member for Macquarie Fields, I say to the Premier, who is out there saying that his administration will not resort to spin and trying to create the perception that he is willing to listen, here is a perfect opportunity for him to listen to the New South Wales Liberals and The Nationals. This is our policy, but we are happy to share it with this Labor Government. We want the Government to support it to protect the community. I urge all members of the Government to support the bill.

The recent arrest of Dr Reeves presents difficulties in referring to a number of matters in this debate. However, I want to recognise the bravery and determination of those women who brought this issue forward. We let them down if this bill is not passed. I am not prepared to allow that to happen, so I make no apology for being political about this issue if the Government chooses not to support the bill. I call on the Government to support the legislation. In doing so I acknowledge the work that Jillian Skinner put into the preparation of this legislation. Without Jillian this legislation would not be before us. I repeat my plea to the Government to scrap its policy position on this measure, go away today and think about it, then come back next week and vote in support of the bill and acknowledge the women who have been affected by Dr Graeme Reeves.

Mr DAVID HARRIS (Wyong) [4.47 p.m.]: This bill is a hasty and poorly considered response to the serious issues raised by the Graeme Reeves matter. The protection of the health and safety of the public is the paramount consideration for this Government when it comes to the recruitment of health professionals. Not only will the bill do little to improve the regulatory system of medical practitioners in New South Wales, it has the potential to seriously undermine the effective operation of that system and the safety of the public that is its overarching goal. This bill does not challenge the fact that policies in place in 2008 have addressed concerns arising out of the Reeves case, but it is based on a premise that to be effective the controls must be in legislation.

The stated aim of the Opposition's bill to provide for mandatory pre-appointment checking requirements in legislation is flawed. This statement fails to consider a number of critical factors. The bill takes one part of the current checking process to check for orders and conditions imposed on medical practitioners under the Medical Practice Act and places the obligation in legislation, attaching a criminal sanction and monetary penalty to one specified office holder if that check is not conducted. This approach fails to recognise the force and effect of the policy directive system and other compliance mechanisms within the New South Wales public health system. The bill does not appear to challenge the fact that the main structural failing in the appointment of Graeme Reeves in 2002 was the inadequacy of policies in place in 2002, and that NSW Health policies in place in 2008 have addressed these concerns.

It is important to understand how the NSW Health policy directive system works. The Opposition should take particular note of this explanation. Area health services in New South Wales are required to comply with policy directives issued by the New South Wales Department of Health as a condition of funding. This obligation has legislative force and, therefore, it is mandatory for public health sector employees and managers

to comply with policy directives. Failure to comply is enforceable through disciplinary action. A further critical flaw of the bill is that its terms do not cover all relevant conditions and orders that may be imposed on a medical practitioner under the Medical Practice Act. The new section 132B (1) of the bill proposes to insert limits to the checks required to be carried out to medical services restrictions, which are defined as orders or conditions placed on the registration of a medical practitioner as a result of a misconduct finding.

This definition of "medical services restrictions" does not include three types of potentially applicable orders or conditions that do not result from misconduct findings. These orders or conditions include a condition or order imposed by the Medical Board on a medical practitioner under section 81 of the Medical Practice Act as a result of a finding of impairment, a condition or order imposed by a Performance Review Panel under section 86N of the Act following a finding that the professional performance of a practitioner is unsatisfactory, or a condition or order imposed by the board on a medical practitioner in the exercise of the board's emergency powers under section 66 of the Medical Practice Act to protect the health and safety of the public.

A condition or order imposed in all three of these circumstances may affect the carrying out of medical services by the medical practitioner. From a patient and public protection perspective these types of orders and conditions can be of equal concern to conditions arising out of a formal disciplinary process, and may have a similar impact on a practitioner's capacity to provide services. Therefore, the bill fails to address all the types of restrictions under the Medical Practice Act that may be relevant to ongoing service provision. A further and perhaps more fundamental flaw of the bill is that focusing on one aspect of the appointment process of medical practitioners and seeking to give it a legislative basis fails to recognise the range of considerations and factors relevant to ensuring there is an appropriate risk assessment process prior to the appointment of each medical practitioner.

To properly achieve this the critical issue is to ensure that employers have all the necessary information relevant to a medical practitioner's practice to enable them to make a proper assessment. The Government already has taken action to ensure such information is readily available to employers. Since 2000 section 191B of the Medical Practice Act has required the Medical Board to give notice of any order made under the Act or condition made in respect of a medical practitioner to any employer of the medical practitioner—both public and private sector—and any facility where the practitioner is accredited as a visiting medical officer or otherwise. The obligations under section 191B refer to any condition or order, and include conditions or orders imposed by the board resulting from impairment or made following a section 66 inquiry.

Therefore, section 191B is broader in its terms than the obligation proposed by the Opposition's bill and covers all relevant orders or conditions. In the New South Wales public health system policy directives also require area health services to consider a number of other matters for the purpose of conducting an appropriate risk assessment. These include, for example, conducting checks with the Health Care Complaints Commission to identify whether there are any relevant complaints investigations, and undertaking structured reference checking, including a reference check with at least one former supervisor. These additional checks recognise that the matters relevant to the appointment of a medical practitioner are not restricted to orders made against that practitioner after a disciplinary hearing under the Medical Practice Act.

It is to be noted also in this regard that the bill says nothing to prevent a practitioner in such circumstances from being employed or appointed to a private health facility. The Opposition health spokesperson does not address or explain the anomaly that results in a legislative scheme that establishes a statutory offence for senior public sector managers who fail to ensure that a specific type of check is conducted, but places no similar obligations on managers operating in similar facilities in the private sector. Finally, proposed section 132B (4) makes it an offence for an area health service chief executive to fail to comply with the requirements of sections 132B (1) and (3) without reasonable excuse.

The imposition of a criminal sanction on chief executives raises a number of difficulties. Given the size of the task, the verification of registration and entitlement to practice of prospective employees or appointees is undertaken by a range of officers and managers within an area health service, not the chief executive personally. The imposition of criminal liability on a chief executive for failing to carry out a background check places an unreasonable personal burden on chief executives. On one level the defence of reasonable excuse may well be available on the basis that it may provide grounds to support a due diligence defence whereby the chief executive could show that he or she took all reasonable actions to ensure checks were carried out.

However, this is by no means certain, leaving chief executives at risk of prosecution for an offence in the event an officer to whom the task is delegated fails to carry out the task or carry it out properly. At the same

time the availability of a broadly worded reasonable excuse defence could arguably be seen as undermining the hard-line approach the bill seeks to adopt. Should a court accept this defence—or indeed any other reasonable excuse—no further action could be taken as there is no provision in the bill to hold any other person accountable for the failure. This should be contrasted with the current NSW Health policy directive obligations, which are mandatory for all officers assigned relevant tasks in the recruitment and appointment process, and failure to comply with such obligations may be enforceable through disciplinary action in serious cases.

In conclusion, NSW Health has conducted extensive reviews of the events surrounding the appointment of Dr Graeme Reeves to the former Southern Area Health Service in 2002. Further, the Garling inquiry has now submitted a report in relation to this matter. These reviews identified failings in both policy and process. The reviews acknowledged that over the 2002-08 period there has been considerable improvement in NSW Health policy and practice in relation to a broad range of background and reference checking. Both reviews recommended further policy improvements, which have been accepted by NSW Health. Finally, as the Garling inquiry noted, a number of deficiencies in the regulatory system of medical practitioners in New South Wales revealed by the Reeves matter largely have been addressed by the Medical Practice Amendment Act.

The current bill addresses only one narrow aspect of these issues. It fails to understand the range of matters that are relevant to appropriate risk assessment of candidates for employment or appointment. Further, the bill is fundamentally flawed on its terms: it addresses only a limited range of orders and conditions and its operation would present significant practical difficulties for the Medical Board, public health organisations and individual medical practitioners. Most significantly, the bill would undermine important aspects of the entire regulatory system of medical practice in New South Wales. It is therefore inconsistent with the object of the protection of the health and safety of the public by which any proposed legislative change in this area should be measured. For these reasons, the Government opposes this bill.

Mrs JUDY HOPWOOD (Hornsby) [4.58 p.m.]: I strongly support the Health Services Amendment (Mandatory Background Checks of Medical Practitioners) Bill 2008. I congratulate the member for North Shore, the shadow Minister for Health, on addressing this issue and putting forward what I and many others consider is a good solution. The bill strengthens—certainly does not lessen—the abilities of employers in the health system to conduct thorough checks on people who will be given responsibility for people's lives. The object of the bill is to amend the Health Services Act 1997 to require the chief executive of a public health organisation to carry out a background check of a medical practitioner with the New South Wales Medical Board before the medical practitioner is appointed by the public health organisation as a visiting practitioner under chapter 8 or is employed under chapter 9 to enable the public health organisation to exercise its functions.

The bill provides that a medical practitioner must not be appointed or employed to carry out any medical service for or on behalf of a public health organisation if the background check shows that any order made in respect of the medical practitioner, or any condition placed on the registration of the medical practitioner under the Medical Practice Act 1992 as a result of a misconduct finding, would prevent or restrict the medical practitioner from carrying out the medical service concerned. I strongly emphasise that this bill does nothing more than strengthen existing provisions. The bill is about employment, not practice.

As we know, other serious issues are emerging. I will not name the people involved, but every member of the House would be aware of another serious issue that is developing. As legislators, we should pass laws to provide for any measures necessary that will prevent further mishaps, such as those reported by women who have come forward to the Deputy Leader of the Opposition and member for North Shore and the member for Bega, and those reported by people who have received inadequate medical care in our public health system. The conduct complained of is unacceptable and totally unsatisfactory.

The changes proposed by the bill are extremely simple. As the Deputy Leader of the Opposition points out, if the Government will not support the legislation because it does not include the private sector, the Government should move an amendment. An amendment of that nature would be acceptable to the Opposition. I urge the Government to come forward and work with the Opposition, just as the Opposition has worked with the Government in relation to the Medical Practice Act. It seems to me to be a very politically naive decision to withhold support for this legislation. The Government has adopted that position on political lines instead of putting the best interests of patients first—patients who place their lives in the hands of medical practitioners when they enter a medical service or surgical facility. On Tuesday 26 August 2008 an article was published on the front page of the *Sydney Morning Herald* under the headline, "Hospitals blamed for series of deaths".

Dr Andrew McDonald: Point of order: The member's remarks are outside the leave of the bill. The member is referring to events that have occurred since the bill was introduced.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! I will listen carefully to the contribution of the member for Hornsby.

Mrs JUDY HOPWOOD: Any information that comes forward and supports the Opposition's argument is relevant. The emerging issues whose details I have not outlined to the House support the proposition that this legislation should be accepted. We do not really know what else in the public health sector will confront us in the future. We really have no idea of the nightmares that a patient or series of patients might have suffered, and as that relates to medical care it is something we need to know. The legislation is designed to make more stringent checks and balances apply to the provision of medical care.

As members of Parliament we had to undergo police checks, and the working with children background checks are extremely thorough. A person cannot work with any child unless given a clearance through a background check and after that person's life has been investigated extremely thoroughly. Even volunteer organisations take character checks very seriously, such as Rotary Clubs, Lions Clubs and other service clubs. The background checks provided in the bill amount to a simple telephone call from an administrator to find out necessary background information about somebody who will be given one of the most responsible positions in an employment sense—the position of looking after a patient who enters the State's health system. I will cite the article because it supports the tenets of the bill introduced by the Deputy Leader of the Opposition. The article by Natasha Wallace, the *Sydney Morning Herald's* health reporter, states:

Damning internal reports into 85 deaths at western Sydney hospitals over two years have revealed that at least 49 of the patients did not receive adequate care.

Poor standard of care was a "significant contribution" to the deaths of 14 patients last year and might have contributed to up to 25 deaths in 2006.

Dr Andrew McDonald: Point of order: This material is outside the leave of the bill. The bill deals with mandatory checks for employment rather than adverse events in hospitals. Under Standing Order 76 the member must debate matters within the leave of the bill.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! The Chair has given a broad interpretation of relevance during contributions to the agreement in principle debate. Nevertheless, I ask the member to confine her remarks to the leave of the bill.

Mrs JUDY HOPWOOD: The bill relates to the serious implications of not carrying out background checks on medical practitioners, the most serious of which is death but includes suffering caused to patients when something goes wrong. Information on the consequences of not maintaining appropriate standards is directly aligned to the purport of the legislation introduced by the Deputy Leader of the Opposition. I point out that past errors have come back to haunt the health system. Current issues are becoming increasingly well known. Future medical care is directly relevant to reports of malpractice that come forward. The legislation has its origins directly in the inadequate care given to patients. While I continue to refer to examples, Mr Assistant-Speaker, I will be mindful of your ruling. I will refer to remarks made by the Deputy Leader of the Opposition in her agreement in principle speech:

On 7 May 2008, the [then] Minister for Health introduced legislation into this Parliament that strengthens the role of the New South Wales Medical Board in dealing with complaints about medical practitioners.

The Opposition does not resile from that, but the then Minister for Health addressed only half of the problem. The Deputy Leader of the Opposition went on to state:

In her opening statement, the Minister stressed that the changes would improve the "transparency and accountability by introducing mandatory reporting requirements on the medical profession itself to report medical practitioners whose conduct may be harming or abusing patients." The Coalition had been calling for the legislation, and fully supported it. But despite amending legislation to make it more likely that malpractising doctors would be dealt with and deregistered, the Minister for Health failed to amend legislation to make it mandatory for employers to check with the New South Wales Medical Board before employing any doctor.

Indeed, the action taken by the former Minister for Health addressed only half the problem. The Health Services Amendment (Mandatory Background Checks of Medical Practitioners) Bill 2008 is about strengthening existing legislation and adding provisions that we hope will prevent what some patients in New South Wales

unfortunately have had to endure. I cannot speak highly enough of the need to support this legislation. As I have already stated, if the Government cannot support the legislation in its current form, the Opposition will accept an amendment to include the private sector. There can be no doubt that, just as people working with children are required to undergo background checks and just as certain other capacities require background checks before people are allowed to participate in certain fields, such as becoming a member of Parliament, so too should medical practitioners be included in the category of people who have to undergo background checks prior to appointment. The bill states:

Chapter 10A Background checking of medical practitioners before appointment or employment

132 Definitions

In this Chapter:

Background check means a check for any medical service restriction affecting the carrying out of medical services by the medical practitioner ...

Medical services restrictions, in relation to a medical practitioner, means any order made in respect of the medical practitioner, or any condition placed on the registration of the medical practitioner, under the *Medical Practice Act 1992* as a result of a misconduct finding.

Misconduct finding includes a finding of professional misconduct or unsatisfactory professional conduct.

New section 132B states:

Background checking mandatory before appointment or employment

- (1) The chief executive of a public health organisation must carry out a background check of a medical practitioner with the Medical Board before the medical practitioner is:
 - (a) appointed by the public health organisation as a visiting practitioner ... or
 - (b) employed under Chapter 9 to enable the public health organisation to exercise its functions.
- (2) The Medical Board is required to give to the chief executive any information concerning any medical services restriction affecting the carrying out of medical services by the medical practitioner of which it has knowledge.
- (3) The medical practitioner must not be appointed or employed to carry out any medical service for or on behalf of the public health organisation if the background check shows that any medical service restriction would prevent or restrict the medical practitioner from carrying out the medical service concerned.
- (4) A chief executive of a public health organisation must not, without reasonable excuse, fail to comply with the requirements of subsections (1) and (3).

Maximum penalty: 20 penalty units.

Patients in the communities we serve want to have total confidence that when they walk into a health facility they will undergo whatever their doctor has instructed them to have done and that the utmost care is taken to ensure that they are safe. That is what this is all about: Patients need to be safe. The Anderson family lives in my electorate. Vanessa Anderson died in November 2005. Her father, Warren Anderson, has led a concerted campaign, first and foremost, trying to get answers about the death of his daughter and, secondly, trying to encourage changes to the health system so that what he has gone through does not happen to anyone else. He is absolutely scathing about the internal report to which I referred.

Dr Andrew McDonald: Point of order: I am well aware of the tragic case of Vanessa and have enormous sympathy for the Anderson family. However, under Standing Order 86, the points on topic must be relevant to the subject of the debate. The bill is about the appointment of new doctors to hospitals.

Mrs JUDY HOPWOOD: Not new doctors—any doctor.

Dr Andrew McDonald: Any doctor. This is about the appointment of doctors to hospitals, rather than a hospital adverse event system.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! The bill comprises two pages. The member for Hornsby must confine her remarks to the leave of the bill.

Mrs JUDY HOPWOOD: In conclusion, everyone should think about this issue in the hard light of day. That applies particularly to the Government, which does not appear to support this bill. Until legislation is passed to make employers check with the medical board for restrictions on a doctor's practice, the potential for another disaster for which no-one is held accountable remains.

Ms KATRINA HODGKINSON (Burrinjuck) [5.13 p.m.]: I wholeheartedly support the Health Services Amendment (Mandatory Background Checks of Medical Practitioners) Bill 2008, which was introduced by the shadow Minister for Health. I congratulate the shadow Minister. Most citizens of this State would be surprised to know that this legislation is not already enacted. Why is this commonsense legislation not welcomed with open arms by the Government? What is the Government trying to hide? Mandatory background checks should be made of doctors working in our public health system. Where do the Labor women stand on this issue? They should stand up for the practices in our public health system, particularly in rural and regional areas, where we have little choice about where we go for operations.

People who live in the Pambula and Bega areas, or in my electorate of Burrinjuck, which extends from Cootamundra to Cowra and from Collector to Caragabal, do not have much choice about where to go to have surgery performed. Unless people have sufficient financial means to traipse to either Sydney or Canberra, they must go to their local public hospital. The people of New South Wales place great faith in parliamentarians to ensure the safety of women and men who undergo surgery—in many instances, critical surgery—in public hospitals. In this case a general practitioner performed major operations on women from country areas. Why are these provisions not already law? Why are there not already mandatory checks for doctors, including obstetricians, going into the medical profession and the New South Wales public health system?

I do not see how any legislator in this place, male or female, can vote against this commonsense legislation. The member for Bega has made great representations about this case in this place and beyond. The Deputy Leader of the Opposition detailed all the things that went wrong for the women who suffered under the hand of Dr Graeme Reeves, the butcher of Bega. There are some legalities relating to the issue of Dr Reeves' registration. However, it has been stated that he faced many difficulties relating to registration. That is on the public record. Brave women such as Carolyn Dewaegeneire came forward and spilled the beans about what had happened to them.

Intimate surgery was performed on these women. It must have been awful for them to speak about these brutal acts. Every time they present their face to the public they know that people are thinking about the more intimate parts of their anatomy and how brutally destroyed part of their person has become. What happened to these women is unforgivable. And it happened because there are no mandatory background checks in our public health system for doctors performing such surgery. Why are there no mandatory checks? The shadow Minister has written this bill in a fantastically simple way:

The object of this Bill is to amend the *Health Services Act 1997* ... to require the chief executive of a public health organisation to carry out a background check of a medical practitioner with the New South Wales Medical Board before the medical practitioner is appointed by the public health organisation as a visiting practitioner ... or is employed to enable the public health organisation to exercise its functions.

It does not get much more basic than that. It is such simple legislation. The Government should be saying, "Okay, one tick. Yes, sorry, we missed that one. We will do it now. We will do it as a matter of urgency before any more surgeons enter the public health system without having mandatory checks performed on them." The legislation is common sense. If the Government does not endorse this legislation, the lack of confidence in rural health, our public health system and this Labor Government will continue to escalate among the people of New South Wales.

We will see a further erosion of confidence in this very poor performing Government, particularly in relation to health. The people of New South Wales spoke at last weekend's by-elections, when we saw some massive swings against Labor. If the Government does not support this legislation it will see some almighty swings against Labor at the next election. It has not seen anything yet! This is commonsense legislation that I wholeheartedly support as a woman in this place. Labor women in this place should contribute to the debate on this bill. Shame on all of them! They should support it and vote for it because it is one of the most sensible, practical and commonsense pieces of legislation to come before this place in my time here.

Mr THOMAS GEORGE (Lismore) [5.20 p.m.]: I support the Health Services Amendment (Mandatory Background Checks of Medical Practitioners) Bill 2008. In doing so, I thank and congratulate the Deputy Leader of the Opposition, and shadow Minister for Health on putting in an enormous effort to draft this legislation, which deals with a problem that was first raised in this place by the member for Bega. We have come a long way since then. I have a lot of admiration for the Parliamentary Secretary, the member for

Macquarie Fields, not only as a member of Parliament but also as a paediatrician. I cannot believe the Government will not support this legislation introduced by the Deputy Leader of the Opposition because this patient protection is needed badly in New South Wales.

I represent the electorate of Lismore, where the activities of Dr Roman Hasil are well and truly documented. He was employed throughout the health system, but had this legislation been enacted I doubt that he would have been able to get a job in Australia. It is a matter of public record that Dr Hasil was dismissed as a newly graduated doctor for unacceptable behaviour—drinking on the job—at the first hospital in which he worked in his homeland. In 2001 he came to Australia. He went to Lismore and was interviewed by the then Northern Rivers Area Health Service, which is now the North Coast Area Health Service. I am told by the area health service that it was not allowed to check whether Dr Hasil had a criminal record overseas before it hired him. However, knowing that Dr Hasil had served time in jail in Singapore for domestic violence before he came to Australia would not necessarily have stopped his being employed at Lismore Base Hospital.

Dr Hasil worked for four years at Lismore Base Hospital as an obstetrician before going to New Zealand, where he botched a string of sterilisation procedures and was suspended for drinking while on call. That was brought to the notice of the Northern Rivers Area Health Service in 2003. Connie Scholl, about whom I have spoken previously in this Parliament, sent a letter of complaint to the area health service and in 2003 received two letters of acknowledgement, saying that the service would get back to her. But nothing happened. Connie waited until 2008, when she had the courage to approach me as her local member and go to the press with her story. Once her story hit the newspapers, there was action. Dr Hasil has a history not only in his own home country but also in New South Wales, New Zealand, Queensland and Tasmania. Had this bill been law he would not have been employed in Australia. The Deputy Leader of the Opposition, as shadow Minister for Health, has introduced this bill to try to protect patients in New South Wales.

Mr Geoff Provest: The innocent people.

Mrs Jillian Skinner: And the reputation of good doctors.

Mr THOMAS GEORGE: That is a very valid point. This bill will protect the innocent, and the good doctors in this State, who do a mighty job. Let us not forget them because the number of doctors who would be affected by this bill is minimal. The Opposition wants not only to protect patients from doctors who have done the wrong thing but to protect doctors who do the right thing. Other speakers have said that members of Parliament or people who deal with children must undergo background checks. Recently the local Rotary club wrote to me to say that it has to pay so much per head out of its own pocket for checks on people who want to perform community services. Why do doctors not have to be checked?

Dr Andrew McDonald: We do.

Mr THOMAS GEORGE: You do! I implore the Parliamentary Secretary to talk to the shadow Minister because this legislation affects every member of Parliament and every citizen of this State. These checks are important. Surely we can have bipartisan support for the bill to protect not only the people of this State but also doctors who do the right thing. I implore the member for Macquarie Fields to take that message to the Minister for Health. I encourage him to draft some amendments to the bill—if that is what the Government requires—to send a strong message from this House to the people of New South Wales that we want to avoid further disasters.

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

PRIVATE MEMBERS' STATEMENTS

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

CROSS-BORDER TASK FORCE

Mr GEOFF PROVEST (Tweed) [5.30 p.m.]: I am 100 per cent for the Tweed. On 27 February 2007 a landmark meeting was held in Queensland between two former Premiers, Mr Morris Iemma and Mr Peter Beattie, on the matter of a cross-border task force to deliver better local services. That was the issue they tried to

address. On that particular day they signed a cross-border memorandum of understanding, tackling three of the top issues for the communities of northern New South Wales and south-east Queensland. Both Premier Morris Iemma and Premier Peter Beattie said the agreement delivered short- and long-term plans to improve transport and health services in the region.

As a result of unprecedented cooperation between the governments on both sides of the border, a new dual-rank taxi plan has now been introduced. But that has been the only progress to date. Health was another major issue they addressed. A press release was issued with a lot of song and dance. Basically it stated that the Premiers were looking at teams for health services, focusing their investigation on the provision of services for people needing renal dialysis, radiation oncology, chemotherapy, women's and children's health, mental health, and community-based services. Mr Beattie said:

The study will report on current and projected populations in this area, and how they are currently being met. The report will look ahead to what is required in the cross-border region in 2016 and through to 2021.

It has taken approximately 18 months for a report to be produced on cross-border health. Recently—even today—I heard the new Premier, Mr Nathan Rees, express a desire to overhaul the Freedom of Information Act. I lodged an application under freedom of information legislation for the cross-border health paper. Initially I was told that it involved five documents and that I would have to lodge a bond of \$200, which I duly did. Later I was told that it is a confidential Cabinet document and will not be released. I have appealed that decision—hospitals in the Tweed are currently suffering because suppliers are not supplying them, and under the Health budget no equipment will be purchased.

Finally—this is interesting—the media release concerning transport referred to safety and performance standards, and to the reciprocal rights of operators on both sides of the border. The planning of the link from New South Wales into Queensland will involve community and industry consultation. Detailed consultation will also be undertaken with the local community. Further, work is to start on identifying a location for a joint State transport interchange and a bridging strategy in northern New South Wales will be implemented using bus services to build customer demand for new transport options along the proposed corridor. Work will continue to identify the route of a potential rail corridor through northern New South Wales to link up with the proposed Queensland rail link to Coolangatta. I lodged an application under freedom of information legislation for the relevant papers, but I was knocked back. I was told that they were confidential Cabinet documents. That is fine; I can understand that. But I lodged an appeal, and guess what?

Mr Kerry Hickey: You lost.

Mr GEOFF PROVEST: Yes, that is correct. I did lose. That document—which is the plan for New South Wales to 2016 and 2020—comprises only three pages. The member for Cessnock may criticise, but for the future of New South Wales to 2020 to be encapsulated in only three pages is absolutely disgusting and disgraceful. New South Wales will, once again, be at the mercy of every other State. Recently I was told that that is why our nurses are moving over the border.

CESSNOCK CORRECTIONAL CENTRE

Mr KERRY HICKEY (Cessnock) [5.34 p.m.]: I draw to the attention of the House the proposal that has been put forward by the Minister for Justice about the market testing of the Cessnock Correctional Centre. The issue first raised its head in the Public Accounts Committee, which published a report entitled "Value for Money from NSW Correctional Centres" in September 2005. The report looked at the feasibility of privatising some centres, among other recommendations. But there was no representation from a major stakeholder in the process, the Prison Officers Association. The report contains some misleading and inaccurate statements that were untested by representatives of those who work in the New South Wales prison system. Therefore, I am not surprised by some of the outcomes.

The report does not provide comparative performance measures, public versus private, at correctional facilities for staffing and the provision of goods and services. The report calls for more effective prison programs. Has the effectiveness of prison programs operated by the private sector ever been tested? If so, how was that done and what are the superior programs? Section 2.29 of the report states that in 1999 tenders were sought for innovative design, construction and management of a 600-bed minimum to medium centre at Junee. The jail was built and subsequently downgraded to a minimal security system after a riot. That situation had ramifications for other correctional centres, because of the classification issues.

Section 3.2 of the report, headed "The Way Forward", provides a model that professes to be the most significant strategy for improving the safety, security and cost-effectiveness of correctional centre management in New South Wales. But unfortunately it contains nothing to suggest improvements to safety and security when the model is applied to older, existing correctional institutions. I am concerned that in 1995 the State Executive of the Prison Officers Association asked the department to address inadequate staffing levels as it was cheaper to use current staff working overtime than to provide additional staff. The department stonewalled the Prison Officers Association's attempts to increase staffing levels among front-line prison officers.

Section 4.12 of the report states that on 26 June 2005 the 500-bed Mid North Coast Correctional Centre had an inmate population of 462. That number comprised 348 inmates classified as maximum security. Unfortunately, the officers at the facility at that time were not aware of the centre having any maximum-security inmates. Individual correctional centres have no control over the allocation of overhead costs from activities such as classifying inmates, transporting inmates, providing court security and the corporate costs of operating a centre. The question should be posed: How are costs of head office and regional office structures factored into the cost per inmate per day, and how does that compare with the private sector?

Organisational flowcharts of the department show that the six senior positions were the commissioner, assistant commissioners and regional commissioners. Following restructures over the years, the senior management of the department has grown to the commissioner, five assistant deputy commissioners and 14 other positions ranging from assistant commissioners to regional executive directors, assistant commissioner, executive director of legal services, and so on. That is a bureaucratic blow-out. The August 2008 issue of the departmental bulletin states that a simultaneous email was relayed to 7,000 staff throughout the State informing them of what the commissioner described as a "significant milestone" in the department's 230-year history. I note the 7,000 figure and note that 3,800 of the 7,000 staff are Correctional Services front-line workers. That leaves a staggering figure of 3,200 workers, doing what?

It is my understanding that the managers of security at Cessnock report to the regional security manager at Muswellbrook, who then reports to his superiors out there somewhere, and I am sure the reportage continues up various chains of commands. Who knows where it ends? It seems that Correctional Services senior management is keen on looking after mates and screwing down front-line services in a bid to save the Government money by market testing jobs at the Cessnock Correctional Centre. Why not market test the management structures of those 3,200 workers to determine what they are doing and how they are doing it? I call on the Minister to implement an independent audit of the upper management levels that will reveal a better way of getting value for money by making the system more efficient.

We need to be serious about the way in which we move forward. We cannot expect people on the front line in a stressful, potentially dangerous job to continually bear the burden of mismanagement, as has occurred in the past. This situation clearly needs to be cleaned up and sorted out. Now is the time for the Minister for Justice to act and consider the issues facing the people on the front line in those serious and dangerous positions. There is a way forward, but it is not what is proposed at Cessnock.

PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

Mrs SHELLEY HANCOCK (South Coast) [5.38 p.m.]: Madam Deputy-Speaker, I congratulate you sincerely on your promotion. This evening I rise to support the establishment of a pregnancy and infant loss remembrance day in New South Wales, preferably on 15 October each year, as is the case in Canada and the United States. It is interesting and at the same time disturbing to note that 32 per cent of pregnancies end in loss and that one in four women in New South Wales have suffered a miscarriage. Not only does each woman who has lost a child grieve this loss, but so also do her partner, family, siblings and friends. For those women who have suffered a loss, such as my constituent Mrs Nicole Ballinger, recognition is important as part of the healing process. It should be noted that the statistics for pregnancy and infant loss are perhaps higher than most people would expect.

In the developed world an estimated 500,000 miscarriages occur, the vast majority of which have unexplained causes; one in every 148 babies is stillborn, with 73 per cent unexplained; 1 per cent of all reported abortions are conducted strictly because of significant foetal abnormalities; and one in every 2,000 babies dies from sudden infant death syndrome. The tragedy of the statistics is compounded by the fact that many of the deaths of these babies could have been prevented with prenatal screening. For instance, vasa praevia is a condition where the mother often shows no symptoms at all. One in every 2,500 births results in stillbirth due to severe haemorrhaging caused by vasa praevia. Its infant mortality rate is 95 per cent, yet when the condition is prenatally diagnosed using ultrasound technology the survival rate is 100 per cent.

One in three pregnancies will end in loss and of course the grief that follows is often suffered in silence as those who have suffered may feel a sense of guilt or feel that society has judged the mothers as somehow responsible, largely due to ignorance and prejudice. Mrs Ballinger, who has suffered four miscarriages due to a blighted ovum, has not only suffered the losses but also felt the judgement of others and the inability of others to provide comfort due to their own empathy. There is also an expectation that women who suffer miscarriage will soon recover from their loss and simply try again to conceive successfully.

The DEPUTY-SPEAKER: Order! I call the member for Miranda to order.

Mrs SHELLEY HANCOCK: I am informed that for many women the sense of grief and loss following miscarriage is intense, prolonged, agonising and exacerbated just by the sight of new babies, pregnant women and families. In other cultures, such as Japan, the grief of pregnancy and infant loss is acknowledged and supported with special temples and shrines devoted specifically to honouring Japan's tiniest angels. In the Shinto faith there is also the Ojizo-san, a God who protects unborn babies. Statues of the Ojizo-san adorn these temples as well as private homes and gardens. The grieving in Japan have a place to go to honour their babies and a social standard that is sensitive and caring towards their loss. However, in Australia, silence, guilt, fear and intense grief characterise the long private struggle of each survivor.

Therefore, on behalf of the hundreds of thousands of women in this State and in Australia, I request the Premier consider setting aside 15 October each year as Pregnancy and Infant Loss Remembrance Day, a day to honour and remember those babies that have been lost. As I stated before, this occurs in Canada and the United States. I also request that he consider the silent suffering of the women for whom the proclamation of this day would be of enormous assistance in their healing process. Finally, I wish to support the efforts of Nicole Ballinger, who has lobbied tenaciously for such a remembrance day to be established in New South Wales, and indeed in Australia as she lobbies our local Federal member, Joanna Gash.

Mrs Ballinger has spoken to me at length about her situation and her grief, and on behalf of others who feel the same grief but suffer so much in silence. She has also provided me with many of the facts cited in my address this evening. They are the basis on which I have addressed this issue and also placed a motion on the *Notice Paper* for a future debate, which I sincerely hope we can have. I have also written to the Premier requesting that he consider this very simple request. It will not cost a great deal of money but it will help the thousands of women each year who lose babies through miscarriage. They have no understanding of why they have lost the babies but they grieve in silence and often suffer the judgement of others.

ROCKDALE ELECTORATE RECREATIONAL FACILITIES

Mr FRANK SARTOR (Rockdale) [5.43 p.m.]: I speak about a number of issues related to my electorate. There is a shortage of public recreation facilities for youth in my electorate. I am having discussions with the Department of Lands, the office of the Minister for Lands and Rockdale City Council about the creation of new sporting, athletic and soccer fields. An issue that has arisen that is of particular concern to me is Rockdale council's proposal to build a quite large car park next to Le Sands restaurant on Grand Parade in Brighton-le-Sands. While I have some sympathy for the locals who want more car parking, there is an existing council car park that could be easily expanded and improved quite dramatically. What is being proposed is that a stretch of close to 200 metres of open space be taken away for a car park to the benefit of one or two proprietors only.

I think this is quite inappropriate. It will have a significant impact on the foreshore of Botany Bay and I think it is unjustified. It is particularly unjustified because the project is costing about \$5 million at a time when the council is saying it is too poor to put funds into open space for playing fields, stadiums and sporting facilities in the area. I have raised this matter with the Minister for Lands and I have also written to the mayor of Rockdale. I am seeking to convene a meeting between the lands department and Rockdale council to discuss this matter. A public meeting is being organised on 3 November to address this issue and hopefully, because this is a public Crown reserve, the Department of Lands may withdraw its owner's consent for this particular proposal. In any event it is important that we address the issue of parking in Brighton-le-Sands. It is an important issue. Over the years there have been some difficulties with hoons but the police actions over the past three years have been very effective and the hoon problem has been reduced, although it does recur from time to time in the warmer summer months.

It is, of course, of concern that in the past few days there has been a further recurrence of what is said to be part of a gang war involving two gangs. A tattoo shop was the subject of arson several days ago. A strike

force has been established, Strike Force Junia, which is working with the local police command to try to address this issue. On two occasions in the past several months there have been drive-by shootings at the same restaurant. They tend to happen late at night and are clearly designed as intimidation rather than necessarily to have an impact on the proprietors. However, it is of serious concern. There are a number of issues in Brighton-le-Sands that need attention. One is surely car parking, but not by desecrating and destroying the foreshore of Botany Bay. Hopefully we can work with the Department of Lands and the council to turn this around and allocate council's funds, which it has found for this project, to sporting and recreation facilities in my electorate, which are in short supply.

PUBLIC TRANSPORT

Ms PRU GOWARD (Goulburn) [5.48 p.m.]: No-one in this Chamber would be unfamiliar with the complaints of rural members about transport, local and long distance, and there is no doubt that any further expansion of New South Wales, and in particular the reconfiguration of the regions of the State, depends upon decent transport services. These days I can say with feeling that decency extends beyond the timetable and beyond trains leaving and arriving on time. It is not that these things are unimportant. I have been sitting on the packed 3.46 CityRail train to Moss Vale on a Friday afternoon when there has been an announcement of an equipment failure and that we will not be going anywhere for three-quarters of an hour. The train shuddered as its hundreds of occupants gave a collective sigh of despair. Another night ruined, no facilities, poor toilets and, finally, a bus for the lucky ones. The much-awaited track work can make arrival in Sydney a very late affair. Doctors' appointments get lost, meetings are missed and families are put out.

Decency also means clean attractive carriages, not carriages so graffitied, scratched and littered you feel you must be on the set of a movie set in a slum. It is degrading for passengers and staff and further undermines confidence in the public administration of New South Wales, to say nothing of our State's pride. God knows what the Pope's pilgrims thought of us as I saw them travelling on trains from Goulburn. They knew they were going to the other side of the world but nobody told them that the transport was actually Third World. There is more, though, to public transport than rail, particularly in regional areas where rail is not always an option and distances between centres certainly preclude walking or even running.

For those in rural communities without cars—the disadvantaged, the elderly, the disabled and the young—bus transport is another vital component of local life, a bulwark against isolation. And bus transport in the Southern Highlands and the Goulburn area is in desperately short supply. So bad is bus transport in the Southern Highlands that our young people take the CityRail train to Macarthur, where leisure facilities exist, instead of taking a local bus to Bowral, Mittagong or Moss Vale, because buses are hard to find. Take the example of Colo Vale, a village at the northern end of the Southern Highlands. At last count 1,200 people were living there, 37.5 per cent of them under the age of 24 and a good 15 per cent in retirement. Now people do not move to Colo Vale expecting the same level of transport they would find in the metropolitan area. But there are limits to it. In Colo Vale there are only three buses a day to Bowral, none after 2.30 p.m. Mittagong is not much better, though these two towns are where most Colo Vale residents transact their local business.

There are no bus services at all over the weekend, meaning school students in Colo Vale and Hill Top have absolutely no opportunity to meet up with friends or take part in leisure activities such as going for a swim at the Bowral pool or watching a local game of football. Perhaps the vandalism in Colo Vale is a reflection on boredom as well as the lack of policing. There is Kangaloori, two services a day to Bowral; Mandemar, two services a day; and Wombeyan Caves Road, two services a day. Forget weekends. Sutton Forest, Exeter or Bundanoon to Moss Vale, four a day. Again, forget weekends. No wonder the community does not want to close down its local swimming pools and share a leisure centre in Bowral, because people know their children would never get there.

We are not talking about small groups of people either. Bundanoon is home to 2,000, many of whom are elderly and who retired there because, 10 years ago, there was a decent local rail service. Rail, by the way, is down to six local services a day. Thanks to the historical accident of rail, they do a lot better than Colo Vale's miserable standard of service. In the Goulburn area, need I add, bus services are even worse. There is no daily service from Goulburn to Canberra and very limited local routes—so limited, people regularly park in the bus stops on Auburn Street because the chances of a bus needing the space are so unlikely. It frightens me to hear of survey after survey of young people saying they cannot wait to get away.

Of course young people like to travel and explore, and tertiary education opportunities often make leaving inevitable, but the fact is that living in the highlands and tablelands is so much harder for young people

and a lot lonelier. For a Government forever proclaiming its devotion to climate change, its abject failure to invest in bus and rail, its inability to comprehend the importance of these facilities to the young and elderly is baffling. There are plenty of options—mini buses, dial-up services, partnerships. Improved rail services would go a long way, but for the many villagers happily remote from major towns, a decent bus service, seven days a week, is a very good alternative.

SYDNEY INTERNATIONAL CLAY TARGET ASSOCIATION

Ms ALISON MEGARRITY (Menai) [5.53 p.m.]: Saturday 11 October 2008 marked the official opening of the new Olympic trap layout at the Sydney International Clay Target Association (SICTA) grounds at Lucas Heights. The association comprises the Sydney Clay Target Club, the Marconi Clay Target Club and Australian Sporting Clays. I was pleased to attend the event with the Hon Kevin Greene, Minister for Sport, the Hon Robert Brown, MLC, and Sutherland Shire E Ward Councillor, Peter Towell. The SICTA is justifiably proud of its reputation as one of the best breeding grounds for Olympic clay target shooters, including some who represented Australia at the Beijing Olympics.

The new facilities included 15 new Olympic trap machines. I clearly observed that safety is the key consideration underpinning every activity there, so it is notable that the new fully automated machines replace hand-loaded machines that posed a risk to those loading them. In his address, President of the Sydney Clay Target Club, Tony Salem, paid tribute to the hard work put in by past committee and club members, in particular Gary and Karen Kenison, John Crompton and Chett Auditori. He said that Barry Casey and Tas Psarakis had been a driving force. Tas and also his club's immediate past president, Bill Shelton, were also instrumental in organising the official opening. It was symbolic of the traditions and family nature of this sport that Tony's wife, Leanne, their children and his parents were there. In fact, it was Tony's father who first brought him to the grounds, then little more than a dirt track, many years ago. His father passed on the skills that Tony has in turn passed on to his family and many others. At 84 years young, his dad still comes down for a shoot on a regular basis. As Tony said:

One of the most pleasing aspects that our sport and this new facility deliver, is opportunity and it will be great to see a diverse mix of the old and young—whether it's those with an ambition to represent their country, the physically impaired, or just your average club shooter who comes down once a week to relax, making the most of what our club has to offer.

The SICTA request for funding was assessed under the Safe Shooting Program. It considers projects that address compliance issues, the improvement of the safety of facilities used by the community, and provide an increased opportunity for the community to participate safely in this sport. The New South Wales Government contributed a grant of \$37,180 towards the total cost of the project, which was approximately \$81,000. The SICTA contributed a significant portion of this final amount. It was very bad luck that just after the facilities were installed, torrential rain caused substantial flooding of the below-ground area and washed away topsoil. More members' effort and elbow grease went into restoring the area and installing drainage.

In fact, the determination and resolve of the clubs in the SICTA is evident in other issues too. After many months, numerous phone calls and meetings Sharon Phillipott, the Secretary-Treasurer of the Marconi Clay Target Club, only recently received the very disappointing news that power cannot be connected to the complex. Access to an easement was the main problem, but even then it would cost at least \$980,000. The complex currently pays nearly \$2 a litre in diesel to run generators for the SICTA site and clubhouses. So it is costing this non-profit organisation approximately \$1,600 every four to five weeks to run its shoots, plus the cost for maintenance on the generators.

The SICTA will now try to fund the installation of a solar power system to at least complement the diesel generation that would still be required to run the floodlights for Friday night time shoots, but would be sufficient to run Wednesday day shoots and the occasional Saturdays and Sundays on solar power. I will be happy to support the SICTA's application for a grant to help it achieve this environmentally friendly and cost-effective alternative arrangement. In addition to the ever-rising costs of targets, ammunition, waste disposal and so on, another significant impost is the \$4,458.75 annual land rates payable to Sutherland Shire Council. I am presently investigating the equity of this requirement in relation to other shire sporting organisations. The complex does not even receive any ongoing maintenance, waste removal or other council services. I am also looking into the effect of the site's commercial valuation on the situation.

I really enjoyed meeting the club's members and learning more about this sport. The formalities included a tour of the new facilities and an impressive demonstration by Australian representatives, including some fine junior representatives. The official guests, after completing the necessary paperwork, also got to try

out the sport. Modesty forbids me from comparing my results with those of the Minister for Sport. We were particularly fortunate though to have excellent on-the-spot tuition from Olympic gold medallist Russell Mark. At the elite levels, competitors such as Russell Mark provide great sporting role models for all Australians. Sporting shooters and farmers must be licensed and demonstrate a responsible attitude to the use of firearms. It is for that reason that I commend the independent member for Tamworth for giving a notice of motion today regarding recent statements by the Leader of The Nationals. Reckless comments damage the reputation of members of the SICTA and other similar, well-run organisations around Australia.

WOODSTOCK EARLY CHILDHOOD INTERVENTION SERVICE

Mr GREG APLIN (Albury) [5.58 p.m.]: On Monday 29 September I joined more than 150 people in the CWA Hall in Albury at a public meeting called by the Woodstock Parent Action Group to raise awareness of the funding shortfall for the Woodstock Early Childhood Intervention Service. The Parent Action Group has found that in the local government areas of Albury, Greater Hume, Corowa, Lockhart and Urana there are approximately 6,000 children under the age of six. Of those 6,000 children, around 250 have a disability or additional needs and are not receiving any specialist early childhood intervention service.

Woodstock Early Childhood Intervention Service is the sole provider of early intervention for children up to three years old and one of only two providers for children aged between three and six, yet it receives grossly inadequate funding, allowing only a few hours of service per week for 33 children. The public forum brought together a wide range of people from the district, including parents of children with disabilities, educators and providers in the field, paediatricians and allied health professionals, sponsors, councillors, members of State and Federal parliaments, and many people who support the cause and who have assisted Woodstock over the years.

Rachael Webb is an early intervention teacher at the Woodstock service and she was thrilled to see the huge turnout and display of support, thanking the Parent Action Group for all its efforts and singling out Sally Stewart, the chairperson of the parent group, for her leadership and for fighting for the rights of children with a disability. She said at the forum that there will be many families in the future who will have Sally Stewart and her Parent Action Group to thank for the services that their families receive.

Rachael outlined the role of early intervention, which is to provide support for infants and young children who have developmental delays or disabilities, and for their families and communities to promote the child's development and inclusion into mainstream services. She told the audience that behind the playing, interaction and fun at a group session there was a lot of hard work with families and therapists designing an individual education program for each child. The aim was to learn skills in a safe, nurturing and accepting environment so when they attend preschool or school, life is less daunting.

Although the Department of Ageing, Disability and Home Care funds the Woodstock service for only seven children, it manages to provide places for 33 children with disabilities or developmental delays, but for only two hours per week and with one part-time teacher and one part-time assistant. The ideal would be 20 to 25 hours per week and the call for funding is to employ a physiotherapist, an occupational therapist, a speech pathologist and a family worker; in other words, a transdisciplinary team to plan the best possible program for children with a disability and therefore offer them a much greater chance to reach their potential.

At the public forum two parents gave testimonials in relation to the services provided by Woodstock Early Childhood Intervention Service. Fiona Plunkett travels with her son from Holbrook to Albury four times a week to find professional help for her little boy. She said it would be much easier if all the services to help the children were more centralised and were focused on the conditions affecting the children. She said families suffer enormous stress finding appropriate help and that the Woodstock service provides knowledge, support and direction for those able to access its services.

The Secretary of the Parent Action Group, Tracey Coates, told the crowd that her son, Lachlan, has Down syndrome and had been attending Woodstock Early Childhood Intervention Service since he was six months old. In an emotional recognition of the support gained from Woodstock she said the ability to walk out of there and know that Lachlan had a good chance of reaching his maximum potential is the greatest gift anyone could give her. Like Yasmin Keating and other parents, she pointed out the lack of therapeutic services and the desperate need for more equitable funding.

Following the public forum and my earlier correspondence to the Minister, the Department of Ageing, Disability and Home Care responded in writing, advising the Parent Action Group of a new allocation of

\$94,500 for early intervention services in the western region of New South Wales and stating that Albury had been identified as having the greatest need. The department indicated that the funding will assist children and families in the Albury area and will take government funding to \$130,000 out of a total of \$2.033 million for the western region.

This means that the Government has been content to provide a paltry \$33,000 or so for the past eight years despite overwhelming demand and comprehensive funding submissions from the provider. Even if this new allocation is forthcoming, it remains inequitable that the Albury region will move from a mere 1.8 per cent to only 6.4 per cent of early intervention funding across the region. And there are no guarantees that any new programs will be supported with recurrent funding for a full-time team. As Sally Stewart stated at the forum, "We are not asking for preferential treatment; we only ask for what other children are already receiving in other areas of New South Wales."

SYLVANIA WATERS TRAFFIC REOPENING

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [6.03 p.m.]: On 1 August 2008 I was successful in moving a motion at the Sutherland Shire Traffic Committee for council to consider reopening Sylvania Waters to through traffic at the intersection of Port Hacking Road and Box Road. The intersection borders the electorates of Miranda and Cronulla and is used by constituents of both. The five-part motion was strongly supported by Miranda police and was passed unanimously by the relevant voting members, including the then Liberal chair, Councillor Magdi Mikhail and the representative of the member for Cronulla. The motion included adjustments to traffic lights, retention of speed humps, community consultation including "all residents, business and stakeholders" and "appropriate study by council detailing impacts and costs". The motion was adopted unanimously without debate at a full council meeting on 1 September 2008.

Council closed Sylvania Waters to through traffic from Box Road in the early 1980s. All vehicles were restricted to left in and left out movements to and from Port Hacking Road and multiple speed humps were installed throughout the entire suburb at intervals of about every 100 metres. To my knowledge, Sylvania Waters is the only suburb in the shire, if not in Sydney, with speed humps throughout. The idea was to prevent motorists taking a short cut through Sylvania Waters from Port Hacking Road to Captain Cook Bridge. In 2006, to improve public transport services, the intersection was altered to allow buses to enter and leave Sylvania Waters via Box Road, but signage restricts private vehicles from doing so, confining them to left in-left out movements.

My constituents have written to me worried about motorists continually ignoring the signage and driving across Port Hacking Road into and out of Sylvania Waters to and from Box Road. They wrote about witnessing many near misses at the intersection and worried about the increasing likelihood of serious accidents as a result of motorists disobeying the signs. Constituents also question the need to keep the intersection closed to through traffic to and from Box Road. The continued closure of this intersection means that constituents have to go miles out of their way to get to and from the popular athletics track, clubs, the function centre, sporting venues, businesses and their homes, costing them time, inconvenience and unnecessary expenditure on petrol. On 15 May 2008 I wrote to the Miranda Local Area Commander, Superintendent Mark Hiron, to seek his advice. In his response he stated:

Sergeant Kilgour, Team Leader Sutherland Highway Patrol, has advised that this intersection is continually targeted by his officers for non compliance and has been for a number of years. Unfortunately, it appears that no amount of policing has stemmed this non compliance ...

It is the view of Sergeant Kilgour that, as there does not appear to be a safety reason to maintain the existing control of disallowing traffic entry, that the signage be removed and the intersection be controlled by traffic lights only ...

I will continue to give the area the policing priority it deserves as well as working cooperatively with Council ... and other agencies on any strategies that they can implement to help address the traffic concerns in this area.

I wrote also to the then mayor, Councillor David Redmond. He replied, saying that council opposed the reopening of Sylvania Waters to through traffic because it would re-create the rat-run between Port Hacking Road and Taren Point Road which existed in the 1980s. The mayor's response ignored the \$7.1 million reconstruction of the Miranda Five Ways by the State Government in 2004 and the implementation of a traffic management program in Parraweena Road by council. These have improved traffic flows and, in my view, eliminated the need to keep the intersection closed. Sylvania Waters is probably the slowest rat-run in Sydney. Police are continually booking motorists at this intersection for non-compliance. There is support for reopening

of Sylvania Waters to through traffic and the community believes that a major accident is just waiting to happen. Residents, motorists and businesses are being unnecessarily inconvenienced and delayed, more importantly this is a serious safety problem that needs to be addressed as soon as possible.

My motion, endorsed by council, provided among other things for community consultation by residents, businesses and stakeholders. In a statement to the House last Tuesday the member for Cronulla supported the motion. Traffic safety goes beyond politics and in the spirit of bipartisanship I join with him in urging our new mayor, Councillor Lorraine Kelly, and all ward councillors, to give community consultation the urgent attention and resources it deserves. I do not want the proposal to fall into the kind of bureaucratic limbo that sometimes happens with proposals of past traffic committees. I congratulate Councillor Kelly on her election as mayor and also new Councillor Craig McCallum, who chairs the new traffic committee. I urge Councillor McCallum to exercise his own independent judgement, adopt a bipartisan approach and take an active role in overseeing the community consultation process, a process that should not be confined to Sylvania Waters residents. I would urge all traffic committee members to closely scrutinise the consultation process. Council must advertise for submissions from all members of the community. This, after all, is an important issue for everyone in the Sutherland Shire.

ACACIA COTTAGE, DUBBO

Mrs DAWN FARDELL (Dubbo) [6.08 p.m.]: I speak about Acacia Cottage, Dubbo, situated near Dubbo Base Hospital. Recently I was contacted by two constituents who wish to go on the methadone program because they sought to break free from their addiction to the drug ice and were experiencing difficulty being admitted to Acacia Cottage. I requested that a drug and alcohol caseworker at Dubbo speak to one of my constituents. The caseworker spoke to her a couple of times on the Friday and did so again on the Monday to ensure that my constituent was coping. I was also in contact with her parents, who agreed to take care of her children if she was feeling unwell and needed to attend the local hospital.

My constituent was also referred to the local mental health worker, who had previously contacted her. My constituent was described as quite calm. However, no-one can guarantee safety. The caseworker confirmed that there was a four-month waiting list for admission to Acacia Cottage, which is part of Dubbo Base Hospital, and preference is given to people coming out of prison who were placed on the methadone program while incarcerated, and to pregnant women. The nearest detoxification centre is at Canowindra, which is about two hours drive away. However, that too has a waiting list of several weeks and requires referral. The caseworker informs me that people can undergo detoxification through a general practitioner and the hospital. I have since tried to ring my constituent a few times, as well as her mother, to follow up on this program, but have not been able to make contact. I am concerned that the waiting list may be long because I received a further phone call from a young, nice, clean-cut professional fellow, who, unfortunately, had a substance abuse problem and also wished to get on the methadone program.

The staff at Acacia Cottage invited me to attend on an afternoon when no clients were present. They explained to me that the program is all about harm minimisation. Presently the cottage is funded through the Department of Health for 150 places, but the cottage has 202 people on its books. Funding has not been increased, but further funding is available in other areas. Unfortunately for those wanting to join the program there are many people who are not able to get off the program; they remain on it for life. However, this program is better than what people experienced in the past. People released from jail do not receive any formal discharge planning to help them through the process if they were on a methadone program while incarcerated. When these people are released by a court or a drug rehabilitation centre, they are required to continue on a methadone program, and these additional people bump up the program numbers so that others are prevented from getting on the program.

In addition, those released from jail are not always former Dubbo residents. They come from all over western New South Wales and from north, south and east of Dubbo. They cannot go to outlying areas such as Lightning Ridge, Bourke or Brewarrina because no-one is available at those centres to distribute the daily doses. Acacia Cottage carries out wonderful work and it is very well equipped. All staff distribute daily doses to program participants, including those under supervision. The doses are known as daily take-aways to those who have, after a short while, earned the trust of the staff not to sell the methadone—which unfortunately has happened in the past. Putting people in jail does not reduce the numbers of those who require daily take-away doses. Many of those who leave jail are classified as being at high risk of self-harm for a period of seven days following their release. A seven-day detox program is available for them upon release, but if they do not remain on the program, they lose their place and, unfortunately, this has a harmful impact on their future health.

Dubbo has only two pharmacies that dispense take-away methadone doses. Financial incentives are offered for pharmacists, but more work needs to be done with the Government to attract more pharmacies. Funding is available for this purpose, and this will attract more people to become part of the take-away program, not just those who require daily doses from Acacia Cottage. The behaviour of some clients is the reason that some pharmacists are hesitant to become involved, and I understand that. Dubbo is the only centre that has such a clinic, and only two doctors in Dubbo and one in Wellington are permitted to prescribe doses. If doctors leave remote communities, their clients have to come to Dubbo, where there are no vacancies in the program and the opportunities for temporary transfer are limited.

Former inmates who report to the Bourke Probation and Parole Service are required to remain in Dubbo to receive methadone doses. In such instances transport issues arise because these people are not able to return to their families. As a result, four government departments become involved in the problem, and other issues arise with regard to the detox program, the Burnside Homes service relating to sexual health problems and pap smears. Acacia Cottage may be accessed from 8.15 a.m. to 11.30 a.m. and 9.00 a.m. to 12 noon on Saturdays and Sundays. Many of the cottage's clients are trusted with take-away doses on the weekends. The Aboriginal Medical Service is required to be involved to dispense take-away doses. We need to encourage more pharmacists into the program so that it is available in other remote communities. It will be a tragedy if this issue is ignored. Perhaps the main issue is not funding; maybe it is more to do with encouraging pharmacists and doctors in other communities to come on board the take-away program.

SWIMMING POOL SAFETY FENCES

Mr ROB STOKES (Pittwater) [6.13 p.m.]: I opened the *Manly Daily* on Tuesday morning to see one of the most chilling headlines a parent can read—"Child found unconscious in home pool". Thankfully, the child's mum, a resident of north Narrabeen in my electorate of Pittwater, was competent in cardiopulmonary resuscitation [CPR], and was able to revive her beautiful two-year-old. The article is a sobering reminder, especially with the summer months approaching, that children under 5 years of age face huge risks around swimming pools. Accidental drowning remains the major cause of death in very small children, with 35 children under 5 years being drowned last year—almost half of them in backyard swimming pools.

Research from other States shows that absent or inadequate pool fencing almost quadruples the risk of accidental drowning. Indeed, poorly maintained fencing is as dangerous, or even more dangerous, as no fencing, because it can mislead parents into believing that their little ones are safe. With hundreds of thousands of swimming pools in New South Wales there are hundreds of thousands of reasons to ensure that pool fences are secure. Following a lengthy review, a new regulation to the Swimming Pools Act came into force at the beginning of last month. This new regulation makes several improvements to the law, such as increasing the compliance standard for pool fencing up to the latest Australian Standard. However, a fundamental problem remains—that is, despite the law, a huge number of pools in New South Wales simply do not have safe pool fencing.

Passing a good law is one thing, ensuring compliance is quite another. Limited available research indicates that between 25 per cent and 83 per cent of backyard swimming pools in New South Wales do not have secure fences. This is a real problem that exposes our beautiful, innocent little people to one of the most alluring, yet dangerous of environments. Some of the problem comes from inadequate education and information. No studies have been undertaken in New South Wales that quantify the increased risk of toddler drownings in pools without proper fences. Nor, as NSW Health noted, has there been any statewide evaluation of the effectiveness of the Swimming Pools Act, with a co-ordinated approach to ensure that local councils are fulfilling their mandatory responsibilities. There is not even reliable information on the number of pools in New South Wales. There is a dearth of such material.

According to NSW Health, in 2000 there were around 777,000 pools in New South Wales. Yet the regulatory impact statement of the proposed swimming pools regulation in 2008 recorded that there were only around 300,000 pools in the State. To improve the safety of little children around backyard pools we need more information, more inspections, more compliance and better education. We need to make it easier for councils to inspect backyard pools. At present, to qualify as an inspector a council officer must first get the approval of the council issued as the result of a resolution bearing the seal of the council and signed by the mayor and general manager.

However, an approved council officer still has no right to inspect the safety of a backyard pool fence without the owner's consent or a search warrant issued by a court. It is simply ridiculous that a search warrant is

required before a backyard pool can be inspected. Private property rights are important, but ensuring the safety of young children is imperative. There are plenty of examples of authorised personnel entering private property in limited circumstances for valid reasons; a search warrant is not needed to check gas meter, for example. Surely a neighbour's complaint about, or an aerial photo showing, inadequate or absent pool fencing is reasonable grounds to cause a pool area to be inspected. Concerns about private property rights could be overcome by a prescription that inspection without a search warrant may result only in an order to repair the fence, and not a penalty or prosecution.

We really need to look at requiring the regular inspection of pool fences as happens in Western Australia, where routine pool inspections have been mandatory for more than 15 years. The minimum measure that should be undertaken is for vendor disclosure legislation to be amended to require a certificate of compliance with the Swimming Pools Act every time a property with a swimming pool is offered for sale. Given that, on average, properties are sold every seven years, this would provide a reasonably regular compliance check, with no cost to local government. Finally, we need to improve education with regards to resuscitation.

I note that clause 23 (3) of the new Swimming Pools Regulation requires the CPR guideline to be displayed at each pool, on each council website and on the Department of Local Government website. However, when I checked the department website before coming into the House the guideline was not there. Secure pool fencing is a simple way to reduce the risk of children drowning. Government can make a difference by fixing the law to ensure that pool fences are properly installed and maintained across New South Wales backyards.

PENSIONER ASSISTANCE

Mr PETER DRAPER (Tamworth) [6.18 p.m.]: I welcome the Federal Government's announcement that it will provide a \$4.8 billion assistance payment to pensioners, carers, seniors and veterans. A lump sum payment of \$1,400 to singles and \$2,100 to couples is a long-overdue acknowledgement of the battle these people face every day just trying to survive. I hope this is just the first step in rectifying the inequity and injustice that our seniors have faced for far too long. In the words of the bush bard, Stan Coster:

*They topped up the pension, But lord let's not mention,
The price rise in food every day mate,
I don't know how they're living, this land should be giving,
Our old folk a better deal, aye mate?*

Last Friday, I attended a pensioner's rally in Tamworth organised by our Federal member of Parliament, Tony Windsor. Parents and grandparents, veterans, the disabled and carers attended the rally. It was an opportunity for everybody to express their concerns and detail their aspirations to live independently and with dignity. They were all grateful for the Federal assistance, despite the fact that it amounts to only about \$28 dollars a week over the 9 months between now and when long-term reforms hopefully are introduced next year. The rally clearly indicated that the State Government could play a significant role in easing the burden from assistance with local government rates, water and energy charges, vehicle registration and licences, and travel and health-related concessions, through to looking at the impact of charges indexed to pension increases that immediately tax any relief. I trust that relief for pensioners and seniors will be an important part of the Government's deliberations as the mini-budget is developed.

The Tamworth rally heard that the true measure of a nation is how it looks after its seniors. It is a disgrace that the recently released pensioner review background study found Australia's two million pensioners are worse off than seniors in most other affluent countries, with our pension rate below the OECD average. Individual pensioners find it difficult to put their circumstances to inquiries such as the Henry review of Australia's tax and welfare system, yet they have by far the strongest moral case for additional public support. These older Australians have worked hard to make Australia what it is today, yet being of modest means they are the ones suffering most from the fallout of a worldwide economic crisis not of their making.

The difficulties of surviving day to day were clearly voiced at the rally. A pensioner who cannot afford \$80 for a tradesman to fix dripping taps has to leave them dripping. That is amazing! We give water rebates but some pensioners have to let precious water drip down the drain. Although environmentally aware, this pensioner is frustrated because he cannot afford to play his part. I point out also that country pensioners also receive a much smaller water rebate than their metropolitan cousins. One proudly independent senior told the rally how

the cost of fuel meant only three short trips a fortnight, and that he was no longer able to afford the safety net of NRMA road service. Again, rural and regional pensioners face higher fuel prices with virtually no public transport.

One of the greatest bones of contention for country residents is the booking fee on CountryLink services. Metropolitan pensioners can buy a ticket for \$2.50 that allows travel on a plethora of services from south of Wollongong, the Southern Highlands, Lithgow, Scone and Dungog, and throughout Newcastle and Sydney. Yet the pensioner rally in Tamworth heard stories of couples needing to attend medical appointments outside the region that often have to travel alone because they cannot afford the cost of two rail fares. That is disgraceful! If there is any equity in the system, the booking fee on the supposedly four free trips a year should be abolished. We should all feel ashamed that some pensioners are virtually prisoners in their own homes because they do not get enough to live on.

The Isolated Patient Transport and Accommodation Assistance Scheme [IPTAAS] is another program under which much more can be done to help pensioners. In fact, in order to have equitable health provision for residents no matter where they live in New South Wales it is vital that this program is strengthened. People told the rally of neglecting their health needs because they cannot afford travel and accommodation fees to attend appointments away from home. The rally suggested an IPTAAS card that would allow pensioners to access the essential health services they need today.

The serious problems that New South Wales pensioners face with regard to health provision once they cross State borders was also raised. The issue is a great concern for people living in the northern part of New South Wales who often have to travel across the border to Queensland to access health facilities. Australia federated in 1901 to supposedly overcome the problems of custom charges between States in order to build a stronger national economy, yet 107 years later there are still problems regarding crossing borders for pensioners who need to receive health care.

One great suggestion from the Tamworth pensioners rally that I am sure will attract any number of excuses to dismiss was the concept of a pensioner GST exemption card. Over the last 25 years economic rationalism and user pays systems have seen our pensioners stripped of much of the support that society once provided. It is time to revisit the "fair go" our nation could once be proud of. It is time to reduce the tax burden on pensioners. They have done their bit, and they deserve support. Our pensioners are not greedy or unrealistic, but they depend on governments of all tiers to ensure they do not live in poverty. As one attendee succinctly put it: At the going down of the sun and at election time, we will remember them.

DAFFODIL COTTAGE, BATHURST

Mr GERARD MARTIN (Bathurst) [6.23 p.m.]: I speak about Daffodil Cottage, a dedicated cancer care clinic located within the grounds of Bathurst Base Hospital. On 18 October Daffodil Cottage celebrated its twelfth anniversary. The cancer care clinic is located in a dedicated building that was built by the local community and is independent of the main hospital building. In the mid 1990s the Bathurst community raised over half a million dollars to build the clinic because they were unhappy with the way cancer services were then delivered at Bathurst Base Hospital, where patients attached to drips and what have you sat in chairs in a corridor watching the world pass by. The local community decided they needed to do better than that, so they started a public campaign. On the first day of a 2BS radiothon, \$75,000 was raised. In addition, a whole host of local tradesmen donated their time and services and built this magnificent facility. At the time there was a contribution of about \$100,000 from NSW Health, but basically the building was provided by the community and then handed over to NSW Health for its operation.

One of the unique features of the treatment at Daffodil Cottage is that the clinic has an army of volunteers and when patients arrive they are greeted as if they are coming to a friend's house. Family and friends of patients are welcome. The clinic is set up with large lounge rooms, a television, and a library. It is a non-threatening, non-hospital type of environment. The patients have their chemotherapy or other treatment dispensed in private rooms, to ensure their privacy. They can sit with a family member and the clinician. It is a unique and comforting environment. Visiting specialists from St Vincent's Hospital and other hospitals attend the clinic on a regular basis so patients are able to attend the clinic for their specialist consultations. Palliative care nurses also provide services at the clinic.

In recent times there have been a number of threats to the operation of Daffodil Cottage associated with the development of the new Bathurst Base Hospital. Certain administration personnel wanted to take over part

of the building for ambulatory care. Consideration was given to changing the method of service delivery to an open-ward system, which is simply not what the community wanted. I was therefore pleased that on Thursday last week the Minister for Health, John Della Bosca, came to Bathurst to look at the new hospital and also visited Daffodil Cottage, met patients, spoke to the staff, and agreed with me that there should not be any change to the method of service delivery of this wonderful community facility.

On the following day, the Friday, the Premier happened to be in my electorate. I took him to Daffodil Cottage, and he also said that it was hands off for the administration personnel, that Daffodil Cottage would retain its unique style of service. By lunchtime on that day a public meeting had been called, and 800 people turned up in Bathurst to support Daffodil Cottage. I was able to inform them of the support from both the Minister for Health and the Premier, and that was accepted. The Premier has since written to the community outlining that Daffodil Cottage will stay as is. Indeed, in my view not only should Daffodil Cottage stay as it is but it should be looked at as a model for this type of care right around the State. The State Government is encouraging communities to develop cancer care strategies. I am pleased that new and enhanced services will be made available to communities such as Bathurst, and this will save people having to travel to Sydney.

I assure everyone associated with Daffodil Cottage—the former mayor of Bathurst, Peta Gurdon-O'Meara; Dr Peter Hodgson from Charles Sturt University, who was one of the drivers in getting Daffodil Cottage going; Mrs Dunn, who organises the volunteers at the hospital; and all the staff under Mrs Wren—that I will ensure that the guarantees given by the Minister for Health and the Premier last week will be written in blood and that Daffodil Cottage will continue well into the future to do the wonderful job it does for the people of Bathurst and the surrounding region.

Mr GRAHAM WEST (Campbelltown—Minister for Juvenile Justice, Minister for Volunteering, and Minister for Youth) [6.28 p.m.]: I would like to add to the comments of the member for Bathurst. I know that he is a strong advocate for not only this cause but all volunteer causes in his electorate. As Minister for Volunteering I have regularly discussed with the honourable member ways to improve volunteer operations. I am sure that Mrs Dunn, the 800 people in the Bathurst community who attended the public meeting and the countless others who have helped with Daffodil Cottage can rest easily knowing that the member for Bathurst is working with them. He has already secured the guarantee of the Premier and the Minister for Health, and I am sure that that commitment to Daffodil Cottage will continue for many, many years and that the member for Bathurst will work with the community to ensure the service is improved.

The work that Daffodil Cottage staff do in caring for cancer sufferers, whilst at the same time seeking to improve their experience, is extremely important. The member for Bathurst described Daffodil Cottage as a home away from home for patients, a unique approach that helps people to get over their fears of cancer and treatment in hospitals, and increases their wellbeing as they fight this insidious disease. I congratulate Mrs Dunn and all the other volunteers on their efforts. I am sure the member for Bathurst will continue to work with them.

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

Private members' statements noted.

The House adjourned at 6.30 p.m. until Friday 24 October 2008 at 10.00 a.m.
