

LEGISLATIVE ASSEMBLY

Wednesday 8 June 2005

Mr Speaker (The Hon. John Joseph Aquilina) took the chair at 10.00 a.m.

Mr Speaker offered the Prayer.

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (INFRASTRUCTURE AND OTHER PLANNING REFORM) BILL

Second Reading

Debated resumed from 27 May 2005.

Mr CHRIS HARTCHER (Gosford) [10.00 a.m.]: The Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill in many aspects adopts Coalition policy. However, the Coalition has some major concerns with the bill, and chief among these is the new concept of "critical infrastructure". If a project is declared as critical infrastructure there are no appeals against approval decisions, and there are no third party legal challenges under any environmental and planning statutes. If a project is declared critical infrastructure, State environmental planning policies and other environmental planning instruments will not affect the proposal. In his second reading speech the Minister said:

... for critical infrastructure, the environmental assessment process should not be about whether such projects should be approved, but, rather, how they will proceed. A concept approval will be required for all critical infrastructure projects, but no further planning approvals.

What is defined as critical infrastructure? In the opinion of Craig Knowles—the Minister for Orange Grove—critical infrastructure is essential for State economic, environmental or social reasons, as he said in his second reading speech. This provision is fraught with danger. How can the people of New South Wales trust Craig Knowles with such power? He is the Minister at the centre of the Orange Grove scandal, and the Minister who pleaded guilty to, and was convicted in court for, driving with the prescribed concentration of alcohol in his blood. Now he wants to be in charge of the sole approval agency of major projects, and one that grants no right of appeal.

The Minister and his department did not even consult the ICAC with regard to this piece of legislation, which potentially provides an open door to corruption. The Opposition wonders what the Minister is likely to classify as critical infrastructure—a factory outlet, a shopping mall, or a nuclear power plant? This Minister or any other member of the Carr Government cannot be trusted with this power. Under this bill you could wake up with the Premier announcing that a nuclear plant will be built at the end of the street and you could not do a single thing to stop it. That is why the Opposition reserves its right to vote against that provision in the bill in the upper House. The Opposition calls on the Government to produce guidelines for what may be defined as "critical infrastructure".

This bill is from a Government that in 10 years has not planned for the infrastructure needs of New South Wales. The bill is only necessary because the Carr Government did not plan for the present and future needs of this State. It is a reactive piece of legislation from a reactive government. Today we need a proactive government with a clear plan for New South Wales, and with the fortitude to carry it through, which is clearly lacking with the present Government. After 10 years of stagnation in addressing the infrastructure needs of New South Wales, it is clear that only a Liberal-National Coalition government could solve the significant infrastructure problems of New South Wales.

This bill is a response by the Carr Government to its own woeful record on infrastructure in this State—there is no denying it, no whitewashing of the facts; every resident of New South Wales knows it—and the Government has admitted it with this bill. The Government needs to deal with the water, rail, and the overall infrastructure crisis it faces with this bill. Two years ago, Engineers Australia declared infrastructure in New South Wales at crisis point. In its report card on New South Wales infrastructure, Engineers Australia gave the following scores: State roads C+, local roads C—, wastewater C—, stormwater D—and rail D. Now, two years

down the track, everyone knows that the situation has deteriorated even further. For water we rely on Warragamba Dam, which was planned in the 1950s when Sydney was only half its present size. Many water mains in Sydney are from an era before the First World War. In the past two weeks those pipes have failed dramatically, spilling thousands upon thousands of litres of water into Sydney streets while the whole State is in the middle of a water crisis.

This Government has relied upon the infrastructure that our grandfathers planned for and actually built, while our children will have to rely on the infrastructure that the Carr Government planned, reassessed, consulted, deprioritised, studied its feasibility, and then labelled "too hard". This Government might have planned and announced hundreds of projects but what we need are projects completed on time and on budget, something this Government consistently fails to do. Two weeks ago the State budget papers outlined 171 infrastructure projects that have either been delayed or are over-budget. The cost of those blow-outs stood at \$515 million, and is rising.

The legacy of the Carr Government is, tragically, one of lost opportunity. In 2002 Bob Carr listed some 87 major metropolitan projects as part of his so-called Strategic Plan. But what has Bob the Builder accomplished? Of those projects, one in every four is subject to significant delay and nearly one in ten has been abandoned or downsized, and budget overruns are already in excess of \$752 million. In many areas this bill implements Coalition policy. Only two months ago Mr Brogden stated that the planning approvals for major projects needed to be improved, and the Coalition is on record as stating that planning at the local council level is a mess and needs to be cleaned up. The Coalition will not oppose those areas of the bill. However, as I have stated, we will reserve our judgement on other provisions in the bill, which as currently drafted are rightly cause for concern.

In relation to local government planning reform, the first purpose of the bill is to improve the master planning local environmental plan [LEP] and "develop control plans" [DCP] process. For local environmental plans, the reduction in zoning categories from over 3,000 now to around 25 is welcome, but long overdue. However, the ability of local councils to make additions to zonal categories may result in the problems experienced today reappearing in the future. A working draft standard LEP template that seeks to standardise definitions, zones and key provisions of local environmental plans is welcome. Under the bill, only one development control plan will apply to each site and may cover a whole local government area, precinct, or site.

I turn now to major infrastructure and State significant development. The bill streamlines the assessment and approval system for major development and infrastructure projects. It gives additional power to the Minister to determine strategic sites and projects of State significance, and resolve issues associated with them. A new State significant development SEPP has nine groups of projects that are now considered State significant development. The bill attempts to remove many of the impediments to project approval through an integrated assessment process.

For major projects, stop-the-clock provisions have been removed. All consent approvals from other legislation do not apply. There is only a provision for the Director General of the Department of Infrastructure, Planning and Natural Resources to consult with relevant authorities. No longer will major projects have to seek the approval of Phil Koperberg before being allowed to proceed. For each project the Director General of the Department of Infrastructure, Planning and Natural Resources will issue specific requirements for the assessment of the project, including the level of assessment, assessment methodology, any performance criteria, and consultation requirements, based on new guidelines.

There is a provision in the bill for Independent Hearing and Assessment Panels for major infrastructure, but it is not mandatory. The idea of concept approvals has been introduced in the legislation. For major projects, the development approval process is split, with a new "concept approval" before development application. Concept approvals outline the general details of the project—the approval of which cannot be changed at a later date. I note on behalf of the Coalition that there is little detail in the legislation on what actually counts as a concept approval.

The Coalition has concerns about the concept of critical infrastructure. We are entitled to further information about that aspect of the legislation before we can indicate whether or will support the bill support in the Legislative Council. The Government is not entitled to a blank cheque. The people of New South Wales are entitled to know what projects will be classified as critical infrastructure and the basis on which such a classification decision has been made. At a recent symposium held at the Australian Stock Exchange, the Minister gave only one example, and that related to a desalination plant. He was not prepared to enlarge further

on what is meant by this concept as proposed by the bill. This is an important aspect of the bill, and one that the people and the Parliament are entitled to have elucidated, expanded, and clarified. I give notice on behalf of the Coalition that we expect that to be done either in this House or in the Legislative Council.

May I express my personal congratulations to the Editor of the *Sydney Morning Herald*, Robert Whitehead, on the excellent series of articles that the Herald has been running over the past two weeks about the planning and infrastructure crisis in Sydney. If ever a newspaper has truly sought to serve the public interest and the public good by provoking public debate, it has been the *Sydney Morning Herald* through this series of articles. The Herald articles reveal, in abundance, that there has been a persistent and consistent failure of planning and failure of imagination by the Carr Government.

This legislation comes after 10 years of failure, after 10 years of running down infrastructure, and after 10 years of neglect. The two weeks of *Herald* articles spell that out in all their tragic and vivid detail. We in New South Wales face a water crisis. Each day we face a rail crisis. We face a future housing crisis in meeting the needs of the growing population of this State. The Government has failed to develop its Metropolitan Strategy. It has failed to develop associated strategies for the Central Coast, the Illawarra and the lower Hunter. This legislation that the Government has introduced, whilst significant and important, still fails to clarify exactly what is to happen in relation to the concept of critical infrastructure—and it is the concept of critical infrastructure that lies at the very heart of this legislation.

The Coalition continues to have strong concern about aspects of the legislation, and we will continue to demand that they be more adequately expanded. We will continue to seek more information about them than the Minister was prepared to give at the Australian Stock Exchange symposium, in his second reading speech, or indeed in the legislation itself. The people of New South Wales have suffered, and are suffering, from 10 years of poor government infrastructure planning. They need suffer no more. They are entitled not just to have legislation put before the Parliament but to have put before the community practical and realistic plans that will overcome the rail crisis, the water crisis, the housing crisis, and the traffic crisis. None of that has been done.

It is one thing for governments to bring in legislation; it is another for them to introduce legislation and develop and implement appropriate plans. Legislation like this is only a first step. How extraordinary that such a first step should be taken now, after 10 years. The Minister has nothing to be smug about and nothing to congratulate himself on. He, more than any other Government member, has been the responsible Minister for Planning—apart from the brief interlude when the Hon. Andrew Refshauge was Minister for Planning. So the overwhelming responsibility for the infrastructure planning failures of this State Government can be laid at his door.

I expect that the community will hold him accountable and demand from him not only proper and appropriate legislation but tough and effective planning. In the meantime, the community will demand from the Minister and from the Government that he seek to present details of what is proposed under the concept of critical infrastructure, how it is to be determined, how it is to be implemented, what criteria are to be used, how transparent the process is to be, and how accountable the Minister is to be. Without those sorts of details, the Coalition would have grave difficulty supporting the legislation.

Ms KRISTINA KENEALLY (Heffron) [10.19 a.m.]: I support the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill, which will reduce the complexity and uncertainty in the current planning process by introducing a single approval process for the assessment of all major private and public infrastructure and development projects. That will increase transparency and rigour with independent assessment in hearing panels and require public consultation, provide whole-of-government participation through a new Chief Executive Officers Forum, and strengthening enforcement positions. The Minister for Infrastructure and Planning more than adequately outlined the advantages of the legislation in his second reading speech. I do not intend to recount its strengths. Instead I will outline the benefits in the bill for the State seat of Heffron, which faces significant infrastructure challenges.

The Metropolitan Strategy sets out a blueprint for Sydney's growth over the next 30 years, providing for sustainable development and helping us to make sustainable decisions on future housing, employment, health, education, and road and transport needs. Sydney is experiencing rapid growth, with a further one million to 1.4 million residents anticipated over the next 25 to 30 years. The Metropolitan Strategy must consider how, where and when greenfield sites and urban renewal sites will develop to meet the challenges of our growing population. The Metropolitan Strategy forecasts that 60 to 70 per cent of housing development will take place in established areas, and that 30 to 40 per cent will occur in identified greenfield growth centres over the next three decades.

Already the Government has announced seven centres in Sydney's west, four regional centres, and four existing corridors for urban renewal. The Metropolitan Strategy indicates that growth in existing areas of Sydney will be focused primarily on these centres and corridors. One of the four key corridors is the central business district [CBD] to airport corridor, an area that covers most of the electorate of Heffron. As the State member I welcome the inclusion of the CBD to airport corridor in the Metropolitan Strategy. Since my election I have been lobbying the Minister for Infrastructure and Planning to make provision for a co-ordinated approach to the infrastructure and planning challenges in the seat of Heffron. This legislation will assist the Minister and the Government to achieve the objectives of the Metropolitan Strategy to deliver the necessary infrastructure and renewal that the CBD to airport corridor requires.

The Heffron electorate is geographically small, only 43 square kilometres, yet it encompasses four local councils—Botany Bay, Marrickville, Randwick and the City of Sydney—and includes infrastructure that is critical to the economy of New South Wales and Australia such as Kingsford Smith airport and Port Botany, as well as other significant employment generators, such as Kellogg's, the Botany Industrial Park, and a number of industrial estates. The master plan for Sydney Airport predicts a tripling of passenger numbers in the next 20 years and a near doubling of aircraft numbers. The proposed expansion of Port Botany seeks to triple container numbers that pass through the port each year. In the geographic centre of Heffron sits Green Square where a new town centre will one day be home to some 25,000 people and provide approximately 7,500 jobs. Just north of Green Square are the suburbs of Waterloo and Redfern, currently the focus of renewal and revitalisation through the Redfern-Waterloo Authority.

The Heffron electorate contains two passenger rail lines, the airport line and the Illawarra line, as well as the Sydenham to Botany freight line and key road networks via the Eastern Distributor, the M5 East and, soon, the Cross City tunnel. The CBD is to our immediate north, the University of New South Wales and the four hospitals on the Prince of Wales campus are to our immediate east and traffic attracters, such as Fox Studios, Aussie Stadium, the Sydney Cricket Ground, Centennial Park, and the beaches of the eastern suburbs sit just outside the seat of Heffron and only add to the number of people who travel to our area. The Heffron area, the CBD to airport corridor, is incredibly significant to sustaining a healthy and strong economy in New South Wales and providing opportunities for much-needed population growth—the 60 to 70 per cent forecast for urban renewal areas in the Metropolitan Strategy.

But the challenge for the Heffron electorate is that our area is covered by no fewer than eight different planning authorities—the four local councils, the Federal Government, which oversees planning at Sydney Airport; the Redfern-Waterloo Authority; the Central Sydney Planning Committee, which determines projects over \$50 million as dictated by the City of Sydney Act; and the State Government, which determines proposals of State significance, such as the proposed expansion of Port Botany. This challenge is manifest in many different ways. For example, a recent proposal to the City of Sydney for a site at Epsom Road, Rosebery—a proposal that was assessed by the Central Sydney Planning Committee—sought to put a residential development on the border of Randwick and Sydney councils. The proposed development was inappropriate for its location in terms of residential density, parking provisions, height and overshadowing, and impact on local traffic patterns.

Fortunately, the Central Sydney Planning Committee rejected the proposal. But the problem lay in the fact that residents who lived immediately adjacent to the proposed development did not receive notification of the development application because they lived in a different council area. Councillor Scott Nash and a resident of Lenthall Street, Kensington, Gwen Greenaway, attended the Central Sydney Planning Committee meeting with me and raised their concerns that they would not have known about the development application if I had not notified them. With the proposed growth in the Green Square area, which sits immediately adjacent to Randwick City Council and the suburbs of Kensington and Kingsford, a much more co-ordinated planning approach across council boundaries must take place than what we witnessed at Epsom Road.

Another example lies with the proposed commercial expansion of Sydney Airport. I have previously put forward my view in this Chamber that commercial and retail expansion at the airport could be of much benefit to our local community insofar as such development limits the airport scope for aviation development. Additionally, the creation of commercial and retail development on a passenger railway line is beneficial for commuters and local residents alike. The City of Sydney Council has expressed concern that such a development will be to the detriment of Green Square. I am not convinced of this, but I acknowledge and give credit to the City of Sydney for highlighting that Sydney Airport is not subject to local or State planning requirements. In this case the Federal Government has indicated a willingness to work co-operatively with local and State planning authorities, but that means the Federal Government must liaise with at least three local councils, the State Government, the Redfern-Waterloo Authority and the Central Sydney Planning Committee. It is hardly the best way to create sustainable and good outcomes for the local area.

My point is that the planning challenges we face in Heffron and the planning requirements set out in the Metropolitan Strategy necessitate the Minister for Infrastructure and Planning being able to determine strategic sites, projects, or programs of State significance and to decisively, transparently and expeditiously resolve issues associated with them. The legislation ensures proper delineation between matters that are appropriately dealt with by the State and those that are appropriately dealt with by local government. I note that the Minister stated in his second reading speech that he might, for example, declare a \$50 million residential project to be of State significance where the project would assist the implementation of the Metropolitan Strategy by helping to locate people close to transport hubs. He also noted that construction projects subject to the City of Sydney Act would continue to be determined by the Central Sydney Planning Committee.

I note that the Director General of the Department of Infrastructure, Planning and Natural Resources sits on the Central Sydney Planning Committee. I am certain that she and other State Government representatives understand and support the aims of the legislation and the Metropolitan Strategy. However, I ask the Minister to keep a watching brief on the progress of the Green Square Town Centre master plan, which has stalled somewhat since the amalgamation of the City of Sydney and the South Sydney City councils in 2004, and also on the level of co-ordination between councils and the various planning authorities in Heffron.

The Minister attended a Metropolitan Strategy community forum I hosted in the State seat of Heffron earlier this year and heard the strong call from residents in our local area for stronger co-ordination and planning in the seat of Heffron. As planning for the CBD to airport corridor gets under way, I ask the Minister to bear these challenges and these desires in mind, and consider the opportunity the legislation affords him to deliver a co-ordinated, expeditious and sustainable approach to planning and development in the State seat of Heffron.

Without a doubt, this legislation will assist the State Government to provide key public infrastructure with certainty and more quickly to the areas that need it. That is good news for the Heffron electorate. Whether it is the freight strategy to move containers off the road and onto rail, or public-private partnership projects to provide transport or schools, the Heffron area will require key infrastructure if it is to accommodate the growth in population, residential dwellings and employment predicted in the Metropolitan Strategy, as well as the growth at Sydney Airport and Port Botany. I know the Minister said in his second reading speech, but it bears repeating here: none of these changes obviates the need for community consultation; nor do they do away with environmental protection. I congratulate the Minister on introducing the bill and I commend it to the House.

Mr DAVID BARR (Manly) [10.31 a.m.]: When the Environmental Planning and Assessment Act was introduced in 1979 it was groundbreaking legislation. It gave a high priority to environmental issues and the way in which the public, including proponents and opponents, could deal with those issues and have some recourse to present their views as well as recourse to the courts if necessary. It was a very important and very democratic piece of legislation. This amending bill probably provides the most sweeping changes to legislation to come before this House and it gives enormous discretion to the Minister and senior bureaucrats—a discretion that I believe is too great.

The directors of the Total Environment Centre and the Nature Conservation Council sent a letter to various members of Parliament stating that the issue they have with the legislation is that "approval will be subject to a non-mandatory range of unspecified environmental impact assessment requirements". The issue is the enormous discretion in power that will vest in the Minister and senior bureaucrats because that will remove the system that has been in place for many years. The Government is taking that step because it has to juggle the competing interests associated with putting in place the State's infrastructure, satisfying environmental requirements, satisfying the desire of the community to have an input in the process, and allowing local councils to have their input. The font of our democracy is local councils and local representation. In my view, this bill moves way too far from basic democratic principles. For those reasons I will oppose the bill.

The bill introduces a single assessment and approval system for major development and infrastructure projects. The main bone of contention is schedule 1, which deals with projects, programs, or sites that are determined by the Minister. Schedule 1 inserts a new part 3A which significantly changes the current process and gives the Minister very wide powers. Schedule 1 empowers the Minister to deal with major infrastructure developments, which are projects that may be so declared as developments that, in the opinion of the Minister, are of State or regional environmental planning significance, or with developments that are an activity for which the proponent is also the determining authority and for which the proponent would otherwise require an environmental impact statement under part 5 of the Act.

The bill removes the current environmental impact and assessment process which has long been integral to major developments, including the requirements to prepare an environmental impact statement. The

Minister stated in his second reading speech that the environmental assessment would be carried out under the guidelines and protocols that will be developed by a Chief Executive Officers Forum. This shows that the senior bureaucrats are taking over a process that was once much more open. The Minister stated:

That forum will be made up of the directors general of the major regulatory agencies. Those guidelines and protocols will set the rules for assessment methodology, consultation requirements and performance levels, and will ensure that high environmental outcomes are achieved.

Perhaps they will be achieved, and perhaps they will not. The Minister went on to state:

The level of assessment will be tailored to the complexity and likely level of significance of the impacts of the project in question. The guidelines and protocols will be published and gazetted by the Minister and, in relation to legislation administered by the Minister for the Environment, following consultation with that Minister.

Enormous power will be in the hands of the Minister and the bureaucrats—far too much power, in my view. The bill introduces a concept of "critical infrastructure". Under proposed section 75A the Minister may declare any developments as critical infrastructure that in his view are in a category that is essential for the State for economic, environmental or social reasons. The Minister also stated during his second reading speech:

... the bill will... allow the Minister to declare projects as critical infrastructure. For example, if the drought continues, infrastructure work to implement the Metropolitan Water Plan will need to be accelerated.

I presume that means that a desalination plant will be categorised as critical infrastructure. Presumably the Government will want to proceed with that project at a very rapid rate. The view I have expressed in this House is that we should be looking at a much more sustainable water policy than a desalination plant. We should be looking at the extensive reuse of water. Currently we reuse only 14 per cent of water. Most water that could be reused goes out to sea, which is inexcusable, and for that reason the Government will face the possibility of having to very quickly build a desalination plant. In the process of urgently building a desalination plant, the Government will not want to be mucking around too much with local councils or any environmental objections.

The underlying fundamental problem with the bill is that we work within the framework of a democratic system, which means that there needs to be adequate community input and provision for local councils to have their say. There will be no appeals against decisions on critical infrastructure and no third party legal challenges under any environmental planning statutes. Of course, one of the strong features of the Environmental Planning and Assessment Act was the provision for third party legal proceedings in certain circumstances. The bill also introduces the concept of "concept approvals". Concept approvals will be required for all critical infrastructure projects, but not further planning approvals. Proposed section 75M sets out the requirements of a concept plan, which include an outline of the scope of the project and any proposed staged implementation.

By virtue of proposed section 75N, a process similar to the process applying to projects applies to concept plans in relation to environmental assessment requirements, assessment panels, public consultation and environment assessment requested by the director general. The Government argues that concept approvals will provide up-front certainty for long-term complex projects or a program of projects, such as upgrading the Pacific Highway. There will be no appeal rights for objectors to the concept plan. In the interests of getting a quicker and administratively more efficient planning process under way, by introducing the bill the Government is attempting to tidy up all types of loose ends and all types of inputs from various agencies which may delay or slow down processes.

In doing that, the Government is undermining some of the very valuable aspects of the 1979 Act and the ability of third party objectors to bring cases, the ability of local councils to have input, the issue of environmental impact statements, and the requirement for them. Instead, by executive fiat, we will get planning rather than the process that we have been going through. The bill shuts out merit review of decisions about critical infrastructure projects, projects for which a concept plan has been approved, the process for objectors to appeal against a concept plan, and projects subject to an inquiry under section 110 on a report by a panel of experts.

The bill amounts to a wholesale change of important environmental safeguard processes under the current Act and gives the Minister enormous discretionary power in setting environmental assessments with no provision for parliamentary scrutiny. That is another important issue. As a parliamentarian, I am not prepared to say yes to handing over our right of parliamentary scrutiny of the criteria by which the Minister will determine environmental assessments. We should not do that, and the Opposition should oppose the bill in this House and

not wait for it to go to the upper House. The Opposition is much more developer-oriented than I am as an Independent and in many respects the Opposition would be happy with this legislation. The bill should be strongly opposed because it flaunts some of the very important principles established by the original Act. In that process the State will lose a lot, and the whole notion of democratic input will also be lost.

Debate adjourned on motion by Mr Russell Turner.

BUSINESS OF THE HOUSE

Bills: Suspension of Standing and Sessional Orders

Motion by Mr Carl Scully agreed to:

That standing and sessional orders be suspended to permit at this sitting:

- (1) the member for Southern Highlands to speak on the Appropriation Bill and cognate bills, to be followed immediately by the Treasurer speaking in reply;
- (2) the passage through all remaining stages of the Appropriation Bill and cognate bills, by the questions being put on the second and third readings forthwith, without consideration in Committee of the Whole.

APPROPRIATION BILL

APPROPRIATION (PARLIAMENT) BILL

APPROPRIATION (SPECIAL OFFICES) BILL

FISCAL RESPONSIBILITY BILL

STATE REVENUE LEGISLATION AMENDMENT (BUDGET MEASURES) BILL

Second Reading

Debate resumed from 26 May 2005.

Ms PETA SEATON (Southern Highlands) [10.42 a.m.]: This budget is a true Labor budget—it is irresponsible, it is incompetent, it is lazy, and it is dangerous. It maintains Labor's high State taxes, and starts to drive us deep into debt with none of the spending disciplines needed to underpin responsible debt financing. This budget is dead on arrival—because wage growth forecasts are already shattered—according to the Treasurer, who by his own admission in this Chamber is already reaching for the Treasurer's Advance. You cannot trust Labor on borrowing; you cannot trust it to deliver anything it says on infrastructure; you cannot trust its assumptions on wages and housing recovery; and you cannot believe it when it says it will cut growth in government expenses in 2006-07. There is no new thinking in the budget.

This is the sort of budget that a defensive, guilty government draws up when it knows the proverbial is about to hit the fan, and its trying to spin one last desperate time to give the impression of doing what should have been done over the past 10 years—10 years of the best economic climate one could imagine. With more than \$7 billion of additional revenues, the Government has spent every bit of it and more. It has come back for massive pre-budget cash raids on spending variations, not for unexpected disasters like drought or flood but for luxury Ministerial offices and legal bills. The Treasurer tried to pull some sort of moral defence out of his avowed socialist leftie past when he said, "This is a budget about social justice." Where is the social justice in losing one's job because one's train was late, or waiting in a hospital queue with a sick child, or watching one's shop get broken into and knowing that the odds favour the culprit walking away scot-free?

There is none, but the Government would have us believe that everyone else is to blame, that \$10 billion of debt to fix up its neglected housekeeping is okay, and that it is acceptable for the largest State in Australia to be the highest taxing state and the lowest on gross State product [GSP] growth. Labor believes that the taxpayers and families of New South Wales should continue to cough up to pay for ever-larger public sector bureaucracies, keeping their union boss mates happy, while we pay for fewer and poorer quality frontline services. Despite the evidence of respected economists, Labor ignored all the warnings about the fiscal impact of high State taxes on jobs and investment in New South Wales.

There is no relief for businesses on payroll tax, and it is becoming increasingly difficult for New South Wales businesses near the Queensland border. Business in Queanbeyan, Albury and other border towns pay the price for this State's highest taxing status. Hardworking mum and dad investors have already had to pay an unjustified year of land tax on every property that is not the principal place of residence. And after this budget they will continue to face the destructive vendor duty, which has killed the already cooling property market in New South Wales and generated additional property transactions in lower taxing Queensland and Victoria.

Access Economics has demonstrated that if the vendor tax were abolished, clawback would be between \$140 million and \$280 million—against revenues of only \$340 million—this figure being about half the Government's original revenue forecasts. The budget papers prove the point: with stamp duty receipts falling \$160 million short of the forecasts, down to \$3.03 billion. But Labor cannot help itself on tax. It hiked the rate on insurance tax from 5 per cent to 9 per cent, claiming that was justified as it aligned New South Wales with other States. Wrong! Treasurer Egan pledged in the mini-budget that the Government is determined not to reverse or claw back the billion dollars per year it previously cut from payroll tax, insurance stamp duty, motor vehicle registration, and the like. Treasurer Refshauge broke that promise, and failed to mention that New South Wales alone has the additional burden of insurance protection tax.

So New South Wales businesses and families pay double insurance tax courtesy of Labor, and about \$50 a policy extra on household, travel, mortgage, and public liability insurances. The New South Wales Liberal-Nationals Coalition will oppose this insurance tax increase. But Labor did not stop there; it also removed the exemption cap on mortgage rollover. The tax free threshold for refinancing a mortgage will be removed for mortgages over \$1 million, which is expected to reap at least \$20 million extra a year and add further costs to investors and renters as investors are discouraged from seeking more competitive finance rates. The New South Wales Liberal-Nationals Coalition will oppose this mortgage refinance tax increase. Treasurer Refshauge likes tax. He told the 1993 Australian Labor Party conference that he questioned the benefit of the personal income tax cuts and said that the Federal Government should instead be raising taxes for the better off, such as himself.

Treasurer Refshauge is an unreconstructed class-war leftie fighting a battle that has long gone. He misses the fundamental point, which is the strong evidence that tax relief on all tax categories is a factor in growing economic activity. Removing tax burdens makes the pie bigger, according to the Centre for Independent Studies. Access Economics modelling for the Business Coalition for Tax Reform shows that removing the nine intergovernmental agreement hidden taxes would generate \$3.25 billion in additional gross domestic product growth. Economic growth in New South Wales is stagnating. Growth was predicted at 3.25 per cent in 2004-05 but is now revised downwards to a pathetic 2 per cent. Under Labor, GSP growth has plummeted. The Reserve Bank of Australia's quarterly statement on monetary policy shows that Queensland's jobs growth rate is nearly double the national rate, New South Wales employment growth is a lazy 1.3 per cent. Yet in the face of all this evidence, Labor will not cut tax.

As with metropolitan and infrastructure planning, Labor has no longer-term plan to reduce the tax burden on New South Wales citizens. This State cannot afford not to have a tax reduction plan. The Coalition is committed to taking every opportunity to drive down State taxes by cutting waste, enforcing the discipline of performance benchmarking to rein in public sector growth, and having the political will to rebuild New South Wales. Our tax reduction objectives are driven by the imperative to improve New South Wales competitiveness with our competitor States and our global competitors such as New Zealand. We have started our tax reduction plan with a commitment to abolish vendor duty. Labor seems to have a set against people who try to ensure their future independence from the public purse. People do that by offsetting risk, buying an investment property or taking out insurance. Labor's tax regime and pattern of tax increases attack this very group of people whose values we ought to be encouraging. A failure to rein in government expenditure and a failure to link wage increases with productivity reforms are the fatal flaws in this budget.

According to Treasury's advice to the New South Wales Remuneration Tribunal, the wage cost index shows that from its start in September 1997 to March 2004 New South Wales public sector wages have increased by 1.5 per cent per annum in real terms relative to a 0.7 per cent increase for New South Wales private sector employees. General government total expenses are predicted to grow 6.4 per cent in 2005-06, yet the rate will apparently miraculously fall in 2006-06 and, after June 2007, to 3.4 per cent, 3.6 per cent and 4 per cent respectively over the next three budget years. That is impossible to believe.

Labor has never managed to bring in expenses at their forecast growth rate. Since 2001 it has exceeded its budgeted growth rates on average by 4.5 per cent. Labor has no hope of halving its future general

government expenses growth rates when its wage cost assumptions have already been proved wrong. The budget papers admit that there remains considerable risk to budget outcomes unless settlements are consistent with the Government's wages policy. That has already happened. Last week the Treasurer admitted he would be using the Treasurer's Advance to pay wage cost blowouts. Treasury admits that 1 per cent of nurses pay increases are unaccounted for and approximately 0.5 per cent of the pay increases for police and teachers are also unaccounted for. Overall, upwards of 2 per cent, and possibly more, is not budgeted for in 2005-06. Standard and Poor's assessed the budget risks as follows:

Operating surpluses are... weaker than previously forecast and are now paper thin. Because NSW is one of the highest taxing States there is not much flexibility to repair finances if things go wrong.

Wages are now over 50 per cent of all expenditures. Growth in revenues, at 5.5 per cent, is lower than growth in expenses, at 6.4 per cent. The Government approaches its wages policy the wrong way round. We need instead to be clear about the outcomes we want from the services we provide and then source the staff and services through negotiation and setting performance targets. It is important to understand the real debt situation. The Carr Government has now flicked the lever to a traditional Labor debt binge, which is not sustainable, while it fails to justify or reconcile its expenditure forecasts against current demands and fails to commit to any structural and deep-seated public sector reform and spending discipline.

This is a disastrous recipe for New South Wales by Labor. It is now borrowing around \$10 billion over five years, but not for new visionary projects to solve our rail crisis or to provide more water for Sydney or farmers. Not a single drop more water and not a single new rail project have been provided. This debt is to fix up the run-down infrastructure that Labor ignored for the past 10 years and short-changed, as it stripped more dividends from energy and water utilities, and this year it is projected to increase by \$147 million against last year's forecast to \$1.906 billion. The net operating format puts New South Wales on a slim \$303 million operating surplus.

This is the first full budget year operating on this format. It is important that we recognise that if the operating result were expressed in the same format as it was last year on net lending, the Government would be reporting a deficit of \$979 million. If Nick Greiner had used Labor's net operating result when he took on the job to repair Labor's basket case economy through the depths of the Keating recession that "we had to have", he would have been able to claim budget surpluses of around \$648 million. That is clearly ridiculous as the net lending balance reported a deficit inherited from Labor of \$1,280 million.

Labor is effectively rorting the budget presentation to show a surplus of \$303 million when the true deficit, based on the Loan Council's agreed reporting format, is \$970 million. Labor will say that the old format can be seen in the back of the budget papers but I did not hear the Treasurer say anything about the New South Wales general government sector [GGS] balance sheet in table 9.4. The fine print shows that while Labor claims net debt or assets this year of \$787 million, in June 2007 that becomes a \$3.7 billion deficit, and so-called borrowings of \$3.988 billion in the form of deposits to the Liability Management Fund this year push underlying net debt to a deficit of \$3.2 billion. Any debt undertaken by government must be appropriate to the capacity of the balance sheet to manage revenue and expense volatility, maintain a stable and competitive tax regime, and demonstrate a transparent and responsible approach to public trading enterprise [PTE] sector debt, dividends and liabilities.

It is hard to see any justification for this Government to increase net debt and financial liabilities, given that there is little capacity to absorb shock and no willingness to take tough recurrent spending decisions. It is clear that the forward estimates beyond 2005-06 deliberately understate the rate of likely growth in government expenditure by at least one-third. As a result, the blow-out in borrowings and debt, and total financial liabilities, will be much greater than the Government admits. The Treasurer must now reveal how he intends to achieve the Government's new target of 6 per cent net liabilities to GSP by 2015.

If that is his intended target, the presentation of the annual budget result must be related to that target. Failure to do so could imperil our triple-A credit rating. We know from experience that we cannot trust Labor to borrow. We especially cannot trust it to borrow and tax together. We have a wafer thin surplus, even on Labor's deceptive and generous reporting format. That is a dangerous foundation for the future. We must also understand the truth about net debt and liabilities in the general and PTE sectors. The combination of GGS and PTE debt, including unfunded liabilities, is \$44.1 billion, forecast to grow to \$61.2 billion in 2009.

The Government is claiming that net debt is now under control and that it can abandon the General Government Debt Elimination Act and move to address financial liabilities. We should not accept that claim on

face value because the combination of the slim operating surplus and the underlying net debt in table 9.4 shows the vulnerability of this claim to unfunded wages blowouts and a property market slowdown. Achieving GGS net debt of 1 per cent of GSP has been at the expense of the PTE sector, which has been loaded up with debt through a decade of dividend stripping and now a new commitment in this budget to load \$8.7 billion onto total State sector net debt, including an increase in PTE sector net debt of \$8.5 billion over the next four years.

Debt reduction of unfunded liabilities will be achieved partly by borrowing more and increasing net debt in future years. We could argue that the objects of the General Government Debt Elimination Act have not been met, particularly principle 7 on tax restraint, as we have seen from tax increases in recent years. An analysis of the fiscal responsibility bill reveals that the Government is aware of the precariousness of the State's finances over the short term as a result of its own recklessness. It has drafted this bill in such a way as to enable it to further abandon fiscal disciplines and targets.

Specifically, the bill abandons any short-term fiscal targets. It thereby abandons reference to maintaining the highest possible credit ratings; it abandons the requirement for a report-back to Parliament within three months on a comprehensive financial management framework; and it abandons the requirement for Government specifically and properly to maintain physical assets. Michael Costa said there were 20 per cent too many public servants. What on earth could justify any government continuing to pay nearly 300 public sector staff on the displaced list, costing around \$17 million a year? Millions have been wasted on infrastructure blowouts. When the Premier re-announced his 2005 infrastructure plan, he quietly hoped we would not notice the number of cancelled projects that have been abandoned by this Government.

Liberal Leader John Brogden revealed last week that in this budget alone there are \$515 million of cost overruns and project blowouts. How could anyone believe the Premier's latest claims to deliver infrastructure? No doubt we will keep hearing more re-announcements about projects and tenders, but on the experience of the past 10 years they will never happen. They will be delayed and they will blow out and eat into other capital plans. Meanwhile, across the borders in Queensland and Victoria they are just getting on with building new infrastructure. Labor has no new ideas and the Treasurer has no idea at all. As I have to deal with amendments within my allocated time I ask for an extension of time. [*Extension of time agreed to.*]

I have circulated amendments that give effect to the changes we propose to reduce the tax burden on the citizens of New South Wales. In the April 2004 mini-budget the Carr Government introduced two greedy new taxes that aimed to hit hardworking families, businesses and investors in the guts and squeeze every last ounce of cash out of them. These included the new vendor duty and the removal of the land tax threshold on investment properties, which turned every mum and dad investor into a new taxpayer contributing to the Premier's coffers. The Coalition voted against both those taxes in the mini-budget of April last year and immediately committed to abolishing the 2.25 per cent vendor duty and restoring an indexed land tax threshold. We then worked hard with families, with the property and construction industry, and with unions to campaign against the Government's greedy tax grab. All were united against the tax and its destructive effect on the economy of New South Wales.

Yet as late as yesterday the Treasurer continued to claim that the vendor tax is good for New South Wales. New South Wales is the highest-taxing State in Australia, and will continue to be so under Labor. The Coalition opposes Labor's dangerous tax-and-spend incompetence. The New South Wales Liberal-Nationals Coalition will oppose the insurance tax increases proposed in the State Revenue Legislation Amendment (Budget Measures) Bill, and we will oppose the mortgage refinance tax increase. I table the amendments that give effect to those two proposed changes.

We do not believe that Labor has any justification for increasing existing taxes or introducing new taxes. This is the Government that has had record revenues in the past decade, including \$7 billion in revenue above and beyond its expectations—and it has spent every bit of that and more. The Government has returned to Parliament year after year with budget variations cash raids to pay for its mismanagement and waste, its cosy union deals at taxpayer expense and its bloated senior bureaucracies. This is why the Government should be stopped from raising more taxes. We will not give the green light to more costs on families and businesses in order to pay for Labor's reckless incompetence. New South Wales should be reducing tax, not increasing it.

Schedules 2 and 3 of the State Revenue Legislation Amendment (Budget Measures) Bill relate to land tax. The Government has subjected the mum and dad investors of New South Wales to a year of unjustified land tax for doing nothing more than trying to secure their financial future. The measures in the bill to restore an indexed land tax threshold are there because the Coalition, mum and dad investors, and industries that provide

homes, commercial buildings and construction-related jobs made a case that the Government could no longer ignore. The Coalition supports the measures in schedules 2 and 3, which restore an indexed land tax threshold for land tax and effectively reverse the land tax changes in Labor's April mini-budget. We also note that the bill makes a number of changes to vendor duty. We reaffirm our commitment that the Opposition continues to oppose the Carr Government's 2.25 per cent vendor duty and is committed to abolishing it in government.

The Opposition does not believe that the Carr Government should raise taxes on businesses, farmers and families in order to pay for its own incompetence and recklessness. We will therefore vote against the two tax increases in this revenue bill. We will vote against the increase in insurance duty from 5 per cent to 9 per cent, and we will vote against the removal of the concession for mortgage duty on refinancing mortgages. We simply do not believe that these tax increases are justified or necessary in New South Wales. On the contrary, we believe that taxes should be reduced in this State to relieve the burden on our families, farmers and businesses and to restore our competitiveness in relation to other States.

The amendments are important because we have seen this Government rely increasingly on simply raising taxation at the expense of people whose values we should be encouraging. We ought to be encouraging people who make provision for the future and those who want to invest in New South Wales and create jobs. The Coalition believes that, to restore growth and competitiveness in New South Wales, we must reduce State taxes, cut waste and rebuild New South Wales. Any of us who runs a small business, works in a business, raises a family, or works to secure his or her future knows the frustration of seeing hard-earned dollars wasted by a lazy government. The Government should subject itself to the same accountability and disciplines that apply to any business, non-government organisation [NGO], or family.

State government should be no bigger than is necessary to do its job effectively and to respond to new demands. It should actively pursue private and NGO skills in responsible partnerships when others can do things better. Government needs to question its role constantly and be flexible and innovative in networking to achieve the best possible combination of participants in order to produce the outcomes wanted by the community. We will never get this right while we avoid a transparent evaluation of the Government's performance. The Carr Government has studiously avoided any meaningful benchmarking for the past 10 years and avoided any imperatives for public sector reform. The Treasurer has shut down any public scrutiny in his order to the chair of the Council on the Cost and Quality of Government that COCQG's performance report no longer be produced and published. The Government is burying the evidence of its own financial incompetence.

The Leader of the Opposition has committed the Coalition to tackling this issue head on, with the implementation of annual state of the State reports that measure the Government's progress in improving real outcomes on social and other indicators. For example, the reports will measure the Government's success in tackling recidivism, reducing the number of child deaths in State care, raising literacy rates in gaols, and increasing the number of children adopted into permanent homes. We will also introduce performance benchmarking against interstate, international and private-NGO comparators. This will be an historic reform in New South Wales and tough on a future Liberal-Nationals government. It will be very uncomfortable at times, and I have no doubt that future Ministers will sometimes wish it were otherwise. But that is a good thing and exactly what people expect of an honest and accountable government.

On budget day the Treasurer talked about spending, spending, spending. At no point did he mention outcomes, results or evaluation. Every dollar of tax collected by government is a contract of trust—trust on the part of the taxpayer that it will be spent responsibly, acknowledging that it is their property, in order to invest in a community good, such as a public facility or provide a necessary public service. It is therefore incumbent on governments to constantly improve disciplines regarding their use of that money. It should be a principle of any responsible government that any dollar of tax excess to overall requirements is returned. If the choice arises, I believe that a dollar in the hands of a citizen will return more to the economy than a dollar kept unjustifiably in the hands of a government.

The Government must constantly review the activities on which it spends that money. This means that every day the Government must ask itself: What needs to be done by government, why is it really necessary, what outcomes do we expect, who is the best entity to do this, what is a reasonable cost to do it, how will we test whether it is being done properly and at the best cost and quality, how do we build in continuing improvement, and when will be the time to stop? If the Government is not achieving the results expected or needed it must have the will to change tack and find a better way. No government should think it has the luxury of using other people's money to do things less well than they could be done otherwise. That is why the Leader of the Opposition announced a new policy approach to managing the finances and outputs of the State of New South Wales. Performance benchmarking is such a discipline.

The Carr Government will not submit itself to proper performance benchmarking because it knows that will reveal the truth about endemic waste and poor management that it would rather bury. A Brogden-Stoner government will encourage performance within government by establishing a set of clear goals for government and targets for every agency, reporting publicly on all agencies' performance against the targets, ensuring the accuracy of this reporting by having the data signed off by the Auditor-General, and benchmarking every agency's costs and performance against available interstate and international data, both public and private sectors. A Liberal-Nationals government will stipulate its critical measures of performance and be assessed against them. The Government must shift its focus away from budget process to service delivery.

It is only when we know the answer to these questions that we can tell taxpayers honestly that we have spent their money responsibly. If there is a better way, we expect taxpayers to want us to find it and do it. There is no reason to be afraid of testing the performance of government when it can produce real benefits for the people who rely on State government services. We know that infrastructure and services in New South Wales are not good enough, and we know they can be better. But the Carr Government refuses to take steps to fix the problem; it does not want to submit to that transparency and accountability. This is a policy that a future government will find tough. There will be times when the results are confronting—and so they should be. Performance benchmarking is the "honest broker" that will give taxpayers confidence that there is a test on government, overseen by the independence of the Auditor-General, to ensure that taxpayers and residents are getting value for money.

This performance discipline will open new opportunities to improve services and choices, to save taxpayers' money and achieve tax reductions, to focus government on priorities in cutting waste and rebuild New South Wales. The first casualty will be Labor's nonsense, no-forced redundancy policy. The Coalition has already outlined new approaches to back up accountability in government, including reforming public sector corporate governance, cutting wasteful fat cat bureaucracies and redeploying resources to front-line services, pursuing productivity improvements in all wage negotiations, structural reform of government to improve outcomes, prioritising infrastructure under the responsibility of the Premier, Federal/State reform to remove duplication and costs, and to encourage private sector participation in infrastructure. We need to have the political will to make those reforms happen.

Significantly, unlike Labor, the Opposition believes people should be rewarded and encouraged for working to invest in a secure future. That is why the Opposition opposed Labor's creation of 400,000 new mum and dad investor taxpayers when it removed the land tax threshold, that is why the Opposition recommits to abolish Labor's vendor duty, that is why the Opposition commits to pursuing further tax reforms, and that is why it foreshadowed two amendments to oppose the new tax measures in the revenue bill. I am concerned that today the Government has sought to shut down the opportunity for the Opposition to vote against those two new tax measures. The Government does not want to subject its own members to the embarrassment of having them publicly accountable for having voted down an opportunity to give tax relief to families, farmers and businesses in New South Wales.

The two amendments would make significant savings to businesses that are now saddled with an increase in the cost of insurance tax, and they would give significant relief to families that are now struggling to afford home and contents insurance. The Government seems to have forgotten that in the last floods and fires it discovered that some people cannot afford insurance, and this will make it even harder for them to do so. It is appalling that the Government has sought to shut down debate on those two very important tax measures and an absolute outrage that it is denying the Opposition the opportunity to move those amendments. My advice from the Clerk is that it is possible to amend such a bill, and the Opposition should have had the opportunity to vote on the two amendments. This is nothing more than a cover-up by this Government, which does not want to subject its members to the embarrassment of having to vote for these two new tax measures. The Opposition remains opposed to the new tax measures on insurance tax and mortgage refinance. It is appalling that businesses are being asked to shoulder these two new tax measures to cover-up the incompetence of the Carr Government. [*Time expired.*]

Dr ANDREW REFSHAUGE (Marrickville—Deputy Premier, Treasurer, Minister for State Development, and Minister for Aboriginal Affairs) [11.13 a.m.], in reply: Rhetoric, polemic, whinging, whining, classic Opposition: reckless and no place to go. We have not heard one idea that is worth taking up—not a policy, not a plan. It is disappointing that the Leader of the Opposition—who was not here to hear the shadow Treasurer making her first speech on a budget—

Mr Milton Orkopoulos: Or her colleagues.

Dr ANDREW REFSHAUGE: Her colleagues are not here either. It is disappointing that the Coalition, which is putting itself up as an alternative government, has no policies and fell back on constant whinging and whining. Even the Prime Minister has said, "Get rid of that—it's wrong." The Leader of the Opposition and the shadow Treasurer talked about the infrastructure crisis. I remind them of what happened on 3 June at the press conference of the Council of Australian Governments, when John Howard said:

In the area of infrastructure, it is the unanimous view of the heads of government before you, that we do not believe there is a crisis in infrastructure in Australia.

He also said:

I note the fact that over the past few months a number of State budgets have been brought down in which there has been very, very heavy investment in infrastructure.

The Prime Minister of Australia has shown his interest in Australia as a whole and said, "We are spending on infrastructure, recognising what we are doing here in New South Wales." He told the Opposition that it is wrong—that there is no infrastructure crisis. The Coalition ought to listen to its Prime Minister and the people who are successful in government—this and other State governments—if it wants to be an alternative government. The Opposition should not undermine the Prime Minister, who was absolutely right when he said that there is no infrastructure crisis. The shadow Treasurer constantly picks on Health, but the Prime Minister said, "We have a very good health system." He also said:

I'm frankly sick of the denigration of the Australian health system and it happens too often and I've often said if you're going to get ill it's better to get ill in Bankstown or Broadmeadows than the Bronx or Brixton because we have a much better health system.

The shadow Treasurer should get off the back of the health system, stop making carping criticism, and follow her Prime Minister. She should recognise that we have an incredibly good health care system, although we are always looking to do better. What would she do if she cut taxes? Would she take the money out of Health?

Mr Milton Orkopoulos: Off the nurses.

Dr ANDREW REFSHAUGE: Off the nurses. In relation to wage increases, where was the shadow Treasurer and the Leader of the Opposition when the shadow Education spokesperson said, "Give teachers a dramatic increase"? The shadow Treasurer and the Leader of the Opposition did not say, "No, a regular wage increase" but were absolutely silent. The shadow Minister for Health also said, "Give the nurses more." She cannot have it both ways: on the one hand, say, "Give them massive wage rises" and, on the other, say, "The wages rises are out of control." The honourable member for Southern Highlands should get her act together because, if she does not, the people of New South Wales will not support her. When she has this reckless approach and says, "We will get rid of taxes because they are bad; we don't like them" but will not say where the savings will be made, the Government knows she is absolutely unbelievable and bereft of ideas.

The last time the State was on credit watch was in October 1991, when Nick Greiner was Premier. Who was an adviser in his office in October 1991? None other than the honourable member for Southern Highlands! I ought to publicise a little more that when the Greiner Government was on credit watch she was giving it advice. Every year Nick Greiner was adding to our deficit and our debt. In the first few years when the shadow Treasurer was an adviser, the debt was \$515 million, which then blew out to a \$1.2 billion deficit, a year later a \$1.6 billion deficit—\$900 million, \$600 million. When Labor came to office it had to put its extra revenues into, and pay off, a \$12 billion debt because of Coalition mismanagement. We paid off Coalition debt. The honourable member ought to get her figures right. In regard to the general government sector, we now have a net State debt of about 1.1 per cent.

Mr Steve Whan: So it's right.

Dr ANDREW REFSHAUGE: That is absolutely right: it is a modest debt. What does Standard and Poor's say about this Government's State debt over the next few years? It says that the Government's budget does not threaten the State's triple-A rating. There is nothing wrong with a deficit to fund capital spending, especially with a balance sheet as strong as ours. When the shadow Minister starts to get reckless with taxpayer's money and says that the Opposition will get rid of all these taxes, but supports other shadow Ministers to argue for more wages explosion, where is her credibility? Absolutely nowhere at all. I wanted to hear Opposition policies; I wanted to hear what it is going to do. However, all I heard was polemic and rhetoric. The shadow Minister sounded as though she was sorting herself out—

Mr Milton Orkopoulos: Her PhD thesis.

Dr ANDREW REFSHAUGE: It might be a glee club. She should be explaining how she believes in capitalist economics. I say to the shadow Treasurer, "Great for you! That is wonderful!" But what would she do for the people of New South Wales? The honourable member said she will cut spending and cut public sector wages. She said she would get rid of a whole bunch of public servants. Actually, those "public servants" are in universities. Apparently her leader could not work out the difference between State government employees and university employees. The shadow Treasurer went on a weekend frolic, saying she would get rid of 26,000 people—most of whom are employed by universities, so she could not get rid of them anyway! It is about time the honourable member got real about what the Coalition would do if it happened to be in government.

The shadow Treasurer is putting up nit-picking ideas of what she thinks might be wrong with the budget. That reminds me of that great publicist Ernest Bevan of Britain, who said that an Opposition leader looks for trouble, finds it whether it exists or not, diagnoses it incorrectly, and applies the wrong remedy. The shadow Treasurer has done that every step of the way. She has been following Ernest Bevan's line absolutely. It is as if she wrote the textbook herself, and has been picking it up and following it all the way along.

This Government has been delivering services. We have put extra funding into our hospitals. As a result, over the past 10 years—I am sure not just because of the hospitals and community health services, but other things as well—there has been a 20 per cent reduction in the death rate from heart attack and a 20 per cent reduction in the death rate from cancer. This is pretty good stuff that is happening in our health care system. No wonder the Prime Minister says, "Stop denigrating the health care system." These are benefits that are being provided for the people of New South Wales—and for the people of the other States and Territories as well, because the Commonwealth also is putting in extra money.

In our schools, students aged 15 have the best literary rates in the world, up there with Finland students. It is pretty much the same for numeracy. The Government is delivering the results, and that is because we are providing funds for frontline services. I am proud that this State has the highest paid nurses and the highest paid teachers in this country. I think that is a good and worthwhile thing. It will make sure that New South Wales gets the best nurses and teachers. We are not opposed to that. I think moderate wage increases are reasonable for our nurses, teachers and police officers because they are doing the job for their people. The shadow Treasurer would cut their wages, reduce their numbers and under-fund the services. That is a reckless approach. Not only will Government members criticise her; quite obviously, the electorate will also do so in about two years time.

The Opposition criticises the Government over its spending on infrastructure. The Opposition claims there is an infrastructure crisis. It has it wrong on both counts. The Government has committed to significantly increase spending on infrastructure over the next four years to \$34.7 billion. That is, \$1 million an hour for the next four years is being spent on infrastructure. Some projects come in early and some projects come in late, because most are being undertaken by the private sector. Issues faced by that sector, which are often of a technical nature, result in a rearrangement of completion dates. But the Government is spending the money. It is doing so because it believes in the future of New South Wales. We want to make sure that the future for New South Wales is bright. We will not waste that money; we will not be reckless. We will make sure that infrastructure planning is delivering for the people of New South Wales. I would be ashamed if I put up the response that came from the Opposition: no policies, no ideas and no plans. This whingeing and carping Opposition deserves to stay in Opposition forever. I support the bills.

Motion agreed to.

Bills read a second time and passed through remaining stages.

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (INFRASTRUCTURE AND OTHER PLANNING REFORM) BILL

Second Reading

Debate resumed from an earlier hour.

Ms PAM ALLAN (Wentworthville) [11.27 a.m.]: I support the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill. I congratulate the Government, the Minister for Infrastructure and Planning, the Premier and Cabinet for their initiative on bringing forward these

legislative amendments. As other honourable members have indicated when speaking to the bill, comprehensive debate has been occurring both within the Parliament and within the community about the nature of the reforms contained in the bill. I note the enthusiastic endorsement given earlier this morning by the honourable member for Gosford for many sections of the bill.

There is no doubt that the bill meets the demands that have been raised with the Government over a decade to try to improve planning processes in New South Wales. There are many good news stories in planning in this State. Unfortunately, there have been times when many major projects, which are indeed the focus of this legislation, have been caught up in protracted approval processes as a consequence of what have been some fairly cumbersome parts of environmental planning legislation. Environmental planning legislation is always challenging. Most planning Ministers, of this and previous governments, have made statements to that effect in the years that I have been a member of this Parliament. But this is the first time that a government has been able to focus on a whole-of-government approach to major strategic projects that affect our State. I look forward to enthusiastic endorsement of this legislation by people and companies in this State who, for many years, have spoken about projects that they might undertake in this State if planning approvals were able to accommodate them.

Another good thing about this legislation is that it does not ignore the needs of the community, despite some concerns raised by a number of members who have spoken in the debate. We have reached a time in New South Wales when it is accepted, not just by government, local and State, but by the private sector that the community has a valuable and valid role to play in the approvals process. It is a dopey developer indeed that tries to install in this State a project that does not have community support. I congratulate the development industry and the major projects industry in this State for now beginning to take the initiative to ensure that local communities are well apprised of the nature of projects that they are contemplating developing before processes and projects get too far along the track.

There is a lot of good news in this legislation for the big end of town. However, I want to talk also about smaller projects, because this bill, while focusing on the State Government's role in major projects, returns a significant number of projects to local council for approval. In the same way as the honourable member for Heffron spoke about how the bill will affect some issues in her local electorate, I want to talk about some projects proceeding in my electorate and how significant this bill will be for them. Only a couple of weeks ago I spoke in this House about redevelopment occurring in Toongabbie within my electorate. That is major development, but perhaps not so large that it would qualify under the new proposals under consideration today.

The processes engaged in by the local council, Holroyd City Council, at the time related to a major development in which the State Government could have intervened at any time to try to make sure the process was kept on track. I congratulate the Holroyd council, under the leadership of the former mayor Mal Tulloch, for making sure that project was kept on track. Unfortunately, circumstances that have arisen since the original approval have resulted in the project falling from the track. I spoke in this place on 24 May about a project to redevelop the Toongabbie shopping centre being undertaken by Simon Symond of North East Developments.

On 24 May I referred to the family connections of Mr Symond. Mr Simon Symond's brother is Aussie John Symond. As I noted in my speech on that occasion, John Symond is not only a very successful businessman in this town and this State—he is the face of Aussie Home Loans—but he is also a renowned philanthropist who contributes to a number of charities in this State. On that occasion I said with a great deal of sincerity that it would be useful if John Symond were to think about giving his brother, Simon Symond, some assistance to ensure that the development Simon Symond and North East Developments were pursuing was able to go ahead. Following my speech on 24 May the *Parramatta Advertiser* last week ran a front-page story which I think it will correct in today's edition. When talking about my comments the article made an embarrassing blunder by confusing the two brothers. They confused the highly successful and very affluent John Symond of Aussie Home Loans fame with his more humble brother, Mr Simon Symond, who is the developer.

Last Wednesday the front page of the *Parramatta Advertiser* displayed an enormous aerial photo of the harbourside mansion of John Symond currently under construction with the headline "Save Toongabbie". I agree with the sentiments of the article. We have to save Toongabbie, and those are the sentiments I have expressed in comments in this House and in various letters I have written to my constituents. However, it is unfortunate for Mr John Symond that the *Parramatta Advertiser* ran a photograph of his house instead of the Cremorne residence, which I do not think is harbourside, of his brother, Mr Simon Symond. I am not sure whether he is the younger brother or older brother, but he is certainly the less affluent brother. The article in the *Parramatta Advertiser* said:

DEVELOPER John Symond has hit back at Wentworthville State Labor MP Pam Allan, saying her speech in Parliament last week was "cowardly".

Unfortunately, the *Parramatta Advertiser* got it wrong. The comments it was referring to were made by Simon Symond. Another relative of the Symond family has just come into the Chamber. I am sure the *Parramatta Advertiser* will apologise sincerely to John Symond. It is unfortunate because Mr John Symond certainly has not made any such comments, although Mr Simon Symond certainly made similar comments to the *Parramatta Advertiser* and he has rung me on at least one occasion since my speech. The *Parramatta Advertiser* would be very embarrassed about its blunder, which has confused the issue.

Mr Thomas George: Not half as much as you will be.

Ms PAM ALLAN: It is not a question of personal embarrassment. It is a question of ensuring that our local community, which is not currently being appropriately serviced by its shopping centre, has that shopping centre redeveloped and that the millions of dollars worth of development that Mr Simon Symond of North East Developments has promised to the community of Toongabbie is completed as quickly as possible. Mr Simon Symond believes that the only reason I have an interest in this matter is that I am a political opportunist. That is an unfair criticism by Mr Simon Symond. It is important that he should be aware of my longstanding interest in this issue and my lifelong interest in the community of Toongabbie. Having grown up in Toongabbie, having educated my son at Toongabbie and having spent considerable time over many years with the residents of Toongabbie, I am in a better position than Simon Symond to say that the local community of Toongabbie is most disappointed that his redevelopment of the Piccadilly shopping centre at Toongabbie has not taken place.

Mr Simon Symond received his initial approval from Holroyd City Council on 25 June 2003 to construct his next retail, commercial and residential development, which was supposed to comprise a Woolworths supermarket, speciality shops, seven professional suites, three levels of basement car parking comprising 270 retail commercial spaces, and 136 resident and 24 visitor spaces. He was also supposed to act on the approval he received on the same day for three residential buildings atop the development, two of five storeys and one of six storeys, containing a total of 121 residential apartments. Anyone who visits Toongabbie could see that such a redevelopment would have had a profound impact on the shopping centre as it was in June 2003. If they were to visit the site now they would wonder what has been going on for the past two years because all they would see is a boarded-up site and no construction activity whatsoever, which has led to outrage within the local community.

Despite the commitment of Mr Simon Symond of North East Developments to acquire the site and despite receiving almost unanimous approval for the project from Holroyd City Council, no action has occurred. I understand that Mr Simon Symond of North East Developments paid \$6.3 million for the site. Only last night at a meeting of Holroyd City Council he claimed that in the two years since the initial approval he has spent \$15 million on the site. If he has spent \$15 million on that site, he has certainly not got value for money. He may have spent up to about \$3 million on his various studies and what-not in relation to the development in the past two years, but he certainly has not spent \$15 million. As I have indicated, there is no construction activity whatsoever on the site. Last night was a significant night in the whole process. Mr Simon Symond went back to Holroyd City Council to seek a 12-month extension of the development approval for this major project, which he was granted.

Despite the fact that Mr Simon Symond has been telling everyone, particularly since he started to get a bit of adverse publicity in the local newspaper and particularly since I have started to talk about the matter in his House, that he was about to bring in the bulldozers, he went back to the council last night to seek an extension of the development approval, which was due to lapse on 4 July 2005. Despite some opposition last night he was granted that extension by Holroyd City Council. The council would like the project to continue and to be successful. It continues to give Mr Simon Symond the benefit of the doubt about whether he will be able to make the project work. As I indicated on 24 May Mr Simon Symond has closed shops that previously operated in the Piccadilly centre. On that occasion I suggested that if Mr Simon Symond was financially unable to commence construction on the site, perhaps he should reopen the various shops that he closed and return a successful shopping centre to the local community of Toongabbie.

Mr Symond has not done that. He has made no attempt to reopen the shops. I am disappointed with Mayor John Brodie and Holroyd City Council for not imposing new conditions on Mr Simon Symond when they extended his development approval to ensure that he either starts the work immediately or reopens the shops. I hope I have clarified the matter. The John Symonds of this world will be delighted with the legislation we are debating because it will make the approval processes in relation to their major projects all the more

efficient and effective. The bill will not directly impact on the local developer, Mr Simon Symond, but I took this opportunity to express my concerns because the legislation returns to councils the opportunity to consider local projects. The Holroyd City Council had done it successfully, but, unfortunately, the developer, Mr Simon Symond, has not done the right thing by the community of Toongabbie.

Ms CLOVER MOORE (Bligh) [11.39 a.m.]: Bit by bit, the hard-won rights of people to be involved in the form and future of our cities, towns and living environments are being wound back, and environmental protection and resource sustainability measures are being overridden and diminished while protection of our history and heritage is being removed. It was not so long ago that the people had no say in the form and future of their cities, towns and environments. It was a free-for-all between governments and developers. I am concerned that with the formation of government development authorities, most recently the draconian Redfern-Waterloo Authority, in relation to which a single Minister is given absolute power, when protective environmental controls mean nothing and heritage is just in the way, we seem to be returning to undemocratic days.

I am very concerned about this bill and I support the comments made by the honourable member for Manly. This bill represents a repudiation of an Act that a previous Labor Government proudly introduced to ensure for the first time the right of public involvement and to establish requirements to assess critical environmental criteria. The Environmental Planning and Assessment Act 1979, which provided a basis for people to be involved in planning processes, was a heralded breakthrough and has been the basis of planning ever since its implementation, notwithstanding the regional environmental plans [REPs] and subsequent State environmental planning policies of a former Minister for Planning, Robert Webster, and the establishment of authorities. I am very concerned about rights being removed. This is a time when there is a need for greater environmental responsibility and resource sustainability.

The Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill 2005 has two major sections. The first provides for a new part 3A in the Environmental Planning and Assessment Act that creates a new planning process for development that is considered to be major Infrastructure. These changes give the Minister extraordinary discretion over environmental assessment, criteria for approval, and public input. The second major element of the bill implements substantial reforms to the operation of local environment plans [LEPs] and development control plans [DCPs]. While the draft standard LEP template was on public exhibition last year, the final content is unclear and there has been no public consultation on other reforms.

Currently parts 4 and 5 of the Environmental Planning and Assessment Act set the processes to be followed for all development and environmental assessment. This bill creates a new section in that Act that will remove the normal checks and balances to fast-track some development. This will apply to two types of development: first, major infrastructure development, which will include development, whether or not it is carried out by a public authority, for the purposes of roads, railways, pipelines, electricity generation, electricity or gas transmission or distribution, and sewerage treatment facilities, dams or water reticulation works, desalination plants, trading ports or other public utility undertakings; and, second, critical infrastructure projects, which appear to be a particular form of major infrastructure development that, in the opinion of the Minister, is essential for the State for economic, environmental or social reasons.

This legislation does not provide clear criteria for major or critical infrastructure. While proposed section 75A defines the terms, it does not limit the new provisions solely to the listed infrastructure projects. The designation of something as major infrastructure appears to be at the Minister's discretion. New part 3A provides a substantially emasculated planning process for major infrastructure. The environmental impact assessment [EIA] process, including the requirement to prepare an environmental impact statement [EIS], is removed. The Minister may develop guidelines for environmental assessment, and the director-general is to prepare environmental assessment requirements on a case-by-case basis, having regard to the guidelines. A panel of experts may be appointed by the Minister to assess applications for approval, but there is no requirement that the recommendation of the panel's conclusions will bind the Minister.

The level of public involvement is effectively at the discretion of the Minister or the panel. It is all the "may develop", "may be appointed", and "at the discretion" terms that have generated real concern. Having been a representative of an area of Sydney for two decades, I know the pressure that is exerted on Ministers and I am very concerned about what this legislation will mean not only for the immediate future but for the long term. For critical infrastructure projects, the bar will be set even lower than for major infrastructure development. It appears that the Minister can approve a declared critical infrastructure project that would otherwise be

prohibited by an environmental planning instrument. There will be no interim protection orders, no stop work orders, no environmental protection notice and no order under section 124 of the Local Government Act 1993 that will be able to interfere with the approval of a designated critical infrastructure project. There will be no third party appeal rights, except with the consent of the Minister.

I am particularly concerned by the proposed new ability of the Minister to give approvals based on concept plans when a detailed description of the project is not required. Particularly with large and complex projects, there is routinely a major gap between concept and reality, and we all know that. The most troubling aspect of this proposal is that it is coming from a State Government that has failed in its responsibility to plan and build the infrastructure that is necessary to support higher residential densities and major development and, instead, is usurping the role of local government and excluding local communities so that it can approve development without providing the necessary context, such as transport, facilities, social support and open and recreational space. What really concerns me is that this bill could be a recipe for environmental degradation, urban chaos and social dysfunction. This legislation is the hallmark of a bandaid, day-to-day Government that pushes problems onto our children and to future governments to try to solve. Surely the role of government is about not only planning for the immediate term but also leaving a legacy of which we may be proud.

The second major section of the bill implements significant changes to the operation of local environment plans and development control plans. These provisions are also being pursued without adequate consultation with local councils and without any public debate. The only discussion that has occurred with the Council of the City of Sydney about these reforms has been the standard LEP template that was placed on public exhibition in draft form in September last year. Council officers have been expecting that a revised template could be due for public exhibition soon, but the final shape of the template is unclear.

Schedule 2 implements the use of the standard LEP template, but it is appropriate that the template be completed and that the framework is agreed with local councils before this legislation is passed. While the Council of the City of Sydney has been generally positive toward LEP standardisation, we have expressed concerns that excessive standardisation will limit our ability to respond to the particular local circumstances of inner city development. A stated objective of this reform is to achieve a single LEP for the area. Proposed section 33B provides for the Minister to impose a staged repeal program, requiring councils to prepare new LEPs within a specific period. Proposed section 33B (4) allows the Minister to make an LEP by order if a council does not make a replacement instrument on schedule.

This is of particular concern for the Council of the City of Sydney as the Department of Infrastructure, Planning and Natural Resources has identified it as a priority council for reform. The city is committed to amalgamating and updating the three sets of planning instruments from the former city, South Sydney and Leichhardt council areas. We have committed resources in the currently exhibited corporate plan by employing more planning staff, and the Council of the City of Sydney is committed to completing the new city plan by the end of 2006. Any State-imposed repeal program must have a fair and reasonable time frame, with appropriate resources being made available for councils to prepare plans within the stated time frames.

Schedules 2 and 3 amend provisions regarding development control plans and staged development applications. There have been no discussions with the Council of the City of Sydney about these provisions and their meaning is unclear. The Council of the City of Sydney's staged consent processes in the central Sydney LEP have been well received by the property industry and supported by members of the Central Sydney Planning Committee. The process has enabled applicants to gain certainty and legal recourse for the framework and concept of large developments to enable them to proceed with more detailed planning and, potentially, financing for the project. It is unclear how the new provisions will affect this well-received planning process. The legal mechanism, section 80 (4) of the Act is retained, although renamed from staged development to total or partial consent.

However, proposed sections 83B and 83C will enable applicants, at their choice, to lodge staged development applications that set out concept proposals for which detailed proposals for separate parts of the site may be subject to subsequent applications. Staff of the Council of the City of Sydney are concerned that this may conflict with the design excellence provisions of the 1996 central Sydney LEP in both its existing and draft forms. I ask the Minister to clarify these provisions. Proposed section 74C provides for changes to public advertising and notification in a DCP where a planning authority considers it necessary or desirable. These provisions appear to do nothing more than reinforce existing powers. I ask the Minister to explain the meaning of these provisions.

Proposed section 74D (5) (a) also imposes a 60-day time limit for a planning authority to make a development control plan and submit it. I am very concerned that this provision appears to undermine the right

of a local council to set planning for a site, and appears to set up scope for a DCP application process. Perhaps the Minister will clarify whether or not that scope exists. A period of 60 days is also unlikely to provide sufficient time for an appropriate assessment and for public consultation and exhibition, particularly considering council meeting cycles and the complex issues that may need to be assessed as a result of public exhibition. The new power in proposed section 74D (5) (b) appears to enable the Minister to also make a development control plan if the 60-day time frame is not met.

The bill states that that can occur only when an environmental planning instrument authorises the Minister to do so, it is not clear to what extent that will occur. These provisions are unclear but have potential to undermine local council control in the planning process, transferring power to land owners and developers. This legislation has been introduced into this House with promises that it will establish greater certainty in the assessment process, something the New South Wales public is calling for. The public's desire is for certainty in planning controls that determine the shape and form of future development. From my discussions with developers and the property industry I know they are seeking the same certainty, so that they know where they can go with their proposed development. Certainty in the provision of needed infrastructure through long-term strategic planning and certainty through guaranteed outcomes for the environment, heritage and amenity, is what we all want.

Unfortunately, the only certainty with this legislation is that development will be given the green light in the shortest possible time with, it would seem, inadequate assessment. The changes will diminish accountability and transparency, and limit community involvement. The Environmental Planning and Assessment Act is more than 25 years old and what was at the time a progressive reform has been undermined by ad hoc, inconsistent, poorly consulted and badly thought through amendments in recent years. In conclusion, I call on the Government to withdraw this legislation for appropriate consultation and urgently begin work and consultation on an integrated review of the Environmental Planning and Assessment Act.

Mr CRAIG KNOWLES (Macquarie Fields—Minister for Infrastructure and Planning, and Minister for Natural Resources) [11.51 a.m.], in reply: I thank all honourable members who have contributed to this important debate. Before commencing my formal remarks I make the broader comment that members in this Chamber, particularly the honourable member for Granville and myself, have participated in debates about environmental legislation for many, many years. Invariably—and today is no different—there will always be the standard speech, usually penned by someone other than the member, which is more about dogma and ideology than about fact. In the context of this legislation, such a speech was heard again today. During the second reading debate some remarks contained an assumption that in my view reflected a false view that somehow a quantity of process equates to quality of outcome. That, of course, is arrant nonsense.

By constantly adding to the process, particularly in an environmental assessment, the international evidence is clear that it degrades and diminishes environmental outcome. People become more focused on the process rather than on the objective of protecting the environment and underpinning the environmental, social and economic considerations associated with the assessment of any proposal. Equally, there is the false view that more time axiomatically gives a better result. That is patently not the case. Equally, there is a view that governments can work only within their silos and that environmental assessment has to be done sequentially. For some years international best practice has been that government agencies are required to work collaboratively out of their silos and do things iteratively or in parallel. Those old chestnuts that are trotted out and regurgitated without any intellectual input by a member of Parliament are more about ideology and dogma and fact, and they need to be constantly exposed. I do so again today.

The honourable member for Bligh read onto the record, I think without necessarily understanding it, her great anxiety about the use of the word "may" as opposed the word "shall" as if it were some sort of titanic shift in the principles underpinning the Environmental Planning and Assessment Act. The word "may" has been incorporated in the planning Act since 1979. The use of the word "may", the discretionary power, as opposed the word "shall", the obligatory power, has always been reflected in the Act, and there is no change. Indeed, it is a direct carryover. I implore those who read the second reading debate to view some of the contributions as little more than ideology and dogma and not based on fact or the content of the bill.

I return now to my formal remarks and will reinforce some of the points made and undertakings given during the consultation process. I again thank all honourable members who contributed to the debate. The point I made in my second reading speech is that the wellbeing of our economy depends on business being able to work with certainty, a minimum of risk, low transaction costs and appropriate levels of regulation. The bill demonstrates the Government's determination to take decisive action to achieve those objectives. By

establishing greater certainty and efficiency in the assessment of projects of State significance and major infrastructure projects, the bill supports our economy and the Government's determination to provide opportunities to the private sector to participate in the delivery of our infrastructure programs

There is no doubt that the bill dramatically improves the climate in which to do business in this State. The bill implements important elements of the Government's planning reform program, a program which is overhauling our planning system and cutting red tape at all levels. The bill introduces new mechanisms which will ensure the Government delivers quickly and efficiently on its infrastructure programs. Projects for roads and transport, schools, hospital upgrades, and water and energy projects are some obvious examples. Importantly, the bill has been introduced ahead of the recommendations of the Prime Minister's infrastructure task force for the establishment of what he calls a one-stop-shop, a single point of contact for project facilitations and approvals of major infrastructure, in each State with a single Minister responsible for issuing all necessary State approvals. Once again, the Prime Minister supports the work the New South Wales Government is doing through this legislation, as it embodies a specific recommendation of the Prime Minister's infrastructure task force about which commentary has been given in recent days.

A single assessment and approval system for major development and infrastructure projects will replace approval processes currently scattered throughout various legislation. The bill will also improve the co-ordination of major strategic projects as well as ensure that the State focuses properly only on those matters which are genuinely of State or regional significance. A significant number of projects will be returned to local councils for approval. For example, and this might be of interest to the honourable member for Bligh and totally contradicts some of her assertions, over the past four years more than 700 urban and coastal development projects valued in excess of \$2.3 billion were determined at ministerial level. However, under the new provisions, more than 600 of those projects would have a combined value of less than \$130 million.

Under this package of reforms those developments would have been determined by local councils. That is, of the 700 projects I have determined in that time more than 600 of them would have gone back for local determination. That is what this bill provides for. It is not taking power away from councils, but returning projects that historically have had ministerial determinations back to local government for its determination. For complex projects, concept approvals will increase certainty upfront and reduce environmental and investment risks and costs. They will allow the community to comment earlier in the development process and for community views to be taken into consideration in the refinement of the projects. In that sense, this is an enhancement of the transparency and community involvement in the assessment of major projects and projects of State significance. In addition, the environmental protection provisions under nine different Acts will be integrated into one approval. These reforms have been developed from long practical experience. The new regime of environmental, social and economic assessment of major projects proposed in part 3A of the bill has been built on the 25 years of environmental assessment practice by the Department of Infrastructure, Planning and Natural Resources [DIPNR] and its predecessors under the Environmental Planning and Assessment Act. In these circumstances the bill provides New South Wales with a significant one-time opportunity to build a one-stop, outcome-focused and value-adding assessment regime that can direct and target the right levels of environmental assessment to specific projects.

The new environmental assessment procedures will address the real social, economic and environmental impacts that arise from specific proposals, and not just be a compendium of information. By having one integrated assessment process and by concentrating the environmental procedures and requirements in the guidelines, the new environmental assessment procedures will reduce time, cost and complexity in the assessment of major projects. The bill will ensure the credibility of environmental assessment and community participation and that environmental outcomes are not compromised.

To add to the environmental rigour in the assessment process, the assessment will be carried out under guidelines and protocols to be developed by a new chief executive officers forum. That forum will be comprised of directors-general of the major regulatory agencies. The guidelines and protocols will set the rules for assessment methodology, consultation requirements and performance levels, and will ensure that high environmental outcomes are achieved. For the first time the bill provides that the guidelines will be issued by the Minister and not by the director-general. In another first, they will be gazetted to ensure transparency and they can only be adopted after consultation with the Minister for the Environment when they relate to matters concerning threatened species or Aboriginal cultural heritage.

Let me quickly deal again with the nonsense that this is somehow removing or diminishing environmental assessment integrity. Historically, the director-general, in isolation, without reference to anyone

else, especially other agencies such as the conservation agencies, could issue directions and guidelines as part of the process of assessment. Under the proposed regime guidelines will be developed by the director-general in consultation with other executives of other agencies and the Minister will not only publish them, they will be gazetted. In relation to guidelines relating to threatened species and Aboriginal cultural heritage, that will be done in consultation with the Minister for the Environment. Fundamentally, that is a major elevation in the commitments we give to environmental assessment of major projects and projects of State significance. I think that does away very quickly with the nonsense that has been touted around, based more on ideology and dogma, that this somehow is a diminution of environmental assessment.

The bill makes it clear that State environmental planning policies [SEPPs] must be considered when making a determination about a project, including a critical infrastructure project. Before commencing the new part 3A the Government will ensure that community consultation and the environmental assessment are enhanced by amending the State significant development SEPP expressly to provide that there is an appropriate consideration of economic, social and environmental impacts of proposals, the suitability of the site, a report on community submissions and other community consultations, and other public interest matters before determinations are made.

The new part 3A of the Environmental Planning and Assessment Act will strengthen environmental outcomes and provide for earlier consideration of environmental constraints. These changes will provide a more systematic approach to resolving environmental issues, replacing current single-issue considerations. Earlier consideration of environmental constraints will allow earlier and more effective influence over project design and local decisions. This provides better outcomes for the community and the environment without unreasonable cost to the proponent.

The Government will ensure that proponents of major projects deliver on their commitments to communities on environmental outcomes. This bill strengthens the compliance and enforcement tools available under the Act to ensure environmental safeguards are delivered on the ground. The bill provides a new suite of investigative compliance and enforcement powers for authorised officers of the Department of Infrastructure, Planning and Natural Resources to ensure projects approved under the new part are carried out in accordance with their conditions of approval.

The bill strengthens the monitoring, compliance and audit powers, and provides for offences where the monitoring or audit reporting has been inadequate, false or misleading. The bill gives DIPNR more powers to stop work on a project if there is a danger of any environmental harm. These provisions give real teeth to ensure that the outcomes required by the new integrated assessment process are delivered by proponents when constructing and operating projects approved under the new system. I turn now to critical infrastructure.

I again make it clear that infrastructure will be declared critical only when its speedy conclusion is considered essential to the social, economic or environmental welfare of the State. Declarations about critical infrastructure will only be made following appropriate considerations. It is not a measure that the Government will invoke lightly. The Government will use these provisions responsibly for the wellbeing of communities in New South Wales. The types of projects that might be declared to be critical infrastructure are those that are essential to the State. For example, if Sydney's water crisis continues, the desalination plant could be declared to be critical infrastructure because of its importance in providing drinking water to the people of Sydney if dam levels continue to fall.

Before declaring any project to be critical infrastructure, we will look at the project on a case-by-case basis. There will be a thorough risk assessment looking at financial, economic, social and environmental risk. First, we will look at the financial and economic risks to the State of delivering or not delivering the project. Second, we will need to look at the community implications of delivering or not delivering the project in a timely manner, the extent of social dislocation and the extent of hardship or cost on the community if the project is not delivered quickly. Third, we need to consider the environmental risks of streamlining the delivery of the project, what are the benefits, what are the disbenefits and how the environment will gain from the timely delivery of the project.

The bill provides a clear process for making those declarations. A declaration can only be made either by an order by the Minister, which is gazetted and made publicly available, or by a State environmental planning policy made by the Governor, which is also gazetted and made publicly available. I again make it clear that, once declared, critical infrastructure projects will be the subject of an appropriate environmental assessment. The environmental assessment will take place in accordance with the guidelines provided for in the

bill. It is these guidelines that will ensure that all environmental impacts are appropriately assessed, not just threatened species, critical habitat or Aboriginal cultural heritage. The same considerations that apply to other major projects will apply to decisions about whether to approve critical infrastructure. After ensuring that only projects are declared critical infrastructure and ensuring that they are subject to an appropriate environmental assessment, this Government makes this commitment to the communities of New South Wales: We will make sure that these critical infrastructure projects are built.

There have been some calls to make regulations to specify in more detail what types of projects might be declared critical and how they might be implemented. Sufficient powers are currently available under the Environmental Planning and Assessment Act to achieve this. However, as an initial step I am satisfied that the gazetted guidelines will meet these purposes. I am willing to undertake that we will monitor the operation of the critical infrastructure provisions over the next 12 months. If a need to move from guidelines to regulations is demonstrated after that period, I will make those arrangements at that time. With the new compliance and enforcement powers in the bill we will also be able to make sure that critical infrastructure projects, as well as the other projects approved under these new provisions, are built and operated in accordance with their conditions of approval.

The bill also implements other elements of the planning reforms announced by the Government in 2004. These reforms are the result of the stakeholder task forces I established and have been developed with widespread stakeholder and community consultation. The bill provides the key drivers for the modernisation of local environmental plans [LEPs] and development control plans for the benefit of communities. Our objective is to require every local council to bring in one LEP for its area, which means that over the next five years we will have moved from 5,500 planning instruments to 152. The other goal of the planning reforms is to achieve greater standardisation and consistency of LEPs.

The bill provides for standard instruments to be prepared for environmental planning instruments, namely, State environmental planning policies, regional environmental plans and LEPs. This provision initially will be used for LEPS. The standard LEP will also revise the zoning categories from the present 3,100 down to around 25 and the 1,700 definitions down to fewer than 300. The bill includes amendments to streamline and enhance the process for making LEPs. The staged repeal program in the bill will specify dates for the repeal of existing LEPs and key milestones for the preparation of new plans. These changes will ensure that local councils prepare new LEPs in accordance with the standard instrument. A number of local councils are already well advanced in preparing new LEPs, and have invested significant effort and resources in this process. Transitional provisions are included to allow councils in these circumstances to proceed with making a LEP that does not comply with the standard LEP. Generally, these councils will be required to transpose their plan into the complying format within five years. At the same time the bill will also result in the rationalisation of development control plans. This bill delivers for local communities: Not only does it provide for the efficient delivery of major government services and infrastructure but it helps local councils to deliver local development. By enhancing the staged development provisions in part 4 of the Act, proponents will be better able to stage their developments and councils can deliver certainty to developers at the concept stage, with a bankable approval.

The Government has moved decisively with its planning reform agenda to cut red tape and provide the regulatory conditions needed to support a strong economy, jobs growth and both public and private sector investment. The competitiveness of New South Wales in attracting sustainable infrastructure and investment opportunities to support the State's economy depends on having an efficient and clear development approval system underpinned by an up-to-date planning regime. This bill is a very competent piece of legislation that will underpin the State's economy for generations to come.

I place on record my thanks to the many officers of DIPNR who have worked on this important bill, including Yolande Stone, Amity Durham, Marcus Ray and Sam Haddad, and to my ministerial staff. Sam Haddad is a very fine officer who has served governments of both political persuasions over many long years, always with excellence and the highest level of competence. In many ways his vision is now incorporated in this legislation. I pay tribute to him publicly in this place for a very fine piece of work that will stand the test of time and underpin the wellbeing of the State's environment, its social needs and its economy for generations to come. I commend the bill to the House.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 46

Ms Allan	Mrs Hay	Mr Orkopoulos
Mr Amery	Mr Hazzard	Mr Pearce
Mr Aplin	Mr Hickey	Mr Price
Mr Armstrong	Ms Hodgkinson	Ms Saliba
Ms Beamer	Mr Hunter	Mr Shearan
Ms Berejiklian	Ms Judge	Mrs Skinner
Mr Black	Mr Lynch	Mr Slack-Smith
Ms Burney	Mr Maguire	Mr Stewart
Miss Burton	Mr McLeay	Mr Stoner
Mr Collier	Ms Meagher	Mr Tink
Mr Constance	Ms Megarrity	Mr R.W. Turner
Mr Crittenden	Mr Mills	Mr Yeadon
Ms D'Amore	Mr Morris	
Mr Gibson	Mr Newell	<i>Tellers,</i>
Mr Greene	Ms Nori	Mr Ashton
Mrs Hancock	Mr O'Farrell	Mr Martin

Noes, 6

Mr Draper
Mrs Fardell
Ms Moore
Mr Torbay
Tellers,
Mr Barr
Mr Oakeshott

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time and passed through remaining stages.

ROAD TRANSPORT LEGISLATION (SPEED LIMITERS) AMENDMENT BILL

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

BRIGALOW AND NANDEWAR COMMUNITY CONSERVATION AREA BILL

Second Reading

Debate resumed from 7 June 2005.

Mr IAN SLACK-SMITH (Barwon) [12.20 p.m.]: The Brigalow and Nandewar Community Conservation Area Bill is singularly the most pointless and community-destructive piece of legislation I have seen in this place in 10 years. What does it achieve? Does the bill achieve conservation outcomes different to what have existed previously? No, it does not. Will the so-called threatened species of flora and fauna that inhabit the Pilliga be better off? No, they will not, because the majority of the biodiversity is occurring on the managed timberland of the bioregion, so biodiversity will diminish. Will the area be less fire prone? No, it will not, because it will become a monoculture of a desert with wall-to-wall trees. The first fire will include the smell of burning fur from the greatest koala barbecue in the history of Australia. Make no mistake, the great crazy, unwashed extreme Greens of this State will consider this a small price to pay while they toast the death of a sustainable timber industry in inland New South Wales.

The result of the bill will be that 348,000 hectares of the Brigalow Belt South bioregion will be locked up, curtailing access to timber by 35 per cent. Mills that were offered a 20-year contract to log in the bioregion—mills at Dubbo, Gunnedah, Baradine, Quirindi, Gulargambone and Gwabegar—were offered contracts with access to supplies of 57,000 cubic metres per annum. However, there are only 23,000 cubic

metres of sustainable timber available. So far that has resulted in the closure of four hardwood mills at Baradine, Gwabegar, Bingara and Narrabri and a downturn in production in Gulargambone, Gunnedah, Coonabarabran, Gilgandra, Dubbo and other Baradine mills. Four hundred jobs in the mills are at risk. Sawmillers are still looking at their future supplies and have not made a decision at this time. The western woodlands decision stretches from Dubbo to the Queensland border, straight through my electorate of Barwon, and includes Pilliga, Goonoo, Terry Hie Hie and Bebo State Forests.

The Minister for the Environment should note that an official map is on page 4 of the bill. This map is flawed, and so is this bill. Pilliga and Gwabegar on this map are situated in the wrong place! That proves the total ignorance of the Minister and the Government and their speed in seeking to appease the extreme green ratbags in Sydney, at the expense of our rural communities. How many other mistakes are there in the bill? It is obvious that this Minister does not care about being factual, such is his impatience to get those green votes in Sydney. The decision impacted upon 10 major mills, closed four, and severely impacted upon the production capabilities of the remaining mills. Timber exports alone stand to lose \$25 million per year across the State. Last year cypress exports from this region alone were \$6 million, and were heading towards \$10 million this year and a predicted \$25 million in the next two years. That has now gone.

Where has the honourable member for Northern Tablelands been in relation to this debate in the past three years? He has been very quiet on the subject. He does not want to stir up his Labor mates. Instead he has left his people out to dry. He has not said a word but has been busy claiming credit for every single government dollar that has been spent in his electorate, even to the extent of recently claiming that he had fixed the Bingara employment problem once the timber workers had lost their jobs. All he did was repeat the Premier's statement that included all sawmills. He also announced that he had fixed the employment situation of the displaced timber workers by employing the remaining workers with Gwydir council. However, Gwydir council still does not know anything about that. Two days ago the Minister for Primary Industries in the Legislative Council was questioned about the special deal for Bingara. The Minister assured us that no special rules apply to Bingara that do not apply to everyone else.

The honourable member for Northern Tablelands reminds me of Toad of Toad Hall in the great classic *Wind in the Willows* by Kenneth Grahame. The honourable member supposedly was reported to have fixed the threatened funding for the Bingara multipurpose services when it was discovered, by a quick call to the health Minister, that the funding was not in jeopardy at all! That was a bit of a joke and a beautiful con of the people of Northern Tablelands. It is obvious that the honourable member for Northern Tablelands tells a lot of lies in this place and in the media. It is interesting that the Minister in his second reading speech thanked the honourable member for Northern Tablelands and the honourable member for Tamworth for their input to the bill. The honourable member for Northern Tablelands did not contribute to the debate at any stage. He did not utter a word about this bill until the decision was released.

Incidentally, the town of Bingara is not even in Mr Fix-it's electorate, it is in mine. He obviously takes his electorate for granted, much the same as the honourable member for Tamworth. They seem to spend more time in my electorate than in their own. My electorate is about 20 minutes away from theirs and is bigger than the size of England. It is obvious they think they have carte blanche to come into my electorate. At the latest performance of the honourable member for Northern Tablelands at the rally at Gunnedah he was booed and jeered by the crowd.

That was a definite signal that the people in his electorate have become sick and tired of this so-called Independent who, in the past three years, has not supported his people employed in the timber industry but has acted like a member of the Labor Government. The silence from the three so-called Independents on this matter, including the new member for Dubbo, had been deafening prior to the decision. Now they are announcing to the world that they are the saviours! After all, they owe their positions in this place to the Australian Labor Party, so why would they bite the hand that feeds them? Labor does not care whether they remain members of this place or not. Those members know, as we do, that they will never be members of government; they will always be on the back bench.

At the rally in Gunnedah on 2 June, when 2,500 people attended and 75 per cent of businesses closed their doors, the honourable member for Tamworth, who had supported the Labor Government during the last three years of this Brigalow disgrace, claimed that the Premier and the Minister for the Environment should hang their heads in shame. It was no surprise that the honourable member for Tamworth was booed and heckled off the stage. His actions are commonly referred to as running with the hares and hunting with the hounds. The response of the honourable member at Gunnedah just proves that you can fool some of the people some of the

time, but you cannot fool all the people all of the time. As that great man Sir Joh Bjelke-Petersen once said, "My word, if you have one foot on one side of a barbed wire fence and the other foot on the other side, it will get very uncomfortable in the middle."

I am not surprised that the Minister and Bev Smiles declined invitations to attend the rally at Gunnedah. They succeeded in what they had to do. The Minister had the support of the extreme green vote of Sydney, and Smiles had destroyed the timber industry. Incidentally, Minister, guess where these ratbags are going now? Down to the red gum forests further south! The day these extreme green ratbags toasted the death of the timber industry, Bev Smiles announced on ABC radio that they had concerns about the mining industry as well. The Minister should realise that these people have an insatiable appetite and will never rest until every person is forced off the land and lives in organic mud huts. I guess you can describe them as the cancer that destroys our rural communities by closing down our industries—animal farming, cropping, timber, bee-keeping, mining—the list goes on. Don't worry about washing! They will oppose every water scheme the Government tries to introduce, and I have been very reliably informed they do not use the stuff! Nor do they use soap!

The rally at Gunnedah called on the Government to revert to the BRUS option for further management of forest regions, and asked the Government to honour its commitment to provide access to resources needed to maintain the viability of industries relying on the forest for their livelihoods. Both of those calls were unanimously accepted. The mass rally was attended by 2,500 people and was supported by 75 per cent of businesses closing their doors to reinforce the desperation of the situation to the State Government. The chair of the rally, Mike Broekman, who, incidentally, is not a member of The Nationals, said:

The bush is alive and we're sick of being kicked.

The timber industry and country towns have been given a raw deal by the Government's decision to lock up sustainable timber resources. The mayor of Gunnedah, Gae Swain—also, I might add, not a member of The Nationals—said:

We are not here for politics. We are here for no reason other than to send a message loud and clear that the decision on the Brigalow is a bad decision, a decision based not on fact, but fallacies. It was a decision that the Government wanted and nowhere were the people of the Brigalow given a leg-in on the outcome. This decision was all about politics. This is not just a rally for the timber industry; it is a rally for the survival of rural New South Wales.

In a letter to the editor of the *Gunnedah Independent*, Ron McLean—also, I might add, not a member of The Nationals—wrote:

What do you know about the Pilliga, Mr Debus? Or the timber industry? If you were in touch with reality, you would know that the harvested area of the Pilliga is just a blip on a vast landscape. You would know that timber has been harvested in the forest for close to 120 years, without any serious environmental effects.

If the policy of locking up potentially productive timber reserves, the harvesting of which does not represent a threat to the environment, is allowed to continue, then a further species will be added to the endangered list.

That species is the timber worker.

What are the flow-on effects from this Government decision? Some 22 industries will be affected. Those were mentioned by my colleague the shadow Minister. They include Universal Composts, which will be forced to close without compensation. Two full-time employees' wages, \$78,000 in raw materials, \$220,000 on freight, \$40,000 on fuel, \$77,000 on repairs and maintenance, and \$66,000 on expansion—all money spent in the local community—will be lost. Namoi Valley Brickworks used cypress pine sawdust in 50 per cent of its products. Its export markets include Japan and the United States of America. The unavailability of sawdust will result in job losses for some of its 38 employees and contractors.

In another example, a haulage company relies on 28 per cent of its business coming from the timber industry. To date, it has injected \$750,000 into local businesses over the past nine years. Its second biggest customer is Namoi Valley Brickworks. Towns such as Gwabegar have no industry other than the timber industry. Baradine has only farming and grazing apart from its timber industry. With the drought the way it is, it does not need this sort of decision. It is exactly the same at Bingara, which will be badly affected. The impact of the decision on jobs will be felt in Dubbo, Gunnedah and Narrabri.

Commonsense dictates that the BRUS option should have been taken. The Government said it sought consultation with 27 stakeholders. However, it completely ignored 26 of those stakeholders. The honourable member for Coogee mentioned that among those 26 were the Aboriginal communities in the area. They are

absolutely disgusted with the attitude of the Government. The honourable member for Coogee said that this proposal would advantage Aboriginal groups. That is an absolute, blatant lie. Incidentally, the Western Conservation Alliance was the only peak body of the 27 stakeholders that the Government listened to. It is interesting that 97 per cent of conservation outcomes demanded by the Western Conservation Alliance were agreed to by BRUS. The difference was 3 per cent, yet that 3 per cent was the difference between destroying a timber industry and preserving it.

The bill is so blatant in its desire to secure the vote of the ratbag extreme green element in Sydney that to achieve this end it will destroy a sustainable export industry, in which people do real jobs with their hands in the communities they love. With the passing of the bill their alternative will be to paint rocks under some sort of RED scheme—a scheme dreamed up by a brilliant Prime Minister by the name of Gough Whitlam! That was an insult to every working man and woman and every child in the Australian community. Not only do I oppose the bill, but I oppose the very people who crafted such community-destroying legislation to gain a handful of ratbag votes. Bring on 2007!

Ms KRISTINA KENEALLY (Heffron) [12.35 p.m.]: I support the Brigalow and Nandewar Community Conservation Area Bill. The honourable member for Barwon suggests that this is a grab to get green ratbag votes in the inner city. I am proud to be an inner city green. On behalf of myself and my constituents I reject the implication that we are ratbags. We are supportive of strong environmental outcomes whilst ensuring the wellbeing of local communities. This is Labor legislation through and through—providing significant conservation measures and ensuring that local families have a viable economic future. This legislation again demonstrates Labor's unique and highly successful approach to conserving natural and cultural heritage by recognising the need to permanently preserve areas of high conservation value as well as ensuring strong employment and industry outcomes to protect working people in regional communities.

We should bear in mind that this legislation will ensure a 20-year timber supply. That provides a level of certainty that those industries have not had previously. The bill will permanently protect 352,000 hectares of high conservation forests in new reserves. From an environmental perspective, this is significant. The Brigalow Belt has experienced a high rate of extinctions; species decline in this region is among the worst in Australia. The Brigalow Belt bioregion, which stretches from Dubbo to the Queensland border, covers 6 per cent of the State, yet it contains more than 40 per cent of the State's plant species.

Why does the Opposition believe that people who live in Sydney or rural areas cannot have a view on this important legislation? We are talking about a large portion of the State and a large portion of the State's plant species and biodiversity. Many endangered animals and plants call the Brigalow Belt home, including the black-striped wallaby, the koala, the Mallee fowl and the glossy black cockatoo. Plants and animals have been subject to some of the highest rates of decline and extinction in Australia. It is believed that 17 mammals are now extinct in the region. Woodland birds in the region are experiencing a wave of extinction. The Brigalow has one of the highest mammal extinction rates in Australia. The Brigalow Belt has been subject to very heavy clearing of native vegetation since European invasion. Only 30 per cent of the region remains covered by woody vegetation. The existing level of reservation is extremely low, and the bill seeks to reverse that.

Analysis of ecosystem mapping in the Brigalow region indicates that it contains at least 23 endangered ecosystems, 15 vulnerable ecosystems and 10 rare ecosystems. In many endangered bioregions, such as the Brigalow, the opportunities for further reservations are extremely restricted because all remaining habitat is extremely fragmented. However, the Brigalow Belt is unique because it contains several of the largest remaining temperate woodland patches in Australia, and they occur on publicly owned lands such as the Pilliga and Goonoo State forests. The land the legislation sets aside is the highest quality habitat for the most endangered species. Indeed, the Brigalow region is one of the 15 recently declared biodiversity hot spots around the nation—declared by the Commonwealth Government. The bill introduced by the Carr Labor Government's will protect 60,000 hectares of endangered ecological communities and vulnerable ecosystems.

However the legislation does not just provide crucial environmental protection, it also delivers a viable, value-added timber industry with up to 57,000 cubic metres of cypress pine per year available to the cypress industry in secure 20-year wood supply agreements. Again, this is a level of certainty for this industry. The Carr Government will also ensure that any timber worker affected by the legislative changes will have a job either at or near where they now live. Some \$80 million will go towards job creation, timber industry development and conservation management over the next five years. Any person in the State who is interested in sustainable industry and sustainable environment should be proud to support the legislation. The Government is further ensuring that the full economic and employment potential of the region is accessible by ensuring that local gas and coal reserves can be accessed by the mining industry, that the apiary industry has full access to the forests

for honey production, and that the timber industry has the support it needs to transition to low-volume, high-value industry.

Indeed, the legislation delivers what the Federal shadow Minister for the Environment, Anthony Albanese, describes as "the best economic outcome, the best employment outcome and the best environmental outcome". If the Opposition thinks that supporting legislation that delivers these outcomes makes one an inner-city green ratbag, then I am proud to embrace the term. History will show that only Labor governments protect forests. The Gallop Government took a principled stance to end the logging of old-growth forests. Its re-election confirms the merits of that approach, as do the actions of State Labor governments around the nation. The Beattie Government legislated to end broad-scale clearing of remnant vegetation forever, and in December it announced a comprehensive plan to protect more than one million hectares of western hardwood native forests. The Bracks Government has announced increased protection for the Otways in Victoria.

The Brigalow and Nandewar Community Conservation Area Bill demonstrates yet again that modern Labor governments establish significant conservation measures whilst always ensuring that communities are looked after. The bill furthers the Carr Labor Government's commitment to pursuing environmental protection hand-in-hand with economic growth. This legislation ensures sustainability: sustainable ecosystems in the Brigalow region, and sustainable jobs for local communities. I commend the bill to the House.

Mrs SHELLEY HANCOCK (South Coast) [12.43 p.m.]: I am pleased to contribute to the debate on the Brigalow and Nandewah Community Conservation Area Bill. I note some of the comments made last night by members opposite who are currently in the House which reveal that they neither read the bill nor tried to understand it. They were rather bemused by my intention to speak and made comments like, "What has this got to do with the South Coast electorate?" or "Why is the honourable member for The Hills talking about a waste levy?" Interjections of irrelevance on this point only added to the profound picture of ignorance that emerged last night from members opposite, one of whom is in the House today.

The purpose of my contribution is not to discuss the objects of the bill, because I appreciate the comments of the honourable member for The Hills last night and earlier comments of the honourable member for Barwon. However, I am certainly aware of reaction to it in communities such as Gunnedah and elsewhere which apparently feel betrayed by the actions of the Government given previous commitments by the Premier about their concerns. My purpose in speaking to the bill is to focus on object (g) in the overview of the bill. I ask honourable members present to note the provisions of object (g), which states:

abolishes the Waste Fund established under the *Waste Avoidance and Resource Recovery Act 2001* and requires the money from that fund to be transferred to the Environmental Trust Fund.

I note that object (e) states:

enables payments to be made to the Consolidated Fund from the Environmental Trust Fund, established under the *Environmental Trust Act 1998*, to offset payments from the Consolidated Fund for the purpose of implementing forestry restructure and assistance programs and schemes in the Brigalow and Nandewar and adjacent regions.

The bill provides for a trade of funds from the Waste Fund to the Environmental Trust Fund then to the Consolidated Fund for the purposes of the restructure packages. To fund some of the programs in the area outlined in the legislation the Government intends to abolish the Waste Fund. Those on the other side might ask, "So what? If we need to fund jobs in the area, why not use money already in the Waste Fund?" I understand that the fund has \$80 million. The answer lies in the fact that the Waste Fund was set up by the Government as a tax on waste, a levy required to be paid by certain operators of licensed waste facilities such as local councils and, therefore, their ratepayers. Section 88 of the Protection of the Environment Operations Act 1997 required that the levy be paid to the Environment Protection Authority for the purpose of providing an economic incentive to encourage waste avoidance and a resource recovery by increasing the cost of waste disposal.

We would probably all applaud that aim, except that for some time councils such as Shoalhaven City Council, Wollongong City Council, Kiama Shire Council, Wingecarribee Council and others in the Illawarra region objected to having paid the levy over a number of years with the expectation, backed by the commitment of the Premier, that 55 per cent of those funds would be hypothecated back to those councils for projects in their communities involving mitigation, waste reduction and other environmental considerations for the sake of their communities and their ratepayers. Councils argued that they wanted hypothecation. The Government gave some indication that there would be hypothecation, but in September 2003 councils in the Illawarra region were enraged to discover that the Government announced there would be no hypothecation, despite previous assurances, and that the full amount of funds generated from the section 88 waste levy would be retained by the Government.

Therefore, the Waste Fund would become the Government's slush fund and would not be used for the environmental projects for which it was originally created. I was still a member of Shoalhaven City Council when it expressed its outrage about that, as did all other councils in the region. They have continued to do so in meetings of the Southern Councils Group, which was previously the Illawarra Region of Councils [IROC]. I have been present at a number of meetings and witnessed the sense of betrayal caused by this Government. Shoalhaven City Council showed its disappointment in reports to the council from staff and in a press release by the mayor. The council report states:

The NSW Government's actions are clearly inequitable in terms of the levy amounts, the catchment of operators who pay the levy, and the distribution of the levy funds for waste minimisation purposes. Strong representation needs to be made to government to:

- Express Council's concern that the intent of the levy is being ignored;
- Question the validity of classifying Council as part of the Extended Regulated Area;
- Question the method of administering the grant funding;
- Recommend that the total amount of Section 88 levy contributions is returned to the stakeholders who paid the levy for the explicit purpose of reducing waste and improving recycling and recovery.

In other words, councils wanted part of that money to be returned to them so that they could apply the funds to local projects, such as the rehabilitation of the old rubbish tip site at Sanctuary Point in my electorate. They had an expectation that part of the levy would be returned to them for environmental projects. Part of the report also called on IROC to form a lobby group to pressure the Government into reconsidering the abolition of the Waste Fund through this legislation. The lobby group was responsible for a postcard being printed and distributed to people throughout the Illawarra local government areas. The postcard points out the hidden tax that people pay to the State Government.

The postcard also states that in 2003 the State Government imposed a levy on all waste landfill at the rate of \$13.20 per tonne. It is currently \$15.20 per tonne. That contribution used to go toward waste minimisation but now it goes straight to State government coffers. The postcard also points out that the State Government keeps 18 per cent of the amount that councils charge ratepayers for waste disposal. The mayor of Shoalhaven has also been enraged by the Government's departure from the purpose of establishing the waste levy. He stated that the New South Wales Government's attitude to the waste levy, which has returned little or nothing to councils such as Shoalhaven, is a disgrace. He issued a press release which stated:

The Waste Levy is yet another cynical revenue-raising exercise by a State Government focused on extracting dollars rather than assisting local Councils to deliver services to their communities.

"Councils already are struggling with insufficient funding support from this State Government and the Waste Levy does little or nothing to assist."

At the Southern Councils Group meeting last week representatives were united in their opposition to the Government's position to retain the mass of assets reserve from [the] Levy.

"This money has been paid in by Councils—more precisely ratepayers—for more than seven years and little or nothing comes back to assist in waste management initiatives and projects... The fact that the NSW Waste Fund has a current cash surplus of \$57 million—

and that was in 2003—

indicates that the whole levy scheme was inappropriate and ill conceived. This so-called Levy is a blatant de facto taxation revenue grab by this State Government."

The mayor went on to state the amounts that had been paid into the levy up to 2003. Shoalhaven City Council estimates that in 2005-06 it will contribute over \$1 million towards the levy, but for no return. Despite continuing arguments advanced by councils that the money should be returned to them, the fund will be abolished as a result of this bill and the revenue that has been collected will be directed to an Environmental Waste Fund. The funds will then be directed to the Consolidated Fund in accordance with the bill's provisions. I have no doubt that when the councils in the Illawarra region discover the truth about the purpose of the bill as set out in object (g), they will be as outraged as they have ever been. I witnessed their anger regarding the provision relating to the Waste Fund and they will be absolutely appalled, as I am, to know that the fund that was correctly established to fund local community projects will not be directed to that purpose in any way whatsoever—at least the bill does not provide to the contrary. The revenue will go straight to this Government's slush fund to support its own private and pet projects.

Local government areas everywhere in this State are groaning under the cost-shifting practices of this Government over the past 10 years. I am aware of widespread applications by councils to increase their rates above the capped levels. Councils are finding it extraordinarily difficult to complete some of the basic projects that are required by ratepayers in their areas and are being forced to apply to increase rates above the prescribed levels—in some cases by as much as 9 per cent. That is not surprising when one considers that councils are paying contributions to levies of more than \$1 million per year and that the money will be directed to a purpose associated with the Brigalow that is remote from the concerns of ratepayers in the Illawarra. The average ratepayer probably accepts unselfishly that people should be assisted to retain their employment. The people of the South Coast are aware of many decades when timber workers lost their jobs, and they do not want others to lose their employment.

However, when a levy has been set up under an Act of Parliament specifically to provide funds for resource recovery and waste minimisation projects in areas that have contributed to the fund, and the funds are later applied to some hidden purpose, that constitutes yet another example of this Government filling its own little slush fund for its future pet projects. Today I call on the Government to be accountable for the expenditure of funds associated with the trust fund established by the bill and show how the funds will be spent, including the amounts, if any, that will be returned to local communities that have contributed to the fund. I urge the Minister to ensure that 55 per cent of the funds already contributed by some local council groups will be returned to local communities to be applied to local projects such as waste minimisation, resource recovery and environmental waste projects—for example, the rehabilitation of the rubbish tip site at Sanctuary Point.

I call on the Government to be honest, accountable and open about how funds will be expended, instead of hiding its real agenda in paragraph (g) of the objects of the bill so that the people of this State and members of the Opposition will not be aware of what is happening. I also urge the Government not to dress up this legislation as a feel-good motherhood statement similar to those so frequently made during recent debates about protecting threatened species and biodiversity. Those aims are very easy to state, but the Government should think about the people, communities and environments that will be directly affected by this bill, especially the people who have been devastated by the Government's decision. Let us also consider people in areas such as the Shoalhaven, Wollongong, Wingecarribee and Kiama who feel cheated and betrayed by the Government redirecting their hard-earned money and thwarting their justifiably high expectation that at least 55 per cent of the money would be returned to them to be applied to local environmental projects. They will no doubt feel betrayed by this bill.

Debate adjourned on motion by Mr Russell Turner.

[Madam Acting-Speaker (Ms Marie Andrews) left the chair at 12.58 p.m. The House resumed at 2.15 p.m.]

NATIONAL REGIONAL DEVELOPMENT COUNCIL MEETING

Ministerial Statement

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [2.18 p.m.]: Honourable members would be aware of the Carr Government's support for rural and regional development. I have previously voiced my frustration at the difficulties experienced in convening the National Regional Development Council; it has been nearly two years since its last meeting. The Deputy Prime Minister, and Minister for Transport and Regional Services, John Anderson, has finally offered to have the council meet on 30 September. Although I made the request previously that the national meeting be held at Wollongong, the Illawarra, or in fact any regional location, my request has been rejected. Minister Anderson snubbed Wollongong as the location, saying that he could not make it. He said that if we insisted on meeting in Wollongong he would send his Parliamentary Secretary, De-Anne Kelly. However, he said that if we agreed to a regional development meeting in Sydney he would attend. On behalf of regional New South Wales I appeal to Mr Anderson to reconsider having Sydney as the venue, and do the right thing. The meeting of regional Ministers should be held in a regional centre.

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

Mr DAVID CAMPBELL: That decision is symbolic of how far The Nationals have moved away from their rural base. John Anderson is no Black Jack McEwen, or no Ian Armstrong for that matter.

Mr ANDREW FRASER (Coffs Harbour) [2.21 p.m.]: It is interesting to hear the Minister for Small Business talk about regional New South Wales. The Carr Labor Government recognises NSW as Newcastle, Sydney and Wollongong.

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

Mr ANDREW FRASER: If a meeting is to be held to discuss regional issues, it should be held in Sydney so that everyone involved can get there. The Nationals do not want to back the Minister, and I am sure the Deputy Prime Minister does not want to back him either, in his efforts to make a big man of himself in his own electorate. He is a failure there, and he has failed small businesses and regional development across New South Wales. I support the Deputy Prime Minister in his decision.

BUSINESS OF THE HOUSE

Routine of Business

[During notices of motions]

Mr Ian Armstrong: Point of order: If members can get nine notices of motion on the business paper by tomorrow we will have 800 notices of motion—an all-time record for the Parliament of New South Wales!

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

PETITIONS

Alstonville Bypass

Petition requesting that the Alstonville Bypass be completed by the end of 2006, received from **Mr Donald Page**.

Gaming Machine Tax

Petitions opposing the decision to increase poker machine tax, received from **Mrs Judy Hopwood**, **Mr Steven Pringle** and **Mr Andrew Tink**.

Workplace Fatalities Legislation

Petition opposing the Occupational Health and Safety Amendment (Workplace Deaths) Bill, received from **Mr Donald Page**.

Kurnell Sandmining

Petition opposing sandmining on the Kurnell Peninsula, received from **Mr Barry Collier**.

Lake Macquarie Clean-up Funding

Petitions requesting funding for continuation of the clean-up of Lake Macquarie, received from **Mr Jeff Hunter** and **Mr John Mills**.

Anti-Discrimination (Religious Tolerance) Legislation

Petitions opposing the proposed anti-discrimination (religious tolerance) legislation, received from **Ms Gladys Berejiklian** and **Mr Ian Slack-Smith**.

Coffs Harbour Aeromedical Rescue Helicopter Service

Petition requesting that plans for the placement of an aeromedical rescue helicopter service based in Coffs Harbour be fast-tracked, received from **Mr Andrew Fraser**.

Yass District Hospital

Petition opposing the downgrading of existing services at Yass District Hospital, received from **Ms Katrina Hodgkinson**.

Breast Screening Funding

Petition requesting funding for BreastScreen NSW, received from **Mrs Judy Hopwood**.

Public Hospital Security and Staffing

Petition requesting that the Department of Health guarantee the safety of patients and employ sufficient staff in public hospitals, received from **Mr Barry O'Farrell**.

Willoughby Traffic Conditions

Petition requesting a regional traffic plan for the Pacific Highway at Willoughby, received from **Ms Gladys Berejiklian**.

F6 Corridor Community Use

Petition noting the decision of the Minister for Roads, gazetted in February 2003, to abandon the construction of any freeway or motorway in the F6 corridor, and requesting preservation of the corridor for open space, community use and public transport, received from **Mr Barry Collier**.

Barton Highway Dual Carriageway Funding

Petition requesting that the Minister for Roads change the Roads and Traffic Authority's priority for Federal AusLink funding for the Barton Highway, received from **Ms Katrina Hodgkinson**.

F6 Corridor

Petition requesting the reinstatement of the F6 corridor for the future road needs of Sydney, received from **Mr Malcolm Kerr**.

Old Northern and New Line Roads Strategic Route Development Study

Petition requesting funding for implementation of the Old Northern and New Line roads strategic route development study, received from **Mr Steven Pringle**.

Forster-Tuncurry Cycleways

Petition requesting the building of cycleways in the Forster-Tuncurry area, received from **Mr John Turner**.

Pacific Highway Overpass

Petition requesting the construction of an overpass for the Pacific Highway at the Tea Gardens-Hawkes Nest intersection, received from **Mr John Turner**.

Southern Tablelands Rail Services

Petition opposing any reduction in rail services on the Southern Tablelands line, received from **Ms Katrina Hodgkinson**.

CountryLink Rail Services

Petitions opposing the abolition of CountryLink rail services and their replacement with bus services in rural and regional New South Wales, received from **Ms Katrina Hodgkinson**, **Mrs Judy Hopwood** and **Mr Andrew Stoner**.

Newcastle Rail Services

Petitions requesting the retention of Newcastle rail services, received from **Mr Jeff Hunter**, **Mr John Mills** and **Mr Matthew Morris**.

Sydney to Newcastle Light Rail Service

Petition requesting the provision of a light rail service between Sydney and Newcastle using the existing rail corridor, received from **Mr Jeff Hunter**.

Murwillumbah to Casino Rail Service

Petition requesting the retention of the CountryLink rail service from Murwillumbah to Casino, received from **Mr Neville Newell**.

Mid North Coast Airconditioned School Buses

Petition opposing the removal of airconditioned school buses from the mid North Coast, received from **Mr Andrew Stoner**.

Macdonald River Signage

Petition requesting that the Macdonald River be provided with signage stating "4 or 8 knots, no skiing, no wash", received from **Mr Steven Pringle**.

Hawkesbury Electorate Public Transport

Petition requesting public transport for the areas of Maraylya, Scheyville, Oakville and Cattai, received from **Mr Steven Pringle**.

Colo High School Airconditioning

Petition requesting the installation of airconditioning in all classrooms and the library of Colo High School, received from **Mr Steven Pringle**.

Isolated Patients Travel and Accommodation Assistance Scheme

Petitions objecting to the criteria for country cancer patients to qualify for the Isolated Patients Travel and Accommodation Assistance Scheme, received from **Ms Katrina Hodgkinson** and **Mr Andrew Stoner**.

Kempsey Water Fluoridation

Petition opposing the addition of fluoride to the Kempsey and district water supply, received from **Mr Andrew Stoner**.

Crown Land Leases

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

Collector Bushrangers Reserve Motorcycle Track

Petition requesting approval for the construction of a motorcycle track at Collector Bushrangers Reserve, received from **Ms Katrina Hodgkinson**.

Water-Access-Only Property Policy

Petition requesting a review of the water-access-only property policy, received from **Mrs Judy Hopwood**.

Great Lakes Council Rate Structure

Petition opposing a 30 per cent rate increase proposed by Great Lakes Council, received from **Mr John Turner**.

Business Enterprise Centres

Petition requesting the funding and reinstatement of business enterprise centres, received from **Mr Andrew Stoner**.

Grey Nurse Shark Habitat Zones

Petition requesting an independent social and economic assessment of the impact of the proposed establishment of grey nurse shark habitat zones, received from **Mr Andrew Constance**.

Whale Protection in Australian Waters

Petition requesting the protection of whales in Australian waters, received from **Mrs Judy Hopwood**.

BUSINESS OF THE HOUSE

Reordering of General Business

Mr ANDREW STONER (Oxley—Leader of The Nationals) [2.34 p.m.]: I move:

That General Business Order of the Day (for bills) No. 8 standing in my name [Rural Communities Impacts Bill] have precedence on Thursday 9 June 2005.

I am seeking to debate this important legislation tomorrow because country New South Wales, in the grip of the worst drought in more than 100 years, is struggling like never before. Just yesterday the Australian Bureau of Agricultural and Resource Economics released its Australian crop report, which indicates a 55 per cent reduction in winter crops in New South Wales. Country New South Wales is struggling under the combined impacts of this terrible drought and the policies of this Sydney-centric Government. Never has it been so important to have rural communities impact statements legislated in this State. Despite the Premier's promise in 1996, that is clearly not happening.

Look at Labor's cruel and treacherous decision in relation to the Pilliga forests! It is about to lock up those forests and condemn the timber industry in the area and the country towns that rely on it to a slow and cruel extinction. There have clearly been no rural communities impact statements in relation to that decision. Then there are the decisions taken in Labor's worst-ever budget of just two weeks ago. Labor has slashed funding for the Country Towns Water Supply and Sewerage Program to just \$32 million in the midst of arguably the worst drought in recorded history in some parts of the State and despite a promise of \$85 million per year for 10 years. Clearly no rural communities impact statement was done there. Labor is also slashing the Primary Industries budget and axing staff at the Rural Assistance Authority at a time when drought-ravaged communities need a helping hand.

Are you lot mad? How could you take those decisions if any sort of impact statements for rural communities were being done? The Government is providing just \$16 million for drought assistance and no new programs or measures, such as small business loans or the crop replanting scheme that the previous Coalition Government offered during the last major drought, despite the fact that the Federal Coalition Government has provided an extra \$254 million in recognition of the seriousness of this drought. It is important that this legislation be debated right here, right now, because that lot opposite are letting down country New South Wales in the middle of the worst drought in more than 100 years.

Mr SPEAKER: Order! I call the honourable member for Murray-Darling to order.

Mr ANDREW STONER: This Government clearly does not give a damn about country people. Labor must be held accountable, and we can do that by legislating for rural communities impact statements. [*Time expired.*]

Mr CARL SCULLY (Smithfield—Minister for Police) [2.37 p.m.]: We have always said that when the Opposition puts a cogent case as to why priority should be given to an Opposition motion or bill, the Government will be happy to consider it. This is an inclusive government. The Leader of The Nationals has a point. The Rural Communities Impacts Bill needs to be discussed, and I am happy to give it priority tomorrow. However, I want the Leader of The Nationals to acknowledge that the Government knows very well how tough

it is for farmers. I want him to acknowledge also that this Government has allocated \$163 million of taxpayers' money to help farmers who are doing it tough during the drought. We are happy to have the debate but we want those opposite to tell the truth.

Motion agreed to.

BUSINESS OF THE HOUSE

Reordering of General Business

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [2.38 p.m.]: I move:

That the General Business Notice of Motion (General Notice) given by me this day [Vendor Duty] have precedence on Thursday 9 June 2005.

After 12 months we now know conclusively that the Premier's vendor duty is killing the property market in New South Wales. I tender an article from the *Courier-Mail*—

Mr SPEAKER: Order! The Leader of the Opposition knows the standing orders in relation to the use of props.

Mr JOHN BROGDEN: It says, "New South Wales vendor tax sends investors heading north"—and it is not talking about Newcastle; it is talking about Queensland. This Government, with one decision and one tax, described by the Premier's own backbenchers as the world's dumbest tax—that is appropriate as it comes from the world's dumbest Premier—is destroying the economy of New South Wales. This weekend the Labor Party will face a conference at which the Opposition understands the Construction, Forestry, Mining and Energy Union [CFMEU] will bring to it the serious concerns of the people of New South Wales. On behalf of its members—

Mr Milton Orkopoulos: Don't you support the CFMEU?

Mr JOHN BROGDEN: Only Andrew Ferguson.

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

Mr JOHN BROGDEN: My father is a former member of the CFMEU.

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

Mr JOHN BROGDEN: He knows like every other citizen in this State that the vendor duty is killing jobs in the construction sector and is driving investment north. The vendor duty tax has been designed to, and has delivered, a property downturn in this State deeper, sharper and worse than any other State. The Opposition wants to know where the parliamentary Labor Party stands. It wants to vote on this issue. The Opposition wants to know where the members of the Labor Party stand on this matter. We know where they stand because of what they tell newspapers behind the scenes and because their own constituents tell them day in and day out exactly what a disaster the tax is.

If backbenchers had their way, every single one of them would abolish this tax, but we know that the Premier missed a chance to abolish the tax a few weeks ago. The Opposition wants to debate this issue and put the Labor Party on record: is it for or against the vendor duty? Should it stay or go? The stated policy of the Liberal-National Coalition is to abolish the vendor duty: it is a tax that is making New South Wales uncompetitive. It is unnecessary and stupid. We want to know where the Labor Party stands on this matter today.

Mr CARL SCULLY (Smithfield—Minister for Police) [2.42 p.m.]: For once the Leader of The Nationals put a cogent case for priority, but the Leader of the Opposition did not. Urgency has to involve something that has happened reasonably recently. Budget speeches have taken place, the shadow Treasurer spoke on No. 55 in the order of priority, and the Leader of The Nationals and the Leader of the Opposition have asked many questions about vendor tax—what is the urgency? Why should all members of Parliament be inconvenienced by this stunt? The other problem is that the Opposition is 12 months too late. One year ago the Opposition did not oppose the budget that introduced the tax; it did not vote against it.

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

Mr CARL SCULLY: The Leader of the Opposition cannot pretend something that occurred 12 months ago is so important that priority has to be reordered. I say "yes" to the Leader of The Nationals but "no" to the Leader of the Opposition.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 34

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

Noes, 49

Mr Amery	Mr Hickey	Mr Pearce
Ms Andrews	Mr Hunter	Mr Price
Ms Beamer	Mr Iemma	Dr Refshauge
Mr Black	Ms Judge	Ms Saliba
Mr Brown	Ms Keneally	Mr Sartor
Ms Burney	Mr Knowles	Mr Scully
Miss Burton	Mr Lynch	Mr Shearan
Mr Campbell	Mr McBride	Mr Stewart
Mr Carr	Mr McLeay	Mr Tripodi
Mr Collier	Ms Meagher	Mr Watkins
Mr Corrigan	Ms Megarrity	Mr West
Mr Crittenden	Mr Mills	Mr Whan
Ms D'Amore	Mr Morris	Mr Yeadon
Mr Debus	Mr Newell	
Mr Gibson	Ms Nori	<i>Tellers,</i>
Mr Greene	Mr Orkopoulos	Mr Ashton
Ms Hay	Mrs Paluzzano	Mr Martin

Pairs

Mr Bartlett	Mr Armstrong
Ms Gadiel	Ms Hodgkinson
Mr Gaudry	Mr Humpherson
Mrs Perry	Mr Merton

Question resolved in the negative.

Motion negatived.

QUESTIONS WITHOUT NOTICE

CIRCULAR QUAY PYLONS

Mr JOHN BROGDEN: My question without notice is directed to the Minister for Transport. Why did the Minister mislead the House yesterday when he said "the Independent Transport Safety and Reliability

Regulator advises that the Circular Quay pylons are structurally sound", when in a letter to the Opposition today Chief Regulator Carolyn Walsh states that she does not have detailed information including Roads and Traffic Authority and Railcorp reports, and she told the media yesterday that the Independent Transport Safety and Reliability Regulator had not completed its investigation into the matter?

Mr JOHN WATKINS: The Opposition comes back to this issue, which it again trots out in the hope of convincing some members of the public that the Circular Quay pylons are unsafe. It did this yesterday, and has done it again today. Shamefully, the Leader of the Opposition comes into this place and trots out the assertion that the Circular Quay pylons are unsafe, when the Independent Transport Safety and Reliability Regulator yesterday made clear that is not the case. Also, the Roads and Traffic Authority confirmed that is not the case, Railcorp engineers confirmed that is not the case, and a report from the Sydney Harbour Foreshore Authority says that is not the case. The pylons of Circular Quay are safe. That is not what the Opposition wants to hear. The Opposition wants the public to think that there is some reason to be afraid. They are scaremongering on this matter. The pylons are safe. That has been confirmed by three government agencies, and reported publicly yesterday by the Independent Transport Safety and Reliability Regulator at a press conference.

INDEPENDENT COMMISSION AGAINST CORRUPTION INSPECTOR-GENERAL APPOINTMENT

Mr KIM YEADON: My question is directed to the Premier. What is the latest information on the appointment of an inspector-general of the Independent Commission Against Corruption?

Mr BOB CARR: The independent review of the Independent Commission Against Corruption Act was established by the Government to review the operation of the Act. The review was initially conducted by the Hon. Jerrold Cripps and, following his appointment as ICAC commissioner, was completed by Mr Bruce McClintock SC. Following release of Mr McClintock's report, the Government introduced a bill to amend the Act to implement most of the recommendations of the report. A key focus of the reforms has been to improve the operation and accountability of ICAC, without detracting from its status as a strong, independent watchdog. As all honourable members would be aware, the New South Wales Government has consistently supported ICAC in carrying out its role.

One of the key changes proposed by the report and implemented by the legislation is the strengthening of the accountability of ICAC by establishing an independent inspector of ICAC, modelled on the Inspector of the Police Integrity Commission. The inspector is needed to address a gap in the accountability of ICAC. While the parliamentary joint committee on ICAC is responsible for monitoring and reviewing the exercise of ICAC's functions, it is prohibited from examining particular decisions made by ICAC. As such, there is currently no person or body with responsibility for investigating complaints that ICAC or its officers have misused their powers. ICAC itself has acknowledged the absence of adequate accountability mechanisms in the Act. The proposed inspector will address this gap.

The amending Act provides for the appointment of a person as the inspector by the Governor. The inspector will audit the operations of ICAC, and deal with complaints of abuse of power and other forms of misconduct or maladministration on the part of its employees, and report on matters affecting ICAC, including its operational effectiveness. The inspector will have the specific powers to investigate complaints of delay in the conduct of ICAC investigations and unreasonable invasions of privacy by ICAC. The fulfilment of the inspector's functions will be monitored and reviewed by the parliamentary joint committee on the ICAC.

The amending Act requires that, prior to appointment by the Governor, the parliamentary joint committee must be notified of the appointment and has 14 days to veto the proposed appointment. This can be extended in certain circumstances. I have today written to the committee to advise it that the Government proposes to recommend the appointment of Mr Graham Kelly as the Inspector of the Independent Commission Against Corruption. Mr Graham Kelly is a professional non-executive director with more than 30 years experience in academic life, government service, the diplomatic service, private legal practice and business management. He was formerly a partner at Freehills, including a term as managing partner of the Sydney, Brisbane and Canberra offices from 1991 to 1995. He served as national chairman of the firm from 1993 to 1995.

He also has experience in the public sector, having served with the Commonwealth Attorney General's Department and acted as an external adviser to the Department of Defence, assisting it with a number of reviews. Following the initial establishment stage, Mr Kelly will fulfil the role of inspector one day per week on

average, and will be supported by an office with a full-time presence, including an executive officer at a senior level. These arrangements will ensure that the Inspector of the Independent Commissioner of Corruption provides an equivalent level of oversight as is currently provided by the Inspector of the Police Integrity Commission. I am sure all honourable members will agree that Mr Kelly is an eminently suitable candidate for this position. Many of the amendments made by the amending Act commenced on 6 June 2005, and it is intended that the remaining amendments, including those relating to the functions of the inspector, will commence in early July. I look forward to receiving the committee's early indication of support for the Government's nominee.

DROUGHT ASSISTANCE

Mr ANDREW STONER: My question is directed to the Treasurer. Given that New South Wales is in the worst drought in more than 100 years, with 91 per cent of the State drought declared, will the Treasurer now honour Labor Party policy and allow farmers to defer government charges and fees, as called for during the last major drought in 1994?

Dr ANDREW REFSHAUGE: We are proud that we have provided some \$163 million for farmers throughout the whole of this drought, and we will stick by farmers. We are always looking at further ways that we can assist farmers during the drought. We have gone to the farmers and promised them extra help and we will deliver that extra help. Despite the fact that there was an agreement to bring stock to slaughter, which had not been provided for, we have changed that and allowed it to continue. We all hope the drought will finish. We all hope that the rains will come. But while the drought continues we will stick by the farmers and we will examine seriously every opportunity to give them further help. We will stick with the farmers.

DROUGHT ASSISTANCE

Mr STEVE WHAN: My question without notice is directed to the Premier. What is the latest information on drought in New South Wales?

Mr BOB CARR: It is a question that is short, to the point, well informed, and reflecting the interests of his constituents. Some 91 per cent of the State is officially in drought and another 5 per cent of the State is marginal. Last month temperatures were hotter than usual and most of the State received between zero and 10 millimetres of rain.

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

Mr BOB CARR: Several districts recorded their lowest May rainfall on record. The Australian Bureau of Agricultural and Resource Economics predicts the drought will halve this year's winter crops. Whether it is global warming or simply another long dry spell on the driest continent on earth, the drought is hurting farmers, who have incurred losses of \$4 billion in the past two years and now face the prospect of yet another season without an income.

[Interruption]

The members opposite would give \$4 billion to farmers, is that what they are saying? It is like the shadow Treasurer who, on the weekend, said the New South Wales economy had been "halved", when there is no figure. If the New South Wales economic output had been halved the State would be in the worst recession since the 1930s. It is no wonder she is losing money on the stock market hand over fist.

Mr Joseph Tripodi: Sell! Sell!

Mr BOB CARR: Sell! Sell! The sooner she withdraws from the competition the better. Country towns are preparing for critical water shortages. I know I speak on behalf of all members of the House in saying to the farmers and rural communities of New South Wales, "We will stand by you. We will see that you get assistance", as we have been doing. After all, agriculture contributes between \$32 billion and \$40 billion to the State's economy and supports around 120,000 jobs. We recognise the hardships rural communities are experiencing: farmers struggling to stay on the land, and families and businesses living with tougher water restrictions. The Government has been steadfast, as the Treasurer said a moment ago, providing more than \$160 million in assistance so far. That support will continue.

The Minister for Primary Industries announced further measures and enhancements at the Drought Summit on 17 May. The Treasurer has given farmers an undertaking that drought support will continue for as long as it is needed. We are improving the efficiency of government services to rural communities. The

formation of the Department of Infrastructure, Planning and Natural Resources [DIPNR] means less red tape, and it means the transfer of functions to regional areas. DIPNR has implemented a plan to reduce its staff by around 20 per cent, and has transferred 234 staff to catchment management authorities. The restructure will result in savings of around \$70 million a year.

Mr Adrian Piccoli: Straight back into the coffers.

Mr BOB CARR: Straight back to farmers. Our focus is on the efficient provision of front-line services.

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

Mr BOB CARR: I welcome the Federal Government's drought package released on 30 May. For months we have stood behind the farmers of New South Wales as they took their case to Canberra. We have backed their calls for a more logical approach to exceptional circumstances [EC]. We have acknowledged their request for State and Federal governments to work together to manage this drought and prepare for the next one. This Thursday the State Drought Co-ordinator will travel to Canberra in an effort to convince the Commonwealth to extend EC income support for up to 18,000 farmers. The Commonwealth cut income support to these farmers on 8 December last year. We have been lobbying ever since to have it restored. In January conditions appeared to be easing, with only 60 per cent of the State drought declared. Since then the situation has worsened gradually.

The Federal Government has promised to reassess areas that were not granted a rollover of EC assistance. This reassessment needs to happen immediately. We will provide the Commonwealth with any additional information it needs to make a decision to restore assistance to these farmers. The drought is seriously affecting town water supplies, especially in Goulburn, where dam levels are down to 22 per cent of total capacity. Towns in the Lachlan, Forbes, Parkes, Cowra and Central Darling shires are also affected. Let me assure residents and businesses that the Government is monitoring the situation and preparing contingency plans to ensure that these towns do not run out of water.

Our plan to secure Goulburn's water supply includes providing \$790,000 to sink new bores—test drilling suggests 5 million litres a day is available from an aquifer in the catchment for up to six months; continuing level five water restrictions, which restrict supply to essential use for residential customers and basic supply for industrial customers; and imposing a 30 per cent reduction in water consumption at the Goulburn Corrections Centre and NSW Police College. Today I can inform the House that the Government also will provide \$1.5 million towards the construction of an 8.7 kilometre pipeline to pump fresh water from the Mulwaree Ponds to the Goulburn water filtration plant. The council's application for the project will be fast tracked so that water can be provided as quickly as possible. With these measures in place Goulburn's water supply should last until August next year. As a last resort the Government has created a task force to prepare a contingency plan to cart water into Goulburn. The New South Wales Government—

[*Interruption*]

Was that Humphrey, the pizza boy, interjecting? One more word out of the honourable member for Davidson and we will start talking about him and the house of curtains. The New South Wales Government will continue to stand by farmers and rural communities for as long as the drought continues, providing subsidies, counselling service, financial advice and assistance to secure water supplies. We will not waver in our support during this drought. We will continue the hard work necessary to plan for future droughts.

CIRCULAR QUAY PYLONS

Mr PETER DEBNAM: My question is directed to the Minister for Transport Services. Now that he has had 24 hours to investigate the Circular Quay pylons, has he seen the RailCorp and Roads and Traffic Authority maintenance and engineering reports? If so, will he table them?

Mr JOHN WATKINS: Let us get to the heart of this issue in relation to Circular Quay and the pylons at Circular Quay. Following yesterday's claim by the Opposition spokesman, the honourable member for Vacluse, that the supports for the Cahill Expressway and the rail line were "crumbling", four agencies with responsibilities for the area provided reports.

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

Mr JOHN WATKINS: I am advised by the Independent Transport Safety and Reliability Regulator [ITSRR] that:

A report by RTA engineers has shown that there is no threat to safety as the cracking does not affect the structural integrity of the pylons.

I am advised by RailCorp:

The pylons supporting Circular Quay station and the Cahill Expressway do not have concrete cancer, are structurally sound, and pose no threat to safety.

I am also advised:

Inspection reports confirm that the cracks that appear near the top of three piers do not in any way affect the structural integrity of the infrastructure.

I am advised that the Roads and Traffic Authority [RTA] and the Sydney Harbour Foreshore Authority have supported those findings. I have seen photographs of the site, and, yes, it looks ugly. I am checking out what can be done to complete the repair work, which is what anyone would expect me to do, in relation to how the repair work will be done and when it can be done. That is what people would expect me to do.

Mr Peter Debnam: Point of order: I think it is absolutely clear—

Mr SPEAKER: What is your point of order?

Mr Peter Debnam: I think it is absolutely critical, Mr Speaker, that you should hear exactly what the Minister is saying.

Mr SPEAKER: Order! There is no point of order. The honourable member for Vacluse will resume his seat. I place him on three calls to order.

Mr JOHN WATKINS: Allow me to repeat that the Independent Transport Safety and Reliability Regulator reported and approved the RTA's engineering report which stated that the structure is sound. But the Opposition says that it was approached by members of the public about cracks in the pylons. If that is true, what did members of the Opposition do when they believed that the pylons were structurally unsound? They did not go to the safety regulator. They did not go to RailCorp.

Mr SPEAKER: Order! The Leader of the Opposition will stop calling out.

Mr JOHN WATKINS: They did not go to the RTA. What the Opposition did was send its super sleuth, the honourable member for Vacluse, with his digital camera to take photographs, and he immediately went to the media.

Mr Peter Debnam: Point of order—

Mr SPEAKER: Order! I remind the honourable member for Vacluse that he is already on three calls to order. I hope this point of order is more relevant than the last point of order he took. What is the point of order?

Mr Peter Debnam: Mr Speaker, the Minister needs to correct the record.

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

Mr JOHN WATKINS: Believing that these pylons were crumbling and therefore, presumably, posed a grave threat to the public, what did members of the Opposition do? They did not go to ITSRR, they did not go to RailCorp, and they did not go to the RTA. The honourable member for Vacluse got his digital camera, took some shoddy photographs and went straight to the media. That is how seriously the honourable member for Vacluse took the situation.

Mr Barry O'Farrell: Point of order: My point of order is relevance—

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

Mr Barry O'Farrell: —and it is also truthfulness. The honourable member for Vacluse went immediately to the independent safety regulator.

Mr SPEAKER: Order! There is no point of order. The Deputy Leader of the Opposition will resume his seat. I place him on two calls to order. I remind members that raising frivolous points of relevance—

Mr Barry O'Farrell: Honesty is not frivolous.

Mr SPEAKER: Order! I place the Deputy Leader of the Opposition on three calls to order. The Chair views very seriously the taking of frivolous points of order designed to distract the Chair and bring about a commotion in the House. I have already placed two members on three calls to order. I will not hesitate to place other members on three calls to order and to evict them if they take frivolous points of order.

Mr John Brogden: Point of order: This is about relevance in relation to the Minister's answer in which he indicated that we had not contacted the regulator.

Mr SPEAKER: Order! There is no point of order. The Leader of the Opposition will resume his seat.

Mr John Brogden: I seek leave to table the letter from the Opposition to the regulator.

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

CITYRAIL PERFORMANCE

Mr ALAN ASHTON: My question without notice is directed to the Minister for Transport. What is the latest information on CityRail's performance and related matters?

Mr JOHN WATKINS: It is good to get a question about rail that is sensible. I am pleased to advise the House about the gradual improvements in reliability that have been ground out in recent months. April 2005 was the last full month of figures and they show that reliability was the best that it had been for 14 months for our rail system. While I am the first to concede that there is still a long way to go, I sought further information because I wanted to find out what had improved and identify where further work needed to be done to improve the reliability of our rail system. I saw the report card for the whole of April 2005 and compared that to the same period last year, April 2004. The comparison shows that reliability improved by 5.7 percentage points to an overall 67.7 per cent. Clearly a lot more needs to be done; 67 per cent reliability is simply not good enough.

But April 2005 was characterised by vastly improved on-time running in the morning peaks with a number of morning peaks achieving the elusive 90 per cent plus benchmark. An analysis of delays in April 2005 compared to the same period last year revealed that the number of services delayed by passenger or staff illness or injury decreased by 37; that there was a decrease of 46 in delays caused by passenger disturbances; that there were fewer delays caused by weather with a decrease of 19; that there was a reduction in delays caused by track problems of 143; that there was a decrease in delays caused by train crewing of 16; and that there was a drop in delays caused by the signaller and train controller area of 255. These improvements occurred despite an increase of 14 in the number of services that were delayed by police operations. There was an increase of 65 in the number of services that were delayed by freight-related incidents. There was also an increase of 20 in services delayed by vandalism and an increase in the number of services delayed by self-harm incidents.

Mr SPEAKER: Order! I remind the honourable member for Davidson that it is disorderly to read newspapers in the Chamber.

[Interruption]

Mr SPEAKER: Order! I place the honourable member for Davidson and the honourable member for The Hills on two calls to order.

[Interruption]

Mr SPEAKER: Order! I place the honourable member for Davidson and the honourable member for Gosford on three calls to order. This is the last time I will extend any latitude to members during today's question time.

Mr JOHN WATKINS: Tragically there was an increase in the number of services delayed by self-harm incidents. Unfortunately, for example, a fatality in April resulted in the delay of 56 services. I also hoped that the report card for April would highlight where more work was needed. For example, delays caused by train breakdowns will be reduced as the Government's massive investment in rolling stock begins to come on line, which will include 122 outer suburban cars worth \$439 million, 14 Hunter Valley diesel cars worth \$102 million, the public-private partnership to build 498 new railway carriages worth \$1.5 billion, and \$9 million for the continued refurbishment of the XPT fleet.

Mr SPEAKER: Order! I call the honourable member for Willoughby to order. I call the Minister for Mineral Resources to order.

Mr JOHN WATKINS: The April 2005 figures were better than figures for April 2004, but they are not good enough. More needs to be done. Our ongoing challenge is to sustain these improvements and continue to grind away at improving reliability. I take this opportunity to also report to the House on the issue of driver training that was raised yesterday by the Opposition. Yesterday the Leader of the Opposition, in a question directed to the Premier, asked "How can he assure the public that the rail network is safe when trainee rail drivers are provided with copies, on CD-ROM and in writing, of both the questions and the answers before they sit their qualifying examinations?" That is a fairly clear allegation that RailCorp provides both the questions and the answers to the trainee drivers. However, as I advised the House yesterday, RailCorp does not provide trainee drivers with access to answers prior to or during exams and assessments: it does not do that! That information has been confirmed and RailCorp issued a formal statement to that effect last night. In the course of examining these lies by John Brogden, the Leader of the Opposition, I asked RailCorp to investigate.

Mr Chris Hartcher: Point of order: To accuse a member of lying is unparliamentary. The Minister just said "these lies by John Brogden", and that is unparliamentary. It is up to you, Mr Speaker, to call him to order and to demand a withdrawal of that remark.

Mr SPEAKER: Order! I remind all members, including Ministers, of rulings I have given in relation to accusations that members of the House are lying. In keeping with proper parliamentary procedure and precedents set by a number of former Speakers, I take a strong view about such accusations. I ask the Minister to be cognisant of that.

Mr JOHN WATKINS: Mr Speaker, I withdraw that comment. In examining the great untruths of the Leader of the Opposition uttered yesterday during question time, I asked RailCorp to investigate any possible sources for those statements. RailCorp has since advised me that it appears that the resources distributed by the Leader of the Opposition were stolen material. I have asked the Independent Transport Safety and Reliability Regulator [ITSRR] to oversee an investigation into this serious matter. RailCorp's investigations are continuing. An investigation is centred on reports, several weeks ago, that some unauthorised course material had been offered for sale to trainees. After those initial reports, RailCorp began changing course material to ensure it was irrelevant information, even if it was pirated and offered to trainees. I have asked RailCorp to immediately replace all testing material with newly developed resources.

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

Mr JOHN WATKINS: I have asked RailCorp also to review security in relation to teaching resources. As I said, the ITSRR will oversight that entire process. It is important to put on the record what driver training involves. Trainee drivers undertake what is known as a Certificate IV, Transport Distribution, Rail Operations. RailCorp is a registered training organisation, accredited by the Vocational Education Training Accreditation Board. ITSRR has advised that it is satisfied with RailCorp's progress in meeting its conditions of accreditation as a training provider. RailCorp train guards who are recruited as drivers undergo a six-month training course. Externally recruited drivers who have previously worked as a train driver undergo the same six-month training course.

New recruits who wish to become drivers but who have not previously worked in rail undertake a 36-month driver traineeship. During that traineeship, 19 months is spent in formal training at the driver training centre at Petersham. The training includes extensive theoretical training, six months working on the rail network

as a guard, use of a high-tech simulator, and 215 hours of practical in-cab assessment where their driving is assessed by trainers. After drivers complete the training centre stage of the course, they enter the driver support program. New drivers meet regularly with driver trainers under that program. At the end of the driver support program, three years in the case of externally recruited drivers, they undergo a final assessment.

All road knowledge is tested and all previously completed assessments and work are reviewed. No driver passes without the approval of a review panel that looks at both their practical and their theoretical training. All drivers on the network undergo safety refresher training three times a year and they undergo also training management systems and refresher training every second year. In anyone's judgment this is comprehensive, professional and competent delivery of training for our train drivers. Our train drivers are well trained and they are safe to work on the network. Referring to driver numbers, the Carr Government has allocated \$22 million to RailCorp for training in 2005-06, including \$2.6 million for driver training alone. Driver numbers have now reached 1,289. RailCorp has advised me that it is on target to reach 1,350 drivers by the end of this calendar year.

Regarding the Opposition's claims on driver training, last year the Opposition said that driver training was too comprehensive, it took too long. The Opposition ignorantly boasted that an astronaut could be trained in less time. The Opposition said that drivers were stupid. Last month the Opposition repeated those offensive calls to use emergency legislation to smash our hard-working drivers; they said our drivers were lazy and stupid. Yesterday the Opposition said that drivers were given the questions and answers before their examinations. And they said that RailCorp got our drivers to cheat. The RailCorp staff I have met in my extensive travels around the rail network are enthusiastic, dedicated and part of the very close rail family. The Government values the work of our rail drivers. They are essential to the delivery of a better service to the commuters of the State, but all the Opposition can do is attack the very people who are core to the provision of better services to our commuters. It is disgusting.

LOCAL GOVERNMENT POLITICAL DONATIONS BAN

Ms CLOVER MOORE: My question without notice is directed to the Premier. Further to my question to the Premier in 2002, when he said that he would "do more work on the concept", will he now support a ban on developer donations to municipal candidates and political parties?

Mr BOB CARR: My answer to that question is the same as the answer I gave when interviewed by Quentin Dempster on the day prior to the last State election. I said then that the Government will support a national ban. It should be obvious to any observer of these matters, including the honourable member for Bligh, that a ban applied in one State would be undermined by donations given in another State and transferred to the State branch of the political party where the ban takes place. That is why the other side of politics has the Menzies Foundation and the Henry Bolte Foundation. I am sure they are planning a Robert Askin foundation. I will give to the honourable member for Bligh a copy of the letter I sent to the Prime Minister proposing, first, a national ban and, second, that it be given effect through a decision of the Council of Australian Governments.

Mr SPEAKER: Order! The Leader of the Opposition will stop calling out.

Mr BOB CARR: I have something better than that; I have the Prime Minister's reply in writing. The Prime Minister said he did not believe that such a proposal would be "practicable". Anyone with any sense would see that it must be a national ban. If it is not a national ban it will be undermined by money being channelled from one State into the other. My proposal is on record in a letter that I sent to the Prime Minister, from memory, in late 2002.

HEALTH CARE REFORM

Mr KEVIN GREENE: My question without notice is directed to the Minister for Health. What is the latest information on improvements to the delivery of health care services arising from last week's meeting of the Council of Australian Governments?

Mr SPEAKER: Order! The Minister has the call. I remind the honourable member for Gosford that he is on three calls to order.

Mr MORRIS IEMMA: The honourable member for Gosford should ask me a question about Wyong hospital and while he is doing that he should ask about magnetic resonance imaging [MRI] at Gosford hospital.

That would fit in very nicely with the Commonwealth-State reform of the health system. He could ask, "How about giving Gosford hospital an MRI licence?" Why does the honourable member not pick up the phone and ask Tony Abbott, "How about giving us a licence?" I am pleased to update the House on Commonwealth-State health reform proposals. Last Friday, at the meeting of the Council of Australian Governments in Canberra, the States and the Commonwealth crossed an important threshold.

Australian governments, both State and Federal, have agreed that the time for meaningful reform has come. The New South Wales Government welcomes this new consensus because it reflects an agenda that it has led from the outset—an agenda of reform. The agenda we have driven involves establishing new ways of finding more appropriate accommodation, for example, for elderly citizens in our public hospitals. The honourable member for Gosford might want to pay particular attention to this area of Commonwealth-State reform. I will give honourable members a good example of why this area is in need of reform. At Gosford and Wyong hospitals there are 1,600 bed days, which equates to about 50 acute public hospital beds. That represents 1,600 bed days occupied by senior citizens over the age of 70 who are awaiting a residential nursing home placement.

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

Mr MORRIS IEMMA: At any one time that represents 1,600 bed days per month. Only the Commonwealth Government can be blamed for this under-investment in residential nursing home care. These are not patients who are awaiting medical attention in some area; their medical assessment, services and treatment have been completed and they are simply awaiting a placement in a residential nursing home.

Mr SPEAKER: Order! The honourable member Coffs Harbour will come to order.

Mr MORRIS IEMMA: On the Central Coast that amounts to 1,600 bed days per month, which equates to 50 public hospital beds. The honourable member for Gosford has never got up in this Chamber and said anything about that. He has never got up in this Chamber and urged the Commonwealth Government to issue an MRI licence for Gosford hospital. That one example, which is repeated across the State, shows how the relationship between the Commonwealth and the States is in need of reform to improve the quality of health care.

[Interruption]

The figure was 1,00 last year and another 800 are on the way.

Mr Chris Hartcher: Point of order—

Mr SPEAKER: Order! I cannot hear the honourable member for Gosford. What is his point of order?

Mr Chris Hartcher: Is the Minister blaming senior citizens on the Central Coast for the—

Mr SPEAKER: Order! There is no point of order. I call the honourable member for Bathurst to order.

[Interruption]

Mr MORRIS IEMMA: No. It is as a result of the under-investment in residential nursing home care by the Opposition's friends in Canberra. That is where the failing is and that is where the blame can be laid. There has been massive under-investment in nursing home beds and places. I am sure that Ken Ticehurst and Jim Lloyd have never stood up for constituents on the Central Coast and urged Julie Bishop to invest in residential nursing home care on the Central Coast.

Mr SPEAKER: Order! The Minister has the call.

Mr MORRIS IEMMA: That is just one area. The Commonwealth has finally agreed that this area in health care is in need of reform. Greater Commonwealth attention should be paid to the needs of senior citizens in acute public hospital beds whose medical conditions have been dealt with and who need move to the next phase of more appropriate care other than in a public hospital bed.

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

Mr MORRIS IEMMA: I welcome the fact that the Commonwealth has agreed to this reform. It is one area of reform with which the Commonwealth has agreed. Over the next six months the Commonwealth will engage with the States in implementing a number of models of care that are being trialled right now in public hospitals such as Westmead to improve the quality of care for senior citizens, linking general practice nursing home care providers and hostel care providers with community care. That pilot project is being conducted in our public hospitals without Commonwealth support. Over the next six months we will be looking for Commonwealth support so that the pilot projects become system-wide new models of health care.

The second area of reform relates to primary health care. The Central Coast is another good example of the general practice shortage across the nation. Bill Glasson, outgoing president of the Australian Medical Association, puts the figure at 3,000. On the Central Coast a person can wait up to three weeks for an appointment to see a general practitioner. The books of a number of general practitioners on the Central Coast have been closed; they are not taking any more patients. We also know that the shortage of general practitioners places pressure on public hospital emergency departments and the management of chronic and acute patients with asthma, diabetes and heart disease.

We require a more integrated primary care model that works with our acute public hospitals. To that effect it is pleasing that the Commonwealth Minister agreed in principle to a New South Wales proposal for 15 integrated primary care centres throughout New South Wales, linking with general practice and providing after hours care, primary and community care, and management of chronic and complex conditions so that hospital admissions and readmissions can be avoided. Projects that provide better care can only lead to a more efficient system. Last Friday will be a landmark day in Commonwealth-State relations in the area of health care.

I do not need to mention the work force. Over the past 12 months Bill Glasson has given us a good rundown of how historic Commonwealth under-investment in medical places in our universities has resulted in the shortage of 3,000 general practitioners throughout the nation. We also know that under-investment in our university places has resulted in a shortage of 4,000 nurses to service our public hospitals. Finally, the Commonwealth has agreed that it has a role to play in boosting work force numbers and in distribution. The Commonwealth, in agreeing that it has a role to play—I would argue that it has a central role to play—has acknowledged the efforts that New South Wales is making to achieve a better distribution of medical workers, in particular, across the State.

The landmark agreement with the Royal Australasian College of Physicians has seen an increase in the number of physicians across New South Wales and their more equitable distribution. I look forward to reporting back to the House that New South Wales has reached agreement with the Royal Australasian College of Surgeons to increase from 52 to 79 the number of trainee surgeons for 2006. I also look forward to reporting to the House about a more equitable distribution of those trainees in 2006. They are three very important areas where the Commonwealth has finally agreed it must play a central role. It will receive the full co-operation of New South Wales in the next six months so that, come 2006, we can implement plans of action, with no more reviews or committees.

FARMBIS FUNDING

Mr ADRIAN PICCOLI: My question is directed to the Treasurer. In the middle of the worst drought in 100 years, why did the Treasurer give up \$15 million of much-needed matching Commonwealth FarmBis funds on offer to desperate farmers?

Dr ANDREW REFSHAUGE: There is no doubt that we have provided \$163 million of drought support to farmers. The vast majority of farmers have already completed the FarmBis program—they have done it. They have said in their own survey that they are very satisfied with the work that has been done and would be happy to pay for it.

Mr Ian Armstrong: Point of order: My point of order goes to relevance. The majority of farmers have not gone through the FarmBis program. Only a minority of farmers have accessed it. That is wrong information.

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

Dr ANDREW REFSHAUGE: I am advised that the majority of farmers have not only gone through the FarmBis program—

[Interruption]

Mr SPEAKER: Order! If the honourable member for Lachlan wishes to answer questions he should become a Minister.

Dr ANDREW REFSHAUGE: The ones who have completed the FarmBis program have said they would be very happy to pay for it themselves. The vast majority of participants have learned how to do web site construction. That is a very important skill that, once learned, will stay with them for life.

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

Dr ANDREW REFSHAUGE: The New South Wales Government and the Department of Primary Industries are looking at other options that will work for farmers and ensure that they stay on the land and remain commercially viable in the process.

SUPPORTED ACCOMMODATION ASSISTANCE PROGRAM

Ms ANGELA D'AMORE: My question is addressed to the Minister for Community Services, and Minister for Youth. What is the latest information on negotiations with the Federal Government on plans to assist the homeless?

Ms REBA MEAGHER: The New South Wales Government has received the final offer from Senator Patterson outlining conditions for the fifth joint Federal-State agreement to support homelessness programs for the next five years. The program, known as the Supported Accommodation Assistance Program [SAAP], represents a strong tradition of Federal and State governments working together to help the homeless, those at risk of becoming homeless and those who need to flee domestic violence. Negotiations for SAAP were based on the Commonwealth's national evaluation report, which showed that a 15 per cent increase in funding would be required to meet the core viability issues confronting the sector.

The offer on the table for New South Wales is sadly inadequate. Instead of increasing funding to the States, the Federal Government has withheld millions of dollars from the States and Territories in order to establish a so-called "innovation fund". This fund is about picking winners and losers, and New South Wales is getting duddled. Of the \$118 million in the innovation fund, New South Wales has been told that we are entitled to only \$1 million in 2008 and another \$1 million in 2009. New South Wales will receive only \$2 million in years four and five of the agreement.

Mr SPEAKER: Order! Members will resume their seats and come to order. Question time has not concluded.

Ms REBA MEAGHER: This means that the Commonwealth is not even matching New South Wales on the required 50:50 funding basis. Over the life of this agreement New South Wales will contribute \$303.2 million and the Commonwealth will contribute just \$300.3 million in base funding. This means that New South Wales will be out of pocket by \$3 million despite constituting 30 per cent of the national homeless program. New South Wales is being punished for a strong investment in homelessness programs, and community organisations in our State will suffer as a result. The New South Wales Government has contributed 60 per cent more funding to SAAP than other major States. In the past decade the New South Wales Government has invested heavily in preventing the fundamental causes of homelessness. Members will be aware of the \$1.2 billion plan to reform the child protection system and develop early intervention programs, which will make available more than 350 early intervention caseworkers to help families before their problems reach crisis levels.

But the Commonwealth's offer for SAAP IV fails to acknowledge this strong commitment by the New South Wales Government to preventing and addressing homelessness. This morning I met more than 40 representatives of the SAAP sector to discuss the Commonwealth's offer. They are worried that some services face closure, some will have to wind back their service and that all face the prospect of turning away the needy. They told me about the impact of the Federal Government's offer on their services. Women's refugees warned that their early intervention and referral services were at risk. Youth workers warned that services would not be able to run 24 hours a day. The impact in rural and regional New South Wales will be even greater. A rural service on the North Coast warned that, even though it now operates a service for only three days a week, it might have to cut back even further. We were also warned that the child protection system could be undermined.

Everybody at the meeting shared the concern that women and children may be forced to stay longer in dangerous homes, making child protection even more difficult.

New South Wales increased funding under the previous agreement and we will maintain these increased funding levels. But the Commonwealth Government has failed to match New South Wales's core funding or to match us as an equal partner in the new agreement. Support for the homeless and for victims of domestic violence is a joint responsibility. We can be proud of our past achievements in helping the poorest and most vulnerable members of our community. I advise honourable members that I have written to Senator Patterson confirming that New South Wales will support extending the current SAAP IV until 30 September 2005 in order to give services funding certainty during this time of negotiation. But I urge all members of the House who are concerned about services to the homeless to support a better deal for New South Wales.

Questions without notice concluded.

HOUSING COMMUNITIES ASSISTANCE PROGRAM

Ministerial Statement

Mr JOSEPH TRIPODI (Fairfield—Minister for Housing) [3.47 p.m.]: The New South Wales Government supports residents in social housing getting involved in their local communities. Today I announce new community workers for Warrawong, Casino and Wagga Wagga as part of the New South Wales Government's commitment to building better neighbourhoods. These new workers will be funded from our Housing Communities Assistance Program—a \$675,000 investment in social housing communities across the State. A community is more than just a group of houses; a community is the people who live there, working together, sharing experiences and making the area a better place to live.

These new workers will have a strong focus on curbing antisocial behaviour, identifying families and single people who are at risk of endangering their tenancies and making sure they have access to the support services they need. This week the Government will place advertisements in local newspapers seeking local partners who are willing to work with us on this program. The New South Wales Government is continuing to fund existing positions in Cranebrook, Mt Druitt, Rosemeadow, Minto, Redfern-Waterloo and Riverwood, and will fund a further new position in Dubbo. I commend the program to the House.

Mr ANDREW FRASER (Coffs Harbour) [3.50 p.m.]: The Opposition welcomes the program announced by the Minister for Housing but takes no delight in reminding him that there are a lot of socioeconomic problems in housing estates. I am informed by some of my constituents that the recent policy he initiated has increased rents by as much as \$30 or \$40 per week and water rate charges by about \$10 to \$15 per week, despite assurances by the Government that those charges would increase by only \$5. I suggest that it is somewhat hypocritical for the Minister to say that he will try to assist communities with antisocial behaviour when they have been hit in the hip pocket as a result of the Government increasing water rates and rents. Families in regional and rural New South Wales are doing it very hard. Antisocial behaviour is a huge problem in many areas, and the Opposition welcomes the Minister's initiatives. However, I remind him that his new policies have had a dire impact on the hip pockets of people living in those communities and add to the problem.

REGIONAL FOOD TOUR

Ministerial Statement

Mr DAVID CAMPBELL (Keira—Minister for Regional Development, Minister for the Illawarra, and Minister for Small Business) [3.50 p.m.]: Our State produces some of the world's finest food. The Carr Government is making sure our regional producers are being recognised by supporting this important industry. It is helping the industry grow its businesses, find new markets and target exports. The Government is building our State's reputation for fine food. We have scored an outstanding success with the Government's first Regional Food Tour. This major business-matching event covered the Murray, Riverina and Central West regions of the State, and its results have been extremely positive. With Government support, 16 food buyers—including retailers, wholesalers, distributors, exporters and chefs—met 65 regional producers from those regions. Producers and buyers could taste products on the spot—and get right down to business. As a result, it is likely 140 products from regional New South Wales will be finding new markets.

More than 30 samples have been sent by exporters to overseas markets for testing as potential export orders. Just a matter of days after the tour ended, many food businesses in Sydney have products on their

shelves that were bought during the event. By setting up face-to-face meetings and tastings in Albury, Griffith and Orange, the Government has opened a wealth of new markets. It has also helped replace imported products. As a direct result of this event, several Sydney stores will showcase its regional produce at special tastings. I was extremely impressed by the enormous enthusiasm of buyers and producers taking part in this event, which highlights the Government's commitment to regional investment and jobs.

Mr ADRIAN PICCOLI (Murrumbidgee) [3.52 p.m.]: Food production in country New South Wales forms an important part of the local economy. I support anything that is done by either the private sector or the Government to encourage food processing, development and marketing, particularly the export of our food products. The Murrumbidgee electorate has significant food processors, such as Barthers, and wine regions. Orange, Mudgee and the north and south coasts have a proud history of producing high quality food efficiently. However, marketing is only part of the problem. The other issue for food processors and people who grow basic products is to do so efficiently. This Government does not have a good record of assisting producers increase their efficiency. To the contrary, our producers are on the decline because New South Wales is over regulated. The Government is making it harder for small businesses, particularly niche processors.

Mr SPEAKER: Order! The Minister for Regional Development will come to order.

Mr ADRIAN PICCOLI: The Minister can gloss over as much as he likes in a two-minute speech about how wonderful he is, but let us talk about reality. We have been discussing the Occupational Health and Safety Amendment (Workplace Deaths) Bill, which is one of the problems faced by the food industry in New South Wales that the Minister needs to address. [*Time expired.*]

BUSINESS OF THE HOUSE

Bill: Suspension of Standing and Sessional Orders

Motion by Mr Carl Scully agreed to:

That standing and sessional orders be suspended to allow the introduction and progress through all stages at this sitting of the Passenger Transport Amendment (Maintenance of Bus Services) Bill.

SPECIAL ADJOURNMENT

Motion by Mr Carl Scully agreed to:

That the House at its rising this day do adjourn until Thursday 9 June 2005 at 10.00 a.m.

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Mr CARL SCULLY (Smithfield—Minister for Police) [3.54 p.m.]: The honourable member for Epping may have a word or two to say about this motion. I move:

That standing and sessional orders be suspended to allow Government Business to have precedence of General Business on Thursday 9 June 2005.

We are a very busy Government.

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

Mr CARL SCULLY: I have moved this motion so the House does not need to sit until 1.00 a.m. I am thinking of all the honourable members who want to participate in the condolence motions this evening. I understand that a lot of Coalition members wish to speak to the condolence motion for Mr Glachan.

Mr Chris Hartcher: And Al Grassby.

Mr CARL SCULLY: Yes, and Al Grassby. I understand that more people wish to speak on the condolence motion for Mr Glachan. As a result, considerable debating time will be taken up. It is with great reluctance that I have moved a motion for Government business to take precedence tomorrow.

Mr ANDREW TINK (Epping) [3.55 p.m.]: It is plain that the Leader of the House does not know whether he is coming or going. Less than one hour ago he indicated to the House that there would be no

problem in bringing forward the matter raised by the Leader of The Nationals. One hour ago the Leader of the House recognised great and overwhelming issues relating to the drought, rural communities and other issues that impact on rural communities that deserve the time of the House tomorrow. During question time the Premier appeared to pay at least lip-service to the seriousness of the drought in New South Wales. He mentioned a number of rural communities around the State, as he should, because rural communities are in a state of absolute crisis because of a lack of water, the drought and a lack of a Government plan to do something about them.

Apparently, in the past hour the Leader of the House has changed his mind. The problems faced by rural communities, the crisis with the water and the drought are no longer of any concern to the Government or the Leader of the House. An hour ago it was okay for us to debate these issues tomorrow, but it is no longer okay. Somebody may have had a quiet word in his ear and said that another matter that is not in the precedence of business has to be dealt with in this rushed, crazy, helter-skelter way. That is no way to run a government or to pay respect to people in the bush who are hurting in every way imaginable. It is no way to pay respect to members of the House, at least those in the Opposition, who want to ventilate those issues tomorrow and now cannot do so.

The Leader of the House has not and cannot explain why he has changed what was agreed to one hour ago. It is pathetic that the Leader of the House has not pursued a course of action to make the issues of people in rural and regional New South Wales a priority tomorrow. He cannot do it. He is not capable of doing it. He is not capable of leading his people. He is not capable of leading the Ministers for whom he should be responsible in this Chamber. If he cannot do that on an important issue such as drought and relief to regional and rural communities, he is not fit to lead in any other way.

Another important matter that the Government is running a mile from involves any hint whatsoever is a vote or scrutiny on one of its taxation measures. Today we saw the Government running a mile from the issue of taxation and vendor duty. It would not want that issue coming up for scrutiny in any shape or form, through any private member's motion or any private member's bill. It is running scared of the State Labor Conference on the weekend, as well it might. In here, Labor members are tied down by the Premier to a stupid tax, which the Premier personally shrinks from by investing in a winery in New Zealand. The Leader of the House is not prepared to run the risk, on instructions from the Premier, of any loose ball tomorrow that would lead to the possibility of a vote on, or even the raising of, any tax issue, but particularly the vendor duty.

The Government and the Leader of the House do not dare let that matter get away on them. But it has got away. The stupidity of the Government attitude is that, whatever Government members do or say in this place, out in the wider community, as backbenchers who are being honest with themselves know, the Government is an absolute laughing stock over its vendor duty. Government members know that they must do everything they can to get rid of this duty before the next election. There is no sign of that happening under this Premier, and the Government is desperate to ensure that the issue remains under the carpet during Labor's long weekend gabfest. Private members' business should remain on the agenda for tomorrow. It is right and proper to talk tomorrow about what the Government will not do in relation to taxation. It is right and proper to talk tomorrow about rural communities. That the Leader of the House changes his mind from one hour to the next is an indictment of his leadership. [*Time expired.*]

Question—That the motion be agreed to—put.

The House divided.

Ayes, 44

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

Noes, 34

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

Pairs

Mr Bartlett	Mr Armstrong
Ms Gadiel	Mr Brogden
Mr Gaudry	Mr Humpherson
Mrs Perry	Mr Merton

Question resolved in the affirmative.

Motion agreed to.

**TRANSPORT LEGISLATION AMENDMENT (WATERFALL RAIL INQUIRY
RECOMMENDATIONS) BILL**

Second Reading

Debate resumed from 25 May 2005.

Mr PETER DEBNAM (Vaucluse) [4.10 p.m.]: I am pleased to have the opportunity to speak again on rail safety. As I said to my colleagues in reviewing the bill, the House probably has to deal annually with legislation relating to with rail safety, which is a confirmation, even if the Government does not acknowledge it, of major problems in rail safety in New South Wales. At the outset I indicate that we will not oppose the bill but will move amendments in both Houses to attempt to give a degree of true independence to the safety regulator. I have provided the Government with a copy of the amendments, which have been drafted quickly by Parliamentary Counsel. I put on the record once again my thanks to the office of the Parliamentary Counsel for doing a great job in a very short time, as it usually does. The bill is part of the Government's response to the recommendations from the Waterfall rail inquiry, and makes some changes identified in the legislative review of rail safety legislation.

The main thrust of the bill is to separate the investigative role of the Office of Transport Safety Investigations [OTSI] and the compliance and enforcement role of the Independent Transport Safety and Reliability Regulator [ITSRR]. On the advice of the newly created Chief Investigator the Minister will be able to commission boards of inquiry into accidents or incidents. The objectives of the bill are to establish an independent office of the Chief Investigator of the Office of Transport Safety Investigations to investigate transport accidents and to enable the Minister to establish boards of inquiry. The bill clarifies provisions of the Rail Safety Act 2002 dealing with safety management systems and permits regulations under the Rail Safety Act 2002 to be made in relation to standards for railway operations, requirements for registers of information held by operators of the railways, passenger safety and security, train safety recording and conditions of accreditation, and to prescribe conditions of accreditation.

The bill also provides for certain regulatory functions that were previously undertaken by the ITSRR to be undertaken by the Waterways Authority and the Director-General of the Ministry of Transport, and to encourage information sharing between the two bodies. Our concern with the bill remains the concern we have addressed since 2002. The Government's safety oversight arrangements are not independent. The first time I gave a substantial address in this House on rail safety was on the last sitting day of June 2002, when I spoke to a

motion of no confidence in the Minister for Transport. I am not sure whether I mentioned concerns about the independence of safety regulators, but it was certainly in the background. Later in the year I spoke about it again. I will not go through the chronology at great length because we disagree with what the Carr Government is doing, but I will make it plain.

Two weeks after the last sitting day in June 2002 the Hexham rail crash occurred, and it was just luck that no-one was killed. It became apparent by sunset that day that the Government had not implemented the key recommendation resulting from the Glenbrook inquiry, which was the installation of compatible radios across all New South Wales trains operating in the system. Within weeks following the Hexham rail crash there was a number of other rail accidents, and again it was just luck that no-one was killed. As I have said on previous occasions, people had said to me throughout 2002 that they were waiting for the big one. When I asked them what they meant they said they were waiting for the big rail crash that would kill people. The system built up to that and the crash happened at the end of January 2003: the Waterfall train crash in which seven people died.

At the end of his inquiry Justice McInerney stated emphatically that everything that led up to the Waterfall train crash was avoidable. It is regrettable that three years after the motion of no confidence nothing in this State has changed. Reorganisation of the various rail sections has resembled musical chairs. We are now playing the reorganisation game with sections of the safety regulator and the investigator. Parliament is implementing some of the recommendations from the Waterfall inquiry, but it has not committed to the issue of fundamental importance, which is true independence of the safety regulator. We must commit to true independence of the safety regulator because rail safety has been a major concern for at least the past three years. It remains a major concern, especially this week when we are talking about infrastructure failures.

We fundamentally disagree with the legislation. Obviously, parts of the bill are necessary from a technical and organisational point of view. To that extent we will not oppose the bill, but we believe it should be amended to strengthen the independence of the safety regulator. Despite all the Government's rhetoric the bill does nothing to strengthen the independence of safety investigators and regulators. In fact, included in the press release issued with his announcement about the introduction of the legislation was the Orwellian assertion by the Minister, "This reinforces the independence of OTSI because the Chief Investigator will report directly to the Minister for Transport." To anyone who knows anything about the bill and the workings of the Carr Government that is hilarious. It is plainly insane for the investigator to report to the Minister for Transport, the politician who will be responsible for trying to get the Carr Government through the next election. The Chief Investigator should report to the Parliament.

However, to some extent the bill fulfils the Government's obligation to review the original safety regulation and continues the implementation of the Waterfall recommendations. I foreshadow that we will move amendments in Committee, but I will deal with a number of other safety issues that the Minister may feel free to address in his reply. One of the key issues is the continuing concern about rail safety, which manifested itself this week with questions we asked—and I emphasise that—about the extraordinary damage to the pylons at Circular Quay. As I said on radio yesterday afternoon—I am sure the Minister has read the transcript—when the Minister launches such a vicious personal attack in this House against the person who raised the matter, which is standard operating procedure for the Carr Government, it is a clear message to the world that the Government has real problems.

The Minister came into this place today and said that when this broke yesterday we had not advised the safety regulator. I will read onto the record a letter that was sent to the safety regulator yesterday morning and the letter I received from the safety regulator today in response to my letter. I will do so to show that again the Minister was lying to the House and the people of New South Wales when he spoke in this House this afternoon. The letter is addressed to Ms Caroline Walsh, the Chief Executive Officer of the Independent Transport Safety and Reliability Regulator. The letter states:

Dear Ms Walsh,

I draw your attention to extraordinary damage to the supporting pylons to the Circular Quay rail line.

The damage, presumably from concrete cancer, is extensive and seems to have been uncovered in the last week. Based upon the depth of the holes and cracks in the pylons, which provide structural support to the rail line, it is clear it is not superficial damage.

I'd appreciate your urgent advice on:

1. What action has been taken to inspect and determine the extent of the damage;
2. What action has been taken to calculate the risk to the structural integrity of the Circular Quay rail line;

3. What action has been taken to determine whether the Circular Quay rail line should be closed pending testing and repair;
4. Whether the damage has detected during routine maintenance checks and, if so, when was that maintenance check done and when was the previous maintenance check undertaken.

Given ongoing concern in relation to rail safety and the poor record of safety management by the Carr Government, I'd appreciate your urgent advice on the above concerns by close of business today.

The letter was signed by me and faxed to the safety regulator's office yesterday morning. Obviously the office received it because it was acknowledged today and responded to. However, before the office responded to that letter another interesting piece of paper was issued. A piece of paper, unsigned and unsourced, was issued by RailCorp as a media release at some time yesterday. It was headed, "Circular Quay Station Pylons." It states emphatically that there is no problem at all. That is the first time I have ever seen a media release without a person's name being on it, but obviously I fully understand that nobody in RailCorp was game to put their name to this piece of paper, the contents of which were simply not true. Anybody who is familiar with what is happening on this issue would realise that what is on this piece of paper is not true. It is a media release from RailCorp and that explains why nobody had the guts to put their name to it. The first sentence states:

The pylons supporting Circular Quay station and the Cahill Expressway do not have concrete cancer, are structurally sound and pose no threat to safety, a spokesman for RailCorp said today.

The spokesman said that the pylons under the station were subject to a rigorous inspection regime undertaken by qualified engineers.

"Maintenance and inspection of the pylons and supporting infrastructure is a joint responsibility of the Roads and Traffic Authority (RTA) and RailCorp", the spokesperson said.

"The infrastructure is inspected according [to] the appropriate engineering standards and repairs undertaken as necessary.

"Inspection reports confirm that the cracks that appear near the top of the three piers do not in anyway effect the structural integrity of the infrastructure.

"Work to repair these cracks is expected to begin next month and will be completed before the end of the year."

That release was issued just before an extraordinary press conference was held by Caroline Walsh, who came in and read a prepared statement, refused to answer questions, and then was caught on camera as she admitted, walking out of the room, that she did not know. We all understand why she cannot answer questions. I think this is the second time she has demonstrated that she does not know, and that is why she cannot answer the questions. She then issued a carefully worded clarifying statement yesterday afternoon. This morning she faxed a letter to my office, which states:

Dear Mr Debnam

I refer to your letter of 7 June 2005 concerning damage to the supporting columns to the City Circle railway line at Circular Quay.

I am aware of the problem but I can assure you that officers from the Transport Safety Regulation Division are currently investigating the matter.

I have been informed that the concrete portion of the columns that supports both the City Circle railway line and the Cahill Expressway over it are routinely inspected and maintained by RTA on behalf of both RailCorp and the RTA. The lower concrete portions of the columns are the joint responsibility of both organizations.

I understand that repairs to the cracking are currently being documented for the Department of Commerce, RTA and RailCorp and that these documents are currently in draft stage.

In response to the questions posed in your letter I am not in possession of detailed evidence to answer the specifics.

I will emphasise that point to highlight it in *Hansard* by reading it again:

In response to the questions posed in your letter I am not in possession of detailed evidence to answer the specifics. I am presently seeking documents from both RTA and RailCorp to provide those answers. I will respond with the details as soon as practicable.

I wish to thank you for bringing this matter to my attention.

In relation to bringing it to their attention, the Minister told the House today that I did not bring it to their attention. Carolyn Walsh has said I did, and provides confirmation that the Opposition did the right thing and faxed the information yesterday. The questions I asked yesterday were carefully worded. When the Minister

suggested today that he had seen the photographs of the holes and cracks in the pylons, I was incredulous. It is a five-minute walk from Parliament House to look at the pylons. I suggest that any member of Parliament or any person within the Department of Transport who has not done that should do so. Clearly, the holes and cracks will not be able to be covered up over the next few days, and people should go and have a look at what the Minister was calling cosmetic. Officers of the department should have a look at what they have been advising the Minister to describe as cosmetic over the past 24 hours. I found it extraordinary that the Minister continued that way.

Today the Opposition put a question to the Minister asking whether, since he has had 24 hours to investigate the Circular Quay pylons, he had seen the RailCorp, RTA and maintenance and engineering reports, and whether he would table them. It would appear from his answer during question time today that he has not seen the RailCorp, RTA and maintenance and engineering reports and he certainly will not table them. It would appear from the answer given by the Minister today that he has not seen the documents and it would appear from the letter I received from the safety regulator that they have not seen the documents either. It is plain that what we saw from the Government yesterday was a total panic reaction to entirely legitimate questions that the Opposition had asked in the morning. The Government went into absolute overdrive to try to kill the messenger in relation to a major safety issue. That is not an unusual reaction from the Government. It is one that we see on just about every safety issue.

I take, for example, unlocking train doors. For a decade the Government has been told by its advisers and by its own officers, as documented on the web site in their own reports, that it has to do something about locking passengers into trains during incidents, accidents or fires. It is plain from researching the documentation that year after year recommendations have been made calling for a reversal of what RailCorp refers to as its containment policy. That containment policy simply means that RailCorp thinks that its best bet is to simply contain passengers within a train carriage, regardless of the incident. That is not what the rest of the world thinks. That is New South Wales CityRail's policy, which needs to change before there is a massive tragedy. The Minister's own reports confirm that. I have raised that issue a number of times in this House, especially since the increase in the number of fires and explosions in the CityRail system. All I can do is highlight the matter in the Parliament and in the media and beg the Government to let the passengers escape.

Another issue involves trains running red lights. The Opposition has raised that issue a number of times in this House in recent years and regards it as a matter of major concern. We are witnessing an escalation in the number of incidents that have occurred. It is acknowledged worldwide throughout the industry that running red lights is a key indicator of the level of safety in a rail network. It is clear there is a major problem. The data on RailCorp's web site is not consistent with the data on the web sites of CityRail or the safety regulator. The number of safety incidents is clearly increasing and the records of CityRail date only from July 2002 to February 2005. Unless the records have been updated since just before question time today, three months of clearly relevant documentation is missing.

Rail safety in New South Wales needs not only more accountability but more transparency. We could start that process by getting regular up-to-date statistics that are published every month so they can be read by everyone. It is difficult to collate data from the Government's web site because each web site page deals with one month only, and the trend line is not easily seen. The data has to be extracted and a graph created, and that graph shows a disturbing trend. That trend line can be done on any computer, and it will show a substantial escalation in all safety incidents. The individual incidents for falls, strikes on people, fire and explosion, and signals passed at danger—that is, red lights—are all in the Government's data, and they all indicate a problem with safety.

Currently the Government is using the Waterfall rail accident as its excuse to cover up any management problem in the train system. I have indicated publicly a number of times that it is clear that over the past 10 years the Premier has realised that he is simply incapable of managing the public transport system. He has been engaged in various deals, featherbedding and political priorities instead of concerning himself with commuter priorities. Essentially the Government has given up on on-time running and has introduced this new timetable, which shows a substantial reduction in services for the people of New South Wales. The Government has decided to introduce that timetable because, it says, it will make rail travel safer. Everyone in the industry knows that the system will not be safer. The Carr Government hopes it will be able to use the new timetable as an excuse to minimise the chance of another major train crash in the next 21 months.

In September the new timetable will deliver three things: fewer services, more overcrowding on certain train routes and more overcrowding on certain platforms. That is not an improvement in rail safety, but it will

dramatically increase the frustration and anger of many commuters. I am not sure what the Government expects to get out of that in the run-up to the next election. Certainly it will not produce a safer system, because all the indicators are that safety is still not a priority for the Government or for the rail bureaucracy. The new timetable will certainly not deliver better services for the people of New South Wales.

I can understand the Minister's embarrassment today. He has been confronted by a full-page article in the *Daily Telegraph* that highlights the fact that when there is a snap train strike in Melbourne that delays its trains, but their on-time running is still better than ours. That sums up the situation, and I congratulate the *Daily Telegraph* on encapsulating on one page the fact that Melbourne's train systems clearly focus on the basics and they are held to account on performance guarantees and everything else. Melbourne's train system has problems and train stations are being rebuilt for the Commonwealth Games, but it can still deliver better on-time running than the New South Wales CityRail system. Yesterday there was another collapse in that system.

The Opposition has major concerns about the way the Government manages the railway system. The Opposition will move two amendments at the Committee stage, but does not expect the Government to support them. The Opposition will also move those amendments in the upper House, and if the Government does not make the regulator truly independent before the next State election the Opposition will certainly do so on the day after that election. The amendments that I will move create a position under which the regulator and investigator will report to Parliament, not to the politician who will be responsible for re-electing the Carr Government.

Mr JOHN WATKINS (Ryde—Minister for Transport) [4.33 p.m.], in reply: I thank the honourable member for Vacluse for his contribution to the debate. The Government is committed to the passage of the Transport Legislation Amendment (Waterfall Rail Inquiry Recommendations) Bill, as it builds upon important reforms already made by the Government to improve rail safety in New South Wales. The passage of the bill will enable the implementation of many of the recommendations contained in the final report of the special commission of inquiry into the Waterfall accident. The Government will not support the amendments foreshadowed by the Opposition. I commend the bill to the House.

Motion agreed to.

Bill read a second time.

In Committee

Clauses 1 to 3 agreed to.

Mr PETER DEBNAM (Vacluse) [4.37 p.m.], by leave: I move Opposition amendments Nos 1 and 2 in globo:

No. 1 Page 3, schedule 1. Insert after line 16:

[4] Section 42CA

Insert after section 42C:

42CA ITSRR to report directly to Parliament

- (1) The ITSRR is to report directly to a joint committee of members of Parliament on the exercise of such of its functions under this or any other Act or law as may be required by the committee from time to time.
- (2) Subsection (1) is in addition to any requirement under this or any other Act that the ITSRR report to the Minister.

No. 2 Page 5, schedule 1 [13]. Insert after line 17:

45B Chief Investigator to report directly to Parliament

- (1) The Chief Investigator is to report directly to a joint committee of members of Parliament on the exercise of such of the Chief Investigator's functions under this or any other Act or law as may be required by the committee from time to time.
- (2) Subsection (1) is in addition to any requirement under this or any other Act that the Chief Investigator report to the Minister.

The amendments were drafted quickly by Parliamentary Counsel and their objective is to establish a direct link from the safety regulators and investigators to Parliament, not to the Minister as the sole person responsible for their operation. Rail safety is a key issue in this State and the rail system is in such dire straits that we need to have the regulators and investigators report to Parliament in a similar way to the Auditor-General, who does not feel constrained by a reporting link directly to a Minister and not to Parliament. That is the key issue for the Opposition today. Earlier I indicated to the Minister that the Opposition will move these amendments in the other place.

Question—That the amendments be agreed to—put.

The Committee divided.

Ayes, 34

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

Noes, 45

Ms Allan	Mr Hunter	Mr Pearce
Mr Amery	Mr Iemma	Ms Saliba
Ms Andrews	Ms Judge	Mr Sartor
Ms Beamer	Ms Keneally	Mr Scully
Mr Black	Mr Knowles	Mr Shearan
Ms Burney	Mr Lynch	Mr Stewart
Mr Campbell	Mr McBride	Mr Tripodi
Mr Collier	Mr McLeay	Mr Watkins
Mr Corrigan	Ms Meagher	Mr West
Mr Crittenden	Ms Megarrity	Mr Whan
Ms D'Amore	Mr Mills	Mr Yeadon
Mr Debus	Mr Morris	
Mr Gibson	Mr Newell	
Mr Greene	Ms Nori	<i>Tellers,</i>
Ms Hay	Mr Orkopoulos	Mr Ashton
Mr Hickey	Mrs Paluzzano	Mr Martin

Pairs

Mr Armstrong	Mr Bartlett
Mr Brogden	Ms Gadiel
Mr Humpherson	Mr Gaudry
Mr Merton	Mrs Perry

Question resolved in the negative.

Amendments negatived.

Schedule 1 agreed to.

Schedules 2 to 4 agreed to.

Bill reported from Committee without amendment and passed through remaining stages.

PASSENGER TRANSPORT AMENDMENT (MAINTENANCE OF BUS SERVICES) BILL**Bill introduced and read a first time.****Second Reading****Mr JOHN WATKINS** (Ryde—Minister for Transport) [4.51 p.m.]: I move:

That this bill be now read a second time.

Twelve months ago the House considered and passed legislation to clear the way for major reforms on bus service delivery in New South Wales. At that time every single commercial operator in this State held a virtually perpetual contract and had exclusive rights to operate services in its particular territory. Each of these operators was paid an obscure lump sum through the School Student Transport Scheme and planned its services under the constraints of a rigid mathematical formula. Not surprisingly, these arrangements saw patronage plummet by 18 per cent and triggered a financial viability crisis among metropolitan operators that saw investment in new buses wound back and made industry workers concerned for their job security.

The New South Wales Government acted on this. The Government is shifting operators onto new contestable, performance-based contracts, with transparent funding and improved service planning arrangements. It has set a framework for involving the community in regular service reviews and is requiring neighbouring operators to work together to form a real bus network. As a first step, the patchwork of 87 contract areas across Sydney has been consolidated into 15 regions, developing viable businesses that can provide quality services. The 2005-06 budget shows that the Carr Government is doing its bit, effectively tripling the Bus Priority Program. With new funding of \$90 million over three years, the focus will be on improving reliability and travel times on the identified strategic bus corridors across Sydney.

Passengers are benefiting from these reforms already. The pensioner excursion ticket is now available right across Sydney, whether passengers are travelling on government or privately operated public transport services. Additionally, fares have been equalised so that passengers pay the same fare for the same distance, whether they are travelling on State Transit or private buses. The focus of the Ministry of Transport has been to work with operators and the industry association to achieve a smooth transition to these new arrangements. Significant progress has been made in Sydney, with seven of 11 private operator regions now operating under new contracts. These regions include multi-nationals, large local businesses and medium and small family companies, and represent almost 50 per cent of Sydney's private bus industry. This demonstrates that the contractual arrangements, funding model and negotiation parameters are acceptable to a range of commercial bus operators.

However, rolling out the new contracts across the State will not happen overnight. The Passenger Transport Act recognises this by providing a transition period for these new arrangements. In the meantime, the old-style contracts will remain the basis for maintaining bus services on passenger routes and for schools. The Government's ability to influence operator behaviour and to secure continuity of service under these old contract services is limited. Enforcement of the contracts is hampered by minimal performance requirements and the lack of a graduated penalty regime. Applying the ultimate sanction of contract termination is extremely difficult in the absence of assets to maintain continuity of services.

Experience gained from this industry reform process over the past 12 months has highlighted concerns about the old-style contracts and the ability to maintain services. This approach has worked to date but does not provide the certainty that people should be able to expect of essential transport services. In moving to the new Sydney regions some degree of operator consolidation was expected. It happened that four private operators, representing about 5 per cent of the market, have left the industry. In three cases a seamless transfer of services has been made possible under the Ministry of Transport's "lead entity" arrangements with bus operators. In the case of Harris Park Transport, however, State Transit was required to step in as an operator of last resort in January 2005 when Westbus was unable to meet both school and route service requirements. This exposes a reliance on having operators who are willing to absorb, and capable of absorbing, additional services in a short time and within the bounds of commercial terms.

In another example, over the past six weeks the community at Lismore has expressed concerns about its local operator, Kirklands. On 28 April 2005 Kirklands made substantial changes to its school network services, affecting about 8,000 students. Kirklands was able to plan and implement these changes without adequate community consultation or ministry approval because of the inadequacies of the existing contracts.

Despite its own acknowledgement of inadequate management of the process, Kirklands failed to address the problems satisfactorily for six weeks. With the support of the honourable member for Lismore, the Ministry of Transport demanded that Kirklands re-introduce the old timetable and conduct a proper process of community consultation on proposed changes. Kirklands eventually relented, but not without six weeks of community disruption and six weeks of drivers having to bear the brunt of these changes.

This action came from one of the largest regional operators in New South Wales. Kirklands is part of the Buslines Group, which also serves Dubbo, Tamworth, Orange and the Southern Highlands. In light of the Kirklands matter the industry association is proposing interim planning guidelines to apply until all the new contracts are negotiated. While this is a good first step, it does not address the fact that control of assets is the key to maintaining these services. It must be remembered that these assets have been funded largely by taxpayers through school student travel payments and contracts that gave these operators exclusive rights to operate bus services. Under the old contracts, incumbent operators control depots, fleets and drivers and have the ability to walk away from the existing bus contracts with only 60 days notice, taking these assets with them.

Rural and regional New South Wales is more exposed than metropolitan areas to the actions of individual operators in a reform environment. This is because the roll-out of new contracts across the State has been staggered and it is more challenging to make alternative fleet arrangements. In this environment changes are needed to provide certainty for bus services in rural and regional areas. It should also be noted that the agreed transition arrangements with the industry provide existing operators with the first right to negotiate new contracts. If commercial terms are not agreed, a tender process will follow. This bill will provide the security that services will continue during a potential tender process and until the holder of the new contract is ready to operate.

The Passenger Transport Amendment (Maintenance of Bus Services) Bill proposes significant powers, but they are powers in proportion to the core role of buses in the State's public transport system. Stronger powers—the ability to terminate the old-style contracts—have already been provided to the Director-General of Transport. However, they do not offer a way of maintaining bus services. The Ministry of Transport now has a track record of using responsibly the powers that Parliament gave it last year and engaging operators in bus reform through the negotiation process. The proposed step-in powers would also be used responsibly—they would be exercised only as a last resort in order to maintain passenger services.

The provisions of the bill have been consciously placed in the savings and transitional provisions of the Passenger Transport Act. This means that they are temporary and are clearly aimed at ensuring service continuity during the transition to new arrangements. As a result, the bill does not apply to operators who have entered into the new contracts as part of the bus reform process. Nor does it apply to services delivered under the State's 1,800 non-commercial contracts, which are typically held by smaller bus operators. As a further safeguard, the step-in cannot be continued for a period longer than 12 months. The key change introduced by the bill is the creation of a provision authorising the Director-General or the Director-General's nominee to step in and operate the bus services. This provision is modelled on the "step-in" clause in the new metropolitan bus contract, which has already been signed by a range of operators in Sydney.

Under the bill, when an existing old-style commercial bus service contract—or an interim contract that replaces a commercial contract—expires or is terminated, the step-in party may use the former service provider's buses, depots and other assets in order to maintain delivery of the bus services. The step-in may be triggered by a notice published in the gazette, and this notice will spell out the arrangements that will apply under the step-in. Under the bill, compensation will be paid to the former service provider for the use of assets as set out in the step-in notice. The bill provides that, in determining appropriate compensation, the director-general must consider the terms and conditions of the existing contract and the commercial arrangements that the former service provider had entered into to deliver those services.

Under these arrangements, the step-in party may also make use of the services of the former service provider's employees and arrange for those employees to be paid for their services. The bill makes it clear that the entitlements of those workers are not adversely affected by the operation of the step-in. This is about protecting services and the jobs tied to those services. The step-in arrangements also allow for payments to be made to suppliers of goods and services used in connection with the delivery of the services under the step-in arrangement, including lessors and landlords. To ensure the step-in power is enforceable, the bill makes it an offence to fail to comply with an obligation under a step-in arrangement without a reasonable excuse, or to do anything that intentionally frustrates the operation of the step-in. It also creates legal protections for the operation of the step-in arrangements.

The bill also extends the legal protections of the Passenger Transport Act to cover the implementation and operation of the step-in power. The privative clause, which already covers the contract termination powers, is proposed to be extended to these powers which maintain services. This is to ensure Parliament's intention is clear and avoid arguments over legal technicalities. The bill also makes it clear that claims for loss or damages, if any, arising out of the operation of the step-in are not payable by the Crown. The bill is about maintaining an essential community service. It is targeted, its scope is limited, and it has a built-in expiry. Once all the old-style bus contracts have been replaced, this power will no longer apply. These provisions are essential to provide certainty for people who rely on bus services until we are at a point where the bus industry is operating under performance-based contracts. I commend the bill to the House.

Mr PETER DEBNAM (Vaucluse) [5.03 p.m.]: I had not seen the Passenger Transport Amendment (Maintenance of Bus Services) Amendment Bill until a few minutes ago. I had heard 23 hours and 55 minutes ago that the Government was in the process of putting together a bill to address some of the issues raised by the Minister in his second reading speech. I want it clearly on the record why the Opposition will vote against this bill. First, when the Government tries to rush through legislation, obviously it will vote against it. As a matter of principle, the Parliament must have time to consider whatever the Government puts before it.

Mr Daryl Maguire: To scrutinise it.

Mr PETER DEBNAM: As the honourable member for Wagga Wagga said, to scrutinise it.

[Interruption]

The honourable member for East Hills asked why the Opposition needs to scrutinise the legislation. It is because this Government has got form. It is run by Bob Carr, who has demonstrated over the past 10 years that he treats the community of New South Wales and the Parliament with contempt. As a matter of principle, unless the Opposition has been given prior notice of exactly what the Government is doing, and it really is emergency legislation that will benefit the people of New South Wales immediately in the next 24-hour cycle, the Opposition will oppose the Government rushing through legislation in this House.

Second, the Opposition will vote against the bill because it gives extraordinary powers—the Minister has used other words—to the Director-General of Transport. I have spoken on bus reform in this House many times over the past three years and I will reiterate what I have said previously: that the Carr Government has bludgeoned the industry at every opportunity to extend union power. Even in the bus contract negotiations undertaken in recent months, the Minister and the director-general at the eleventh hour tried to blackmail companies into accepting an extension of union power. It is simply not on. It is not on that in this Parliament the Minister pretends he has some reasonable excuse, which may involve Kirklands and Westbus, to rush through legislation that clearly gives extraordinary powers to the director-general of a department that is clearly failing.

The department is failing not just in bus transport but in all aspects of public transport in this State. The Opposition will not give the Minister a big tick to do anything he likes. If the Minister wants changes such as he spoke about today, he should let the bill lie on the table in order for the Opposition to look at it and talk to various interested parties. The Government should explain to the Opposition exactly what it is trying to achieve. But that has not happened. I am amused that every single time the Minister said in the past month that the bus reform program had gone very well, it has not. The Minister has signed a number of contracts and in many cases he tried to bludgeon them into an extraordinary extension of union power. Unless it has been done behind closed doors, I do not believe the Minister has signed contracts with the State Transit Authority [STA], but I stand to be corrected on that.

If the Minister has signed those contracts, how can he satisfy the current legislative requirements of the STA on performance? For example, what will the Minister do about the age of the buses? Last year the Auditor-General asked the Minister for the detail, which the Minister refused to provide, that he required to calculate the age of the buses via the various contract regions. All honourable members would be interested in that because, as the Auditor-General noted in his report last year, the average age of buses has been slipping by about six months a year and is now about 12.9 years. I think the Auditor-General suggested in his report that the Minister would have to sign off on 100 buses for the next five years just to maintain the age. Their age has already slipped past the legislated average age of 12 years, so the Minister has a problem in relation to that and more detail would be very useful.

One of the reasons for the average age of buses being legislated was that we wanted to maintain service standards. Increasingly, the people of Sydney are seeing STA buses break down, quite often in peak hour, which

creates extraordinary traffic jams. I suggest that it is about time the Minister did something about looking at the investment problem he has in his own bus fleet, which he clearly cannot manage with the same director-general to whom he is now asking the Parliament to give extraordinary powers. Day after day in this Parliament we are talking about the failures of public transport, and now the Minister is asking honourable members to give extraordinary powers to a person who is just a political appointment of the Labor Party. The Opposition does not trust the Minister.

Mr JOHN WATKINS (Ryde—Minister for Transport) [5.10 p.m.], in reply: That was a particularly disappointing and offensive contribution by the honourable member for Vacluse.

Mr Peter Debnam: I could make it more offensive, if you like!

Mr JOHN WATKINS: Yes, he could make it more offensive. He has form in doing that. This bill is most urgent for the detailed reasons I gave in the second reading speech. It is about continuity of bus services in New South Wales. The honourable member for Vacluse, as shadow Minister, was given a briefing about this yesterday. It was insufficient at that time. Unfortunately, due to his removal from the Parliament yesterday, and his consequently not being here last night, he was not able to receive the detailed briefing that had been arranged.

Mr Peter Debnam: Point of order: The Minister is lying his head off again.

Mr DEPUTY-SPEAKER: Order! That term is offensive. Will the member withdraw it? He heard the ruling of the Speaker given today.

Mr Peter Debnam: No, I will not. The Speaker actually allowed that language, and allowed this language from the Minister less than 24 hours ago when he was referring to me.

Mr DEPUTY-SPEAKER: Are you challenging the ruling of the Chair?

Mr Peter Debnam: I am telling you that the Minister is a serial offender in terms of lying.

Mr DEPUTY-SPEAKER: I am telling you to withdraw the term.

Mr Peter Debnam: I am telling you that what we need to very clearly understand in this debate is that I had a very brief meeting with the director-general of the department when I gave him a lift from Circular Quay back towards the centre of the city, and he mentioned that the Government was planning to draft legislation to deal with the Kirklands and Westbus issue.

Mr DEPUTY-SPEAKER: Order! The honourable member for Vacluse will not withdraw, and he will not detail his point of order. The honourable member will resume his seat!

Mr Peter Debnam: The Minister has suggested that he could not brief me.

Mr DEPUTY-SPEAKER: Order! The honourable member for Vacluse will resume his seat!

Mr Peter Debnam: The Minister has suggested he could not brief me because I was not in the House.

Mr DEPUTY-SPEAKER: Order! The honourable member for Vacluse will resume his seat!

Mr Peter Debnam: I can tell you, I was in New South Wales, and I was in Sydney, and I was in this suburb, and I was readily available to be briefed. All members of this House, the director-general and the media have my mobile number and can brief me at any time. Feel free!

Mr DEPUTY-SPEAKER: Order! That is grossly discourteous to the Chair. The honourable member for Vacluse will resume his seat. The Minister may continue. I am sorry I could not obtain a withdrawal.

Mr JOHN WATKINS: This is important legislation about the continuity of bus services. I understand that the honourable member for Lismore has been briefed about this legislation in some detail and is supportive of it. It is important that we get this legislation through. I should put on record that there has been a whole series of negotiations with the Bus and Coach Association [BCA] over the new contracts that have been put in place in

New South Wales. If you speak to the BCA, it is happy with the outcome of the contracts that are currently in place in New South Wales.

Mr Peter Debnam: Point of order—

Mr JOHN WATKINS: I will leave my comments at that. I commend the bill to the House.

Mr Peter Debnam: The Minister is misleading the House again. The BCA is actually here. The BCA is not happy with what the Minister is putting forward.

Mr JOHN WATKINS: I did not say that.

Mr Peter Debnam: They are hoping that the Minister will amend the bill.

Mr DEPUTY-SPEAKER: Order! That is not a point of order.

Mr Peter Debnam: It is a very solid point of order.

Mr DEPUTY-SPEAKER: Order! It is not a point of order. The honourable member for Vacluse will resume his seat.

Mr Peter Debnam: We need to understand exactly why we do not trust this Government and, specifically, why we do not trust this Minister.

Mr DEPUTY-SPEAKER: Order! The honourable member for Vacluse will resume his seat! Gross discourtesy does him no credit.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 42

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

Noes, 33

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

Pairs

Mr Bartlett
Ms Gadiel
Mr Gaudry
Mrs Perry

Mr Armstrong
Mr Brogden
Mr Humpherson
Mr Merton

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time and passed through remaining stages.

SYDNEY 2009 WORLD MASTERS GAMES ORGANISING COMMITTEE BILL**Second Reading**

Debate resumed from 25 May 2005.

Mr GEORGE SOURIS (Upper Hunter) [5.23 p.m.]: At the outset I indicate that the Opposition will not oppose the Sydney 2009 World Masters Games Organising Committee Bill, and in doing so I will make one or two observations. The International Masters Games Association awarded the Games to Sydney last June and the New South Wales Government signed a contract in November 2004 for the staging of the 2009 World Masters Games. In signing the contract the Government agreed to set up a separate entity, which the Government has decided would become a statutory corporation under the legislation. The various functions of the Sydney World Masters Games Organising Committee [SWMGOC] include the organising, staging and underwriting of the Sydney 2009 World Masters Games. Possibly that is the only element of risk that remains. Although no budget has been set, an indicative amount of \$19 million was included in the second reading speech of the Minister for Tourism and Sport and Recreation, which will fund not only direct expenditure related to the Games but also salaries and administrative costs.

The Opposition does not anticipate that there will be any need for capital expenditure on venues, although who knows whether there may or may not be some small amount. One of the benefits of staging the Sydney Olympic Games in 2000 is that some of the facilities, the legacy of the Games, are available once again, as they were for the Rugby World Cup, to stage the 2009 World Masters Games. I commend the Major Events Board of New South Wales, headed by Nicholas Shehadie, and congratulate it on negotiating and winning the right to host the Sydney 2009 World Masters Games. It is anticipated that the Games will attract 30,000 competitors. I know the multiplier effect will impact significantly on the economy of this State. It is an event worthy of the Government's involvement, patronage and direct organisation.

The Minister stated in her second reading speech that the 2004 Brisbane World Masters Games and the 2002 Melbourne World Masters Games attracted some 25,000 participants, but it is expected that the 2009 Sydney Games, particularly following the successful staging of the Sydney 2000 Olympics and the Rugby World Cup, will attract perhaps 30,000 competitors. Together with family and entourage, this will result in a rather large number of people attending the event over the period 10 to 18 October 2009. The SWMGOC will be exempt from the Freedom of Information Act. I note that the exemption refers specifically to commercial and confidential documents related to the International Masters Games Association. The Minister and the Government should ensure that the exemption from the Freedom of Information Act is not misused. I have pleasure in commending the bill to the House.

Ms SANDRA NORI (Port Jackson—Minister for Tourism and Sport and Recreation, and Minister for Women) [5.29 p.m.], in reply: I thank the Opposition, particularly the shadow Minister, for its bipartisan approach to the Sydney 2009 World Masters Games Organising Committee Bill and for its support for a great event for Sydney in 2009. As the Minister for Tourism and Sport and Recreation I am very pleased that the lead-up to the 2009 World Masters Games in Sydney will provide an opportunity to really drive home the message about active and healthy living, and to promote the social and community benefits that may be derived from participation in sport and physical activity. I regard Sydney's hosting of the World Masters Games as a beacon that guides fulfilment of the Government's public policy objectives. The Games will complement existing Government programs by targeting community health, fitness and obesity.

We should remember that the World Masters Games will be for the whole community and that they are not reserved for the sports elite, albeit that the sports elite will participate. For aspiring Sydney 2009 competitors, there will be a maximum of 27 sports on the Games program comprising 17 core sports and up to 10 optional sports. My office will devise a process for determining what the optional sports will be, but I have made it very clear to the department that dance sport could be included. I understand the International Masters Games Association [IMGA] accepts that, and I accept that the program is its call. However, I am very keen to see dance sport included, not just because of its recent popularity.

For me, dance sport represents something that goes well beyond the sport itself. It represents an activity that is recreational, that can be performed by children, by younger people and by people right throughout their lives until they reach older age. It can be participated in at the community level, the social level, the fun level, the personal level or the elite level. It can be a very technically demanding aerobic sport. Anyone who does not believe me should take the pulse of someone who has just done five dances in a row in a competition final. Dance sport is one event that I want to see included. I think that dance sport is perhaps an art that this whole community could benefit from reviving.

With regard to the venues to be used for the event, the shadow Minister rightly recognised that we will use the facilities used for the 2000 Olympic Games. The main sports hub will be Sydney Olympic Park. The shadow Minister rightly identified the legacy of the Sydney 2000 Olympic Games. If it had not been for the infrastructure that the New South Wales Labor Government created for those Games, we would not have been able to hold the Rugby World Cup and we would not have been able to put up our hand to hold a number of events, including the 2009 World Masters Games. The other Olympic venues to be used include the Sydney International Regatta Centre, the Blacktown Olympic Park, the Dunc Gray Velodrome, the Ryde Aquatic Leisure Centre and the Sydney International Shooting Centre. The Games will also use soccer fields, baseball and softball diamonds, squash centres, tennis courts, golf courses, beaches and indoor sports halls across metropolitan Sydney.

As the Minister for Tourism and Sport and Recreation, I look forward to the economic impact of the Games, which has been estimated at \$60 million. Expenditure is currently estimated at just under \$19 million. As I have already advised the House, the Government has committed \$8.5 million in financial support for the Games between 2004-05 and 2009-10. The legislation will expire in 2010. The main non-government revenue sources for the Games are registration fees that are paid by each competitor and corporate sponsorship. It must be remembered that, unlike the Olympics, Games participants meet their own travel, accommodation and meal costs.

The Government will use the opportunity presented by the Games as leverage to benefit tourism and capitalise on the 30,000 attendances at the Games. Of the total number of people who are expected to attend the Games, 22,000 are estimated to be interstate and overseas visitors. As a result of other large conventions and conferences that have been held in Sydney, we know that the people of New South Wales are very lucky and very blessed because, as a destination, Sydney tends to boost the number of delegates and participants so, quite rightly, a participation rate higher than 30,000 is a legitimate expectation. I also suspect that a higher participation rate will derive from the fact that a large proportion of the population of New South Wales will have become just a little older by 2009 and therefore more people will be eligible for participation.

I extend my best wishes to the organisers of the Edmonton 2005 World Masters Games, and I thank them for their assistance and for the information that has been utilised in planning for the 2009 Games in Sydney. We will also benefit from a transfer of knowledge after the Edmonton games are concluded. Another goal I have for the 2009 Masters Games is that, just as the Sydney 2000 Olympic Games took the Paralympic Games to a whole new level from which they will never recede, which is a good thing, I hope that the whole notion of the World Masters Games is lifted to a whole new level by using all the fabulous expertise and know-how that Sydney and New South Wales can provide when it comes to hosting a major event—not to mention that Sydney is the most glorious city with wonderful, friendly people who will welcome all the Games participants. I reiterate my thanks to the Opposition for its support for the bill.

Motion agreed to.

Bill read a second time and passed through remaining stages.

GAMBLING (TWO-UP) AMENDMENT BILL

Second Reading

Debate resumed from 25 May 2005.

Mr GEORGE SOURIS (Upper Hunter) [5.35 p.m.]: It is with pleasure that I lead for the Opposition during debate on the Gambling (Two-up) Amendment Bill. At the outset I state that the Opposition will not

oppose the bill, the principal purpose of which is to extend the playing of two-up that presently is restricted to Anzac Day, except for licensed premises such as hotels, clubs and certain other venues. The origin of the concession that allows two-up to be played in licensed venues originated when the Coalition passed legislation to allow two-up to be played in Broken Hill. In 1998 the current Government introduced legislation to allow two-up to be played on Anzac Day. Although the Opposition does not oppose the bill, I wonder where the impetus originated to extend the concession for the playing of two-up in licensed and unlicensed venues to Remembrance Day, on 11 November, and Victory in the Pacific Day, on 15 August. There was hardly any public reaction when the Premier announced on 21 April that the concession would be extended to include those two commemorative days.

I have canvassed a number of stakeholders and I have received a similar response in respect of this bill, but certainly no opposition to the bill has been expressed by Clubs New South Wales, the services clubs, the Australian Hotels Association, the Wesley Mission and others. However, one or two negative comments have been expressed by ex-service personnel whom I consulted. In their opinion the playing of two-up ought to remain restricted to Anzac Day and the extension of the concession will serve to diminish the spiritual significance of Australian soldiers in overseas theatres of war playing two-up. I certainly have some sympathy for that view. I think that any further extension of the concession to other commemorative days would probably serve to highlight their concern because of the risk of the game of two-up becoming more commonly a recreational pursuit, without deference to its commemorative significance. I understand that the Government believes that the increasing incidence of younger people playing two-up on Anzac Day provides an opportunity for younger people and ex-service personnel to be engaged in a game of two-up together and possibly create a bond that otherwise would not exist.

If that is true, undoubtedly it would be diminished, particularly by playing two-up on some of the lesser known commemorative days. The Opposition will not oppose the bill, but we see no further need to extend the concession. If there were a need, the Government would have and should have included that extension in the bill. The bill has a worrying aspect in that it provides the basis upon which to extend this concession to other commemorative days by regulation rather than by new legislation. Consequently, the bill may be treated with a little less severity by the current Government or by any future government if and when this issue arises again. I thank the Minister for his consultation and for providing me with all the material I needed. I thank the Minister's staff member, Mr Daniel Cook, who was co-operative in providing me with all the information I sought relating to the bill. I hope that that co-operation extends to the next bill. I commend the bill to the House.

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [5.41 p.m.], in reply: The shadow Minister questioned the genesis of the extension of the legal playing of two-up to other commemorative days. That proposal came from the Services Clubs Association. Following consultation with the club industry, that extension is now generally supported by all ex-services associations and clubs. The shadow Minister also raised the future of the bill. It has been made clear that this is a pilot. The extension will be a trial for Victory in the Pacific Day and Remembrance Day, after which the bill will be reviewed. The concerns expressed by the shadow Minister have already been considered. I thank him for his support of the bill. I thank him also for his comments regarding the member of my staff who had the carriage of this matter. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Bill introduced and read a first time.

Second Reading

Mr GRANT McBRIDE (The Entrance—Minister for Gaming and Racing, and Minister for the Central Coast) [5.44 p.m.], on behalf of Mr Bob Carr: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill continues the well-established statute law revision program that is recognised by all members as a cost-effective and efficient method of dealing with amendments of the kind included in the bill. The form of the bill is similar to that of previous bills in the statute law revision

program. Schedule 1 contains policy changes of a minor and non-controversial nature that the Minister responsible for the legislation to be amended considers to be too inconsequential to warrant the introduction of a separate amending bill. The schedule contains amendments to 49 Acts and four statutory rules. I will mention some of the amendments to give honourable members an indication of the kind of amendments that are included in the schedule.

Schedule 1 amends a number of Acts within the Arts portfolio, including the Art Gallery of New South Wales Act 1980, the Australian Museum Trust Act 1975 and the Sydney Opera House Trust Act 1961. The amendments made to those Acts will enable trustees to participate in trust meetings by telephone or other means of electronic communication. This is consistent with existing provisions in Commonwealth and State legislation, including more recent legislation in the Arts portfolio. Other amendments in the nature of statute law revision are also made. Schedule 1 amends also a number of Acts in the Commerce portfolio to remove the WorkCover Authority Fund as the primary source for the payment of costs of the operation of the District Court in relation to certain transferred residual jurisdiction of the now abolished Compensation Court. The proposed amendments are largely machinery provisions, transferring internal funding responsibility from WorkCover to agencies and organisations that are users and stakeholders.

Another amendment made by schedule 1 is to the District Court Act 1973 so as to enable former judges of the District Court to finalise matters that they have heard or partly heard as judges of the court. The amendment brings the position of permanent judges in line with that of acting judges in that respect. Schedule 1 also amends the University of Wollongong Act 1989 to increase the student membership of the Council of the University of Wollongong from one to two students, being an undergraduate and a postgraduate student. Schedule 1 makes a number of amendments to the Apiaries Act 1985, in particular to permit the director-general of the Department of Primary Industries to delegate his or her functions under the Act and to allow regulations to be made specifying offences for which penalty notices may be issued.

Schedule 1 also amends the Lotteries and Art Unions Act 1901. The amendments make lawful the conduct of tipping competitions in which the prize pool is distributed in accordance with the rules of the competition, broadening the current requirement that the prize pool be distributed only to the participant who accumulates the most points. At present, the Legislation Review Committee may report on a regulation only while it remains subject to disallowance. Schedule 1 amends the Legislation Review Act 1987 to enable the committee to consider and make reports to Parliament on a regulation that has ceased to be subject to disallowance if the committee resolved to review and report on the regulation while it was subject to disallowance.

The last schedule 1 matter that I will mention is the amendment of the Interpretation Act 1987 to confirm that a declaration in an Act that a statutory body is a statutory body representing the Crown confers on the statutory body the status, immunities and privileges of the Crown. This reflects the settled law confirmed by the High Court in the Wynyard Investments case, but recent cases before the courts have cast doubt on that decision. The proposed amendment will not affect any legal proceedings instituted before the commencement of the amendment. Schedule 2 deals with matters of pure statute law revision consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Examples of amendments in schedule 2 are those arising out of the enactment or repeal of other legislation, those correcting duplicated numbering and those updating terminology.

Schedule 3 repeals a number of Acts, regulations and provisions of Acts. These include the Police Department (Transit Police) Act 1989 and the Police Department (Transit Police) Regulation 2000, which are being repealed because there are no longer any transit officers employed under the Act nor are there intended to be in the future. The Acts and instruments that were amended by the Acts or provisions being repealed are up-to-date and available electronically on the legislation database maintained by the Parliamentary Counsel's Office.

Schedule 4 contains general savings, transitional and other provisions. These include provisions dealing with the effect of amendments on amending provisions, savings clauses for the repealed Acts and a power to make regulations for savings and transitional matters, if necessary. The various amendments are explained in detail in the explanatory notes set out beneath the amendments to each of the Acts and statutory instruments concerned. If any amendment causes concern or requires clarification, it should be brought to my attention. If necessary, I will arrange for Government officers to provide additional information on the matters raised. If a particular matter of concern cannot be resolved and it is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill. I commend the bill to the House.

Debate adjourned on motion by Mr Russell Turner.

COURTS LEGISLATION AMENDMENT BILL**FIRE BRIGADES AMENDMENT (COMMUNITY FIRE UNITS) BILL**

Messages received from the Legislative Council returning the bills without amendment.

BUSINESS OF THE HOUSE**Routine of Business: Suspension of Standing and Sessional Orders****Motion by Mr Grant McBride agreed to:**

That standing and sessional orders be suspended to provide that:

- (1) no divisions or quorums to be called for the remainder of this sitting;
- (2) two condolence motions be moved at 7.15 p.m.; and
- (3) at the conclusion of consideration of the condolence motions, the House as a mark of respect, adjourn without motion moved.

[Mr Acting-Speaker (Mr Paul Lynch) left the chair at 5.52 p.m. The House resumed at 7.15 p.m.]

DEATH OF MR ALBERT JAIME GRASSBY, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr FRANK SARTOR (Rockdale—Minister for Energy and Utilities, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Premier on the Arts) [7.15 p.m.], on behalf of Mr Bob Carr: I move:

That this House extends to Mrs Grassby and family the deep sympathy of members of the Legislative Assembly in the loss sustained by the death on 23 April 2005 of Albert Jaime Grassby, a former member of the Legislative Assembly.

This is a sad occasion. The death of Al Grassby is a great loss to Australian politics and to the Australian people. Al Grassby was being treated for cancer and had also been struggling with pneumonia in the months before his death, but he finally succumbed to a heart attack. He was 78 years old. Al Grassby was an inspiration to many of my colleagues and to many Australians. He, like me, was a proud expatriate of Griffith. Al Grassby is often referred to as the father of Australian multiculturalism. As a Minister in the Whitlam Labor Government, he introduced sweeping reforms in immigration, citizenship, services for people from non-English speaking backgrounds and indigenous affairs. He had an unwavering commitment to fighting for the rights of those who often did not have the resources to fight for themselves.

Following the proclamation of the Racial Discrimination Act in 1975, Al Grassby became Australia's first Commissioner for Community Relations. That meant that for the first time Australians were given a guaranteed right to protection from bigotry and prejudice based on their race. We have Al Grassby to thank for the fact that we still live by the basic premise that every Australian deserves respect and protection from race-based prejudice and violence. Many people, in remembering Al Grassby, have paid respect not only to his work but also to his character, his charm and, of course, his flair. But it seems that we cannot pay our respects to Al without mentioning his penchant for making a statement through his clothes. They were often outrageous, always colourful and never dull. This was an obvious way for him to express his personality, which was born out of his Irish-Spanish cultural heritage. But there was so much more to who he was and what he contributed.

While Al is most renowned for his work in politics, he continued his commitment to humanitarian causes throughout his life. Al Grassby travelled the country, speaking at functions, dinners and meetings about creating a more tolerant society and eliminating racial prejudice. In 1985 he was acknowledged for his work with an Order of Australia. In 1986 he was recognised by the United Nations when he was awarded the United Nations Peace Medal. Al was also involved in many other community causes and events, including the National Multicultural Festival. He was called on for his advice and experience by many community and multicultural organisations and he wrote and co-wrote a number of books on these issues, which are powerful reminders of his passion and commitment.

As I mentioned, Al Grassby lived in Griffith for some time when I was lucky enough to be growing up in the city. As a boy in Griffith I remember listening every Sunday lunchtime to the continental music program

on 2GB that was sponsored by Al Grassby. It was a fantastic program that went for about two hours. Al's knowledge of music and all sorts of cultures was absolutely incredible. We could not have a Sunday lunch without listening to the continental music program and Al Grassby. We much admired him as an identity in Griffith. He then stood for election to the Legislative Assembly as a candidate for the seat of Murrumbidgee, and subsequently became the member for Murrumbidgee. Al later contested the Federal seat of Riverina, which he won, only to lose it later in a campaign that did not reflect well on some of his opponents.

Al made a huge contribution. He was an icon in Griffith. He was much admired as a person with enormous energy and a terrific sense of humour. During the 1972 Federal election campaign I went to watch a debate between Al and Doug Anthony at a hall in Griffith. It was a most interesting spectacle and Al handled himself extremely well, as he often did. Many years later I moved to Sydney to attend university. I then had various jobs and eventually became the Lord Mayor of Sydney—a little by accident. I then came upon Al Grassby. At the time he was involved in one of his many passions. He was concerned about the proper recognition of South American heroes, and particularly the state of the Ibero-American Plaza in the City of Sydney, which is a little space with a few statues of some of the heroes of Latin America. He lobbied me and brought countless consular officials and ambassadors to help persuade me to upgrade the Ibero-American Plaza.

At that time I was trying to upgrade the whole city with a limited budget prior to the Olympics, and it was not easy to find money. But eventually Al won and the Ibero-American Plaza, which is located in Chalmers Street, Sydney, was upgraded and Al attended the wonderful opening ceremony. I also came across Al in various other forums and in my other dealings as Lord Mayor of Sydney. He was always lobbying for a cause and trying to help or to give groups appropriate recognition, and for that I admired him very much.

The legacy of Al Grassby is an Australian one. He helped to pave the way to the creation a society in which diversity and multiculturalism are highly valued. I remember from my boyhood years the motto he said so often on the continental music program that the things that unite us are far greater and more important than the things that divide us. He is survived by his wife, Ellnor Grassby, who is in the public gallery—and daughter Gabriella Davis—who said: "Al's legacy is one in which he opened Australia up to being a rich and blended and tolerant society of people who can live together in harmony. He had an enormous life force." I echo those words: Al Grassby had an enormous life force. He was a man of enormous energy, of boundless ideas and passion—the type of person who helped make this country strong. He helped make Australia a potpourri of cultures, which has given this country the character that it has today. I know I join with all honourable members of this House in remembering one of the great characters in Australian politics, and I extend my sympathy to his family.

Madam ACTING-SPEAKER (Ms Marie Andrews): I acknowledge the presence in the public gallery of members and friends of the late Al Grassby. I particularly acknowledge the presence of his widow, Ellnor, daughter Gabriella and grandson, Khedra.

Mr STEVE WHAN (Monaro) [7.25 p.m.]: I also acknowledge Ellnor, Gabriella, Khedra and friends of Al in the gallery. It is a great honour to speak on this motion dedicated to Al Grassby and to acknowledge a person who made an enormous impact on Australian society. I had the privilege to attend Al's funeral in Canberra, something that will stick in my mind for a long time, because not only was it huge, it was colourful. Just about everyone there wore a trademark Al Grassby tie, which made it special. The tributes paid to Al at the funeral were very special and well deserved. In my comments I am indebted to the work done by Senator Kate Lundy and Cameron Murphy, who provided the background material for a tribute at Al's funeral.

Not many people in New South Wales would not have had a contact with Al or Ellnor Grassby. I joined the Australian Capital Territory branch of the Australian Labor Party, where they were both members, and we came across each other many times over the years. I saw their commitment to the Labor Party and the character that they, and particularly Al, brought to the party for many years. Al also knew my father in Federal Parliament for a short while—too short, unfortunately. I asked my father if he wanted me to say anything about Al in this tribute. He babbled on and I have had to severely cut what he told me. He reminisced about campaigning with Al in the early 1970s when Dad was trying to be elected as the honourable member for Eden Monaro and Al lent a hand. He said that Al was the father of multiculturalism, which was really important, but also that he was supportive of and backed farmers in New South Wales at all times.

My father said that Al was determined to help farmers in sometimes not entirely acceptable ways. He said that on the way to a Goulburn meeting Al informed him that he wanted to talk about the exchange rate and how, if they were elected to government, the government would keep the exchange rate low to suit the farmers. I

gather that Dad said he could not say that, so without a speech he apparently—this is one of my father's stories so I do not know—looked up to the roof of the room, saw that it had a beautiful cathedral ceiling and devoted his entire speech to it, much to the joy and entertainment of those in the room because of his knowledge of its architecture.

My mother chipped in with some of her memories of Al. She told about an occasion when Mum and Dad and my grandmother went out to lunch with him. What struck her and has always stuck in her mind from that lunch was Al's great respect for older women. He treated my grandmother like a queen; she felt extremely special following that lunch. I listened to the funeral proceedings and heard stories about how Al managed to fit so much into his day—paying little respect for the tyranny of distance in New South Wales, being willing to drive from one end of the country to the other to get his job done. Dad told me about them going to Bombala to campaign when Dad was a member of Parliament.

They had skipped Parliament to go to a function in Bombala. Part way through the evening Al informed Dad that he had to get back to Parliament House in Canberra to make an adjournment speech; that he had already put out the press release, so they just had to make it back on time. That took Dad somewhat by surprise, but he jumped into the car with Al and they headed off on the drive back to Canberra, only to run out of petrol when just into the city of Canberra. Undaunted, Al grabbed my mother, jumped out of the car, flagged down a motorist who was coming out of the drive-in that then existed in Canberra and managed to convince the motorist to drive him to Parliament House, where he delivered his speech on time. Al obviously was one of those people who live life at a hundred miles an hour. Those who were exposed to him in any way would have witnessed that.

Al was born in Brisbane in 1926. His grandfather and father were from Spain and his mother was Irish. They spent a long time travelling abroad. I was greatly entertained by a story told by Cameron Murphy in his contribution to the funeral service. He mentioned that Al joined the British Army towards the end of the war and brought his own sense of style to the British Army. Cameron Murphy said it was Al's first real experience of the military, and added:

Al, as we all knew, had a great love for clothes and wanted his clothes to express his personality. When they gave him his private's uniform, he didn't think it was very stylish, and thought something should be done about it. He had made good friends with an Italian tailor in Dartmouth, so he took the uniform to him and had it remade. And when he returned to his barracks, the story goes, his sergeant asked him, "What army are you from?" Al's reply was, "Yours, sir."

From those early days we learnt of the style that Al would bring to everything he did. Senator Kate Lundy mentioned at the funeral that Al had said recently:

The ties came with the Whitlam Government because I decided that we were liberated from a dull and colourless past to a new and colourful Australia.

I do not think anyone would doubt that one of Al's lasting legacies will be a more colourful Australia. It is an Australia which appreciates multiculturalism and the many and varied contributions that so many different races make to our country. Al's history was of creating, and the fact that he effectively created what was the first ethnic radio program has already been mentioned in the debate tonight by Minister Sartor. Al's epitaph, perhaps his reputation among the people, as the father of multiculturalism was very well deserved and recognised from an early stage in his life. He loved the Griffith area because of its multicultural diversity derived from the waves of immigrants who had come to the area after the war and made it an amazing place to live.

Al was elected the State member for Murrumbidgee in 1965, so he came to Sydney to represent that area, and was appointed shadow Minister for Agriculture and Conservation in 1968. Had we had Country Labor then, no doubt Al would have been at the forefront of it. I was very impressed that our colleague the Hon. Tony Catanzariti credits Al with being the person who introduced him to and excited him about politics. It is a great ability to be able to excite fellow community members to get involved in government and politics and be part of the community. That is yet another lasting legacy of Al. We are thankful that he was able to excite the Hon. Tony Catanzariti to an interest in politics and his eventual election as a member of the other place.

I suppose Al was best known around Australia as a Minister in the Whitlam Government. Gough Whitlam had convinced Al to run for the Federal seat of Riverina, which he won with a 26½ per cent swing—the biggest in the country. It must have been an incredibly exciting period for Al, Ellnor and the family. Anyone who, like my father, was a part of the Whitlam Government remembers those times as being unfortunately short but incredibly exciting and tumultuous. So many things were happening. Al assigned a wide interpretation to his

portfolio interests. He was interested in not only immigration and the importance of multiculturalism but also Aboriginal Australians, and was instrumental in the reform of laws to make things fairer for indigenous Australians. He introduced a wide range of reforms in citizenship, immigration, services for people with non-English speaking backgrounds, and indigenous affairs. He banned racially selected sporting teams from playing in Australia, and applied new, non-discriminatory procedures for the selection of migrants and the issue of tourist visas.

I am told that Al was responsible for ensuring a proper and appropriate commemoration of the Eureka Stockade, and managed to found an event, which still continues, in the celebration and commemoration of the Eureka Stockade. There is so much more that could be said about Al's life. It is a pity that we do not have the sort of time this evening that was available at the Canberra funeral service. A lot of Al's former colleagues were at the funeral service. I think it would have been fantastic if every Australian could have heard the tributes that were paid to the contribution he made to Australia.

After his defeat in 1974, Al went on to become Commissioner for Community Relations, appointed by Gough Whitlam. He made the new Racial Discrimination Act work in Australia, ensuring for the first time ever that Australia really affirmed its opposition to all forms of racial discrimination. Over many years he continued to have an amazing profile in the community and continued with the good work that had characterised his life up to that point. As has been mentioned, Al was awarded the Order of Australia in recognition of his work in immigration, and was also recognised by the United Nations. He had shown amazing leadership in Australia. As a member of this place, I know the great contribution Al made to State politics in New South Wales and to the community.

As I said earlier, Al made Canberra his home. That is where I came across Al and Ellnor. It was a source of constant amazement to me that no matter what function he was at, Al seemed to know everyone in the room. He certainly was a larger than life figure, and always had warmth for everyone he saw. He was the centre of a number of extremely famous lunches in Canberra which, from the stories that have been told, just about everyone in Canberra attended. Unfortunately, for some reason I am not too sure of, I did not manage to get to those, a fact that I now regret. I understand that the event held after the funeral also proved to be a very memorable occasion. Yet again, unfortunately, I was at the electorate office keeping appointments. I have since heard from many people that that was an amazing occasion, with people reminiscing about their experiences with Al, his hospitality at the various lunches he organised, the stories that he told, and the contributions that he made to our country.

It has been a pleasure for me tonight, even though it is a sad occasion, to reflect on the life of Al Grassby, to recognise the contributions that he made to Australian life, and to acknowledge that he was a person who brought light, and I suppose enlightenment, to Australia as a result of his years of work. I express my condolences to Ellnor, the family and all Al's friends and supporters, on his death. But, more importantly in some ways, it has been a pleasure to acknowledge the great contributions he made during his life.

Mr ALAN ASHTON (East Hills) [7.40 p.m.]: I place on record my appreciation of the life of Al Grassby and offer my condolences to his family and friends on his passing. He was a great man in a great Labor Government. I note that Al had the privilege of serving in this Parliament and the Federal Parliament, which is fairly rare. Not too many people can make the transition. Often those who move to the bigger venue in Canberra do not achieve much. Unlike the honourable member for Monaro and the Minister for Energy and Utilities I never knew Al personally, but I know that when we thought we won government in 1969—as honourable members know, we did not, but we were very close and I am sure everyone has seen *Don's Party* enough times to know that—a fellow called Al Grassby was elected in the seat of Riverina. Although Country Labor has gone on to win many seats that Labor Party candidates traditionally should never win, his election was a revelation to many people in the Riverina and the Australian political landscape. Al Grassby was so courageously brave and so different from the bland politicians that both sides of the political spectrum seemed to produce in those days.

Mr John Brogden: Just because he left you his ties.

Mr ALAN ASHTON: Yes, I will get to that. Al Grassby spent only a short time in Federal politics. He was elected in 1969 and he lost his seat in 1974. Many people would not have settled into the job or made a contribution at all in such a short time. But when I joined the Labor Party in 1971 these great legends were already appearing on the scene—Gough Whitlam, yet to be Prime Minister, Jim Cairns, Lionel Murphy and the one you could never ignore, Al Grassby. As other speakers have said, Al Grassby became the Minister for Immigration. Al Grassby was not interested in how many more people we could get from Britain or from what

were believed to be the acceptable parts of the world. The White Australia Policy had just ended. Al Grassby had flair, passion and absolute commitment—it is no good having flair and compassion, and being a good speaker on radio or in the Parliament, if you cannot get other people to go forward with you—and he was able to do so much to change the nature of Australia, to bring it out of the 1930s and 1940s, and to propel it even beyond the 1970s into the 2000s.

Al Grassby took a great interest not only in the new immigrants that came to this country but also in the oldest Australians, the Aboriginal people, which was rare at that time. To the credit of Opposition members—Billy Wentworth was one—many took quite an interest in the affairs of Aboriginal Australians. It was not trendy to take an interest in Aboriginal affairs in those days. Al had an interest in our newest citizens, our migrants, and in our very oldest Australians, the Aboriginal people. It is fair to say that Al Grassby was the father of multiculturalism. I am not the first person to say that, and so many people have said it. I do not want to be overly political in a condolence speech, but although that word has been derided by some people, who would want to return to an Australia in which everyone was a white Anglo-Saxon, where the men wore the same sorts of suits and the women wore the same sorts of dresses? We are no longer an Anglo-Saxon outcrop on the bottom of Asia fearing everybody all around us. And thanks to Al Grassby's legacy we are never going back to the type of country we might have been before Al Grassby and the Whitlam Government arrived on the scene.

We recognised the new migrants. We encouraged them to become part of Australia. We did not insist they change their citizenship overnight and all of a sudden ignore their food, language and culture. Al Grassby recognised that bringing their cultures, religions, beliefs and food to this country was a vital part of making Australia a modern nation. He knew, supported by Gough Whitlam, that from immigration our economic life would be better and our social life would be so much better. Al Grassby was larger than life. We know that he was not a tall man or a great huge man in the manner of Gough Whitlam, but if one person could rival Gough's status it was Al Grassby. He was able to capture headlines because of what he said and, occasionally, because of what he wore. No-one can get away from that. Those stories helped to fashion his personality. Al Grassby typified the Whitlam Government: brave, outrageous, courageous and prepared to talk incessantly about the various issues that faced Australia in the early 1970s.

Al Grassby truly was a passionate Australian who flaunted his ability and knowledge on so many issues. They say, "If you've got it, flaunt it," and I think his family would accept that in Al Grassby's case that probably is a fair comment. He shocked some people, deliberately, out of their stupor in the 1960s, and that was at the time of the Vietnam War when a lot of things were happening. As they say, "If you can remember the 60s, you weren't there." I have a vague recollection of growing up in the 1960s. Al Grassby was so noticeable and so important. He was given an important responsibility, immigration. Today Australia is a better place and we hold a better place in the world because of the role Al Grassby played when he was a Minister and even before that, as my colleague the honourable member for Monaro mentioned. He continued to be involved after he left Parliament. It was not a matter of his taking his bat home and retiring. He held many positions in Australian life and continued to make Australia a diverse and multicultural society.

Tolerance is another word that comes to mind when I think of the career of Al Grassby, because he encouraged tolerance in this nation. For the past six years I have had a reputation in his House for wearing outrageous ties. I tend to favour more outrageous colours like yellows, greens and outrageous reds, and my favourite purple tie. On the day we heard that Al Grassby sadly had passed away I was wearing a white silk tie that had plants and vines up and down it. I remember that wherever I went people asked me, "Is that in tribute to Al?" And I said, "Yes. In fact, I put this one on this morning as a symbol of what he meant to young Labor people like myself who appreciated what he did." I was once named in the House by the Speaker because my tie was too loud for this Chamber. I have always thought and people have always commented that males have to wear suits in this Chamber, but a tie can set you apart. You need to be noticed so that you can get your opinion out. People look at you and they want to talk to you.

While I lived most of my younger life under a Coalition government, Al Grassby's flair and substance cheered me and others like me when I joined the Labor Party. His election in 1969 and the role he played in the Whitlam Government will never be forgotten. I want members of Al Grassby's family to know that their husband, father and grandfather played a vital role in creating the Australia that we know today. Today most State governments have Ministers for citizenship, as we do in New South Wales, or Ministers for multicultural affairs. We used to have Ministers for ethnic affairs—a term that is not used very much these days. I believe that legacy belongs to Al Grassby because the importance of embracing different groups who have come from different parts of the world to make a great contribution to Australian life has been accepted by all parliaments in Australia.

I offer my sympathy to Al's wife, Ellnor, his daughter Gabriella, who is not here tonight, Al's grandson, Khedra, and other members of Al's family. I notice the presence in the gallery of the Hon. Tony Catanzariti, a member of the Legislative Council. I think I am correct in saying that Tony's knowing Al as well as he did led him to become interested in politics. Some people might disagree with some of the things we do in the Legislative Assembly, but as a member of the more salubrious Legislative Council, Tony is well recognised as a true gentleman. If among Al's many other achievements we can count Tony's membership of the Australian Labor Party and his election to this Parliament as a representative of Country Labor, that is another great Al Grassby legacy. I am sure Tony has acknowledged that association and will formally acknowledge it at a later stage. I place on the record my appreciation for the wonderful career in politics and wonderful life of the Hon. Al Grassby.

Mr SPEAKER: It is well known that the Speaker normally does not have an opportunity to participate in public debates. However, I should like to say a few brief words about Al Grassby. When I was sent to teach at Oaklands in 1972 Al Grassby, as member for Riverina, was one of the first people to make contact with me. It was my first time away from home—I had never left Sydney or my parents before—and I did not know anybody in that remote area. Al befriended me and I was very grateful to him. I will say nothing more other than I hope history will be kinder to Al Grassby than the last few years of his life were. I hope that history will record the great contribution that he made as an Australian to our multicultural way of life and the way in which he was a role model to many people from foreign lands who sought to find a niche of their own in this great country and to make a personal contribution. I assure everyone close to Al that I think he also made a great contribution. His passing is a sad loss for this country, and I hope his life will be recorded in the proper manner.

Madam ACTING-SPEAKER (Ms Marie Andrews): Before I put the question, I wish to extend my deepest sympathy to Ellnor, to members of her family and to friends of Al Grassby. On many occasions I had the privilege of meeting Al. I, too, was impressed by his compassion and his deep love of Australia and Australians.

Members and officers of the House stood in their places.

Motion agreed to.

DEATH OF MR IAN DORIC GLACHAN, A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY

Miss CHERIE BURTON (Kogarah—Parliamentary Secretary) [7.52 p.m.], on behalf of Mr Bob Carr:
I move:

That this House extends to the family of the Ian Doric Glachan the sympathy of members of the Legislative Assembly in the loss sustained by the death of Ian Doric Glachan, a former member of the Legislative Assembly.

Mr JOHN BROGDEN (Pittwater—Leader of the Opposition) [7.53 p.m.]: It is an occasion of great mourning for the Parliament as the friends and family of Ian Glachan are present for this motion of condolence this evening. It was only a few weeks ago on 20 April that we all received the shocking news of Ian's unexpected and untimely passing. I again express, on behalf of the Liberal Party and The Nationals as well on this occasion as the Parliament of New South Wales, our deepest, genuine and heartfelt sympathies to the Glachan family. Present in the Gallery are Helen, Ian's beautiful wife, two of his three daughters, Ann and Alice—Jane having had to return overseas—and two of Ian's grandchildren, Oscar and Fergus. We are joined also by two people, Janette and Frances, whom—and I know I speak on behalf of my colleagues in particular when I say this—we have always regarded in a parliamentary sense as part of our extended families. Frances and Janette worked with and for Mr Glachan—never Ian Glachan—in the 15 years that he was the member for Albury.

Ian was elected in 1988 and retired in 2003. The one thing that can be said of Ian Glachan, while not unique but certainly rare, is that he entered the New South Wales Parliament as a gentleman and he left the New South Wales Parliament as a gentleman. He was always enormously respectful of this Chamber, which for him was a shrine to our democracy. It was a place that he always felt deserved, although it did not always receive, the dignity that the people of New South Wales expected it to receive. His great work was over 15 years of working for the Albury electorate. He has countless achievements to his credit in working for a community. I say very confidently that in 15 years in Parliament, I know that Ian Glachan changed for the better the lives of thousands of individuals and, through groups and communities, the lives of tens of thousands of people. He made their lives better because he really did care.

Fundamentally Ian Glachan always held to the fore the tenet that the real reason we are all here and the real reason he was here was to serve his community and to make it a better place. It can be said confidently and accurately of Ian Glachan that Albury is a better place for his 15 years of service. What was typical of many people of his generation, but particularly strong in his case, is that he had a wonderful career after leaving Parliament but more particularly before Parliament. He was an apprentice fitter and turner and a merchant marine officer. He was a small businessman and a farmer. He was a member of Parliament. After his retirement from Parliament he became a councillor for the newly formed Greater Hume Shire Council and its first mayor. He had a wonderful and incredibly varied career.

Ian Glachan was farewelled at a beautiful service in Albury after a very private funeral attended by his family at their wonderful home. Some of the tributes that have been paid to Ian Glachan are worthy of recording in *Hansard*. A former Deputy Prime Minister, Tim Fischer, who shared representation of the Albury community with Ian Glachan, said, "Mr Glachan never knew when to stop giving to the community locally, State-wide and nationally." The Anglican Bishop of Wangaratta, the Right Reverend David Farrer, said that Mr Glachan had been a significant figure for the St Paul's Church at Jindera, the northern Albury Parish and the Trinity Anglican College. A former Labor member for Albury, Harold Mair, said that, despite being on opposite sides of politics, he had enjoyed a long personal friendship with Ian Glachan. He said, "I am very sorry to hear this news. He did a great job as a parliamentarian." From an opponent, that is indeed high praise. The Mayor of Albury said that Mr Glachan had been a dedicated campaigner for the betterment of his region. He said:

Ian was never scared of hard work and was always involved in some community or charity work. He was one of the instigators of the Mercy appeal, which is nearing its target.

Ian was also a person who was able to bring the importance of Parliament to his local community. As someone who had the honour of serving as the Leader of the Liberal Party with Ian as a member, it is important to take a moment to note that a number of former Liberal Party leaders are present this evening—Kerry Chikarovski, the Hon. John Fahey and, earlier, the Hon. Nick Greiner. They all came here this evening to join the New South Wales Parliament in honouring Ian Glachan. Of all the tributes paid to Ian, there is no doubt that the most emotional and the most wonderful tribute was paid by Ian's grandson, Fergus, who spoke at the funeral.

In a simple but moving tribute, Fergus said that he knew 10,000 great things about Ian Glachan but would especially remember his cricket and tennis tips, and the fact that his grandpa always listened to what he had to say. Earlier this evening, we welcomed the Glachan family and friends with refreshments before coming down to the Chamber and I reacquainted myself with Fergus, who is present in the gallery. I said, "Hello Fergus." He said, "I don't know who you are." I said, "I'm John Brogden." He said, "Oh, that's right. You're the Leader of the Liberal Party." He said, looking me straight in the eye, at eight years of age, "I am a Liberal fan." That is good news—we might drop the voting age to eight—and something I know his grandfather would be very proud of.

In conclusion, I will talk about Ian's final speech. This Parliament has allowed members to develop the traditions of making not only a maiden speech but also a farewell speech. In Ian's farewell speech on his retirement in 2003 he spoke of his electorate, as one would imagine, and of achievements—not his personal achievements but more particularly those he had achieved with and for his community. At that time he said:

Finally, let me talk about the most important person in the world as far as I am concerned. That young girl I met at the Hornsby scout hall, way back—many years ago—has been a wonderful help and support for me. She has been a great gift that God has given to me and has enriched my life in a remarkable way. God has been really great to me. I have been blessed in many ways. First, to be given by His grace and through no merit of my own the great gift of faith that I can believe in the Lord Jesus Christ and, second, this great gift of my wife, of my three daughters, of our three fine sons-in-law and our six wonderful grandchildren. They are great blessings that God has given to me and I am most grateful for them.

I know of nothing that better describes Ian Glachan to me than his own words; I cannot think of anything more. However, I can say that with Helen and his family he was always comforted by their deep belief in Jesus Christ, a belief that was critically important to Ian and to Helen; it was the glue that kept them and their family together. For Ian and for Helen that belief also dictated how they undertook their public life. Of all the achievements of Ian Doric Glachan I know that his greatest achievement was his family. We all know that his greatest achievement was his family and with his passing I know that their grief and their sorrow, shared by literally thousands of people in the State of New South Wales, is some comfort to them. You are his greatest achievement, we always knew that, do not ever worry about that. Those of us who worked with Ian in this building and around New South Wales always knew that his greatest achievement was his family. He never stopped talking about the girls, about Helen and the grandchildren; and we knew that was important to him. There is no doubt that he left us too early but there is no doubt that he knows that he is in a greater place today.

Mr GREG APLIN (Albury) [8.02 p.m.]: On 20 April 2005 the Shire of Greater Hume, the electorate of Albury and our State lost one of its finest representatives. But much more than that, we lost a true man of the people and his family lost a devoted husband, father and grandfather. Ian Doric Glachan was a gentleman, the very embodiment of a gentleman. Many of the senior members of this House, together with the parliamentary staff who had occasion to work with Ian, to meet and talk with him, all said the same—he was the gentleman of Parliament. What made a man like Ian Glachan such a gentleman? It was his humility, his loyalty, his strong sense of public duty, his respect for others and his devotion to a loving family.

It was these qualities, combined with his rich experience of life, that Ian Glachan brought to this, the oldest Parliament in Australia. He liked nothing more as a guest speaker than to tell his audience the history of this institution and its importance to our Australian democracy. Ian Glachan was a member of this Parliament for 15 years: from 19 March 1988 to 20 March 2003. I moved to Albury in early February of 1988 so I was part of his constituency for his parliamentary career and our paths crossed many times. The Albury electorate, whatever its geographical configuration, was his community. He loved the people. He was equally at home on the farms in the country as in the towns and the city of Albury itself, for his background was so varied that he could relate to people from all walks of life. This was one of his greatest attributes. He loved nothing better than a cup of tea and a chat with people and wherever he went there was always a genuinely warm greeting and a friendly exchange.

Tonight the public gallery is filled with his family and friends, those who have travelled from Albury in the south, Lennox Head in the north, Gilgandra in the west and from many places in between. For their memories and for the benefit of members present I will trace a brief personal history drawn from Ian's own words and those of Howard Jones, local historian and senior journalist for the *Border Mail*. In his valedictory speech Ian observed that his life had been a very fortunate one and he expressed gratitude to all the people who had assisted him along the way. He was born in 1934 and although he grew up in a home where there was not a lot of money, it was a happy home. As a child he lived in a tiny house in a dead-end street in the working class suburb of Waverley at a time when Australia was at war. He remembered his mother taking him to see a Japanese submarine that had attacked ships in Sydney Harbour. One of the memories passed on by his mother is of the little boy who would put the poker in the fire whenever the copper was on. When it was red hot he would run out into the small yard and watch it fizzle in a bucket of water. A granddaughter asked his mother if she thought this was a bit dangerous, but she laughed and said it kept him busy for hours. It was probably good training for an average day in this place.

Ian attended Sydney and Homebush boys high schools and at the age of 15, on the advice of his father, he began an apprenticeship as a fitter and turner in a workshop near Darling Harbour. During his apprenticeship, when he was 16, Ian went to the Hornsby scout dance and there he saw a striking young woman, who was 14 at the time. This was to be a defining moment in his life, for the young lady was Helen Margaret O'Brien and he fell in love with her at first sight. Ian would always say that this was the most important night of his life for Helen was to be with him for the rest of his journey through life. It was a romantic story told with the same passion and admiration for over 50 years.

Ian was called up for National Service in the Air Force at Canberra for five months and when he was discharged he studied at night at technical college to gain a marine engineer certificate. As a Sydneysider he hankered to go to sea far beyond the heads and at the age of 21 he joined the Merchant Navy as a marine engineer and worked on ships for five years, mainly in the Pacific, visiting the United States of America and most countries bordering the ocean. During this time he married Helen in 1958 and left his seafaring life before the first of his daughters was born. Ian and Helen bought a farm at Uralla, New England, struggled for a while and shifted to a Gilgandra wheat property. After 10 years of farming, they sold the property and opted for a more reliable business in a town where they could educate their daughters. This brought them to the newsagency in Olive Street, Albury, which they operated for 18 years, living above the shop for some of that time.

To this point, Ian had never given any thought of entering politics until a retired Liberal member for Albury, the late Mr Gordon Mackie, suggested he might consider a political career. The Leader of the Liberal Party in the upper House, the Hon. Lloyd Lange, rang him and urged him to nominate for the 1984 election, but sitting member, Harold Mair, proved too strong. Ian continued to work in the newsagency for a daily 3.45 a.m. start, often working 80 hours a week but he was still politically ambitious. He made Albury marginal and won handsomely in the New South Wales Liberal landslide of 1988, when he was 53. In all aspects of his life but especially in politics, he believed "integrity is the basis of the whole thing—the only thing a politician can offer".

This small insight to Ian's life highlights a man who came from humble beginnings, a working class man who worked hard, travelled widely, raised a family and made a most significant contribution to his

community. Ian's Christian faith sustained him through the rough and tumble of political life—he was an active member of the Anglican Church, served as Parish Councillor in four parishes, as Rector's Warden and licensed Lay Reader and he was the inaugural secretary of Trinity Anglican College which recently named a new classroom wing in his honour. As fellow board member, Professor David Mitchell, said on that occasion, Ian was quick to volunteer for the low profile job of secretary, eager to perform the tasks—but it was really Helen who prepared the minutes!

Those who knew him well knew that he was not very big on technology. Frances Colquhoun was his electorate officer for almost 15 years and Janette Weber was in his office for 14 years, and both are here tonight. They told me that Mr Glachan—he was always Mr Glachan to Frances and Janette—hardly ever used things such as his mobile phone and when he retired and had to return his laptop, they noticed that the carry case had not been opened and in fact still contained some after dinner mints, which had been included as a gift to him. I enjoyed those mints. When he had to attend a parliamentary information and technology training session he had to send an email to the office as practice. He wrote, "Hello Frances. I don't like this much!" He also tried to learn how to type, but not very successfully. But he was most diligent as a correspondent and he wrote to his mother every week of his working life once he had moved out of the family home. His mother told her granddaughters that he never missed a week.

I mentioned earlier that Ian was fond of a cup of tea and a chat and it was no different when he was in his electorate office. Come mid-morning, he would announce to Frances and Janette, "Come on, it's 10 o'clock, must be time for our meeting." This would usually mean that it was time to sit in the back room for a cup of tea and a biscuit and discuss the previous night's episode of *Seinfeld* or *The Bill*, or he would tell stories about his days at sea, the farm, or Gilgandra, or work in the newsagency. He loved *The Bill*. If he and Helen were out to a function, the family was always asked to tape it and the first thing he would ask on the phone the next morning would be, "Did you tape *The Bill*?" At his home he would be out working with the sheep, in his garden or feeding the chooks and he would regularly come to the kitchen door, opening it just enough to get his head in, and ask, "Is it cup of tea time yet?" Once he retired from Parliament he came to the door numerous times a day, so the family bought Helen and Ian a set of walkie talkies so he did not have to trek up from the paddocks to ask if it was "cup of tea time yet".

Telephone communication is an important part of any politician's life. It was no different for Ian, except that he preferred the fixed variety to the mobile. There were times when urgent messages had to be relayed and action taken to rescue him from difficult situations, such as the time Ian and Helen were in Sydney and due to present the debutantes at Henty's Debutante Ball that same evening. There was an airline strike and they could not fly back, so they arranged for a friend to collect clothing from their house and deliver it to the house of an acquaintance in Henty. They hired a car and drove directly to Henty where they hurriedly changed and made it to the ball just in time. Mr Glachan was the type of man who did not want to let anyone down by not showing up for a function. As the friend who undertook this mercy dash later remarked, "Ian and Helen soon learned to keep a wardrobe in Sydney as well as at home."

There was also the time when Ian drove himself to Albury airport on his way to Parliament and, without thinking, left his Volkswagen in the drop off area at the front door of the airport. Airport personnel rang his office and his staff had to go and move the car to the overnight car park for the week. That VW was his famous trademark. He had used it to deliver newspapers and he used it to great effect to deliver his campaign messages. Ian had a wide range of interests and a huge involvement in community organisations such as the Albury and District Historical Society, the Albury City Band, St Matthews Bellringers, the Combined Pensioners and Superannuants Association, the Albury Branch of the New South Wales Justices Association, the Albury Base Hospital Race Auxiliary and the Mercy Hospital Building Appeal Committee.

Ian was a dedicated Rotarian, the first new member inducted into the Rotary Club of Albury Hume in 1978, and he used to deliver the Rotary Club bulletins in the same manner in which he had delivered newspapers—early in the morning while it was still dark and if the garbos had preceded him there was a good chance he would run over the lid of your garbage bin or give your bin a good nudge. Many a meeting on Rotary affairs was held in Ian's small office at his newspaper shop. Due to a lack of chairs and the large amount of magazines and newspapers stacked on the floor, a popular place to sit was on the office safe. Ian was always very careful to ensure that the safe was well and truly locked and bolted to the floor whenever Rotarians were in his office. As one later told me, he would have made an excellent State Treasurer.

Ian and Helen were the founders of the Rotary Club's debutante ball and they both received Paul Harris Fellowships for their dedication to service. He was a man who loved to serve his community, and he loved

doorknocking. In fact, his office staff would suggest going doorknocking if they thought he was at a loose end in the office. He enjoyed the face-to-face contact with constituents and he would often be invited in for—you guessed it—a cup of tea. He would rarely talk politics on those occasions. Instead, he chatted about their garden or their family pets. He told me a story about a doorknocking experience when no-one appeared to be at home, so he slid a campaign leaflet under the door only to have it pushed back. He tried again and, once again, it was pushed back. He then heard some sniffing on the other side of the door and realised that there was a little dog guarding the house and it was not going to allow anyone to push anything under that door.

His family often accompanied him on his doorknocking expeditions, in particular Helen, but when she was unable to be with him he would take one of his daughters. On one such occasion he was talking to someone at the door and mentioned his lovely wife Helen and made a gesture in the direction of his youngest daughter, Ann, who was standing behind him. When he saw the look of amazement on the face of the householder he realised his mistake and hastily explained that this was his daughter and not his wife. Ian was the first chairman of the Health Care Complaints Committee, a member of the Public Accounts Committee and Acting-Speaker of the Legislative Assembly.

He listed among his achievements significant infrastructure developments for his electorate—a new Albury Base Hospital, police station, the school at Jindera, a hall for the school at Lavington and a new bridge at Borella Road. Ian was continually frustrated by the lack of progress on the upgrade of the Hume Highway at Albury. He referred to the long-awaited project in his maiden speech on 3 June 1988 and he reiterated this frustration in his valedictory speech in November 2002. He was delighted when the issue was finally resolved. In his valedictory speech Ian paid tribute to his colleagues and associates in Parliament and said that, despite media denigration of people in politics, his experience was "that they are all hard working and determined to do all they can to help the people they represent in their electorates". He said:

There would not be a person in this Chamber who works less than a 60-hour week, and many work even longer hours than that. They put their constituents before themselves and their families. I have the highest admiration for them all.

He was a positive person and it was no surprise that he adopted a sentence used by the Hon. John Fahey, who is with us tonight, as his closing paragraph in letters sent to constituents. The sentence was:

My aim is to make today better than yesterday and tomorrow better than today for everyone in our electorate.

After a few years Frances tried to get him to replace it with something new but he would not hear of it, as it truly defined what he wanted to achieve for the people of the Albury electorate. Ian stood for council. He stood for election to the council of the new Greater Hume Shire. He was successful and was elected by his peers to be the first mayor. He was the only councillor not to have served on a previous shire council, a tribute to his popularity and to the level of respect with which he was held. This ability to relate to people transcended all age groups and his eight-year-old grandson, Fergus, who is in the gallery tonight, wrote his own tribute, which he read at his grandfather's thanksgiving service. This is what he said:

I know 10,000 great things about Grandpa but I will only say 5.

1. He showed respect to his belongings and other people's belongings.
2. He was always giving me cricket and tennis tips.
3. He was always listening to what I had to say.
4. To prove all the things I said are true he was elected Mayor.
5. He was the best friend a boy could ever have.

One cannot talk about Ian's achievements without including his lifelong love, supporter, confidant and best friend Helen. They formed an unbreakable team built on faith, respect and devotion. After he retired from Parliament he and Helen embarked on a huge project to extend the garden on their property by an acre. It was good that he had time to indulge his passion for gardening, along with sailing on a freighter to relive the old days and, most important of all, he spent many hours with his grandchildren. His daughter Alice said that he died at the peak of his life, a truly happy and accomplished man. I would like to conclude with a piece of Ian's wisdom expressed in his reassuring, deep, resonant voice at his farewell function held in Albury and attended by Federal, State and community leaders. Ian said:

It's all about people—it's as simple as that.

Ms PAM ALLAN (Wentworthville) [8.18 p.m.]: As we just heard Ian Glachan was succeeded by another gentleman—the current honourable member for Albury. Ian and I were both elected in March 1988 but, quite extraordinarily, I hardly knew him until 1999. I think that says a lot about this Parliament. I got to know Ian very well after I left the ministry as he, the honourable member for Northern Tablelands and I served on the Public Accounts Committee from 1999. I want to say a number of things about Ian and Helen. I have already seen Helen this evening and this is a very difficult speech to make.

The period from 1999 to 2000 in the Public Accounts Committee was quite a turbulent one. It was at a time when the then chairman was under attack. To the disappointment of Ian's Liberal colleagues, he was very supportive of the then chairman of the Public Accounts Committee and formed a very strong bond, which I believe continued for many years. It was also during that turbulent period that we got to know Ian very well through our ordinary business as committee members. On a trip to Albury we had the chance to visit his home, meet Helen and have morning tea. We visited Albury for committee purposes but one of our first priorities was to inspect the farm of Ian and Helen Glachan—and we did so. We looked in the cabinet with all the curios and statues and we looked at their home and the farm. It was certainly evident how proud Ian was of his home.

I have thought a little about why I did not get to know Ian in the previous 10 years that we shared this Chamber. The obvious reason, of course, is that we were on opposite sides of the political fence. Some incredibly controversial issues were debated during the period from 1988 to 1999, and I took the opportunity this morning to scroll through all the speeches that Ian made in Parliament following his election in 1988. For the life of me, I could not find one personal attack by Ian upon me as a Minister, although he might have taken the opportunity to do so on many occasions. I found his contribution to the debate on the infamous bill to ban duck shooting in November 1995. Even then, when every other member of the National and Liberal parties was probably launching strong attacks against me, Ian made his point so politely it was quite obvious that I would not be seared by the heat of his argument. But he certainly represented the views of his constituents. I must admit that one of the wildest political meetings I ever experienced took place at Albury airport during that period. It was organised by Victorian duck shooters, and I am sure that Ian had nothing whatsoever to do with it.

This is a special week for many reasons. Of course, it is the Shires Association week and it is also the week when Helen and Ian had intended to visit Sydney and mingle with Ian's new colleagues, the presidents of the Shires Association, following his election earlier this year as mayor of Greater Hume Shire. When I spoke to Helen and Ian on the telephone about six weeks ago—I think it was in the week prior to his death—they said they were looking forward to spending this week in Sydney as attendees of the Shires Association functions. It is an enormous tragedy that we are talking about Ian in this place rather than Ian and Helen celebrating his new career as mayor of the shire and Helen's role as his partner.

I spoke to Ian several times after he left Parliament and he was finding the period between leaving this place and being elected to local government a little difficult. I think that is common for many people who leave politics. I thought he would be incredibly relaxed and totally preoccupied with all the things he had to do on the farm and in the community. But, in fact, he missed some of the stimulus, hence his successful run in local government that culminated in his election as mayor of Greater Hume Shire. I was absolutely delighted for him. I can only concur with his granddaughter: The only comfort we can take is that Ian was incredibly excited and happy about the fact that he had won that position. I saw him at Albury airport the week before the ballot. They do not hand out how-to-vote cards or election leaflets in those elections, and Ian said, "If they're going to vote for me, they're going to vote for me." And of course they did vote for him.

Earlier this week my nine-year-old daughter asked me, "Who's your best friend at work, mum?" I thought, "Children do ask you the toughest questions." I think we can delete the word "best" from that question because I do not think there are too many best friends in politics. But there are friends in politics. Not that many friendships transcend the multiple sides of politics that exist these days, but I considered Ian to be a dear friend from 1999 on. He was a kind, gentle and supportive person. We know not only from the comments that have been made this evening but from the experiences of the many people in the public gallery who probably knew Ian a lot better than I that he was a loving husband, father and grandfather. When the honourable member for Albury and I visited Albury in February we wanted Ian to accompany us to a function but he was babysitting that night so he could not come. But he made sure that he met us at the airport the next day. As has been said, his family was constantly his first priority.

I do not think Ian was nearly as conservative as people are trying to make out. I believe there was a little mischief in Ian, and I wonder why that was. He certainly had a close relationship with his mother, who influenced him very heavily. The honourable member for Albury referred to the weekly letters that Ian wrote

when he left home. Of course, Ian had only daughters, which has a profound effect on fathers. Alex Mitchell's piece in today's edition of the *Sydney Morning Herald* does not do Ian justice completely because it makes him appear to be much more conventional than I suspect he was. In a speech in 1994 Ian talked about his excitement about the announcement by John Fahey and Bruce Baird regarding the Olympics. He expressed genuine excitement about meeting the Governor and his wife, Mrs Sinclair. He also mentioned that it was the International Year of the Family, and went on to discuss the changes that had occurred in families over the years. Ian referred in many of his speeches to his personal experiences growing up, for example, going to visit his mother and finding that the price of petrol had risen by 10¢. He constantly referred to his personal experiences. Ian compared what life and families were like when he was a child with families in 1994. He said:

I guess we can never go back to those old values. It is impossible to hope that we could, so we have to adjust to the way things are today and the way they may continue to change. We have to accept that our old definitions are quite meaningless now, make adjustments, and see that those who need the help receive it. In my view the people who need the help most are children ...

He continued in that vein. I suspect that Ian was more radical than many people who are currently on the other side of the Chamber, but he certainly presented his views in a far more conventional and conservative fashion. As I said, Ian was very friendly to me after I lost the ministry. He did not approve of many of the things I did. He probably would not have approved of my hair colour and he certainly did not approve of the clutter in my office. But Ian was always supportive. He invited me to lunch one day with Opposition members, which was quite extraordinary, but I went and enjoyed myself. I wish Helen all the very best. It is an incredible time for her. Ian was an outstanding human being, and she knows that. Helen has many years of life ahead of her. Ian and Helen were both great contributors and great collaborators, and I certainly wish Helen and their family all the best in the future.

Mr DONALD PAGE (Ballina—Deputy Leader of The Nationals) [8.28 p.m.]: As Deputy Leader of The Nationals, on behalf of my wife, Morag, and on behalf of members of The Nationals, I extend my sincere condolences to Ian's wife, Helen, and to his daughters, Jane, Alice and Ann, and their families who are in the public gallery this evening. I attended Ian's funeral in Albury and it was a big affair. It revealed just how widely respected Ian Glachan was in his electorate. I understand that Ian was not big on having a large funeral and would have preferred a small, private gathering. But I am really glad, and I think the community is grateful, that the family gave us the opportunity to say goodbye to Ian in an appropriate fashion. We are also doing that this evening.

I came to Parliament at the same time as Ian, in March 1988, under the Greiner-Murray Government. We subsequently served together in the Fahey-Armstrong Government and, of course, in Opposition for far too many years after that. We served 15 years together until Ian's retirement in 2003. Other speakers have mentioned some of his contributions but I got to know him reasonably well during those 15 years and I want to reflect on how I found Ian. I valued many of our conversations, inside and outside this Chamber. During divisions it is a bit of a lottery as to where you sit; it depends on what seats are available. Over time, I was proactive in trying to sit beside Ian and have a yarn to him during the division. Quite often that yarn would turn into quite a deep and meaningful conversation well after the division had finished and everyone else had gone back to their offices.

Ian was easy to talk to and surprisingly interesting in many ways. He had a wide range of knowledge and interest in a variety of subjects that you would not suspect he had until you got to know him. When I was first elected I heard that the new member for Albury was a former newsagent. It was not until I got to know him that I realised that he had a wide range of experience in the Merchant Navy, farming in the New England area and later at Gilgandra, where he was involved in wheat production. He was a practical person in lots of way, although he would maintain that he was not. He seemed to know a lot more about machinery than I did; he was interested in anything that was relevant to life. Ian was a thoroughly decent human being; he was humble and in no way consumed by self-importance. He was not into self-promotion and did not particularly want to be recognised. As other members have said, he was a real gentleman.

How many members of Parliament would drive an old model Volkswagen around their electorate like Ian did? That was the sort of person he was. He had a lot of commonsense in life experiences, in dealing with people and also in relation to policies. When I was Assistant Minister for Roads and Transport in the Fahey-Armstrong Government, Ian was chairman of a backbench transport committee. Often he would provide very sage advice in relation to a Government proposal and on some occasions his view prevailed and the proposal did not go ahead. In his own quiet way, Ian made quite a contribution in meetings that will probably never be recognised in the public forum.

As the Leader of the Liberal Party, John Brogden, and the honourable member for Albury, Greg Aplin, said, he was not only a very good listener but a clear-thinking speaker and a person who observed very keenly

what happened in life and learnt from it. If anyone was interested he was happy enough to impart and share what he had learnt from his life. He was also a dedicated family man. I have many memories of our families and children, but they will remain private. His daughter Ann and her husband, Charles, live in my electorate. From time to time, Helen would organise something for the grandchildren, baby clothes or whatever, and Ian would bring them up from Albury on the plane and give them to me at the end of a sitting week. I would take them to Ballina and Ann would pick them up from my electorate office, so we had a good arrangement to make sure that the grandchildren were looked after. That is the sort of bloke Ian was: he tended to the little things behind the scenes that made people happy. Obviously a big part of Ian's life was Helen. In his valedictory speech I was rather taken by this comment:

During my apprenticeship, when I was about 16, I went to the Hornsby scout dance one night—the first time I had been to the old Scout Hall in Hornsby. There I saw a striking young woman—14 at the time—Helen Margaret O'Brien. I fell in love with her at first sight. It was the most important night of my life, and she has been with me for the rest of my journey through life.

That is marvellous. I am sure Helen will not mind me reading this, but he showed what a real gentleman he was when he said:

I can still remember quite clearly the night I met Helen and exactly how she looked. She has not changed at all.

That is marvellous as well. He also said about Helen:

When we went wheat farming I had this old international diesel tractor that was a cow of a thing to start. She would be out early in the morning in the truck with a chain pulling me around the yard so I could get the tractor started and off to plough the paddocks. She has been a great support to me. We went into a newsagency business and lived above the shop in a tiny little flat.

I can imagine Helen dragging Ian around on a chain to get the tractor started. They had a common purpose and goal: to make the farm work. That says a lot about good marriages and relationships. Ian and Helen's relationship, and the way their family is so tight, is a lesson for a lot of people today about the benefits of making things work. Ian was a bit disenchanted and genuinely concerned about the fact that politicians today are not regarded in quite the way they were in the past. We are not held in the regard that we would like to be or should be. One of Ian's legacies that we should think about on his passing is his attempt in the political arena to always address the issues. He was not into personal attacks, as the honourable member for Wentworthville said.

Those of us in public life should take something from the good example Ian set in relation to those issues, and if we are serious about restoring the reputation that politicians had 40 or 50 years ago, we should take a leaf out of Ian Glachan's book in the way we conduct ourselves in this place. Ian was respected on both sides of this House. He was proud and honoured to be the member for Albury. He never became a Minister, and I do not think he aspired to be one. He was proud to be in the Coalition team. His family should be proud of Ian as an individual and as a parliamentarian. He was a good friend to all of us who knew him, and we will certainly miss him. I offer my condolences to Helen and Ian's family.

Mr RICHARD TORBAY (Northern Tablelands) [8.40 p.m.]: I join with other speakers in offering my condolences to Ian's wife, Helen, and his family and friends who are in the public gallery. Like the honourable member for Wentworthville, I knew Ian for a brief time. I was elected in 1999 and appointed immediately to the Public Accounts Committee, on which Ian was well known, having been a significant contributor to that committee. As the honourable member for Wentworthville said, the Public Accounts Committee was a very good committee and its members got to know each other quite well. However, those were turbulent times. Many of the stories told about Ian this evening come as no surprise to me now, but as a brand new member of this Parliament I could not imagine being fortunate enough to have met anyone better than Ian Glachan. Ian spoke fairly and generously about everyone, no matter what their political standing in the Parliament or whom they represented. He was a fair, very decent and highly respected person. That observation of Ian never fluctuated in the whole of the four years that we served together in this place and as members of the Public Accounts Committee.

Ian often spoke in that forum about his family. And he also spoke often about his garden. I was unavailable for the trip on which I would have got to see the garden. I never did see it, but I heard all about it on many occasions. Ian also spoke openly about his passion about being the member for Albury. When I asked Ian for advice, the advice I got was always constructive. He was a man who always stuck to the issues, and would say it was about getting the outcome that would help the community. I do not know of anything unpleasant in his dealing with people. He was a thoroughly decent person. That was my first impression of him as a new member, and I never observed him to be any different from the day I met him to the day he retired from this place.

As a former local government representative, I was not surprised that Ian left this place with the respect of all members of this Parliament and was elected mayor of his community, because he loved his community. I know, from the few people who spoke to me, as has been well articulated by a number of members who spoke in this debate, including the honourable member for Ballina, that his local community was proud of him. Perhaps that is a fitting tribute to a very worthy parliamentarian and citizen.

Mr BARRY O'FARRELL (Ku-ring-gai—Deputy Leader of the Opposition) [8.42 p.m.]: Before I join my colleagues and members opposite in speaking to the motion, I acknowledge the presence in the gallery of a number of people—I know I do so at the risk of offending some—who have taken time from their schedules to be here. I particularly acknowledge Senator Bill Heffernan; Sussan Ley, the member for Farrar; the State's newest Senator, Concetta Fierravanti-Wells—or Connie Fierravanti, as I knew her at university; the President of the Liberal Women's Council, Helen Wayland; Marie Ficcaro, a former colleague of Ian's and mine, who is now on the State Executive; and Rhonda Vanzella, the female vice-president. I also acknowledge John Cameron, who has done so much unpaid work, over many years, to support people in this place, including Ian Glachan.

There are three types of columns used by the Greeks in the construction of the magnificent buildings that still exist across this planet. The most ornate, and highly decorate, are the Corinthian columns. Then are the slender, scroll-topped Ionic columns. Then there are my favourites, those that are found in the Parthenon, which are straight and simple and sturdy—the Doric columns. I never understood why Ian's second name was Doric, but as a student of ancient history, both in my higher school certificate years and subsequently, it fascinated me how Ian ended up not just with the name Doric but with the classic Greek spelling of that name.

I think the Doric column and its description—oldest, by which I mean wisest, sturdiest and simplest—sum up Ian Glachan. Ian was wise. In a profession obsessed with the here and now, Ian always had the ability to take the longer-term perspective. In working for his electorate, time and again he demonstrated the fundamental truth of the allegory of the tortoise and the hare. Ian and I, in many senses, could not have been more different. I was fat; he was fit. He was married the year before I was born.

Ms Pam Allan: He was nice!

Mr BARRY O'FARRELL: He was nice, he was a gentleman, he never uttered a nasty word or an angry word in this House—things I cannot say about myself. He imparted wisdom to those who came to know him. The honourable member for Ballina spoke about searching Ian out in divisions because he had a special way of talking to people about the here and now. But not only did he leave part of himself, as the honourable member for Wentworthville said, and not only did he teach us a few lessons, but he made you feel good about yourself. And, I have to say, perhaps in those moments when those opposite think that I am almost nice, he may well have shaped and knocked off some of the rough edges.

Ian was also sturdy. He exhibited all the vigour and determination needed to succeed in this place and in this profession. I would say it is a rare member who tries to be elected, fails, then fronts up a second time four years later and succeeds. On our side of the House would be the honourable member for Gosford; the honourable member for North Shore, who fronted three times before being elected, which only demonstrates that women are far stronger than men; and Ian Glachan. What is extraordinary about the challenge that poses is that not only do you want to have to do it, as Ian did following his 1984 defeat, but your local branch members have to want you to do it, and those who run the party must be prepared to have you do it. In 1988 branch members, Nick Greiner and head office were all delighted that Ian was prepared to have another go. He was endorsed almost immediately after the 1984 election campaign, and he campaigned full time.

I remember him telling us, when we were in Opposition, that each week he would get a telephone call at the newsagency from someone who worked for Nick Greiner. It was often a woman who would ring up and say, "Mr Glachan, Mr Greiner has asked me to call to see what is happening down there." He would say, "Barry, I knew that Nick had not asked any such thing, and that they just wanted feedback." He was always able to indicate this great way of dealing with candidates in the field, and he always proffered it to those in positions of influence to continue with newer candidates. I have to say Ian the sturdy relied on that strength when, in the 1999 election, because of a Federal funding issue affecting a local matter, he ended up having a very tightly run contest. I recall scrutineering for him. I remember searching him out in that funny little office he occupied down the back, with his cup of tea, and with his pad in front of him as he worked the numbers as we brought to him the latest reports. He remained stoic throughout. He remained upbeat, even though I am sure Helen could tell us that underneath it was turmoil, because it was a close thing.

Another thing about Ian that demonstrates the wisdom of the man was the work he did between campaigns, which I think got him across the line in that close result. This was a fellow who, as we have heard before, loved doorknocking and was a self-starter in that sense. This was the fellow who invented what I subsequently exported to my Liberal colleagues as the how-I-can-help brochure, which all our electorate secretaries hate, but which, combined with Ian's invention of a random letter issued on a weekly and monthly basis, over many years prior to that election, ensured that he was held in such good stead by his community. I think that demonstrates the wisdom of the man.

Ian demonstrated simplicity in a profession that we too often complicate and confuse. Ian thought spin was what something did when you turned it. It was not what Bob Carr and those other spin merchants do on a daily basis, which is to try to twist the truth to cast shadows where shadows perhaps do not exist, where you are simply trying to get out of a bad spot. Ian was as straight as a die. What you saw was what you got. Classically, his word was his bond and, quite frankly, his practice of politics was as far as possible from the image that most of us give to the profession. I have to say, as Don Page said, that if more of us engaged in that sort of politics perhaps we would not have the problem with reputation that we have. As others have said, being an MP for Ian was not about personal advancement and power, it was about working with and for his community. He was always quick to credit that community with any of the achievements he delivered to Albury during his term of office.

For the record, in his final speech he listed as his proudest achievements the new base hospital and police station in Albury, the new school in Jindera, the school hall at Lavington and the new bridge over the rail line at Borella Road. Of all the things that members of Parliament do I thought it was interesting that it was about bricks and mortar, improving people's lives and delivering the sorts of services that we, as State members, are meant to be doing. Ian's time in Parliament was about service and duty. As he said in his valedictory speech and as Alex Mitchell, to his great credit, picked up in the paper today, "Let me say what a great pleasure it has been simply to be Ian Glachan MP, Member for Albury." Helen, I have to say, as I wrote to you, that Ian was also a terrific role model, not just in how to be a conscientious, decent and hardworking MP, but in how to be a loving husband and father.

Ian was incredibly proud of his daughters, Alice, Jane and Ann, and their families. If drawn, if one inquired, because Ian did not always volunteer, Ian would expansively recount the latest developments with the three daughters, the sons-in-law or the six grandchildren. We traded stories, he about the latest achievements of Fergus and Oscar and me about the latest antics of my boys. And, as I told Fergus earlier, I confess to shedding a tear when I was sitting in London in an Internet cafe reading the *Border Mail* about Fergus' tribute at Ian's funeral. Ian was especially proud of Alice's success in local government. Since last year's council elections our talks always contained updates on the latest glowing report he had received from others about Alice's progress in that job in the community.

Indeed, our last extended talk was two months ago when he accompanied Helen to Sydney for what is the now famous annual general meeting of the Women's Council of New South Wales, held in the theatre of this building. I met him downstairs and I took him up to the office, and over tea we spoke about his venture into local government, the challenges confronting him as Mayor of the Greater Hume Shire, and he indicated, as the honourable member for Wentworthville said, how much he was looking forward to the challenge and how much he was enjoying it. He enjoyed helping with Alice's campaign. He loved his own campaign, and he was looking forward to the next four years. During that chat Ian recalled that when he left here he said in his valedictory speech that whilst it was sad for him to be leaving after 15 years it was simply that one era was closing and another would open up, and it had opened up.

We were then joined by the Leader of the Opposition and we spoke about Alice and her political future, although I have to confess that we thought her political future was north of the border and that it would not be as a member of the Victorian Parliament. But I wish her well for her preselection for Benambra in August. Perhaps if she succeeds it would be a fitting trade for Sussan Ley, whom we procured from south of the border and who now sits in Federal Parliament as Parliamentary Secretary doing great things for the Liberal Party in the seat of Farrer. Sussan Ley was another of those great achievements that Ian Glachan was proud of. He regaled us with lots of stories about the Farrer van, the portable campaign caravan used during the Farrer campaign. He was as pleased as punch with the results and, unlike myself, he managed to exhibit his pleasure without incurring the displeasure of our State colleagues in The Nationals.

I cannot ever remember a conversation with Ian that did not include an inquiry by him about my family. It was not just the usual courtesy, it just reflected Ian's genuine interest in people's welfare and their

activities. Ian was a terrific Liberal, a State director's dream: a hardworking member who required minimal care and attention. Bill Heffernan knows how rare that can be. He tended to his branches. He was a regular attendee at party forums, although in all the State Council meetings that we have all been to over so many years I can never consciously recall Ian rising to speak. He was one of those people, along with yourself, Helen, who attended and got around amongst the delegates, but he did not feel the need to stand up and thump his chest to demonstrate to everybody he was there and that he had all the wisdom in the world. Some of our regular delegates could take a few lessons. He confined most of his opinions to the party room and ultimately he did what all good members should do, and that is deliver us in Greg Aplin a worthy successor in the seat.

Ian was always loyal to his leaders, and I regret that in the last few years he had too many leaders, but he was always loyal to them. Although Ian was a gentleman and he was quietly spoken, as has been said, he was always keenly listened to when he rose in the party room to speak. I particularly remember his contribution in a Liberal party room at a difficult time for those of us who had a genuine country representation when gun law reform was being discussed following the Port Arthur massacre. Perhaps it was understandable that Ian, given his experience in 1984 and 1988, should regard Nick Greiner as his ideal leader and Premier, although in recent years it was clear that John Howard had certainly joined him in the pantheon of Liberal gods. I always remember the story that Ian told of one of Howard's visit to Albury when the Federal party was in that terrible period of Opposition. Ian was the State member. John, I think, was only a shadow Minister. He visited Albury and the media were at the airport to meet him. They were trying to trip him up on an important local issue that he could not have been briefed on.

John Howard was asked, literally as he walked through the door of Albury airport, what was his view on X issue. As Ian told the story, without blinking an eyelid he said, "I share the same position as Ian Glachan. Ian Glachan is standing up for his community and I am behind him 100 per cent," and he just kept walking. Ian, who did not engage in that sort of quick repartee, who thought about what he was going to say and meant what he said, was impressed not just by the way in which Howard had handled the media but, indeed, by the way in which Howard had clearly summed up Ian Glachan as someone who was in touch with his community and whose views would be safe to endorse regardless of whether or not you knew what those views were.

Greg Aplin mentioned the Volkswagen. Ian was very polite. Ian was a gentleman. I suspect I killed the Volkswagen. Helen, I remember two visits to Albury in close succession and, as some of you might remember, a few years ago I had a bit more weight on. On the first visit Ian met me and we travelled around in the Volkswagen. I tend to get in and out of things pretty quickly, slam doors, jump around and do all that sort of stuff. I remember parking outside the office and there was a bit of noise from my side of the car. The next time I came down I said, "Ian, where's the Volkswagen?" He said, "It's gone." He was too polite, I suspect, to tell me that I killed it, but I am happy now to stand and apologise for the death of one of those things that was characteristic of him. I turn now to someone who was an important part of Ian's life for 54 years, 46 of them as his wife. In his final speech, as has been said, he referred twice to meeting 14-year-old Helen Margaret O'Brien at a dance in a scout hall in Hornsby. Helen, I knew that you were a Waitara girl but I never knew you were Irish. Congratulations!

During Ian's valedictory speech Helen was sitting in the adviser's lobby of this Chamber where Kerry Chikarovski was sitting earlier, and I was sitting in the Whip's place, where the Whip is currently seated. As Ian paid his tribute to Helen as the love of his life, a gift from God, as someone who enriched his life, as a wonderful mother to their three children, as an uncomplaining companion in a life that encompassed his careers as a merchant navy marine engineer, a Uralla farmer, a Gilgandra wheat grower, an Albury newsagent and finally as a member of Parliament, not surprisingly Helen cried, quietly and in a dignified way, during Ian's remarks, and I will never forget the embrace they shared when Ian left the floor of the Chamber. Theirs was a great and inspirational partnership. I can only hope that the passage of time dissipates the sense of loss that undoubtedly Helen is feeling.

Before I conclude, I must mention that Bruce Baird, Kerry Chikarovski, who was here earlier, and the honourable member for Baulkham Hills, Wayne Merton, wanted me to place on the public record their respect and admiration for Ian, and their condolences. Helen, Wayne has his own travails at the present time but spoke to me last Friday and especially asked me pay his respects to you. Earlier I met one of the unofficial members of this place, Brian Ross, who told me that he was coming in this evening because, as Chairman of the Harness Racing Authority of New South Wales, he met Ian during his many visits to Albury. As an illustration of the things that country members do, Brian said that Ian never missed a meeting of the Albury sub-branch of the Harness Racing Authority, for which the authority is grateful. Brian is attending this evening, not just because he knows that Ian was a good bloke, but out of admiration for Ian's efforts on behalf of an important industry in country New South Wales.

Helen, as I left the house this morning, Rosemary asked me to extend her love to you. As I said earlier, I had always wondered about the origin of Ian's middle name. I discovered that if Ian was allowed to speak and if people listened eventually we would get the answers to most things. When Ian was speaking on the Community Relations Commission and Principles of Multiculturalism Bill 2000 he spoke of a number of matters. He recounted the history of the German and Polish settlement of Albury and the surrounding settlements of Jindera, Burrumbuttock, Holbrook and Bonegilla. Ian spoke of his school years, of his classmates whom he described as having British surnames, and of his fellow students' shabby treatment of a classmate whose family had fled Nazi-occupied Norway and whose only misdemeanour was to have an unusual name in those days, Carl. On that occasion Ian also spoke of his middle name—a name of which on that occasion he declared he was very proud.

Both of Ian's parents were born overseas. His father was born in Scotland and his mother was born in New Zealand. His mother's family were Cornish and were from Cornwall in the British Isles, and his mother's father, his grandfather, had been born on the high seas as his family emigrated. The name of the ship on which his grandfather was born was the *Doric*. The vessel had been built in Belfast in 1883 for the famous White Star Line and it steamed from Britain to Australia and New Zealand, bringing people to the Southern Hemisphere until 1895. I have no doubt that the vessel was steady and safe as it brought people such as Ian's grandfather to Australia.

Ian Doric Glachan touched people's lives—the lives of his families, his friends, his colleagues, his constituents and those who continue to enjoy, as the Leader of the Opposition has stated, the fruits of his 15 years of service to the people of Albury and its surrounds. May Ian rest in peace, and may his family take comfort in his achievements.

Ms MARIE ANDREWS (Peats) [9.03 p.m.]: I join with my colleagues on both sides of the House in extending my condolences to the family and friends of the late Ian Glachan. When I was first elected to this House in 1995 one of the first members from the opposite side I met was Ian Glachan. I must say that I was very impressed by Ian. He certainly was a true gentleman and was always very kind toward me. It did not matter on which side of the political fence one stood; Ian always extended his friendship and was always ready to assist in any way he could. Ian and I served on the Joint Committee on the Health Care Complaints Commission and Mr Acting-Speaker, the honourable member for Wallsend, was the chairman of the committee at that time. I must say that the committee was run very well.

Ian, as was his nature, always made an invaluable contribution to the work of the committee. He always came to the meetings with something worthwhile to contribute. He took his parliamentary duties seriously. I well appreciate that after he left this place he chose to go into local government because his life was all about being of service to his community. Whenever I could, which was not very often, I attended the parliamentary prayer group and I think I am correct in saying that for some time Ian was the convener of the group. In that role also I was very impressed with Ian. He had a very true Christian commitment. He led his life through an adherence to his deep Christian beliefs. I think that is something that today is pretty rare, and unfortunately it is becoming rarer.

I must say that I was very shocked when I heard of Ian's sudden death. He was not old by today's terms at 70 years of age, and he always looked to be in the best of health. But one never knows. Ian left us quite suddenly, and I imagine that would have been a traumatic period for his widow and family. I join with my colleagues in placing on the record my appreciation of the service of Ian Glachan to this place and my appreciation of being able to regard Ian as a friend. It was nice to be able to serve with him as a member of this Parliament. I extend to Ian's widow, Helen, and to his daughters, Jane, Ann and Alice, and to his six grandchildren, two of whom are in attendance, Fergus and Oscar, and to Ian's many friends who are also here, my deepest condolences. I think the fact that there are so many of Ian's friends attending in the public gallery speaks volumes of the high regard in which Ian was held. He certainly was held in very high esteem by members on both sides of this House. May Ian Glachan rest in peace.

Mr ANDREW TINK (Epping) [9.06 p.m.]: Ian Glachan and I came into Parliament on the same day, and I have no doubt that from that first day we were fated to remain very good friends. The first day we arrived in this place was a day of great celebration. It was the first day in this Parliament of the great Greiner-Murray Government after an election landslide victory. We all came into this chamber with high hopes and, as we found out rather quickly, not a few challenges. The honourable member for Ballina, Don Page, shared that first day with Ian and me, and he knows what I am talking about.

One of the matters I used to speak to Ian about was how to handle the latest Terry Metherell initiative in education. Terry was known for some very challenging policy initiatives which tested local members who held Government seats extremely sorely. I was often very interested to see how Ian and Don and others handled what I often regarded as something that was little short of a crisis in my own electorate. Ian was always a source of very calm advice distilled from very simple but firm principles about life. For somebody who had life experience to be able to impart some of his wisdom to somebody like me who was still a little bit young, raw and ambitious was terrific. It was wonderful to take my bearings from Ian because his background in the merchant navy and his general experience of life provided me with a perspective on some of the more challenging policy initiatives emanating from some of our ministerial colleagues.

The first three years of the Greiner Government passed with much excitement and great work was done, but I think it is fair to say that at the end of the first three years we were all shocked. There was a significant electoral price to pay for very necessary reforms that Nick Greiner and Wal Murray led. But from the end of the first three-year period from 1991, as Helen knows, things became very difficult for the Government. Although we still had a very strong heart as a parliamentary team, there was great instability and challenge in the Parliament. Of course, a year later Nick had to leave us. I have never said this to Helen before but personally that was a very challenging time for me. My father had become extremely ill at the beginning of 1992 and died on 24 May, a relatively young man, younger than Ian was. It was a great shock to me at that stage of my life, and put me on the back foot. I was not well prepared for what happened after that in the parliamentary party. After Nick left there were extraordinary challenges, changes and stresses in the parliamentary Liberal Party that caused me grief because I was emotionally challenged at a personal level at that time.

Ian was a source of quiet but enormous strength to me and that came from, again, those basic principles that he held in his own life, the simple points that he made. Ian was probably 12 years younger than my father, so he certainly was not of my father's generation, but he was sufficiently senior to me to provide me with advice and guidance to get me through a very difficult personal time and a difficult time in my career in this Parliament. Because of the age difference between Ian and my father I hesitate to call him a father figure, but there were elements of that in the advice he gave me. I wanted to tell Helen about that tonight and put it on the public record, something I have not done previously.

After the changes in 1992 Ian and I went on to the Public Accounts Committee. This is not something we like to boast about these days, but as members of that committee we actually saw the world—on two occasions! I would like to think that at the end of that time we produced some important outcomes. As far as I am concerned Ian was much more to this Parliament than the member for Albury; he was an outstanding member for Albury and in addition did some very important work on the Public Accounts Committee in three areas. First, I refer to the area of public-private partnerships in infrastructure. It has become commonplace these days to talk about public-private partnerships in infrastructure, but nobody talked about that in those days. The committee did some groundbreaking work in that area.

Quite a few fortunes have been made at Macquarie bank and other places as a result of some of the work that we did. I understand that those who remain in the industry—and what an industry it has become—still refer back to those reports that Ian played a vital part in helping to co-author. Second, I attended the recent Bench and Bar Dinner, where judges and barristers gather together. I was talking to the Senior Public Defender, Peter Zahra, QC, who reminded me that in Ian's time on the Public Accounts Committee we published an important report on public defenders. As a result of that report the law of New South Wales was recast and a new bill was put through this Parliament, reconstituting the public defenders on a statutory basis. They still talk about that outcome.

The third area, which is relevant to the then Director of the Public Accounts Committee, concerned an internal audit report, perhaps not a high-profile area but one which was very much involved in the good governance of this State. In more recent times the Director of the Public Accounts Committee, who helped Ian and the other members of the committee with that report, has become the Director of the Internal Audit Division of the United Nations, based in New York, Patricia Azarias. Patricia would want me to pass on her best wishes to you, Helen.

Yesterday I came into contact with Joseph Imrich, who was another member of the staff of the Public Accounts Committee. Joseph was quite shocked when he heard of Ian's passing and he asked me to extend to you, Helen, his condolences, as has Caterina Sciara. Another thing that Helen would know that Ian and I shared in common, apart from the Public Accounts Committee, was spending time as the Acting-Speaker of this House. Ian did a great job in that position. As a lawyer, I had difficulty carrying out that job because I tended to

approach it from a legal point of view. I thought that members of this House understood the concepts of important rulings, and perhaps I adopted the Rozzoli approach. I assumed that there was a judicial aspect to the job. What a fool I was!

From his life experience Ian understood that the job involved basic commonsense, and over the years he taught me to have a little commonsense. He did the job of Acting-Speaker superbly. It was a demonstration, if ever there was a need for a demonstration—and there was in my case—that the job of chairing this House is one of commonsense, not the job for hifalutin concepts. The best Speakers of this House understand that lesson and produce rulings and dispense discipline using commonsense and balance. In this Chamber Ian's behaviour was impeccable. I cannot remember him ever being called to order, except on one occasion—and that was a bit of a trick. Jim Small, his good friend and the member of an electorate not far down the river, and Ian had an impeccable record for not being called to order.

On one occasion towards the end of Ian's career, and when John Murray was in the Chair, Andrew Fraser somehow concocted to get Ian and Jim into trouble. They were both called to order by Speaker Murray. Ian was mortified, I have no doubt that it was the worst single moment of his parliamentary career. Jim Small was similarly devastated. Helen, what I am telling you is that that incident highlights the way in which Ian treated this Chamber. It is a pity that a lot of other members of Parliament do not treat it in a similar fashion. I regret to say that Barry O'Farrell and I are probably the worst offenders. Whatever guidance I received from Ian over the years, and there was much of it, it certainly did not include bad behaviour in the Chamber.

Helen, I am so sorry that Ian has passed away, and it came as a terrible shock to me. I was in Albury for the sixtieth anniversary of the Liberal Party. I will never forget the time that I spent there with him. Greg Aplin has made available the photographs that were taken on that day and I find myself going back to those photographs taken on the corner opposite where Robert Menzies organised the first meetings of the Liberal Party. It is extraordinary to have those mementos of the commemoration of an historic occasion of many decades ago. The photographs are far more important to me—and I do not mean to be morbid, but we are human beings—to remember my last time with Ian and speaking to him after a joint career in Parliament over 15 years. Those photographs are very special to me for very special reasons.

Helen, I pass on to you the very best wishes of my wife, Kerry, and wish you all the best for the future. I look forward to your ongoing and very strong contribution in the Liberal Party in the important position you now hold. I am sure Ian would be proud of you for continuing in that increasingly important role. I am very sorry and sad to be speaking to Ian Glachan's condolence motion tonight. I did not think it would come for many years and I am sorry it has come so soon. However, I am delighted to be able to publicly record my thanks to Ian for his assistance to me personally during some pretty appalling months in 1992.

Mr JOHN PRICE (Maitland) [9.19 p.m.]: I acknowledge the life of Ian Glachan and extend my condolences to Helen Glachan and her family. My knowledge of Ian was different from the knowledge that Opposition members had of him. I came into Parliament one term before Ian and I was delighted to find another marine engineer in this place. It was somewhat unusual—it was not a craft one would normally find in the Parliament—but it was nice to be able to talk to a soul mate. I found out about Ian's career because he had served for some time with the Australian Shipbuilding Board and I had come from the State dockyard in Newcastle. Although Ian was about four years my senior he and I had been involved in the same sorts of drawings and engineering material. To meet him again after almost 25 years was significant from my point of view.

Ian and I were not close, but we had a comfortable arrangement. We could talk together about things outside Parliament. Sometimes it is not always easy to speak about parliamentary things with members of the Opposition or members of the Government. I acknowledge Ian's local government service and his period as mayor. Ian came into the Parliament in an older age group, much as I did, and brought with him a wealth of knowledge that many younger members do not have—not of parliamentary practice but of life, the way it is lived and what people expect from public representatives. I think that accounted for Ian's quiet firmness and particular style. Anybody who loves doorknocking has to have a particular style. Ian enjoyed doorknocking and he often spoke about the people he had met and the problems he encountered during that period.

I never heard Ian utter a nasty word about anyone and I do not know whether that was part of his lifestyle. In this place where the trading of insults is part and parcel of life he did not utter a nasty word. Ian always won his point through quiet argument and a sensible comprehension of issues. Harold Mair, his predecessor, always spoke well of him. My wife, a Victorian, comes from Yackandandah. She has relatives at

Talgarno and Tallangatta and all those odd places. She has an aunt, Wilma Drummond. I think Peter Drummond and his father knew Ian and enjoyed his company. It does not matter from what part of the world we come, we always run into somebody who has met or has known a friend, or who was a friend of a friend.

The 93 members in this Chamber are privileged. They have been asked to represent their respective electorates, just as Ian represented his electorate. Community members place their trust in us and expect us to perform as best we can and to obtain the best advantages for them. Ian was well known for that. The Deputy Leader of the Liberal Party, Mr Barry O'Farrell, outlined earlier a number of projects with which Ian could be well identified—projects that improved the life of constituents in Albury. I also knew Ian through his interest in the Anglican Church. I was involved in the diocese of Newcastle. My wife and I were on a plane with Helen and Ian—my wife's father was canon of the cathedral in Newcastle—and I just left the pair of them to it. It was easier that way and I just danced around the fringes. Ian had a love for his church, his community and his family. He will be remembered publicly for those three things—significant icons in anyone's life. His quiet way of dealing with individuals in this place will be sadly missed. With great respect I say: Vale, Ian Glachan.

Mr PETER DEBNAM (Vaucluse) [9.24 p.m.]: As a number of people want to speak in this debate I will be relatively brief. I say to Helen and her family that my wife Deborah and I very much regret not having been able to attend Ian's funeral service. I said to Helen earlier this evening—Helen was in tears again—that tonight we are celebrating Ian's contribution to Parliament and also his life. It is a clear tribute to him that so many members of Parliament want to speak in this debate. After someone's death people speak about that person and we often hear new things, which is disturbing. I am sure we would all like to know more about those people while they are still with us. We all knew and enjoyed Ian. We loved the way he did his job and the way he befriended us all.

Most of us already knew all the things that we have heard tonight about Ian. John Brogden said earlier that Ian's family came first. His family was way out in front and community service came a close second. That was demonstrated again when Ian left Parliament and did what most of us would not think of doing: going again into local government. Everything else was way behind. There was clear daylight between family, community service and everything else, unless it was property investment. Clearly, property investment was up there somewhere. Ian and I often talked about the navy and the sea. Ian enjoyed being thrown around at sea far more than I did. He often talked with great affection about it.

He spoke also about tractors. One honourable member referred tonight to the fact that there were umpteen conversations in this Chamber about tractors and Ian's garden. Ian was an inspiration to everyone who knew him. He was a consummate public servant and community leader. Not many members of Parliament like doorknocking, but he did and I do. That really demonstrated the fact that Ian loved people. Earlier tonight someone mentioned the fact that Ian frequently said, "It's all about people." It is. Ian constantly reminded us of that. Tonight a number of members referred to an incident in this Chamber involving Ian and Jim Small and their horror at being called to order. The person relating that incident did not refer to the fact that during the whole of question time Ian and Jim did not stop talking.

Ian was a good listener, but the two of them chatted away throughout the whole of question time, and goodness knows what they were talking about. So it was fitting that somebody finally called them to order. When I first came into this place Speaker Kevin Rozzoli told me—the only words of advice he gave me—"Come in, sit down and shut up for as long as you can." Beyond that he gave me no further advice. But the advice for all new members of Parliament was, "Watch how Ian works the Parliament, the community and his colleagues." To many of us Ian was the source of sound advice. Reference was made earlier tonight to bad language. We had an outbreak of bad language in the Chamber this afternoon when John Price was in the chair, something in which I might have participated.

If Ian had been here we would have felt his eyes through the back of our heads. He would not have said anything in the Chamber but later we would have had a quiet visit from him and he would have talked about parliamentary standards. He would make the point that the public expected a great deal of everyone in this Chamber. He reminded us of that every day. He would also make the point that while doorknocking one had no hope of meeting every constituent. A vast number of our constituents hope that whenever we are called upon to make a decision in this Chamber or we do something outside this place, we do the right thing by them. That is one guiding principle that we should follow. Ian constantly reminded us of what we had to do. To do it well we had only to emulate him.

The Deputy Leader of the Opposition said that most members do not do the right thing by the Parliament, the Liberal Party or anyone else when choosing a successor. But it was clear from the speech by the

honourable member for Albury tonight that Ian provided the perfect successor. Behind the scenes—whether during private conversation or in the party room—Ian told us frequently what was right and wrong and made sure that we knew which direction to take on many issues. Community service was very much at the forefront of Ian's mind and of everything he did, as was demonstrated in his move from State Parliament to local government. It was clearly a pleasure for us all to know Ian and to work with him. It was equally a pleasure to know Helen and her family. As every speaker has said tonight, it was a real shock to lose Ian. We are going to miss him very much but I give an assurance that not one of us will ever forget him.

Mr JOHN MILLS (Wallsend) [9.30 p.m.]: It is my view that if there were more members of the New South Wales Parliament like Ian Glachan—people of decency and moderation—the reputation of all politicians would be better and the people of New South Wales would be better represented. I say that as someone who does not come from the political party of which Ian was a member. I respect very much people who make a commitment to a political party, with all the necessary compromises that that entails. It is relatively easy to be an Independent; it is much harder to accept the compromises and disciplines of belonging to a political party. We recognise that politics and public life are about having the numbers to win votes, so we accept the compromises and work with others for the common good. Ian understood that very well.

Ian came into this place some nine months before I did. My predecessor, Ken Booth, passed away nine months into the first term of the Greiner Government. I did not meet Ian until we discovered, across the Chamber—he in Government and I an Opposition backbencher—that we shared a common interest in health matters. We debated the Health Care Complaints Commission legislation that, despite arguments about amendments, was supported by both sides of the House. The Fahey Government chose Ian to be the first chairman of the joint oversight committee of the commission, which had very coercive powers. I found myself the leading Labor spokesman on the committee and soon discovered what a decent man Ian was.

When the government changed in 1995 our roles were reversed: I became the chairman of that committee and Ian became the leading Opposition spokesman. I never left my Labor Party membership outside the door and he did not leave his Liberal Party membership outside the door, but we both knew that our job was to do what the Parliament expected of us—applying our understanding of health issues and of the powers of the body that we were overseeing—without adopting partisan political points of view. I think we worked together well in the early years of that committee while the commission was new. I thoroughly enjoyed our bipartisan working relationship. I learned something from Ian that I hope I was able to carry on when it was my turn to be chairman when the government changed.

Ian introduced me to Helen in his office—which moved around a bit, as did mine. As a Labor member from outside Sydney I felt that I had more in common with members from rural and regional New South Wales. The city rat Liberals, such as the honourable member for Vaucluse and the Deputy Leader of the Opposition, were not natural friends in the way that people from outside Sydney were, whether they were Labor, Liberal or National. We seemed to have more in common and perhaps took a more relaxed approach to life than the city people from any political party. Ian and I had a lot in common and we would often chat in corridors and across the Chamber during divisions. I thoroughly respected the decency of the man, the good behaviour of the man and the strong contribution that he made in representing his constituents. I extend my condolences, and those of my wife, Trudy, to Helen, their three daughters and their grandchildren. They will have long and proud memories of Ian's contribution to his family, the district and, I trust, to the Parliament of New South Wales. Ian will long be remembered in this place as one of the champions of democracy.

Ms PETA SEATON (Southern Highlands) [9.35 p.m.]: To Helen, Ann, Alice, Jane, Oscar and Fergus, we are here to honour a special man in Ian Doric Glachan. Much has been said about Ian and his devotion to Helen and their daughters and his pride in Oscar and Fergus. I know all that to be true and I count it a privilege to have known Ian and to have learned from him as a Liberal, a colleague and a friend. I first heard of Ian by reputation: the Liberal candidate for Albury, whom Nick Greiner—my then boss—admired for his great hard work, his humility and the understanding and experience that Nick knew Ian could bring to his place of business and the Albury region. Albury and its people were always Ian's genuine priority in this place.

It was only in 2002-03, when I found myself sitting next to him for a year, that I really got to know him. Sitting through question time, day in, day out, is a good way to get to know somebody. He and I loved the television show *The Kumars at No. 42*. I think he loved about the show the idea that the family was obsessed with business, independence, hard work, scrimping and saving, and taking pride in the rewards that hard work brought. Ian valued those who worked hard and did their best, but he was also genuinely compassionate to those who needed help. Ian was always sartorially perfect, and would notice details about what others wore—

someone's shoes not polished, someone's cufflinks not correct or someone's tie too short—because I think he believed members should make every effort to represent their communities appropriately in this place.

Fergus and Oscar featured in our conversations. He was so proud of them. I think I heard every detail of every snuffle and every grazed knee. We would compare notes because my daughter is only a year older. Ian was also the head of a household of women and, as I am one of three daughters, we shared that experience—although I have no doubt that he knew exactly who was the boss at home, where it really counted. He was very proud of his girls and very happy for things to be that way. I also got to know about the farm owned by Ian and Helen, and heard daily reports of sheep, ducks, trees, foxes, dogs and debates about which trees were right and which were wrong, and what would happen in the future.

Ian was also a proud and unapologetic capitalist. He believed strongly in the value of hard work, the value of property investment and of making provision for a secure future for his family. He was a great defender of the taxpayer and believed government should be disciplined in the way it spends taxpayers' money. But Ian was also generous with his good fortune. We have heard much tonight about his work in the community and with his church and the many occasions when he used his resources to help people in need. They are the things we probably hear least about because they are the things he would just do because he knew it was right.

One day I took a particularly dark attitude to something that had happened in the political rough and tumble, and I said words about how I "hated" this particular thing that had occurred. Ian pulled me up short and said, "You shouldn't hate—you can deplore, despise or not respect but don't hate; it will consume you and it does you no good." He was, and is, right, and I thank him for that. As has been said, Ian was more socially liberal on many issues than people might have suspected, driven, I think, by his real concern for the welfare of people and the idea that government should play a role only in certain things that government was good at and that other things should be left to the individual to account for. I think, for Ian, it was about individual responsibility.

I miss Ian very much. He taught me a great deal about patience and finding the best thing in something or someone, and he reinforced the value of hard work. I feel an ongoing connection with him in that I now have the office that Ian occupied. There is a little bit of Ian with me every day in room 1009. I know he would disapprove of the way I have filled up every single corner. When he had that office it looked more like a ship's cabin: neat as a pin, sparse and orderly. To Helen, Alice, Ann, Jane, Oscar, Fergus and the family, my sincere condolences on your great loss, but please be very proud of a man who made an exceptional contribution to our democracy and our community, and to his beloved Albury, and most of all to the family we know he loved above all else.

Mr ANDREW STONER (Oxley—Leader of The Nationals) [9.40 p.m.]: With great sadness I offer my condolences on behalf of The Nationals on the untimely passing of my colleague and friend Ian Glachan. I use the word "friend" advisedly because I counted Ian Glachan as a personal friend. We sat together on the back bench for three years from 1999 to 2001. It was a time when I, as a new member, very much appreciated the great wisdom, integrity and encouragement shown in the advice and support that Ian freely offered me. I must confess I also occasionally sought Ian's advice on the back bench about the odd crossword clue. Whenever I became stuck on the more difficult or obscure word in the crossword of the *Sydney Morning Herald* invariably Ian was able to enlighten me as to the correct solution.

Ian and I also served on a Coalition back bench policy committee upon which we studiously observed our responsibilities until about 6.25 p.m., when Ian would declare the meeting closed in order to rush back to his office to watch what I thought was his favourite program, *Seinfeld*. As well as having a great general knowledge, he also had a very keen sense of humour. Indeed, when I was standing next to Ian in the Chamber during the prayer that begins each day's sittings he would often remark to me, "You didn't have your eyes closed during the prayer. I saw you." The breadth and depth of Ian's life experience never ceased to amaze me. He was a marine engineer, a successful farmer, a very successful small businessman, a Rotarian who was awarded a Paul Harris fellowship, a revered local member and most recently the first ever mayor of the new Greater Hume Shire Council.

Just as remarkable was the success in each of his fields of endeavour and the high regard in which he was unanimously held, even by his political opponents. We have heard some members of the Australian Labor Party, the Liberal Party and The Nationals who held Ian in the highest regard. I am of the view that Ian Glachan's remarkable life was in no small way connected to his strong Christian faith. Ian was a very strong member of the Anglican church and contributed much to the good works of the church in Albury. He also

fulfilled the role of lay reader in the church. Ian and I attended weekly meetings of Christian members of Parliament, together with Fred and Elaine Nile, and later Gordon Moyes and several other members of Parliament from both sides of the House. It was there that I fully appreciated the deep humility and integrity of this gentle man. Ian was, indeed, a true gentleman in every sense of the word.

In a tough and uncompromising field he remained true to his faith. I have no doubt that he is now in a better place where he was greeted with the words, "Well done, good and faithful servant." I know too that Ian's character was also one of a devoted family man. I saw ample evidence of that when I visited Ian and Helen after The Nationals conference in Albury a few years ago. There I saw Ian's abundant love for his wife, his three daughters, Jane, Alice and Ann, and grandchildren, Emma, Robert, Fergus, Oscar, Grace and Isobel. I know that in them Ian's legacy of love and faithfulness lives on. The great tragedy of Ian Glachan's passing is that he was 70 years young, in good health, enjoying new challenges and treasuring his time with his family. He had so much more to offer. However, the Lord decided it was time to call Ian home. We do not know why, but we must have faith in God's word, expressed in Isaiah, chapter 55, verse 9, which states:

As the heavens are higher than the earth, so are my ways higher than your ways, and my thoughts than your thoughts.

With those few inadequate words, I offer my heartfelt condolences and those of The Nationals to Helen, daughters Jane, Alice and Ann and their families.

Mrs JILLIAN SKINNER (North Shore) [9.45 p.m.]: I want to make a few personal reflections upon my friendship with Ian Glachan, the former honourable member for Albury. Ian and I met many years ago when I was a candidate for this Parliament and was unsuccessful, but I really did not get to know him until I was elected in 1994. Ian, as has been said by many people in this place, was a true gentleman, always a person of great integrity, a quiet man but a man with a great sense of humour. Even though he portrayed himself as a fairly conservative man, he had many modern characteristics. He was tremendously supportive of women, which my colleague the honourable member for Southern Highlands pointed out, and I suspect that reflected upon his great love for his wife and daughters. I want to talk about some of my trips to Albury to assist Ian to identify and raise issues to do with my shadow portfolio responsibility at the time, which was health.

Ian was passionate about health issues, particularly his local hospitals. We visited them on a number of occasions. He was loved by all we met on the rounds, whether they were doctors, nurses or nuns—the nuns adored him. He was respected for what he had done for his local community in the health sphere and in many other respects. As we drove around he nattered and told me the story of his life. In many ways, we had many things in common. I am married to a person who was in the Australian Navy for 30 years, and even though it is the Royal Australian Navy nevertheless it is a navy and that started off the things we had in common. I am also a keen gardener, so we talked about the garden.

He told me the great joy and the greatest blessing in his life was meeting Helen. I heard about how he met her at a dance, how he took her out—I think I heard about the first kiss, Helen. He absolutely adored you. I think to myself that it is a great blessing in life to know that you had such a relationship with a person that they will go on feeling that way about you forever, and you can know that. I was very fortunate to have been invited to stay at the Glachans' house. Helen and I discovered that we had a love of needlework in common. I think I stayed in your bedroom, Alice—thank you very much. I felt a great affinity with the Glachan family because it reflected very much mine, and the way I feel about my family. I understood where Ian came from.

The honourable member for Southern Highlands mentioned something that I do not think the blokes in this place know: that Ian was a great connoisseur of women's clothes. He always asked me where I bought my clothes. He always said, "I think Helen would like that" and asked me what brands they were. He had a great deal of interest in them. I must say he always looked superbly turned out himself. Yes, you would never sit next to Ian Glachan with dirty shoes. He was somebody who took note of all the detail. Helen, I hope that you will for the rest of your life know how much he truly adored you, the girls and his grandchildren. He made a great contribution to the people of Albury and to this place. Helen, perhaps you do not know how much time he spent in this place talking about you and his family. I express my condolences to you.

Mr THOMAS GEORGE (Lismore) [9.49 p.m.]: I join my colleagues in expressing our condolences to Helen and her family, Ann, Alice and Jane—who, sadly, is not here tonight—her grandchildren Charles and Nicholas, and friends. Prior to coming to Parliament in 1999 I was tutored by the person I believed to be the gentleman of the Parliament, the late Bruce Duncan. By the time I was elected to Parliament in 1999, Bruce had retired. Before I became a member, everywhere I went I was told Bruce was the gentleman of Parliament. But

on my arrival here I had the honour and pleasure to meet Ian Glachan, and soon realised there was another gentleman in the Parliament, a person that I would become very close to. I and my colleagues who came here in 1999 had the pleasure of sitting on the back bench. Some of us still have that pleasure. But it was in those times that I got to know Ian personally. In ensuing years I met his family.

Helen and Ian were always hospitable, and made you feel welcome and wanted. I will never forget the thrill of learning that Ann and Charles were moving to the electorate of Lismore. I thought, "This is great. I've got some of the Glachan blood coming to my area. No doubt they will be great workers for me." They loved the area and soon settled in. I know I carry the best wishes, prayers and thoughts of the electorate for Ann and Charles. Not long after they probably realised there were some even nicer parts of the North Coast in which to live, and they moved to Lennox Head, in the electorate of Don Page. That was Don's gain and my loss. But I had the pleasure of Ian and Helen coming to visit while they were in Lismore.

I have had the honour of visiting the Glachan family home in Albury. One thought I will carry for the rest of my life involves running into Ian and Helen at the Sydney show this year. It was a great thrill to see them. I made the comment, "Ian and Helen, you are proof to me that there is life after politics." They looked so well. The following Tuesday I saw them here in Parliament, where I think Helen was attending a meeting. When I heard the news that Ian had been elected mayor of the Greater Southern Shire I dropped him a note in which I said I thought he would have been very honoured to be elected to that position. In saying that, I realised he would not have achieved the position without the love and support of Helen and the family.

Ian dropped back a handwritten note, typical of the Ian, which will be framed. In it he said, "Yes, Thomas, it is an honour to be elected to this position. I was a little lonely at times. I missed my times at Parliament and missed the company of a lot of good people there. You were one of those people." That is a thought that I will always treasure. Ian Glachan was a man of high principles, a man of great integrity and a man who devoted a great deal of time to newer members to this place, enriching us with his experiences, advice and counselling. He encouraged me to continue the tradition of trying to be a gentleman. I know that upsets some of my colleagues at times, but I have tried to live up to the good advice of the late Bruce Duncan and Ian Glachan. I trust that God will continue to bless Helen and her family all with good health and happiness. I know she will understand that Ian is now in the place that he was probably always destined for. We are the sadder for his passing.

Mr IAN ARMSTRONG (Lachlan) [9.54 p.m.]: I pay tribute tonight to the life of Ian Doric Glachan. I do so with a sad heart, but also with a great sense of honour in that I was able to share for some years a business and professional partnership, as well as a personal friendship, with a truly great man. Politics is an interesting profession, and this is an interesting place in which to work as one of the 93 members of Parliament. Democracy, Churchill once said, is a flawed system of government, but it is superior to anything else that is available.

What we have in this place is a microcosm of a broader society. Through our 93 members we share and reflect every aspect of the broader community—introverts and extroverts, all standards of education, ambitions and lack of ambitions. We are all here representing a facet of society. Ian Glachan, as many honourable members have said tonight, was clear and frank about his opinion of his place in society, and about the particular values that he brought to this place. He was a gentleman, a man of extraordinary principle, a man of education, a man of great purpose and of great love for his family, as well as his profession, and he very much respected his environment. He was successful in virtually every aspect of his life—his business life, his personal life, his professional life—and he never lost the passion to work. After his retirement from this place he went on to serve in local government and was elected mayor of his shire. Unfortunately, he served and enjoyed that role for only a short time before he unexpectedly died.

The presence here tonight of so many leading luminaries and individuals from the city and area of Albury, where Ian spent most of the latter years of his professional life, is testimony to the strength and values of Ian Glachan and his contribution. As others have said, Ian had a loving family. His wife, Helen, and I went to primary school in Boorowa, where Mrs Flannery was our teacher at one stage. So we have known each other for a long time. Yes, Ian chose wisely when he married Helen O'Brien.

It is important that we have role models. As has been said tonight by a number of members, Thomas George being the last to do so, Ian was a role model for new members. He was for Thomas when he came here. That was one of Ian's great contributions to this place. He remained on the back bench, but the respect given him was much higher than that of many who have sat for years on the front bench. That has been universally

acclaimed by members of this place. The Parliament is the richer for his presence, the community is the richer for his endeavours, and his example in a society that is going through very rapid and continual change will be a linchpin that will serve many of us and generations well into the future. I join other members of this Parliament in extending my personal sympathy to Helen and her family. I thank her for allowing us to share part of the life of Ian Doric Lachlan.

Mrs JUDY HOPWOOD (Hornsby) [9.58 p.m.]: I, too, join with members from both sides of the House in expressing sincere condolences to Helen, Ann, Alice and Jane, the extended family, and friends present in the gallery this evening. I met Ian before I was elected to this place. I first met him at the fiftieth anniversary of the Liberal Party in Albury, and saw then how well loved and valued he was in his community. I met him again in Albury in the lead-up to the election of Sussan Ley, at a function for her that Ian hosted, and noted how supportive he was of his wider community and of Sussan, who obviously had learned a great deal from him and benefited from his great wisdom.

When I first became a member of Parliament I sat with Ian on the back bench for one year. I am sure I was placed beside him for a reason. He was a good mentor and I learned a great deal from him. He gave me good advice and instructed me in the ways of this place based on his 15 years experience. He gave me one piece of advice that I will never forget. He told me, "When you go to church you have to walk in and you have to go right to the front and sit in the front pew because that is your right." You could model yourself on Ian; he was a man I will never forget. When he retired from this place I would send him an occasional note just to let him know how I was going. I knew that he really cared about everyone here and about how the new member was getting on. He took a lot of care and attention in his successor. I know how proud Ian was of Greg Aplin and how he nurtured his career, which is going from strength to strength. We can see that Greg was a wonderful choice. I know that Ian would have taken great pride in his choice of such a wonderful person to follow in his footsteps.

I feel privileged to have been able to sit here and learn a great deal about Ian's life. He brought tremendous experience into this place as a fitter and turner, a national serviceman, an engine draftsman, a marine engineer, a farmer and an owner of a small business. His career in politics in this place was followed by a career in local government that was only beginning. He was proud to have been elected mayor. I saw him when he came to Sydney with Helen to attend the Women's Council meeting. I greatly value the words we exchanged on that day in the hallway not far from my office. He was truly a gentleman. He was trustworthy, he had integrity and he was faithful in every sense of the word. He was a Christian. I repeat the quote given earlier by another member, "It's all about people, it's as simple as that." I adhere to the same tenet when I work in my electorate. I greatly appreciate the relationships I have built up over the years, and I believe they are similar to the ones that Ian built up over many years. I represent the electorate of Hornsby and I am proud that Ian met Helen in Hornsby and that she was a Waitara girl. I quote from Ian's valedictory speech:

During my apprenticeship, when I was about 16, I went to the Hornsby scout dance one night—the first time I had been to the old scout hall in Hornsby. There I saw a striking young woman—14 at the time—Helen Margaret O'Brien. I fell in love with her at first sight. It was the most important night of my life, and she has been with me for the rest of my journey through life.

Many people would look at that beginning, at their relationship and at their journey through life with great envy. Not many people get to share their life with someone they love so sincerely and to value a family as dearly as Ian did. He talked about Helen, the girls and his extended family many times. I certainly enjoyed hearing about all of their adventures. I will conclude by quoting the last paragraph of Ian's valedictory speech:

I just want to say what a great privilege and honour it has been to be among all of my colleagues, every one of them, irrespective of the party they belong to. They have all touched my life in some way or another, and I am grateful for that. I will never forget them. Let me say also that it is a great privilege to be elected to serve in the Parliament by the people among whom you live, and I have treasured that privilege. Let me also say what a great privilege it has been to simply be Ian Glachan, MP, Member for Albury.

Mr ANDREW HUMPHERSON (Davidson) [10.05 p.m.]: On behalf of myself and my wife, Vicki, I convey our condolences to Helen and Ian's family. We were shocked and saddened by their loss, which is our loss too. We appreciate just how deeply Helen and her extended family feel this loss. I hope that in some way Helen can take some consolation from the contributions of members this evening who have expressed their deep affection and respect for Ian and their fond memories of their time with him in this House. The people of Albury were fortunate to have been represented by someone of such great character who was so passionate and so caring about their community. He was very much a gentleman in carrying out his responsibilities and performing his tasks in this place. As a couple of members have said, he was fairly conservative but at the same time he was also compassionate in everything he did. He reflected his own strong values and the strong values

of his community. I can remember debate during which he displayed a strong sense of compassion and the belief that young people particularly should be given a second chance. He believed that an opportunity should be provided for those who had not always had the same opportunity as others.

I first got to know Ian early in my time in this place when I was a member of the Public Accounts Committee. In many respects he was a father figure. He was not necessarily forthright in providing advice, but he was always willing to provide it if I asked. He was always available, and he was always willing to discuss parliamentary matters and one's role as a member of Parliament. As an earlier speaker mentioned, he always asked about our families. He always asked about my boys and my wife, Vicki. I always regarded him as a team player. Sometimes issues bridge city and country and some members find that difficult. He was always very loyal to the Liberal Party and the parliamentary party. I recall occasions that possibly were difficult for some members, but Ian always stood strongly and loyally by the party.

I recall, as the Deputy Leader of the Opposition has mentioned, his enthusiasm and respect for Nick Greiner and how much he appreciated the support he got, being a remote candidate, from the regular phone calls in the period from 1984 to 1988, when he remained the candidate and ultimately contested the election and became a member of Parliament representing Albury. He had a great belief in the good government that was coming with Nick Greiner, and he was proud to be part of that. We all know that he was not one to engage in personal confrontation and conflict. He liked to try to work things through. He was the Chairman of the Public Accounts Committee for about a year or so. I recall on one occasion we had to complete a report on the Port Macquarie Hospital in a matter of days.

Clearly the issue did not have bipartisan support. Because parliamentary committees have a long-established tradition of consensus, Ian cleverly and masterfully managed to craft a report which encompassed various points of view and cleverly cast the final resolution as "That the report be noted", which was unanimously endorsed by members of the committee. The committee made no recommendation but simply noted a diverse range of views. In that way, Ian preserved the non-partisan traditions of the committee system.

I recall being present in 1999 in Albury during a close election contest when Ian won by a narrow margin. I had been scrutineering and was in Albury on the last day of vote counting. Ian seemed relaxed. Having seen other members of Parliament in similar circumstances not being very relaxed, Ian seemed very relaxed at that time. I recall progressively receiving reports as the Labor preferences were counted and the Labor candidate was excluded. There was a strong flow of preferences which indicated that voters had not followed the Labor ticket but had directed their preferences to Ian ahead of the Independent candidate. At the end of the day when the votes were counted and one would normally expect someone who won to be breaking open the champagne, Ian was relaxed and matter of fact, and his attitude was that it would be business as usual and he would be getting on with his job. That accurately reflected his commitment to his electorate.

Ian probably would not have wanted the formality of a motion of condolence, but all of his colleagues believe that he certainly deserves acknowledgement in the strongest terms. We are all proud to have worked with him and to have had the opportunity to speak tonight. In my view, members of Parliament should not be judged by the number of projects they dedicate in their electorate or even necessarily by their words, but by the quality of the contribution they make. Ian Glachan's contribution as a parliamentarian was second to none.

Mr MICHAEL RICHARDSON (The Hills) [10.11 p.m.]: I first met Ian Glachan when I entered Parliament in 1993. I was elected as a result of a by-election and at that time I was the sole member being sworn in as a member on the Coalition side of the House. Ian performed something of a mentoring role for me, which I very much appreciated at the time. Parliament is a fairly daunting place, particularly when a member does not enter Parliament as the result of a general election, a point which I am sure the honourable member for North Shore would appreciate. I found it particularly helpful to have someone of Ian's integrity as my mentor.

Ian was chairman of the Public Accounts Committee, a position to which his meticulous attention to detail suited him ideally. Ian may not have been a Minister but he wielded considerable authority in his committee role and was widely respected by members on both sides of the House. Ian had a wonderfully spare and sparse manner of speaking. His speeches were almost Hemingwayesque in their simplicity. A classic example is an extract from a speech he gave on Don Bradman in 2001:

When I got that sixpence I would arrange to meet my cousin on the way to the Sydney Cricket Ground. We took our sandwiches with us, paid our sixpence, and spent the day on the hill watching whatever cricket was on. We did not know beforehand who would be playing, whether it would be a Sheffield Shield or a test match. We did not care, we were just kids and it was

somewhere to spend the day. We ran around on the hill, picked up bottles, collected the deposits and spent the money on whatever we could afford to buy.

If Ian had not become a parliamentarian and had not chosen to use the spoken word as his means of expression, he could have made a fine Australian novelist and could even have written that great Australian novel that we are all still waiting for. Ian was totally committed to his electorate of Albury. That is evidenced by the fact that of his last 50 speeches, fully 24 of them, just under half, were private member's statements about his electorate. He was constantly fighting for better services and facilities for the people he represented. One of his projects was the Albury bypass, which nearly cost him his seat at one stage, and another was a new hospital. He was always either attempting to right a wrong that had been done to an individual constituent, praising the activities of his local community, or addressing an issue of importance to the whole State.

Some members just go through the motions, but not Ian. When the son of a local motel owner was bashed to within an inch of his life, typically Ian, as well as addressing the specific issue with the police, organised a meeting with the police, the mayor, local hotel owners, and club managers in an attempt to address the problem of the early morning drunks—people who were still around at 3.00 a.m. or 4.00 a.m., becoming quite aggressive and getting up to no good. I served on the Coalition's education committee with Ian for approximately four years with Stephen O'Doherty, who was the shadow Minister for Education. I remember sitting with other members of the committee, waiting for Ian. We could not begin the business of the meeting without Ian being there because we relied to such a large extent on his wisdom and understanding, not so much of the nuances of the education system, but of young people.

It was quite logical for me to enlist Ian's support when I proposed the introduction of a bill to lock up spray paint cans in an effort to deal with the problem of graffiti. I was aware that 90 per cent of the cans used by graffitiists were stolen. I was also aware that some people in the parliamentary party had a different point of view from mine. We agreed to set up a committee to examine the bill, and I engineered Ian to become chairman of that committee. I did that for two reasons. First, I knew that whatever decision Ian reached would be respected by people on both sides of the debate and, second, I knew that Ian would come to the right decision. And he did. There was no problem about getting the bill through the party room.

I introduced the bill into this House and I thought I had argued its merits pretty persuasively until Ian came in and argued the case in that wonderfully spare and sparse manner he had. I thought he was so persuasive that he might have convinced the Government of the merits of the argument. Unfortunately, that was not the case. That was only two years into the Carr Government's term, and perhaps I was a little bit naive at that time in thinking that a good argument might persuade the Government. We learned otherwise over the succeeding eight years. But Ian spoke in straightforward language and he drew on his own experience as a newsagent. I am sure that at the very least he made a large number of people who were opposed to the bill think about the issues.

Ian placed his family, especially his children and his grandchildren, first. He used to speak frequently about them as well as his overseas travels. I remember that he listed a significant number of shares in his pecuniary interest declaration. One evening we got round to discussing a shares portfolio and I asked him for some tips on what he thought would be some good shares to buy. He said, "I don't know, I never sell mine." We never got beyond that to the subject of buying shares. I feel sure that, thanks to his Christian beliefs, he remained humble about his achievements. His recent elevation to the position of mayor of the Greater Hume Shire shows that, consistent with his long membership of Rotary and his work in the Parliament, he still wanted to help his community, even in his retirement.

To Helen, to Jane, to Alice, to Ann, to Fergus and to Oscar, I offer my sincere condolences. Ian will be sorely missed, but his legacy will live on in their memories, in the work that he has done for his community and in the great work that he has done in this place. We have heard some very moving tributes to Ian tonight. We only really get one Ian Glachan in our parliamentary lifetime.

Mr ANDREW FRASER (Coffs Harbour) [10.18 p.m.]: It is with a great deal of sadness that I join with my colleagues to speak to this motion of condolence. I can probably only imagine how hard it is for Helen, Alice and other members of Ian's family to sit and listen to a group of politicians speaking about what a great bloke Ian Glachan was—and he was. When I heard of Ian's passing it was a great shock to me. My immediate reaction was to ring Helen to pass on my condolences and those of my wife, Kerry. I also spoke to Alice. To some extent I feel somewhat sad that as the shadow Minister for local government I did not take the opportunity to ring Ian and tell him what a fool he was to put his feet back into the arena of representation, especially in local government, or to congratulate him on his election to the office of mayor.

I knew Ian as a man who loved to represent the people of his electorate fearlessly in this place. On many occasions Helen and I discussed, in Ian's presence, his frustration at travelling up the North Coast and arriving in that magnificent electorate of Coffs Harbour and finding roadworks and traffic jams in holiday periods. If ever I had a great ally, it was Ian. Every time I mentioned roadworks in the Coffs Harbour area he would support me absolutely. For a number of years as the National Party Whip I had the opportunity to sit next to Ian, and Andrew Stoner sat on the other side for a while. Both Stoner and I had a habit of doing crosswords, especially when Labor Ministers were delivering their non-answers to questions asked by the Coalition. Ian could always pick up the word we could not find. Quite often he would look over my shoulder and tell me what word was needed at, for instance, 14-down.

The thing I admired most about Ian was when we held a conference in Albury, in 1998, prior to the 1999 election. If there is one issue that was absolutely red hot, and which created major problems for Ian and Helen in the lead-up to the election, it was the bypass. This has been referred to previously, but I am happy to put it on the record again. The Federal transport Minister had been to Albury and made an announcement without bothering to contact Ian, and I suggest that made life very hard for Ian. I have been through bypass and road issues in my electorate, so I can fully understand how Ian felt. That Minister was a National Party Minister in the Federal Government. However, as the local member, Ian came and welcomed us, the National Party members, to the conference. That must have been hard for him and I admired him because if the boot had been on the other foot, and if the conference had been held in Coffs Harbour, I may not have shown the politeness that Ian showed us and the party on that day.

Earlier in his speech to this condolence motion Andrew Tink verballed me. I had sat next to Ian for a number of years, and he had confided in me that neither he nor Jim Small had ever been called to order in this House. The pair of them believed absolutely in the way that the House was run, in the propriety of the House and in the standing orders of the House. Points of order may have been taken by Ian on a number of occasions, but he never put himself in a position of being called to order. After he confided that to me I congratulated him on a great record. I then went to see Speaker Murray and told him that those two stalwarts, one from the National Party and one from the Liberal Party, who had been members of this House for quite a while, had never been called to order. I said it might be a good idea if during debate they be called to order.

Within a couple of days, during some good humoured ruckus in the House, Speaker Murray called them both to order on three occasions. Ian was most upset. At that time he did not know what I had done. I do not know whether those calls to order were ever expunged from the record. Afterwards I did tell him what I had done and although he had a good sense of humour he was not appreciative of what I had done. I apologise to Ian for that. In those days, as Whips we went to strategy meetings where Ian's name was mentioned quite often. Ian would always give the Whips a critical appraisal of question time the previous day and of how the Coalition performed. His opinions were highly valued in those strategy meetings. Ian was reflective of what other members had told him and of what went on in the House.

Helen, it is probably very hard for you to sit here this evening. On behalf of Kerry and myself I offer our sincere condolences to you and your family. I know life will be very hard without Ian. It is a great comfort to me as a friend and colleague to know that Ian died with his boots on, doing what he loved best—representing the people within the Albury area. He did it well for many years and he looked forward to doing it at a different level of government, one that is very close to the people. His memory will be well kept on both sides of the House, and by the people of the city and the area that he represented so well for so many years.

Mr KERRY HICKEY (Cessnock—Minister for Mineral Resources) [10.25 p.m.]: Helen, family and friends of Ian, I had the privilege of knowing Ian for only four years. To me Ian was one of the most gentle and most respected people in this Parliament. You have heard that said many times tonight. Earlier tonight I said to the honourable member for Wentworthville, Pam Allan, "It would be great to think that when we pass, both sides of Parliament would think so highly of us." That is how I sum up Ian: on both sides of Parliament he is extremely highly regarded. He was a good member for the seat of Albury and also a good friend to members on both sides of Parliament. Helen, it must be very sad to have lost Ian, to feel the grief of that loss. I extend condolences from myself, my family and the Labor side of Parliament. We wish he were still here.

Mr DARYL MAGUIRE (Wagga Wagga) [10.29 p.m.]: I acknowledge the contributions of all members who have contributed to this condolence motion. The list of speakers has been long, but clearly shows the high esteem in which the late member for Albury, Ian Glachan, was held. When I was pre-selected I had not met Ian Glachan. The first phone call I received after pre-selection was from Ian and he offered to introduce me to the newly distributed electorate, including the areas of Tumbarumba and Holbrook. Ian offered me good

advice that always started with "Now listen here. This is what you have to do." I had heard good reports about Ian, especially about his political skills and doorknocking ability, which is legendary. I heard also about his Volkswagen with his sign on top.

As arranged, I met Ian and Helen at Holbrook, and it was our first meeting. They had everything well planned and we travelled to Carabost, Rosewood, Tumbarumba and Khancoban. Afternoon teas were organised at which people would talk about their problems in the electorate. It was a truly delightful experience. When I arrived home that night, exhilarated by Ian and Helen taking the time to introduce me to what was to become my new electorate, I said to my wife, "You know, I feel as though I have known him all my life." The fact that they both met me indicated that they were a team that was working for the people of the area. As the election approached, Ian was on the phone saying, "You will be okay. Don't worry. First-time candidates always worry." He said, "Keep doorknocking, just keep doorknocking." That was his reassuring mantra. He said, "Keep doorknocking and you will win."

During subsequent elections Ian and Helen were instrumental in Sussan Ley's great win in the Federal seat of Farrer, and they were instrumental in the win of the current member for Albury, Greg Aplin. It is a great endorsement by the Albury community and a great honour to the retiring member to be able to hand his electorate to a member of the same political persuasion. Ian's first order to Greg was, "Keep doorknocking." It is quite an experience to come into this place, but that experience was made more enjoyable for me by the late Ian Glachan, the former member for Albury, the late Liz Kernohan, the former member for Camden, and others. It was a steep learning curve although, as my unofficially appointed minder, Ian made that assimilation easier.

For my first 18 months in this place Ian and I sat on the other side of this Chamber and I have never laughed or enjoyed anyone's company so much. We need to be able to enjoy ourselves, as it is easy to become disenchanted with the antics in this place. Ian had a great sense of humour. He made it easy for me to fit in and to enjoy the theatre of this Parliament. During late night sittings Ian and I would talk about farms, sheep, real estate, family, local politics and gardens—you name it, Ian knew something about it. When it came to voting he was always a reassuring voice, particularly on contentious issues. He would say, "Don't worry; it will be all right." It really was reassuring to someone who, in the early days, was timid about voting procedures.

Ian was regarded in this place as a gentleman. But by crikey, when he got fired up he did not mince his words; he spoke his mind in no uncertain terms, particularly in the party room. However, I am not allowed to spill the beans and say what transpired there. His family was the highlight of his life—Helen, his girls, his sons-in-law, and his grandchildren. He exhibited great enjoyment and pride when he referred to the antics of his grandchildren, in particular the feeding habits of young Fergus as a toddler. I recall having a conversation with Ian. He was cackling about the kids and the movie *Chicken Run*. He asked me whether I had seen it. He said, "It's a great movie. You've got to see it." He offered to send me his tape after colourfully describing the movie and he said, "You've got to see the movie." His grandchildren brought him much enjoyment.

Apart from his electorate and his family Ian had other interests—his garden, his church and his tractors. His devotion to the church was no secret. He had a marvellous garden that was large by anyone's standards. The last time I visited him he had just extended his garden and had planted advanced trees. He dug the enormous holes himself, moved fences and built walls. I remember saying to him, "This garden will kill you." However, I knew that if that were the case he would have said that there would have been no better way to go. Another of Ian's interests was tractors. His son-in-law Nick submitted stories to the magazine *Tractor* and, as a gift, Alice bought him a subscription to the English *Tractor* magazine.

Earlier tonight I was thoroughly enjoying reading this magazine. Ian and I would wait for copies of *Tractor* and read it from cover to cover. I now subscribe to that magazine. Ian fostered my interest in tractors. I remember him relating stories about his early farming days and his Fergie TE tractor. I remember how excited he was when Helen bought him one to celebrate a special occasion. He loved that tractor. Ian had two tractors: a Massey Ferguson 35 and a grey Fergie. The grey Fergie was always special. When I see a grey Fergie I think of Ian Glachan. I wanted to place on record the very human qualities of this man, apart from the public perception that is recorded in history.

It is important that it is recorded that, as a politician, Ian was a great fighter who achieved great successes for his community. He was a caring person, thoughtful and devoted to his family, but he had interests outside of politics. I was told when I came to this place that I would be lucky if I gained three good friends. I am proud to say that Ian Glachan was a friend. We travelled together on buses in town, went to conferences together, ate together, attended local government meetings, and were usually seen around together. I saw Ian

only days before he died. He came to my office and we had the obligatory cup of tea. I would like to know how many cups of tea he had on that day.

We sat down and talked about his achievement in local government, as he had only recently been elected. We talked about Helen's pursuit of office within the Liberal Party and what the future held. We had a great conversation and, once again, we parted friends. After the tragic news that Ian had passed away ABC radio asked me what was his legacy. My response was that when we reflect on someone's life and achievements, too often we measure them by bricks and mortar, buildings and bridges. Ian achieved that and more—a new police station and new schools. Much has been said tonight about Ian's achievements. But members achieve much more than that. They strengthen the social fabric of society and represent the community on issues about which we hear nothing in the public domain. Ian's constituents were aware of and appreciated the work he did on their behalf quietly behind the scenes. His legacy is that he will be remembered as the mortar that joined the bricks, the building blocks of his electorate and his community. That was his great strength, skill and achievement. Tonight in the gallery are many people, friends and branch members who travelled many miles to be here.

I acknowledge the people who are present tonight: Dr Alan Carless and Marie Ficarra; Mrs Helen Wayland; the Hon. Nick Greiner; Jack and Margaret Lodge; the Hon. John Fahey, AC; Mrs Janette Weber; Neil and Judy Demeral; Reverend Canon Paul and Mrs Noreen Robertson; Mrs Margaret MacRae; Harry and Robyn Young; the Hon. Sussan Ley, Federal member for Farrer; John and Judy Tuck; Mr Jeff Egan; Mr Brian Ross; Ian and Frances Colquhoun, Ian's loyal staff member for many years; Miss Bo Foley; Senator Connie Fierravanti-Wells, MP; Mrs Elizabeth Ward; Dr Phongsavan and Mr Darryl Lloyd; Mr James Ellis, Mrs Wendy Cowley; Mrs Annette Brown; Malcolm and Lesley O'Brien and Matthew; Mr Bruno Biti; Rhonda Vanzella; Holly Nolan; Jack and Lorraine Burrell; Daniel Try; John and Margaret Wills; Kerry Chikarovski; Jill Aplin; Senator Bill Heffernan; and members of the Glachan family who were mentioned earlier tonight. Ian worked with members of his community to advance their position and progress their opportunities. Maureen, my family and I and, importantly, the electorate he served so well, will remember him fondly. God bless Ian Glachan.

Mr SPEAKER: As I said earlier, the Speaker normally does not have an opportunity to participate in public debates. However, on occasions such as this I take the opportunity to depart from protocol and say a few words from the chair. I first came to know Ian Glachan when, as Minister for Youth and Community Services, I was campaigning in the Albury electorate on behalf of my long-term friend Harold Mair, the then Labor member for Albury. Harold knew that he was fighting an uphill battle. He had as the candidate standing against him Ian Glachan, whom he highly respected. I understand that he respects him even to this day. We campaigned on that occasion and Ian Glachan won the seat and became an active and much loved member for Albury.

During my days in Opposition I continued to maintain quite a close relationship with Ian Glachan. In the early 1970s I had been sent to the Riverina area to teach and I met Anne Sutcliffe from Oaklands. I continue to have a strong relationship with the Riverina area, including Albury. I married Anne, and many of her family have subsequently moved to Albury—and continue to live there to this day. I was a teacher at North Albury High School, which is now known as James Fallon High School, so I have a close association with the area. I know the area quite well and I know many of the people who live there. I know the great respect in which Ian Glachan is held by so many members of the community, because I maintain a very strong interest in and liaison with the area.

When my wife fell ill Ian Glachan wrote me a very touching letter. In fact, I have two handwritten letters from Ian that will always be part of my possessions. The first is the letter that he wrote at the time of Anne's illness, in which he expressed his upset and concern at my grief. He said that his sympathies were with me and understood that, although we were on opposite sides of politics, we had a very strong personal bond that had existed from the day we met—even prior to his election. Indeed, Ian paid me an accolade—I was no longer a Minister at that stage—that I would have been proud to receive from any of my ministerial or other parliamentary colleagues on my side of the House. He said he felt that I had done a good job and that, although he did not always agree with the way I did things, he knew my heart was in what I was doing. He understood, as a fellow gentleman, that, although such things could not be expressed publicly, we could share this understanding privately.

That letter meant a lot to me at the time. I was suffering much grief because my wife was terminally ill. Furthermore, my professional circumstances had changed. I was no longer a Minister but the new Speaker of the House—a position that I had coveted and loved very much, but which at the time was new and very strange. My life was in turmoil. After Anne's death I received another letter from Ian. It was the sort of letter that a

gentleman does not reveal the contents of publicly, but it is very dear to my heart. Ian acknowledged Anne's family, who live in Albury and whom he knew. He acknowledged Anne's commitment and how much she must have endured, knowing, as he did, what it meant to be in public life. I thank Ian for that. I acknowledge that it meant a lot to me at the time, and it will be one of the personal possessions that I will keep until the very end.

I was heartbroken that I was not able to attend Ian's funeral because of yet another tragedy in my family: the passing of an uncle, my mother's youngest brother. It so happened that the two funerals coincided. In fact, the son of one of my cousins, Adam Scicluna, and his wife, Belinda, are in the public gallery tonight. Adam played a major role in my uncle's funeral service. I am very sorry that I could not be with Helen and their family to express not only as the Speaker of the New South Wales Parliament—and Ian deserves that respect from the Speaker and everything the office represents—but personally as John Aquilina the strong regard and respect I had for a very dear friend. We were on the opposite side of the political spectrum but nonetheless were able to overcome that divide through a very close personal friendship. To Helen, their daughters, sons-in-law and grandchildren, I express my deep personal condolences and my sincere regrets at Ian's sad passing and the fact that I was unable, until now, to express my personal feelings as fully as I would have liked.

On behalf of Ian, I thank my colleagues for their speeches tonight. I think it is fitting that this Chamber takes time from our busy schedule to remember and record the great contributions that our colleagues have made and to recognise them not only as workmates but as flesh and blood human beings and friends. They felt, they bled, they cried, and they had good times.

Members and officers of the House stood in their places.

Motion agreed to.

The House adjourned at 10.48 p.m. until Thursday 9 June 2005 at 10.00 a.m.
