

LEGISLATIVE ASSEMBLY

Wednesday 9 May 2007

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

The Speaker read the Prayer and acknowledgement of country.

AUDIT OFFICE

Report

The Speaker tabled, pursuant to section 38E of the Public Finance and Audit Act 1983, the performance audit report of the Auditor-General entitled "Using Computers in Schools for Teaching and Learning, Department of Education and Training", dated May 2007.

Ordered to be printed.

BUSINESS OF THE HOUSE

Order of Business

Motion by Mr John Aquilina agreed to:

That the business of the House be interrupted to permit the presentation of inaugural speeches by the members for Swansea, Wollondilly, Wyong, Wallsend, Lake Macquarie, Macquarie Fields and Newcastle.

INAUGURAL SPEECHES

Mr ROBERT COOMBS (Swansea) [10.01 a.m.] (Inaugural Speech): It gives me a tremendous amount of pleasure to be standing here today making my inaugural speech in one of the oldest chambers of the democratic world. The New South Wales Legislative Assembly is the oldest Parliament in Australia and is steeped with a proud history and heritage, cognisant with the delivery of over a century and a half of democratic leadership and political direction.

I would firstly like to thank the wonderful people of the electorate of Swansea for the confidence they have shown in me in allowing me to represent them in the New South Wales Parliament. It is a responsibility that I never expected to attain and I feel both proud and humbled by this demonstration of support. It is not an easy job of course representing all of the aims, goals and objectives of the electorate, but I feel especially confident in being able to achieve some of this taking into account the overwhelming hospitality and support that has been shown towards me since making my candidature known. I want from the outset to say that I will strive do my utmost to represent the aspirations of the people of Swansea, and this will be done with a vigour and reverence becoming of a hardworking and honest local member.

I am also especially keen to work with the many volunteer and not-for-profit organisations that flourish in the area. Those include the four surf clubs with which I have a close association, the progress associations, the parents and citizens associations of the many schools in the area, the chambers of commerce, the Landcare and environmental groups, the Lions and Rotary clubs, the many footy, soccer and netball clubs of the area, and the many more organisations too lengthy to mention here this morning. I would also like to acknowledge the hardworking church groups of the area. They play an important role in not only delivering the word of their faith, but also in the important work that they do in assisting the needy and disadvantaged of the community. I have a strong belief in community and feel strongly that a fundamental ingredient in building social values and respect can only be bought about by the preparedness of its people to contribute to community-based organisations. Societies that have strong community groups and participation usually have strong degrees of social awareness, respect, tolerance and understanding.

Can I explain that the electorate of Swansea is truly a wonderful part of the world. It stretches from Redhead in the north to Budgewoi in the south, and is surrounded by the Tasman Sea at its east, and the lake

systems of Lake Macquarie and Tuggerah Lakes to its western and southern boundaries. This makes it one of the most environmentally diverse and ecologically sensitive regions of the State. Its beaches are of world-class standard, its rich green corridors harbour an array of native flora and fauna, and Lake Macquarie is the largest saltwater lake in the Southern Hemisphere. It is one of our most important assets. Lake Macquarie is benefiting from the attention of both State and local government funding over the previous decade and probably is our best-known landmark.

Unfortunately, the same cannot be said for the Tuggerah Lakes system. This once pristine lake and estuary waterway has deteriorated in recent decades to the point where the northern parts of the system are severely silted and clogged, which has further resulted in a deterioration in fish stocks and water sport and general activity. I note that the State Labor Government has committed an initial \$5 million to the refurbishment of the Tuggerah Lakes system and it will be one of my priority tasks to work with other members from the Central Coast, and the Minister for the Central Coast, the Hon. John Della Bosca, to invest this allocation wisely and basically begin the cleanup of this important lake and water system.

It should be recognised that the area is enormously reliant on small business to drive its economic prosperity. This was not always the case. When I was growing up in the area there was a fair bit of heavy industry, which mainly came in the form of the many coalmines that littered the area, and coal-fired power stations. Whilst there are still two power stations in the electorate—albeit they are not the prolific employers they once were—many of the coalmines have closed, and with this so has access to many well paid jobs. One of my greatest challenges is going to be on the one hand to keep intact the environmental character of the electorate, and on the other to attract business and entrepreneurs to the area to ensure that our kids can get jobs, and ensure that the electorate is synonymous with a decent standard of living and decent work. There is much to be done in achieving these lofty goals; I hope that my efforts will be worthy of the challenge.

I have already explained to the House my belief in community. I say this unashamedly because I am very concerned that the current "individualisation" of the community, with basically just about everything in our society being up for competition, is a new phenomenon that is disadvantaging this great country of ours. It seems to contradict that special Aussie trait that was demonstrated only a fortnight ago at the ANZAC ceremonies. Those special customs that we have of mateship, a fair go, and giving your mate a hand when he or she requires assistance are special bonds that are unique to us and part of our overall make-up and culture. To dilute these can only result in some of the unwanted social conditions and dysfunction that we witness in today's society. Increasing tendencies in abuse, crime, drug addiction and general disrespect have their roots in a society that abandons some its fundamental principles of providing decent opportunities for all of its citizens.

While I have a grudging admiration for the power of market forces to be a useful allocator of societal needs and requirements, the increasing marketisation of nearly all aspects of our society under the ideology of the Howard Government has in my view made more important the role of State governments, which maintain compassion and fairness as guiding principles and are an important countervailing force against the harsh market-driven policies of the Howard Government.

As most members would know, I come from the trade union movement. I held until recently senior positions within the Maritime Union of Australia, being its Sydney Branch Secretary and National President. I joined the Australian Merchant Navy in the late 1970s after completing six years of schooling at Swansea High School. I spent most of the first 10 years of my working life on BHP vessels that traded out of Newcastle to many ports in South-East Asia. Here, I was able to witness first hand the tragedy of poverty and the plight of the general masses who were in large measure denied basic economic and political freedoms. I also noted that worker uprisings, the formation of trade unions and the rights of association were usually brutally smashed by dictatorial governments intent on disallowing democratic freedoms for their populations. It was these initial experiences that would leave an indelible mark on my overall awareness and knowledge, and led me to further participation in my trade union and the broader political movement at home.

It was these experiences that strengthened my determination to work with my local community, to ensure the principles of social justice and equality were upheld. These principles were backed up by the maritime leaders of the time: working-class doyens like John Brennan, Pat Garegthy and Bill Bodenham, who all gave a lifetime fighting for conditions for workers. They grew up in a hard time when workers were expected to endure harsh conditions and meagre pay. They were determined to pass on a better deal to the next generation of workers, and so went about organising for a new workplace with more humane and better standards. Things like superannuation, occupational health and safety laws, and workers compensation have their roots in the activism of the men. Their legacy is a great one.

When I first went to sea, Australia had a strong domestic fleet and a burgeoning overseas fleet. Both these fleets have been decimated over the previous decade. The unpreparedness of our Federal Government to develop a comprehensive transport policy, inclusive of our shipping task, has left Australian shipping operators vulnerable and economically disadvantaged, and left them open to commercial annihilation by overseas shipping interests. These overseas vessels have on some occasions represented the worst aspects of international shipping. At best, they have not been asked to adopt our stringent safety standards or comply with our regulatory or commercial standards; at worst, they have come in the form of "flag of convenience" vessels: unsafe, unregulated, and prepared to exploit their crews from Third World nations.

This has had a disastrous impact on our local shipping industry. Our national Government has gone out of its way to deny support for the Australian shipping industry, both in terms of political support and financial incentive. This has led to the loss of an Australian ship building industry. It means that we are now massively reliant on overseas fleets to deliver our cargos, that we continue to miss an important opportunity in reducing our trade deficit, that we are exposed in times of military threat, and that employment opportunities have been sacrificed.

You might say that this is a national responsibility and it has little to do with the functions of this House. However, that is not the case. The States are responsible for our ports and our port authorities. It is these institutions that form the vital link with the shipping industry. The location of ports and the quality of their connections into the freight and logistics chain, their capacity, their productivity and the support services that the ports provide—and the cost at which they are provided—can all have an influence on shipping, both domestic and international. State Government policies in relation to ports are therefore a vital element of the entire national transport system.

Of course, it would be difficult for any member of the labour movement, especially one from the Maritime Union of Australia [MUA], not to mention the watershed dispute of our time, the Patrick dispute in 1998. I know that there has been a pre-occupation by some to try to rewrite the cause of this dispute and recall it as a strike. In fact, it was not a strike; it was a lockout, where 2,000 innocent workers were locked out of their place of employment on the thinly veiled assertion that they were all non-productive. I would like to acknowledge the leadership of John Coombs, the then national Secretary of the Maritime Union of Australia, in providing the leadership to bring this dispute to a satisfactory conclusion. [*Extension of time agreed to.*]

I again congratulate the many community members who participated in the peaceful assembly lines, and the Maritime Union of Australia membership for their courage and determination. In my mind this dispute was the first unveiling of Prime Minister Howard's real intent: an ideological approach for industrial relations in Australia. It is an approach devoid of any democracy at the workplace; it is a system of employer supremacy; it is a system that robs workers of their basic rights. It is a bit like the Asia that I first visited some 30 years ago now. If anyone wants to witness this manifestation first hand they only need to travel to Port Botany. There is a company there called Botany Cranes and it has sacked a union delegate called Barry Helmsworth, who is in the gallery today. Barry's crime was to stand up for decent occupational health and safety standards. Barry now cannot get his job back. I wonder whether his membership of the Construction, Forestry, Mining and Energy Union has anything to do with this. Of course, it does.

In the many thousands of homes that I doorknocked during my campaign, many people complained of these unfair laws, and I believe voted for the Labor Party on the basis of their opposition to them. However, no-one should say that trade union membership can be linked to a non-productive workforce. Indeed, most unions have a good relationship with the employers of the industry they represent. This is true of the maritime union. Australian ports are recognised as amongst the most productive and efficient in the world, Australian crews are recognised as amongst the most highly trained and qualified in the world. Our stevedoring industry is delivering crane rates and other productivities equal or better than world's best practice, and this is testament to the innovation of management and the maturity of its workforce. This was achieved, in the main, through a consultative process and through collectively bargaining fair outcomes that enhance both worker and management objectives.

It has been my sincere pleasure to have already been involved with a number of New South Wales government enterprises, in my previous positions and as Executive Member of Unions NSW. These include the Sydney Ports Corporation, NSW Maritime and Sydney Ferries. These are all fine government institutions that should remain in government ownership. They provide a critical service for stakeholders, port users and customers. There will be better opportunities, I am sure, to work in a more integrated and cooperative way with the Commonwealth under a Rudd Labor Federal Government, in which Rudd is committed to the establishment

of Infrastructure Australia, with better national planning for our ports and other key infrastructure, and the resurrection of Australia's declining manufacturing base.

I would like also to mention a very special institution, Tranby Aboriginal College, of which I am currently the chairperson. The college is situated at Glebe and has a magnificent tradition of assisting one of our most deprived sections of the community, Australian Aborigines. The institution has an unbroken record of providing education to the Aboriginal community, to assist with the difficult task of ensuring that our indigenous brothers and sisters also have the opportunity of gaining well-paid jobs and to provide leadership to Aboriginal communities throughout the State. I would like to congratulate all those, both past and present, who have made a contribution to the facility, and point out that current Federal Government cuts in funding will make it all the more difficult for Tranby to survive in the future. I note, however, the bipartisan support for Tranby at a State parliamentary level. I would like to thank one of our keenest supporters, the member for Wakehurst, Brad Hazzard, for his continued support for the college.

There are many individuals that I would like to thank. Firstly, my family, who are in the gallery today, including both my parents, Max and Clare, my brother, Darryl, and two sisters, Loretta and Merylin. We grew up in meagre circumstances: there was always a meal in the fridge, but we simply did not enjoy much material wealth. We were always taught right from wrong, and there was an old saying in the Coombs household that you should never pick a fight, but you should never walk away from one either. I think that adage will serve me well here.

I am thoroughly blessed to have two magnificent parents-in-law, Jack and Anne Catley. Jack and Anne without hesitation continue to support me, my wife, Yasmin, and my three daughters, Alexandra, Georgia and Charlotte, who are aged eight, five and three respectively. This kind of support is crucial to a successful place in public life, and I do not know where to start in thanking them for their kind support in previous years. My wife, Yasmin, has been a bedrock foundation of support and without her I would not be here today. She is strong and determined on the one hand, and thoughtful and passionate on the other. Mind you, I usually get the strong and determined bit. But I thank her greatly for her love and guidance, and advise the House that we make a great team together.

I would also like to thank Maritime Union of Australia National Secretary Paddy Crumlin, who is an outstanding trade union leader both here in Australia and internationally. I thank him for his friendship and support. Paddy occupies senior positions in the International Transport Workers Federation, being its vice-president and dockers section chair. He is also involved with the International Labour Organisation. He has given the Maritime Union of Australia incredible service over the past two decades, and his continued guidance will ensure that the organisation stays well and truly on course.

I especially thank the Construction, Forestry, Mining and Engineering Union miners for their support and assistance. I look forward to representing the interests of the mining union and its committed membership, given the opportunity. There are other unions I would also like to mention. First, the two peak bodies, the Australian Council of Trade Unions and Unions New South Wales, and affiliates the Australia Institute of Marine and Power Engineers and the Australian Maritime Officers Union, the Transport Workers Union, the Australian Workers Union, the Construction, Forestry, Mining and Engineering Union, Construction Branch, the Australian Manufacturing Workers Union and a number of others that made significant contributions to my and the Labor campaign. Then there is the Australian Labor Party membership: all those who did the footslogging, answered the phones, manned the booths and so on. I cannot mention all of you. You all know who you are, and I thank you very much.

Second last I mention an old mate of mine, Keith Proudlock, who was like a second father in some ways. He was the sort of person that everyone requires, I reckon. He was the sort of person to put you back on track when you got lost a bit. Thanks, old mate. Last, but not least, I will miss my old workmate and soul mate, Mick Doleman. As I said in my resignation letter to the Maritime Union of Australia, I am going to miss the competition of ideas that I had with him and I will miss consistently beating him at golf. I have advised him that he should not forget his godchild's birthday. Thank you.

Mr PHILLIP COSTA (Wollondilly) [10.21 a.m.] [Inaugural Speech]: Mr Speaker, congratulations on your appointment as Speaker of the House. I look forward to working with you and all members of the House on both sides in serving the people of New South Wales, and especially those of the electorate of Wollondilly. I am very proud and honoured to be here today. This has been a very long journey for me. Despite my recent ascension in the Labor party and my role as the newly elected member for Wollondilly, my journey began when

I realised, at the formative age of 17 as Captain of Liverpool Boy's High School, that anything is possible if you believe in yourself and you have people around you who have unconditional love, and who will support you in your dreams and aspirations despite how impossible those dreams may seem. I am very pleased that my mother taught me how to dream. Now, here I am in this place, the heart of governance of New South Wales. It is a very good feeling. Before I get too far into my presentation, I must say that I am a very proud Costa. I have no skills in the fine art of managing the State's finances.

Mr Brad Hazzard: Nor does the other one.

Mr PHILLIP COSTA: I paused deliberately, because I knew I would get a response. I leave that to my very capable colleague and namesake in the other place. But what I do know is how to spend money, particularly in delivering essential services and infrastructure to the benefit of the people I represent. I will draw that to his attention on a regular basis. I am a teacher, a very proud teacher. I have taught the children across Macarthur, and for the past 24 years I have led a number of schools as a primary school principal. I have witnessed the aspirations of families in the communities in which I have worked through the eyes of their children. I began my public life as a councillor on Wollondilly Shire Council in the mid 1980s. I have held many positions in local government including mayor, deputy mayor and President of Macarthur Regional Organisation of Councils [MACROC]. I have served on countless council committees and countless community-based committees. At the last count I had served on 82 committees since 1980. I am a very active member of my community. It has been a rewarding and fulfilling experience. Life has dealt me a great hand. When I go through my background you will understand what I mean.

Today I will speak on a few key areas. I will put Wollondilly on the map for you, I will talk about my life experiences and the values I have gained from them, I will refer to the challenges ahead for my electorate and the Government, and I will give special thanks to those who have helped me get to where I am today. As my electorate is new I will give members a brief outline of the area. The Wollondilly electorate was abolished in the early 1980s, after 74 years as a rural seat. Following the recent redistribution it was recreated at the last election with a very different footprint. Today it is a mixture of rural and urban settlements. I am the twelfth member for Wollondilly since 1904. Today it is part of the Greater Macarthur region. Wollondilly is located around the south-west fringe of the Sydney metropolitan area. It is steeped in both European and Aboriginal history.

Wollondilly is an area of just over 2,600 square kilometres, with 22 villages or towns in the electorate. The northern-most village, for those who know their geography, is Warragamba. It then swings south through small hamlets such as The Oaks and Oakdale down to the townships of Picton, Tahmoor, and Appin. To the east it includes Wilton, Douglas Park and five suburbs of southern Campbelltown—St Helens Park, Ambarvale, Rosemeadow, Bradbury and Glen Alpine. The new seat takes in all of the Wollondilly shire footprint and part of Campbelltown City Council. More than half of the electorate is either national park or water catchment. Most of Sydney's drinking water is stored on, or transferred through, the electorate to quench the thirst of Sydney. Warragamba Dam is within the electorate. My property backs onto Warragamba Dam. It will fill up. Trust me. All we need is a little rain.

The natural assets of the electorate are outstanding. We boast the largest intact population of threatened species and ecological communities in the Sydney basin. Wollondilly is the home of the rarest flora and fauna in Australia, as documented by recent studies by the National Parks and Wildlife Service. I thank and congratulate the Carr Government for having the vision and courage to protect some of our pristine ecosystems through the declaration of many of the reserves in our area. The challenge ahead is to maintain these valuable assets for our generations who follow. I invite everyone to visit Wollondilly one day: I know all will be impressed.

The electorate has a huge community of difference owing to the settlement patterns across it. There are many rural-residential and farming properties as well as dense urban areas in the Campbelltown area. This difference brings both challenges and opportunities for the people of Wollondilly. For example, transport needs are a challenge. Access to the rail system is difficult for many people throughout my electorate and that is one area on which I will focus my energy in an endeavour to find solutions.

Farming is still a major economic contributor to the economy of Wollondilly. However, like other rural fringe areas around Sydney, agriculture is under great pressure. The industry needs help and support to survive in a modern competitive market. I led the council to establish a Rural Industry Liaison Committee, which I chair. The committee gives the farming community a direct voice to council and advises council on matters such as local environmental plan reviews, rating and council development control plans. I give this as an example of how I like to do things because that is how I would like to run business in this place—by engaging those who are directly affected by the decisions of government.

Our committee attracted the interest of Dr David Mason, who recently returned from a worldwide tour after researching best practice in integrating sustainable agriculture adjacent to large cities. He presented to our committee last month and I look forward to working with government to progress the work he has done. I also thank the Minister for Planning, Minister for Redfern Waterloo, and Minister for the Arts, Mr Sartor, for his interest in this issue over the past few years. With the State working with local government and by utilising the expertise we have in our community, the farming community will have a future. That will be one area in which I will be most eager to see progress.

Tourism is an emerging industry in Wollondilly. My electorate is becoming an iconic tourism locale and tourism will be the growth industry in our area. I share a vision with local tourism operators, the councils and the State Government for the region. This vision includes projects already committed to by the previous Government, for which I thank the Government very sincerely, and include upgrading of the rail transport museum at Thirlmere. The Government has allocated \$14.6 million to redevelop the site and it will become this State's main rail heritage centre, bringing in many visitors to the area and much-needed employment. Everyone knows that since September 11 and recent works, Warragamba Dam has been closed to the public. However, funds have been made available to rebuild the visitors' information centre at Warragamba, which will hopefully attract visitors to the town.

Appin in my electorate has most of the pristine, well-cared-for early European houses that I would like to see become part of the area's tourist attractions. The Burratorang Lookout provides an expansive view of the natural environment in the Sydney Basin, but redevelopment work needs to be carried out. I commend the lookout as one that people should visit. Cycle tourism also is being promoted across the electorate to attract as many local and overseas visitors as possible to our community.

Employment opportunities within the region will be a major focus for me over the next four years. My close working relationship with all of the local government authorities in my electorate will assist in meeting the challenge. Industry is looking closely at Wollondilly. As I speak, the largest flour mill in Australia, and probably in the Southern Hemisphere, is presently being constructed on the doorstep of Picton and will bring jobs and prosperity to the community. Most of the workforce in Wollondilly commutes out of the area to go to work. Our community comprises hardworking families who share the same aspirations as do many other Australians. We offer a great lifestyle at relatively affordable rates, but finding work opportunities close to home is a challenge. The Federal Government's attention to the M5 is very important to my community. Our own local and State roads cope, but unfortunately all roads lead to the M5 and we need three lanes from Narellan Road to the M7— and as soon as is possible.

I particularly mention the Campbelltown Hospital in the Wollondilly electorate because it is an outstanding hospital. With the recent opening of the medical school, people in Macarthur are very excited about the future of health services in our area. The University of Western Sydney's Macarthur Campus is a fine institution which works in conjunction with the medical school at the Campbelltown Hospital. I am also very pleased to mention Macarthur Square because in Picton, where I live, we do not have things like that. I was pleased that it was included within the new electorate's boundaries. [*Extension of time agreed to.*]

Today I would also like to speak about my life and experiences. I am married to a lovely lady, Christine, and I have two adult children, Brendon, who cannot be here today because he is in Melbourne researching at La Trobe University, and my daughter, Les Lee Ann, who is present in the gallery. I bring a story of humble beginnings as the son of a market gardener from an Italian background and, on my mother's side, as a descendant of Third Fleeters who unfortunately deserved to be transported here as convicts in the late 1700s. My mother helped to shape my values and taught me to dream, and my father taught me the value of an honest day's work and how to relate to people.

As I mentioned earlier, I am a Costa. My family came from the Aeolian Islands north of Sicily in Italy. My grandparents were born on the islands of Salina and Panarea. They emigrated to Australia in the 1930s and their 12 children were all born in Australia except for one of my aunts. My father was the eldest son of his family and I am the eldest son of my family. My grandparents worked hard and carved a future for the whole family through valuing education and having faith in all of us. I was the first of my family to attain tertiary qualifications—yet today many of my family members have become professionals in their chosen careers—and that encouraged me to become a teacher.

I became a teacher with the New South Wales Department of Education in 1970 and my career spanned 35 years. For 25 of those years I was a primary school principal. I taught in the Macquarie Fields, Buxton, The

Oaks and Campbelltown areas. I experienced much during those years and I learned a great deal. I learned that education is the door to success and the pathway to equity. Teaching has been a unique, rewarding and personal experience that I loved and still love. Children have taught me the meaning of trust, respect, honesty and faith. Whenever I was down, I would approach my classroom teachers to take a class and have a kid fix—and I felt much better afterwards!

I believe that education leads to a safe, healthy and educated life and that we in this place have a great responsibility because the things that we do here will have a profound impact upon the lives of many people, particularly young people. I look forward to the challenges ahead in resourcing schools. Some weeks ago I had the pleasure of attending Matilda Stone's birthday party. Tilly, as she is affectionately known, spoke to me about the family, good health, hard work and the value of all things in life. Tilly is 105 and is still very active. She taught me one very important thing: that we in this place have a responsibility to support the elderly. Tilly demonstrated to me the need to look very carefully for ways in which we may help elderly people in our community. Tilly has experienced two world wars, depressions, drought, floods and many, many other experiences in her life, yet we need to be able to find ways to help her, particularly to get to places where she needs to go. I thank Amanda Larkin who worked so hard to find Tilly a place in the Queen Victoria Memorial Hospital. Tilly is a very happy lady there.

Ladies and gentlemen—I should say, "Mr Speaker". This is a different sort of place; I have to get used to where I am.

The SPEAKER: Same here!

Mr PHILLIP COSTA: When I went into high school I was a non-reader and it took me a while, with the support of a teacher at the school, to learn to read. It taught me a lesson that you do not give up on anything. I thank that teacher, Mr Hughes, very much. He taught me that if you dream and you try, you can make it. When I finished up in Armidale Teachers College I knew that there was nothing that was impossible. I know we can achieve that through our schools. In our schools we have outstanding teachers delivering world's best practice in their classrooms. They are well trained and have some of the best resources available. However, in mainstream classrooms there is a growing need to support children with special needs. My experience is that children with special needs require specialist support and therefore we need to listen to our school leaders, who know how best to support the needs of those particular children.

Communities are about relationships, common spirit and determination. A very good example of that is the community at Warragamba. After a great number of disasters, particularly bushfires, residents have rallied together and created a community once again. The members of that community do not put their hands out, they do the work themselves. I am looking forward to working with many of those types of communities in Wollondilly. They remind me that a town is not a town without a sense of community and support for that community from its leaders. I have touched on just a few of the challenges ahead and I look forward to support from members in delivering to the people of Wollondilly.

Finally, I thank the people of Wollondilly for placing their trust and faith in me to represent them as their State member. I am honoured to be in this position and I look forward to representing all of them to the best of my ability. I thank also the Labor Party and some of the members who are here—the Minister for Gaming and Racing, and Minister for Sport and Recreation, the member for Camden and the Premier—for their encouragement and support. I have had an outstanding support system behind me and I look forward to a long and fruitful and loyal working relationship with them. I thank all the branch members across Wollondilly and in the Campbelltown area for their support during the recent elections. Their acceptance of me as a member has been much appreciated and I look forward to many years of our service together.

To the 220-plus volunteers who helped with the doorknocking, putting up posters, making phone calls, manning booths and the many other tasks associated with the campaign, my heartfelt thanks. To my election campaign team, a very big thank you for the hard work and direction given to me over the past few months. A special thank you to Sam, Sally, George, Helen, Ghaleb, Emma, Bill and Daniel for their commitment, friendship and hard work. To the current office team of Helen Ball and Elizabeth Lees, during this difficult time of setting up a brand new office—we are in a warehouse at the moment—a very big thank you for a job well done. I thank the House for the opportunity to be one of the first members to speak in this new Parliament—it is quite a pleasure. I thought if I speak at an early stage I can get involved in debate, and I am looking forward to that.

In the gallery is my family, who has been my tower of strength in my role as a public person for so many years. I thank them for their patience and love. To my darling wife, Christine, whom I love very dearly, a big thank you for her understanding, patience and support. It has been a very rough road at times. I say to those members of my family present today that I am very proud to be here as part of the Costa family. Once again, Mr Speaker, I congratulate you on your appointment and I thank you and the members for the opportunity to address the Legislative Assembly today.

Mr DAVID HARRIS (Wyang) [10.41 a.m.] (Inaugural Speech): It is an honour to stand here today as a member of the class of 2007 in this the Fifty-fourth Parliament of New South Wales. As we present our inaugural speeches it is significant to reflect that new members of Parliament from all sides of the House draw their experience from a wide range of backgrounds in the community. It is essential, as elected representatives in this Parliament, that we are able to bring varied knowledge and life experience to the decision-making processes in order to achieve the best outcomes for the people of New South Wales.

I congratulate you, Mr Speaker, on your election and recognise the significance of Premier Iemma's push to bring renewal to the Parliament and to the Government. This began with the identification of candidates in key seats leading up to the election and continues with the large number of new Ministers, including three Ministers who are new members of Parliament. I hope you find your time as Speaker rewarding. I am sure that each new member of the Legislative Assembly will add to the rich tapestry of the Parliament by bringing different perspectives to the many challenges that confront the most populous State in Australia. The issues of climate change, population growth, employment and environment in the context of a twenty-first century economy provide great opportunity and challenge for this Parliament, as it does for all parliaments across this nation and, indeed, the world.

Albert Einstein observed, "The significant problems we face cannot be solved at the same level of thinking we were at when we created them." That is the challenge and it involves employing new paradigms in attacking these very important issues. It is clear the people of New South Wales desire—in fact, demand—leadership on these issues. They have returned the Iemma Labor Government because they understand that Labor can deliver what is necessary. In Stephen R. Covey's signature program from his book *The 7 Habits of Highly Effective People*, a video depicts an 80-year old man at his birthday surrounded by friends and family. Each person tells stories of how this man has impacted on their lives.

The video finishes by asking us to consider how we would like to be remembered at our eightieth birthday. It is an interesting question. The answer from my perspective is that in the end it is not about personal fame or fortune—those things are very material—it is about how you have impacted positively on the lives of those around you. That is the essence of public life. Very few people ever get the chance to reach the privileged position we now find ourselves in. We must use this responsibility to deliver better outcomes for people's everyday lives. That will be our legacy, our contribution to making the lives of others better than they might otherwise have been. I have indeed been lucky in my life.

I have a beautiful family: my wife, Sherelle, and two lovely daughters, Rachael and Jessica, who are here today. I have had a fulfilling career in education and feel even more privileged to be standing in this place today. Each day I am thankful for the opportunities I have had in my life and recognise the influence others have had in helping me achieve my success. My strong personal motivation in family and work has been to help others to have access to those same opportunities. My parents grew up in the Greenacre area, near Bankstown, before moving to the Central Coast in the late 1960s. Our family is very much working class. Dad was a salesman and Mum a homemaker and later a school cleaner to help ends meet.

We did it tough at times, but my sisters, Sandra and Suzie, who are here today, and I never went without. I remember I believed in Santa Claus longer than most kids because I could not rationalise that Mum and Dad could ever afford what we received each year at Christmastime. Mum especially went without so we could attend school excursions and have the materials we needed to complete our education. Above all, we were always told to make sure we tried hard at school and have a good education. In reflection, we coped with some very difficult times including surviving periods of unemployment which put great stress on our family. But this stress had a significant impact on how I developed as a person and I know it gave me a deep resilience, a sense of purpose and a strength of character that has allowed me to flourish through sometimes difficult times in my life.

I have been privileged to grow up in an extended family of sorts, with my grandparents, aunts, uncles and cousins all being very close. Last year my grandparents, Duncan and Betty Chapman, celebrated 65 years of

marriage. Along with my parents, Maureen and Bob Harris, my grandparents taught me the value of strong work ethics, loyalty and most importantly for standing up for what I believe in. That has underpinned my heartfelt working class values of a fair go for all. That is why I could be nothing but a member of the great Australian Labor Party. I come from a proud public school background, having attended Woy Woy South Public School and Woy Woy High School, where I was school captain. Yes, I am a proud Woy Woy boy! I became a teacher and a school principal because I valued the concept that education is the key to unlocking opportunity in one's life.

I acknowledge the important and special role that all schools and systems play in educating our young people. In particular, I am a proud advocate of the value of public education because it accepts everyone, no matter their background or financial situation, without asking questions. I strongly believe that public education has been the cornerstone of our unique Australian democracy and culture. My wife works in a public school and my eldest daughter attends a public school. I became a teacher 20 years ago. My first appointment was to Griffith Public School in the Riverina. I remember my colleagues at Woy Woy telling me at that time, "You don't want to go to the country." In retrospect it was the best decision I have ever made. It defined my career and gave me a perspective on life that I will value forever. Yes, there is life west of Parramatta!

From the multicultural town of Griffith I was appointed teacher in charge and then principal of a one-teacher school at Merriwagga, in only my second year of teaching. Merriwagga is a small farming community of 150 people. The local people took me in and taught me the true value of the meaning of "community". Farming communities are very good at supporting each other through good times and bad. From Merriwagga I moved to Hillston Central School where I experienced the extremes of both flood and drought. More importantly Hillston is where I met my wife, Sherelle. Sherelle gives me the spirit and support that drives me forward each day. I think that comes from her country upbringing.

My wife's family has a farm in the Hillston district and I get the unique perspective of seeing and understanding the hardship currently confronting them in this terrible drought. The dreadful image of their once green productive paddocks that have turned to red dust leaves an indelible mark in one's mind. That is something we in this place should be mindful of at all times. I am very lucky that my mother-in law, in particular, keeps my feet firmly on the ground when it comes to issues confronting the country. Needless to say, she does not support our side of politics. I tell her often that the Labor Party, through Country Labor, of course delivers for the country—but she is yet to be convinced. I am sure that over time I will eventually convince her of that!

My job next took me back to the Central Coast, where I was appointed principal at Dooralong, then deputy principal at Northlakes, then principal at Gwandalan and finally I was promoted to principal at Kariong Public School late last year. I resigned from that position a few weeks ago. As a school principal of 18 years in public education I have been privileged to work with such fantastic young people and their families, no matter their background, talents or disabilities. I have worked mainly in country and disadvantaged schools. A principal fulfils many roles: adviser, counsellor, manager, community builder, just to name a few—very similar to the role of members of this place. A principal works with communities to provide opportunities for students, including academic, social, cultural and sporting, developing them as individuals who can survive in this twenty-first century world. For me there is no greater reward than to meet former students, or parents, and hear how well the students have done in their lives. I have been lucky to work with so many talented and committed individuals who have taught me the importance of service to the community.

I have had some great mentors in education; innovators dedicated to improving outcomes for kids. Craig Sinclair and Roger Pryor taught me the value of technology in education. I am very pleased that recent Labor governments have invested heavily in providing access to information communication technology [ICT] for students and teachers. That is the way forward for both our economy and our culture. Bill Low, Frank Potter, David Cullen and Hunter-Central Coast Regional Director, John Mather—even though he is a Kiwi—taught me about leadership, personal development and change management, attributes that will be of great value to me in this place.

Maree Roberts was inspirational in pushing the importance of indigenous education and for fighting hard for all children. Maree is unwell, otherwise she probably would be here. She is a very passionate lady and we often talk about issues, as I sincerely value her advice. We have an important responsibility in educating the next generation of Aboriginal elders. Paul Day, my boss at Northlakes Public School, showed me the power of self-belief, the importance of improving outcomes for families and how education is a key feature of social justice. My gratitude to these people is beyond words and I hope I can repay their counsel and support through staying true to the ideals they have dedicated themselves to in their careers.

I am very proud that during the campaign we fought for and will receive a new trade school at Wyong, a new gym and performance space for Gorokan High School, which has a nationally renowned concert band, and improved facilities in other local schools including the completion of a new school at Hamlyn Terrace. These are welcomed investments in education in the Wyong electorate. Needless to say, I will take a great deal of interest in the provision of education and its impacts on families across the whole community in New South Wales. The electorate of Wyong, part of the region collectively known as the Central Coast, is confronted by a number of challenges and opportunities. I am humbled by and understand the great responsibility granted to me by the people of Wyong at the 24 March 2007 election. It is a custodianship I take very seriously and I will put my heart and soul into providing effective representation for the aspirations and needs of the Wyong community. [*Extension of time agreed to.*]

Wyong is an area of rich history, an important indigenous history, through the Guringai and Darkinjung people and a European history beginning with settlement in 1825 when William Cape, a headmaster of Sydney Public School, was granted land in the area. The Wyong area was known for its timber, farming and early tourism around Tuggerah Lakes. It is a beautiful part of the world with the coastal stretch divided from the forested mountains by an array of lakes and lagoons.

The Central Coast region has a population almost equal to that of the Australian Capital Territory, and it continues to provide a new place for people to live away from Sydney. Many of these people will settle in our new suburbs in the Wyong electorate. An important part of my job will be to work closely with parliamentary colleagues in the region to promote its unique lifestyle and needs. We must work together to secure the economic and social infrastructure that is vital to support the growth in population.

At this point I would like to congratulate John Della Bosca on becoming the new Minister for the Central Coast, a role that helps to identify the uniqueness of our region. I also acknowledge the hard work of Grant McBride, member for The Entrance, for the work he did as a former Minister in promoting the Central Coast. Proudly, Labor has always represented the electorate of Wyong, and the legacy of previous Labor members has been strong. I acknowledge the work of Harry Jensen, Harry Moore, OAM, and Paul Crittenden in providing strong representation for the area. I will need to work very hard indeed to ensure that I reach the high mark set by them. They have laid solid foundations for me to build upon.

As I said, the key challenges in Wyong revolve around finding a balance between the environment, social infrastructure, and economic growth. These factors are interrelated and any way forward involves an intersection between them. This is an exciting time with many new projects about to begin bringing important investment and jobs to the area, but this must also be tempered with the need to protect the environment and the lifestyle that attracts people to the area in the first place. This is a delicate balancing act that must be executed with great care and consultation. Other issues that need to be confronted are proposed mining in the Wyong valleys, the health of our delicate lake system, and consolidation of our very important water supply.

An important natural feature of Wyong is its beautiful beaches. Significantly, 2007 is being recognised the Year of the Lifesaver. As a young guy growing up in Woy Woy, the beach and the surf club at Umina were very influential in my development as a young person. Apart from being a very healthy lifestyle, surf lifesaving is an important voluntary organisation. It fulfils a very necessary role in protecting people from mishap on our beaches, but it also offers a great opportunity for competition and friendship. I was able to attend State and Australian titles, competing in rescue and resuscitation, march past, sprinting and flags. I was even a boatie for a while, although I quickly got out after one big surf at Freshwater. Surf lifesaving is a wonderful way to keep healthy and to give back service to the local community. I look forward to working with the Lakes and the Soldiers Beach surf clubs in the Wyong electorate.

This year marks my twentieth year as a member of the great Australian Labor Party. In 1987 I joined the Umina branch and at the same time I joined Young Labor. My time in the Labor Party has given me the privilege of meeting some incredible people. One such fellow was Frank Peters. He was in his eighties when I joined the Umina branch. He took me under his wing when I first began and taught me the ropes. From electioneering to party politics, he guided me along, teaching me all the finer points.

Since those early days I moved on to become president of my Wyong branch, secretary of Dobell Federal Electoral Council [FEC] and delegate to several State conferences. During that time I watched and learned, valuing the rich history of our party. Throughout the election campaign I felt the weight of responsibility, representing the hopes of our branch members, fall heavily upon my shoulders. There was certainly added pressure when a former member for Wyong, Harry Moore, sternly told me on a visit that he had

never lived in anything but a Labor electorate and he was too old to let that change now. If members have ever talked to Harry they would be aware that he uses a few four-letter expletives. However, he made it clear that there was no option other than to win.

I dedicate my success in the March election to every branch member who has ever shared his or her story with me over the years and enriched my life to make me a better person and better able to represent the electorate and the people of Wyong. It is appropriate for me at this stage to mention the supportive role the union movement played in assisting my election. UnionsNSW, through John Robertson, Tony Sheldon from the Transport Workers Union [TWU], Michael Williams and Craig Thompson from the Health Services Union [HSU] and, in particular, Bernie O'Riordan from the Electrical Trades Union [ETU] provided huge logistical support to our campaign in Wyong. We could not have run the campaign we did without their support.

I note that it was evident that the Federal Government's WorkChoices laws played a massive role in our final result. The community is very concerned about these changes, particularly in respect of the possible effects on young people. Many people related to me whilst I was doorknocking and at stalls that they support the concept of a fair day's pay for a fair day's work in a safe work environment. They believe that Howard's industrial relations changes attack this principle. I am very aware that a campaign team is essential in winning an election. My thanks go in particular to the former member for Dobell, my friend and mentor Michael Lee, who has been an important sounding board for me and for my family. I acknowledge his presence in the gallery today.

I acknowledge the role that Grant McBride played in giving me the encouragement, firstly to stand as a candidate and then by supporting me throughout the campaign. I acknowledge Marie Andrews, John Della Bosca, David Campbell and Federal member for Shortland, Jill Hall, for their advice, encouragement and support. I thank Mark Arbib, Carl Bitar, Peter Bentley and the party office for their belief and support. I thank our direct campaign team, comprising Sam Dastyari, Crissie-Lee Stevens, Paul Lister and Maggie Lloyd. I also thank Kirsten Andrews for her valuable advice and guidance. But special mention goes to Kaila Murnain and Steve Dampf for putting their lives on hold for so many months and making our campaign so successful.

Many members of Young Labor and branch members and members of the community assisted but I make mention in particular of Len Hurley, Richard Keating, Peter Cooley, Peter McEvoy, Adam Wardrop, Matt Bourke, Patricia Amphlett—Little Pattie—Claire Johnston, Austin Woodbury, Wendy Honey, Dayle Walker, Lillian McDarra, Don Craig, Jen Harvey, Paul Day, Alisha Wilde and Councillor Neil Rose. Whilst there are hundreds of other names I could mention, they know who they are and I hope they understand the depth of my gratitude. Although I have already mentioned them I would again like to thank Harry Moore, OAM, and Paul Crittenden for their valued and continued support.

To my wife, Sherelle, and my daughters, Rachael and Jessica, thank you for your love and support through many difficult months. We make a good team. We share a strong bond through good times and tough times. I began this address by contemplating what people might see as my legacy when sitting at my eightieth birthday. If they view me as someone who has led a good life, provided advice and support to others, and achieved improved outcomes for the community, especially for the people in Wyong, my time here will have been a success. It is how I have approached my career in education and it is how I will approach my time as the member for Wyong. Being a member of Parliament is about listening to people's stories, sharing their experiences and understanding their needs. Stephen Covey advocates:

We must first seek to understand, before being understood. We must be emphatic listeners and we must seek synergy in our solutions.

Thank you for letting me share my story with you today.

Ms SONIA HORNERY (Wallsend—Parliamentary Secretary) [11.01 a.m.] (Inaugural Speech): Good morning, Mr Deputy-Speaker, friends, comrades, mum, my sister Jak, Shell, Arthur, John, David, and my friends in the public gallery. I pay my respects to the Gadigal people of the Eora nation. I thank members of the House for their courtesy and indulgence as I take this opportunity to reflect on the path that has brought me here, my values, my background, my indebtedness to my campaign team and what I aim to achieve as member for Wallsend.

My most important task today is to demonstrate my gratitude to my family, friends, Australian Labor Party [ALP] members, my campaign team—Gary Parker, Bill Royan, Helen Sheehy, Gordon Langford and Jack Adams—and my crusty campaign organiser, Mr Eric Line. I am profoundly appreciative of the help given to me

by comrade Gary Kennedy, Secretary of Newcastle Trades Hall Council. There is no doubt that without their guidance, hard work, friendship and support I would not be here speaking to you today. Being the focus of a political campaign makes loyal friends and family essential. At times when self-doubt began to rear its ugly head my campaign team pulled me into gear. Our campaign office operated like a well-oiled machine. It was also the cleanest campaign office known to humankind, thanks to Mum's tender ministrations.

My Australian Labor Party branch members were eager to assist in our Wallsend campaign because they had chosen me through rank and file preselection. Our members want to choose their candidates. Local branch members volunteered in the campaign office, sent postal vote applications, answered the telephone, erected corflutes, organised and attended fundraising events, helped with street stalls, and volunteered on booths on election day. This equated to many hours of unpaid work for which I shall remain eternally grateful.

The beauty of New South Wales is its diversity—diversity of people and diversity of land. If I paint a picture of Wallsend it may help you to understand the good people of the area. They are the workers—the battlers—who forged a better life for people like me. Wallsend is a landlocked area to the west of Newcastle. It is rich in coal, and the town grew with its discovery. One hundred years ago most of its citizens toiled in very harsh conditions in the many coalmines. Wallsend's history has been built on the coalface. The people of Wallsend demonstrate the characteristics of our industrial forefathers. They are hardworking and honest and they believe in a sense of fair play. The notion of a fair day's work for a fair day's pay is embodied in our ethos. The local chapters of the mining unions forged better working conditions for our people.

The miners and our citizens helped to build Wallsend hospital, where my big sister, Shell—who is here today—trained as a nurse. Unfortunately the hospital was closed during the Greiner era, although it has since reopened and now offers outpatient services such as child psychiatry, migrant health and after-hours medical access. We now have two major hospitals in the Wallsend electorate. John Hunter Hospital caters to the health needs of the Hunter and New England. The Mater Hospital, which was recently renamed the Calvary Mater Newcastle, leads the way in cancer treatment and is currently undergoing massive extensions to improve its services. Health is the biggest industry in our electorate. Yesterday the Construction, Forestry, Mining and Energy Union presented me with a bottle of water. Its label reads, "When you drink this water, think about workers' rights"—so I shall do that as I drink from it.

Like our hospitals, Newcastle university is a big employer. It is situated squarely in the middle of the electorate and has a terrific and growing reputation as a quality educational and research facility. I trained there in the 1980s as a teacher and have since returned to obtain a Bachelor of Arts, with Honours, in history. Its encouragement of international students has added richness, knowledge and cultural diversity to a settlement that was predominantly Anglo-Saxon. I want to thank Gough Whitlam for giving kids with working-class backgrounds, such as mine, the opportunity to be educated. There were no fees to pay in the late 1970s or early 1980s and students were not burdened with the weight of a Higher Education Contribution Scheme [HECS] bill looming over their shoulders throughout their period of study.

I was the first person in my extended family—most of whom reside around the Wallsend area—to complete school, let alone undertake tertiary education. I spent my childhood with my sisters and brother in Housing Commission homes at Windale and Edgeworth until we rented in Wallsend and West Wallsend. Mum and Dad both endured very tough childhoods. Dad grew up with his brother and sister during the Depression. His mother died of an illegal operation when he was two. His older sister was left with their father to care for their younger brother, who had a disease of the spine. Dad was shipped off to live on a farm with an old aunt who worked him mercilessly and did not spare the rod.

Mum's childhood was equally tough. Her family was dysfunctional and consequently she and her sister and brother were placed in orphanages as infants—like Mr Speaker's mum. Mum was lucky that she had her big sister, Jan, with her at Monte Pio—an orphanage in Maitland that was run by the Sisters of Mercy. Its focus was to train girls to be good domestic servants and wives. Mum got pregnant to Dad at 14. They married and began raising a family while Dad was in and out of work, which created some tensions. He was a jack-of-all-trades and master of none. Even though they had little, they brought us kids up to be sharing and giving. They took in my cousin Darryl from Woodlands Boys Home at Wallsend and raised him as a member of our family after his mother—Dad's sister—committed suicide.

Dad was a shop steward in many of his workplaces and believed in the benefits of trade unionism and collectivism. He mostly drove trucks. He believed in working hard, and expected his boss to be fair. He stood up for others when they needed help and talked about giving the underdog a go. I inherited those values. While

travelling around the State teaching, I had an executive role in every teachers association of which I was a member. I have always felt more comfortable standing up for others than with self-promotion.

Mum's values have been fundamental in shaping my beliefs. Mum is kind and honest to a fault. Mum said that when one of the little girls at the orphanage received no presents for Christmas her friends wrapped up a shoelace in a piece of paper and presented it to her because they did not want her to miss out. That is what I learnt from the women from Monte Pio orphanage whom I interviewed for my Honours thesis. Like Mum, they were giving and hardworking. All my siblings have this trait. The concept of giving has taught me that my role as member for Wallsend is about public service. I am elected to help the community as best I can.

My first teaching appointment was to Walgett High School in the electorate of the member for Barwon. It is about eight and a half hours directly northwest of Newcastle; it was so far away from my home at Westy—West Wallsend—that I did not want to go. However, my dad reminded me that I had often talked about the beauty of the public education system as the only one where all children were given the opportunity to be educated regardless of wealth, race or creed, and that belief requires action. Dad reminded me also that the kids of Walgett deserved a quality education as much as anybody else.

Living and working at Walgett taught me a lot. My heart bled with the poverty and hardship of a number of families, some living in town and others living on Ginghi Mission and Namoi Reserve. Walgett is so far away from anywhere else. Unemployment in Walgett is among the highest in the State because there is limited commerce in the town. For Walgett teenagers, going to the city to find work takes them hundreds of miles away from their close-knit community and they often return home jobless after fretting for Walgett.

I became good friends with a woman named Loretta Boney, who grew up in a very modest goondhi, or house, on Namoi Reserve. She and I remain good friends. I remember how when I met Loretta on the main street of Walgett she would say, "Sis, slap on the kettle and let's go back to your goondhi and we'll have a cup of tea." I loved it when she would say that. Loretta now resides in Cardiff South, not far from me in Wallsend, and is a qualified teacher. Living in Walgett also taught me how different our coastal climate and lifestyle is from that of the inland—how hot and harsh it is in summer and how isolated you are from cultural activities. I think you do not really appreciate that unless you have lived there.

From there, I went to teach at Kempsey High School in the electorate of the member for Oxley. Kempsey has its own social problems and poverty, and I involved myself with the union and the community there, just as I had in Walgett. During this time the Australian Labor Party was staring down the gun barrel of electoral defeat. I was concerned about the election of a conservative government, and thus was galvanised into action to become more involved with the party and the Kempsey branch. I acknowledge my dear friend Val Melville—who is a long-time secretary of Kempsey branch and after whom Melville High School is named—who encouraged me to be the first female president of the branch. One of my nicest memories is the camaraderie I shared with the Kempsey branch members sitting in Val's lounge room after handing out how-to-vote cards all day in tiger country, drinking tea, eating scones and watching the election broadcast on television. Sadly, our candidates never won.

From Kempsey I returned to my roots and held various teaching positions in disadvantaged schools around the Hunter before being elected to Newcastle City Council in 2002. My emphasis on council has been raising the profile of our western suburbs and the specific issues of the western residents. Since being on council I have been employed as a community support worker with Hunter Brain Injury Respite Options [BIRO]. It provides respite for carers of persons with acquired brain injuries and it helped me to appreciate the difficulties encountered by people living with disabilities and the immense pressure that carers are put under financially, mentally and physically. Furthermore, it helped me to appreciate how tough it is out there for workers in low-paid jobs, struggling to make ends meet because too often these days they are casually employed.

They were some of the concerns that drove me to join the Labor Party almost 20 years ago. I still believe in the fundamental principles of the party and its ideology of seeking full employment, support for members of the workforce by a strong and vibrant trade union movement, adequate funding for public schools, public hospitals, public transport and social services, and the creation of infrastructure that matches our increasing population. People join the party today for the very same reasons as those who joined before them. *[Extension of time agreed to.]*

My predecessor, John Mills, was first elected to the electorate of Wallsend in a by-election almost 20 years ago. I acknowledge Mr Mills' efforts. He is a statesman, always diplomatic and a careful thinker, and

he constantly had the best interests of the Wallsend electorate in his heart. Dignitas and gravitas are words that describe John. It is a great honour and privilege to be selected to represent the electorate of Wallsend. I will follow the motto of my high school—Westy: Strive to achieve.

Mr GREG PIPER (Lake Macquarie) [11.21 a.m.] (Inaugural Speech): Mr Deputy-Speaker and members of the House, it is an honour and a privilege to be here in the New South Wales Legislative Assembly today delivering my inaugural speech as the representative of the people of Lake Macquarie. I take this opportunity to thank all those who worked for me on the election campaign and those who supported and voted for me. It is not easy to contest and win a seat held by either major party. In this case, the Labor Party had held the seat since its creation in 1950, and the former member, Jeff Hunter, had held the seat since 1991. With that came a strongly contested election, resulting in its being the second most marginal seat in New South Wales. I tip my hat to the member for Port Stephens, who has the most marginal seat.

The margin of 106 votes is a clear message that every vote is important and that without dedicated helpers before and on polling day it could easily have been a very different result. At least as important was the work of my scrutineers, who spent many hours over 10 days ensuring that the value of each vote was properly recognised. While I have a great many people to thank, particular thanks on all of the above must go to my friend Ken Winning.

My decision to run against Mr Hunter was not due to any personal animosity. To the contrary, Jeff worked closely with me and the community on many important issues over the years. I would like to note and thank Mr Hunter for his graciousness in how he accepted the election outcome and wish him all the best in the future.

I have run a different race from many of the members of this House in arriving here today. As an Independent member I have been propelled here not only by what I believe to be the Lake Macquarie electorate's dissatisfaction with the government of the day, but also by the electorate's unpreparedness to accept what either major party offered. My decision to offer myself for election was made after strong representation from people who shared the common perception that the New South Wales Government had failed to remove the threat of open-cut mining in the Lake Macquarie electorate and that that failure was at odds with not only the area's existing residential and rural amenity, but also the Government's own development and conservation strategies. Whilst this was a key factor in my decision to run for this office, it came on top of many concerns that I and others held about how Lake Macquarie had been treated for some years by successive governments.

The inadequacy of infrastructure and services across the State is widely acknowledged. Lake Macquarie contributes more to the State's economy than many areas, yet it is lagging in government provision. This is not the occasion to specifically outline all of my aspirations for the electorate of Lake Macquarie, but I foreshadow that I will pursue the upgrading of Main Road 217 from Teralba through Toronto, building on the excellent work recently completed by the State Government on the Five Islands to address the increasing traffic congestion and unreasonable and dangerous conditions, particularly in the growing peak periods within Toronto.

I will also work to ensure that a health facility is established in the Morisset area to overcome the glaring void in health services, particularly casualty and outpatient services, between Wyong and Newcastle. I will pursue the provision of more police officers in the electorate and in the Lake Macquarie Local Area Command, where police numbers are less than half the State average for a population rapidly approaching 200,000 people. I will work towards the construction of the Glendale transport interchange and associated Pennant Street Bridge. Clearly I need to work with my colleague the member for Wallsend and other local State members to achieve this regionally important infrastructure. I will work to protect our unique environment, including not only the lake and coast but also the hinterland of Lake Macquarie and Wyong, where threats from coal extraction have been and continue to be a real concern. I will also seek greater accountability in the use of part 3A of the Environmental Planning and Assessment Act.

The State seat of Lake Macquarie represents a substantial part of the City of Lake Macquarie—a seat and a city with many natural assets located in close proximity to Sydney. It is a growing area and is set to take the major proportion of population growth in the Lower Hunter under the Government's adopted Lower Hunter Strategy. People rightly want important issues of infrastructure provision and environmental protection addressed prior to this growth occurring. That covers some of the reasons I am here, but I also want the members of this House to get to know me—obviously over a long period of time—and to know what I want to achieve.

I have served many of the residents of Lake Macquarie electorate as a councillor on Lake Macquarie City Council, by population the fourth-largest local government area in New South Wales, for over 16 years, including more than three years as popularly elected mayor. It has been, and still is, an honour for me to be able to serve the residents of the City of Lake Macquarie as their mayor. It is an exceptionally well run council and is a tribute to past and current councillors and employees. During my time on council I have done my best to ensure that there has been a balance between the necessary accommodation of growth and the protection of the environment. One of my most fulfilling roles has been with Lake Macquarie improvement project, which has set high standards and achieved impressive results in the remediation of an estuarine system that had been highly impacted by development since white settlement. It had been simultaneously loved and neglected, nearing the point of becoming a dead lake.

This situation has been greatly turned around through a partnership between council, the State Government and the community. I acknowledge and thank the State Government for its contribution, which was agreed under the Carr Government. While the project is continuing, it is disappointing that the terms of the arrangement were altered unilaterally by the previous Government. These changes have greatly complicated an otherwise extremely efficient, cost effective and award-winning project. The changes have added nothing to the already high level of governance being applied and have in my view reduced the ability to achieve the best environmental outcomes for each dollar spent.

The latest redistribution of electoral boundaries has created some anomalies in addressing communities of interest in our region. I am well aware that many people in the electorate of Lake Macquarie who reside in the Wyong Council local government area are particularly upset that they have been removed from what they see as their natural and logical community of interest. I wish to assure those residents of the Lake Macquarie electorate residing in Wyong that they will not be ignored by me as their representative. Whilst not in my State electorate but within my city, many people in areas such as West Wallsend, Barnsley, Holmesville and Cameron Park have difficulty accepting that they have been placed in the State electorate of Cessnock. They feel once again that they have little common community of interest with Cessnock and are clearly geographically separated from that community. I have no doubt that the member for Cessnock, Mr Hickey, will ensure that these residents are well represented. However, these people's concerns should be on the record and, while I understand the competing interests and difficulties in setting electoral boundaries, I believe that protecting communities of interest should be of such importance that amendments to the relevant legislation should be examined.

Reflecting on my previous career as a psychiatric nurse working in mental health and developmental disability at Morisset Hospital for some 24 years, I am also greatly concerned with the provision of appropriate resources and policy to those who are all too frequently in a situation that is injurious to themselves, their families and loved ones, and to the community. I hope to be able to participate in dialogue to improve services in this sector.

While I have spoken of what I see as needing to be fixed or is lacking, I am mindful that we have many good things in our community and the tendency to focus on negatives can lead to us overlooking these. Having a real belief in the importance of local government, it is my hope that State and local government can work together to improve their working relationship for the overall benefit of the community. I will try to be positive in my efforts to address the needs of Lake Macquarie in this regard. I look forward to working with other local State members and parliamentarians with good ideas for the overall benefit of the region and the State regardless of political affiliations. It has never been my way to pursue politics in an adversarial manner, and I am heartened that the Premier has supported an Independent in the role of Speaker of the House. I believe that this bodes well for the House during this term.

Having had the opportunity to listen last night to the inaugural speech of the Minister for Climate Change, Environment and Water, I was heartened to hear his understanding of and concern for the challenge before us. As a major producer of greenhouse gas through consumption and coal export, New South Wales has a grave responsibility to take a leading role in both moral and actual terms to reduce our society's global warming impact. I agree with the Minister that a strong economy and a healthy environment are not mutually exclusive; they are, in fact, interdependent. I wish the Minister and the Government well in addressing this most significant issue.

In closing I wish to specifically acknowledge the support I have had from my family over my years in public life. My wife, Lyn, my mother, Hazel, along with two of my three sons—Danny and Chris—and other family members and friends are here today. It makes me very proud that they are able to be here. A great regret is that my father, Keith, cannot be with them. My father, of whom I am immensely proud and love dearly,

passed away one week ago today. He was gifted with many skills and great intellect, and was always using these gifts to help others. He was always a great help to me in my election campaigns, but, more importantly, he was always there to help me and my family in any way required. I would like to thank all the people, including friends, council staff, electorate staff, constituents and members of this House, who have shown me and my family such kindness over the last year and the emotional time of the past week.

I opened this inaugural speech with a reference to the race that I ran to get here. The destination inferred in that analogy is not an end, but a beginning. I will use my time and direct my endeavours during the term of this Parliament to work cooperatively for the good of the people of New South Wales and I will happily be accountable to the people of Lake Macquarie electorate for my performance. I wish to thank members for the honour and courtesy they have shown me in the delivery of this inaugural speech and to close by wishing the Government and the Parliament all the best in this term of office and I particularly our Speaker.

Dr ANDREW McDONALD (Macquarie Fields) [11.36 a.m.] [Inaugural Speech]: At the height of the Campbelltown Hospital crisis I was part of a group invited by Graham West, the member for Campbelltown, to meet Morris Iemma, then the Minister for Health. On that day I learned that both these men shared my commitment to social justice and the rights of our children. They wanted, as I did, a fair go for our people in south-western Sydney. It is a great honour and privilege for me to stand here with them today as the Australian Labor Party [ALP] member for Macquarie Fields. I thank you, Mr Deputy-Speaker, and my colleagues for the opportunity to address the Legislative Assembly today. Two things matter most to me in life: social justice, and the rights of the child. Social justice means the right of the child to the same life opportunities that everyone else has. The fight for every child to have social justice is what I have been working for all of my professional life. It embodies what the Australian Labor Party stands for. To me it is no accident that the first paediatrician ever to be elected to an Australian Parliament enters this place as a member of the Australian Labor Party. As the Hippocratic oath states:

In every house where I come I will enter only for the good of my patients. . . .

Today, using my themes of social justice and the rights of the child, I will tell my story of the three parts of my professional life: my electorate, my issues relating to children's health, and a bit about myself. I have worked with the community for the 17 years, so I will start by talking about Macquarie Fields. The electorate stretches for approximately 20 kilometres west of the railway line between Casula and Macquarie Fields and, like many of the electorates represented by others in this place, has a mixture of older suburbs, new housing developments, and semi-rural areas. The actual suburb of Macquarie Fields is only one of many. People in Macquarie Fields work long and hard. At 5.30 this morning the M5 at the Crossroads was bumper to bumper. At 6.00 a.m. both Macquarie Fields and Glenfield stations are packed. The trains are crowded, the trip long, the parking very difficult. The toll on health and family life is considerable.

I eagerly await the installation of lifts for the disabled at Glenfield railway station. At 6.00 one morning during the campaign I saw a mother carry her three-year-old sleeping child in one arm and her stroller in the other up the steep stairs. I did not get a chance to speak to her that morning, but I resolved that her silent struggle should not go unreported to the Parliament of New South Wales if I were elected. We have a large number of young families. To ensure social justice for our children, families need only two things from any government: time together as a family, and a future where the children are given the opportunities they deserve to take their place in our society. This is the most important challenge for the New South Wales Government. Just as the family that looks after its children looks after itself, so does a government that looks after its children look after itself. And the opposite applies: governments that neglect the needs of children do so at their peril. Mr Howard's WorkChoices will cause the children of my electorate to miss the one thing they need most for their futures: the gift of being parented. The parents I spoke to during the campaign were as acutely aware of this as the parents to whom the member for Wyong spoke.

One of the most attractive things about our area is that it has working multiculturalism. Our area is enriched by its ethnic diversity. For example, I visited three mosques during the campaign, where I was wonderfully welcomed by a fine set of fantastic Australians. Like most, my electorate of Macquarie Fields has a mixture of socioeconomic groups. The future of the children in my area, who are most disadvantaged, is largely determined by the time they sit for the basic skills test in year 3. Poor educational achievement and family disharmony are two adverse determinants of outcome in adulthood that the State Government can do, and is doing, something about. Labor initiatives, such as reduction in class size, are so important to the future of my people. As the Minister for Emergency Services, and Minister for Water Utilities, Nathan Rees, said last night, socioeconomic status strongly influences both perinatal mortality and life expectancy. Things are better than they were, but we still have so much more to do.

Members may recall the riots in Macquarie Fields two years ago. Since then significant improvements have been achieved for those who live in the public housing estate in Macquarie Fields. Father Riley's Youth Off the Streets Program greatly improved community police relations, and many hours of hard work by a large number of people, including those from many State Government agencies, have been major contributors to these improvements. Nevertheless, too many of our young people remain separated from the opportunities they deserve. As a paediatrician, I have had much contact with our local primary and high schools, and I can only say how proud this Parliament should be of the teachers at our local schools. They are among the most admirable professionals I have ever met. I will continue to work closely with the local schools during my time in politics. The schools I once visited for case conferences as a paediatrician I will continue to visit as a member of Parliament. Macquarie Fields TAFE and the University of Western Sydney are also central to the future of our area.

The other major problem for my area is meeting the challenge presented by the planned developments in the Bringelly, which will bring 300,000 extra people into the area. This is also a time for opportunity. I look forward to helping to implement the statewide plan for development. I will lobby for the infrastructure required for children who will come into the area on my watch. For example, the plan is that Liverpool Hospital will almost double in size to cope with the expected influx. I pay tribute to Mike Wallace, the Chief Executive Officer of South Western Sydney Area Health Service. He is committed to our people and is fair in distributing resources, even though he rarely gave me all of my "most reasonable" requests.

Having spoken briefly about my electorate I will share with the House my views on the future challenges statewide for my specialty of paediatrics. I have worked for 27 years in paediatrics in the New South Wales public hospital system. Paediatrics is changing. For example, the rotavirus vaccine will mean less demand than ever for paediatric in-patient care in a children's ward. The viability of these smaller acute care children's wards will affect every member in this House because the greying of Australia will mean competition for resources. Care once given in hospital can now be carried out in a child's home. Campbelltown and Liverpool paediatric ambulatory care units already lead the way in such care. These days, most of the workload of a paediatrician is caring for children with a disability. This can range from severe physical or developmental disability to more common and equally disabling physically invisible learning disabilities and autism. State Government services will bear the brunt of the increasing demand for the necessary assessments and ongoing care.

Fifty per cent of all paediatrician referrals are now for learning and behavioural problems, including attention deficit hyperactivity disorder [ADHD]. All these new problems need a separate set of professionals— allied health professionals, including physiotherapists, educational psychologists, and special needs teachers such as the Speaker's wife, who flew out early this morning so as not to miss a day with her students in Armidale. These are vital areas that may be left behind when all levels of government allocate scarce funds. All of those services will be provided outside of the acute hospital system, which means that children will be at the cutting edge of the current Federal-State discussions on out-of-hospital funding. To prevent children, especially those who are already disadvantaged, from slipping through the cracks requires a better partnership among all levels of government, including the Commonwealth Government.

Another challenge for the medical profession in my electorate is the continuing shortage of doctors. As the House well knows, over the last 20 years the Commonwealth has not trained enough doctors to meet demand. The Campbelltown Clinical School of the University of Western Sydney Medical School, as mentioned by the member for Wollondilly, Phil Costa, was opened by the Premier and the Minister for Health in February this year. The greatest day in the history of my hospital did not get a run on the evening news. I remain an Associate Professor at that school. The University of Western Sydney Medical School gives me great hope for the future of health care in my area and all of Western Sydney.

Over the last 10 years I estimate that over 3,000 local young people who had the ability to graduate as excellent doctors graduated from local high schools in my area. This is a lost generation who have been denied the opportunity by the Commonwealth to obtain university places. The people of my electorate are the ones who will suffer more than most from the shortage. For that reason, I will continue to work one day per week pro bono as a teacher and clinician in Campbelltown and Liverpool. This will allow me to continue to see the children who mean so much to me, to pass on my skills to the medical students who will follow me, and to encourage them to seek their future in my district.

Turning now to my own life, I look forward to the challenges of politics. Doctors are not uncommon in Canadian parliaments. The *Canadian Medical Association Journal* states that doctors have the "soothingness of

their bedside manner to compose the ruffled nerves of a feverish parliamentary assemblage". [*Extension of time agreed to.*]

In Canada, however, they believe that bearpits are best left to bears. My connection with politics dates from my childhood when my father became a local alderman. In 1975 I was fortunate to hear Jack Lang speak; my great-uncle was his parliamentary draftsman. To this day I remember the burning desire in his eyes to improve the lot of working families. From a medical point of view my road to Damascus was five years after graduating, when I moved, as one of only three staff, from the Mater hospital at North Sydney to Mount Drutt, as part of the initial Labor Government's Beds to the West Scheme. During my first shifts I was confronted by the dying young. I saw men younger than 40 dying of heart disease. I resolved to be a paediatrician in Western Sydney.

I trained in Australia and in England, where I was able to view firsthand the destruction that the Thatcher ideology wrought in the British public health system. I moved to south-west Sydney in 1990 with my wife, Jenny, who is present today, and our then six-weeks-old son. We have both worked for the last 17 years as paediatricians in the Macarthur district. For the past 10 years I have also had the privilege of working with the Aboriginal community at the Tharawal Aboriginal Health Service, and I intend to continue to do so. My next clinic is on Monday. Despite the best efforts of many, the state of Aboriginal paediatric health remains a national disgrace. I know what it was like to beg an ear, nose and throat surgeon to see a child who had no money and pus draining from their ears.

During my 17 years at Campbelltown and Camden most of my days have been filled with love. The parents' love and concern for their children permeates our children's ward. This love is coupled with the caring and professionalism of our nursing staff, with whom I have been truly privileged to share my working life. When asked by one of my parliamentary colleagues why I would leave a life of love for one of conflict, such as in the bearpit, the answer is simple: I see it as an extension of my role as a paediatrician, because politics determines how our children live and their futures. I feel that my presence here can be most helpful to those who mean so much to me. I am keen to contribute my skills to the Parliament and to the people of Macquarie Fields. The quiet courage shown by the families of sick children I have known gives me inspiration and strength to advocate for them. These families inspire me. They help me remember that what really matters to all of us, in this place as in all others, is the value of family and love for one another. It is why I am here. It is for them that I am here.

Before concluding my speech I will say a word of thanks to those who got me here. I look forward to working with all my parliamentary colleagues and to their guidance and support. The help I have received over the last three months has been magnificent. I pay special tribute to Melanie Atlee, my campaign manager, whose encouragement, support and enthusiasm were central to winning the seat of Macquarie Fields for the Australian Labor Party. To all those 101 people who stood out in the boiling hot sun in Western Sydney on election day, handing out for a cause that they believe in, thank you. Special mention needs to be made of John McLaughlin, Abdur and the Young Labor team for their work in the weeks prior to the election.

The biggest cheer on election night was for the success of Team Macarthur. The other members of Team Macarthur—the Minister for Gaming and Racing, Graham West; the member for Camden, Geoff Corrigan; and the member for Wollondilly, Phil Costa—were most supportive of my team during the campaign. In Macarthur we now have the Federal Member for Werriwa, Chris Hayes, Team Macarthur at State level, and committed local councillors led by the admirable Mayor of Campbelltown, Aaron Rule, all of whom are committed to improving the daily lives of those with whom we live. The Australian Labor Party local branch members have been most welcoming and helpful. I very much look forward to their support and advice during my time in politics. I suspect they will let me know in no uncertain terms what needs to be done!

Lastly, my family are everything to me. My wife, Jen, my mother and my father-in-law are present today. To Jenny and my children, Douglas and Edward, I give my thanks for simply putting up with me. As well as being one of the best paediatricians in New South Wales, Jenny has a never-ending commitment to our local community, coupled with a shared commitment to social justice. She is the real reason behind every success I have had in my life. In conclusion, Mr Deputy-Speaker and colleagues, thank you again. My commitment to my electorate is simple. It is the commitment I have always given to the parents of the kids who come to see me. While I am the member for Macquarie Fields, I will be there to listen to them, to help them whenever I can, not to make commitments I cannot fulfil, and to be honest with all.

Ms JODI McKAY (Newcastle) [11.56 a.m.] (Inaugural Speech): I speak today with some trepidation and great excitement. It is an honour to stand in the place where so many before me have stood to change, to

improve and to expand the way we live in New South Wales; from the pre-Federation days of Henry Parkes, George Reid and Chris Watson, to the great builders of the last century such as Joe Cahill, Bill McKell and Neville Wran, to those who have carried their Labor tradition into the twenty-first century, such as our current Premier, Morris Iemma. It is indeed a special honour for me as the first woman to represent Newcastle in this Chamber. I am a country girl. I grew up in one of the prettiest places in Australia, in the foothills of the Barringtons.

When the Hon. Leon Punch was Gloucester's local member, I am sure this Chamber would have heard about the beauty of the district and the hardworking life of the dairy farmer. I had a privileged childhood—not in terms of money or harbour views or private schools; we had none of those in Gloucester. I grew up in a community where people did not have to lock their doors, where hard work was prized, where friendships were necessary and strong, and where helping each other was a way of life. I grew up in a loving family. My father left school when he was 12 and worked in the dairy industry, and like many was forced to find work elsewhere. He mowed lawns for a time before he went to work for the local council. We did not enjoy all the aspects of life that some other families did, but I did learn a lot about the way people live in this State, about the hardships some endure and about sharing what one does have. I learned the value of hard work, respect for others, and that tough times are a way of life: it is how one faces up to the difficulties that shapes one as a person.

Living in that community developed my interest in improving the opportunities and the help available to all: those who work hard, those who suffer setbacks, those who just are not given the same opportunities as others. We know it as social justice. In Gloucester it was just keeping an eye on friends and neighbours to make sure they were okay. I was educated in a small town public school and on completing my Higher School Certificate I left Gloucester. Not everyone in Australia lives within commuting distance of a university. This is a point lost, apparently, on the Commonwealth Government, which has drastically reduced the assistance to students, which the people of Australia made a Commonwealth responsibility at the referendum of 1946. I appreciate that this is my first speech in this place, but this issue is of great concern to me, Mr Deputy-Speaker, as you will see.

My desire was to study at university with a view to a career in journalism, but I was one of those whose parents could not afford to keep me there, and I had to put aside my studies in Newcastle to find a job. It was very exciting when I was 18 to move to what seemed such a big city. Although my personal situation seemed fragile, there were more employment opportunities in Newcastle—and there still are. The longer I live in Newcastle, the more I come to understand the opportunities it offers. Without exaggeration, I say it is practically abuzz with ideas, and bursting with creativity, invention and talent. Without a degree, there seemed little prospect of my entering journalism but I was offered a position in the library at NBN Television. I must have proved assiduous because within the year I was offered the chance to go on the road, and on camera, as a reporter. At age 20, I brought news of an earthquake to the people of our region. I did that under the spotlight of hand-held torches. The electricity had been cut, the television station had been evacuated, and I was told to take cover under the news desk in the event of an aftershock.

When working in regional television, nothing stands in the way of bringing information and news to the community. This was in the first years of aggregation of television in Australia, and it might interest members to know, if they do not already, that the highest rating television station in Australia under aggregation is NBN in Newcastle. As a reporter, I had the opportunity to meet many of the people and follow many of the issues—positive and otherwise—that have shaped the growth and change of Newcastle. Just as others come to this place with fond memories of a favourite school teacher or university professor, I will always be grateful to the station's news director, Jim Sullivan, its former news producer, Mary Boddy, and so-called mother of the newsroom, Janette Redpath, for the opportunities, the training and the encouragement they gave me. I am also grateful to the many colleagues who shared the television and journalism experience with me and became my friends.

Ask Newcastle people what were the great changes. Without a doubt most would say that chaotic and terribly sad day of the earthquake of 1989, which I had to report, and whose dreadful results I witnessed firsthand. Another great change occurred with the closure of the BHP Steelworks. In many ways, though, the greatest change was the dredging of Newcastle's magnificent port. The first export income earned by the fledgling colony of New South Wales came from a shipment of coal from Newcastle to the colony of Bengal. The dredging of the harbour, an initiative of the Wran Labor Government, has turned Newcastle into the world's largest coal port. Some 7,000 families in the Hunter rely directly on coal for their household income. Several times that number derives some of their household income from the industry.

I will not walk away from those good, hardworking Hunter families. However, Newcastle as a city and a region must look bravely to new industries, including alternative energy, to cement our growth. That is a challenge before us. Coal is far from Newcastle's biggest industry: neither was steel, as we all realised after BHP closed its works, if we had not realised it already. The electorate I represent has the highest proportion of residents who work in the health sector in any electorate within New South Wales. The city's great teaching hospital, with the busiest emergency department in the State, John Hunter Hospital, is not even in my electorate. It falls within the electorate of my colleague the newly elected member for Wallsend, as does the University of Newcastle's main campus. These are the two biggest campuses of employment in Newcastle: the hospital and the university.

Newcastle city is, as it always has been, a centre of services. According to the last published census figures, there are 16,000 workers in the central business district every day. That is four times the number who live in the central business district. Figures such as that—more workers than residents—occur generally only in Sydney, North Sydney and Botany Bay. Inner Newcastle has 1 per cent of the population of the lower Hunter region and provides 10 per cent of the region's jobs. This is the heart of Newcastle, a genuine central business district where decisions influence growth, employment, and the future of the region. This is the feature that makes Newcastle the second city of this State.

As more people recognise the advantages of being in the inner-city area—close to all services, yet also close to the magnificent beaches and the harbour—the number of residents grows. Newcastle has, for example, an extraordinary proportion of residents in the transition-to-work age group. They come for the educational opportunities in a university city and they come for the employment. While many of Newcastle's young people seek work in even larger cities, many more come from towns along the North Coast and from inland New South Wales to a city that offers many opportunities. As a city, we must continue to find opportunities that create jobs to ensure these smart, young people find the career paths that will encourage them to stay in our great city.

On the former BHP site, we have a tract of land that will provide new, diverse growth for our port. At Honeysuckle, we have harbour-side land creating a new commercial epicentre for our city. Newcastle East is also changing with the development of the former Royal Newcastle hospital site. We are a city in change. Like most other cities, Newcastle's development in the latter twentieth century was shaped by the motorcar, which filled the spaces between the bus routes and the rail lines with residents. It is little wonder that the issue of transport was raised with me so often during the election campaign. I doubt whether there will be a single solution because the city is changing so fast that as soon as we find one we will have to find another. Nevertheless, I am committed to identifying solutions capable of being delivered on the ground and then, when it is necessary, finding more.

I believe that with a strong voice in government and a community willing to become involved we can meet the challenges we face as a city and a region in transition. This is one of the reasons that my Labor colleagues and I resolved to work together to give the Hunter a voice in this Parliament. I mentioned that Newcastle has the highest proportion of health sector workers of all the electorates. It also has research capabilities beyond the expectations of a city of its size. In 1997, following my involvement in a telethon that raised \$3 million for children's cancer, I was part of a small group of people who made a bold decision to grow the medical research industry in Newcastle. We brought together the University of Newcastle, Hunter-New England Health Service and the community to form a Hunter Medical Research Institute [HMRI].

Ten years on I am recently retired as a director of the institute, but I am very proud to see the Hunter Medical Research Institute as one of the country's foremost medical research institutes. We have 400 researchers working collaboratively on world-leading research and our institute is part owned by our community, and that is very Newcastle. It is also typically Newcastle that, while we live in a city built on coal, literally as well as figuratively, we have researchers working on slowing climate change. After all, where but in the heart of the coalfields and the power generators would you find so much experience of energy and so much appreciation of its possible future directions?

The real story of Newcastle is its diverse capabilities. Perhaps the diversity was indicated by the fact that I was one of nine candidates at the recent election, a figure equalled in Epping, Hornsby and Marrickville but exceeded nowhere. Personally, I found it daunting. Among the candidates were the popularly elected lord mayor and the incumbent member with a combined experience of 42 years in elective office. Newcastle's great capabilities was shown by NBN television's decision to produce a debate among the candidates who had declared and to broadcast it in prime time. [*Extension of time agreed to.*]

I know of no other place in Australia where a candidates' debate, other than between the party leaders, has been televised. I know of no other place where it would be done or could be done, and that is Newcastle. Imagine it and then do it and, if it has not been done before, all the more reason to try it. Newcastle has a long history to look back on. It is one of a handful of permanent settlements with a history of more than 200 years. It is something to be proud of, in particular, the way the community has overcome challenges that other Australians have never dreamed of facing. I mentioned the earthquake of 1989. I hope that, when I speak of the way the city has rebuilt, no member will overlook the fact that 13 people died in that natural disaster.

In the hours, the days and the months that followed I saw a city overcome the shock of losing so many of its citizens in one fell swoop, of seeing 1,000 people made homeless in minutes. Yet, where there was a disaster, a phoenix has risen—not a ghostly remake of the old but a new living city that embraces its harbour and its beaches alongside its business centre, and that cherishes its history while building on its future. The new boom industries are in the construction and servicing of super yachts, and with tourism as we attract more and more cruise ships—perfect for a maritime city. Along the southern shore of the harbour, restaurants and bars have flowered like crepe myrtle at Christmas time, with a ridiculous ease that invites the question, "Why didn't we do this years ago?"

It is a recipe for tension, of course. Growth always is. The local daily paper recently editorialised on the changes, counting my election as a symptom. It is, I suppose, a small indicator of change to have a woman represent the city in this Chamber after only 150 years of representative government. To me, though, change in the city was the rationale for my candidacy. I believe that we could not go on doing things in the old ways. The choice that the people of Newcastle made on 24 March was a victory for change. I acknowledge that change and I will try, where and when I can, to manage it so that it enriches life in Newcastle and expands the options that Newcastle people have.

Social cohesion depends not on clinging to the past but on listening to the needs of people. It depends on ensuring that, from the greatest to the least, they are effectively represented. My principal goal in this place is to represent all the people of Newcastle. That is what the Australian Labor Party does. All who worked for this day—and they came from many places, many jobs, many unions and many backgrounds—can hold their heads high. I thank them all for keeping me in tune with the ideals of the great party that I represent. I thank the Premier for his leadership and inspiration. I thank both Mark Arbib and Luke Foley—two sides of our party who came together to give Newcastle the opportunity to embrace the future.

What followed was a mammoth seven-month battle, one of the toughest in living memory in the Labor Party. I thank Peter Bentley, Korena Flannagan, Lenda Oshalem, Lauren Suttner, Lisa Sutton, Jen Flemming, and my campaign director, Kaye Simmons, for their support night and day. I would also like to thank my family. It will be a year next week that my father suffered a massive stroke. He moved into aged care during the campaign. My mother has always been the backbone of our family, and she continues to be an active member of our local church and the Gloucester community while supporting my father. My dad is wheelchair bound and has difficulty with everyday tasks. He is much admired in Gloucester for his gentleness, fine intelligence and great religious faith.

My hope is that, maybe not today but possibly by the day my time in this Parliament concludes, I can make my mother, my father, my sisters and my brothers as proud of me as I am of them for all they have given me. I know that my nephews, Joshua, Lachlan, Alexander, Keilyn, Nicholas and Benjamin, will grow up knowing the great bond of family, and that opportunity is theirs just as it should be for everyone. I have chosen to fight for the people of Newcastle, to rally for those who have less and deserve more. Whatever path my nephews choose and however tough the fight, they will have my support and enduring love.

I have met many wonderful people on this election journey. I met them in their homes, I met them in the street, and I have seen in Mayfield and in Waratah, in Georgetown and in Hamilton North, in Merewether and in Adamstown, on Stockton and on Carrington, that Newcastle has more than its fair share of talent, invention, strength, kindness, generosity, and brave, brave hearts. I look forward to working with the Council of the City of Newcastle where our responsibilities overlap, as they often will. I am confident that we can work together for the betterment of this city and for the region as a whole and, by doing so, help build a better Hunter region to contribute, as the Hunter always contributed so handsomely, to the greater wellbeing of this State.

When the people had their say on 24 March they chose courageously in Newcastle, as in New South Wales. I bring to this Chamber the hopes and aspirations of a city in change—a city that has taken the brave step of saying yes to its future. The people of Newcastle chose the future over the past, they chose imagination over

doubt, and they chose boldness over fear. That is what I hope to return to them. In the words of Georges Danton, one of the leaders of the French Revolution: Boldness, and again boldness, and forever boldness.

PROFESSIONAL STANDARDS AMENDMENT (MUTUAL RECOGNITION) BILL 2007

Bill introduced on motion by Mr Barry Collier, on behalf of Mr David Campbell.

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.21 p.m.], on behalf of Mr David Campbell: I move:

That this bill be now agreed to in principle.

Professional standards legislation has been enacted in all States and Territories to facilitate the capping of occupational liability. Such legislation also protects consumer interests through requirements for insurance and the implementation of risk management strategies and complaints and disciplinary procedures. In New South Wales there are currently eight schemes approved under the Professional Standards Act 1994. These schemes cover accountants, legal practitioners, engineers, surveyors and valuers. The Professional Standards Amendment (Mutual Recognition) Bill 2007 implements a decision of the Standing Committee of Attorneys-General that States and Territories amend their professional standards legislation to enable mutual recognition between jurisdictions of schemes approved in other jurisdictions.

Under current professional standards legislation the process for professionals to obtain capped liability outside their home jurisdiction is cumbersome, inefficient and involves duplication. Mutual recognition of schemes by jurisdictions aims to address these problems and provide a more seamless national system of professional standards legislation. Mutual recognition will cut the red tape currently facing professionals who wish to have capped liability when providing services in other jurisdictions. It recognises the reality that the work of professional practices often transcends State boundaries.

I turn now to the key provisions of the bill. Item [1] of schedule 1 of the bill inserts a number of new definitions in the Act. Under professional standards legislation an occupational association may submit a proposed scheme to the Professional Standards Council for approval. Alternatively, an occupational association may ask the council to prepare a scheme on its behalf. Item [3] provides that a proposed scheme may indicate an intent to operate in New South Wales only, or in both New South Wales and one or more interstate jurisdictions. Under professional standards legislation there is a requirement for the council to advertise a proposed scheme and to receive and consider comments and submissions on the scheme. Item [4] provides that if a proposed scheme indicates an intent to operate in more than one jurisdiction the scheme must be advertised in each of those jurisdictions, and the advertising requirements of each of those jurisdictions must be met.

Under professional standards legislation the Professional Standards Council is required to consider a range of matters before approving a proposed scheme. These matters include: all comments and submissions received on a proposed scheme; the position of people who may be affected by capping the occupational liability of members of the occupational association; the nature and level of claims relating to occupational liability made against members of the occupational association; the risk management strategies of the occupational association and the means by which those strategies will be implemented; the cost and availability of insurance against occupational liability for members of the occupational association; and the standards determined by the occupational association in relation to insurance policies.

Item [5] of the bill provides that if a proposed scheme indicates an intent to operate in more than one jurisdiction the council must consider the matters outlined, plus any other matters specified in the professional standards legislation of the interstate jurisdictions, and all matters in the context of each of the jurisdictions concerned. Under professional standards legislation the Professional Standards Council may submit to the Minister a scheme that it has approved. Item [6] of the bill provides that if the scheme indicates an intent to operate in one or more interstate jurisdictions the council may submit the scheme to the Minister administering professional standards legislation in those jurisdictions.

Under professional standards legislation the Minister may authorise publication in the *Government Gazette* of a scheme submitted to him or her by the Professional Standards Council. Item [7] of the bill provides that the Minister may also authorise the publication in the *Government Gazette* of a scheme submitted to him or her by an interstate council. Under professional standards legislation a person who is, or is reasonably likely to

be, affected by a scheme published in the *Government Gazette* may apply to the Supreme Court for an order that the scheme is void for want of compliance with the Act. Item [10] of the bill extends the right to challenge a scheme to any person who is, or is reasonably likely to be, affected by a scheme in its application in another jurisdiction.

While the professional standards legislation of the States and Territories is largely consistent, there are some jurisdictional differences. Item [11] of the bill provides that a court may not make an order that an interstate scheme is void for want of compliance with the New South Wales Act on the ground that the scheme fails to comply with the requirements in the New South Wales Act relating to the contents of schemes, and may make an order that an interstate scheme is void on the ground that the scheme fails to comply with the requirements of the interstate law under which it was approved in relation to the contents of schemes. Under professional standards legislation either the Minister or the council may initiate a review of the operation of a scheme. A review may be conducted to decide whether a scheme should be amended or revoked, or whether a new scheme should be made.

Item [12] of the bill provides that a review may also be conducted to decide whether the operation of an interstate scheme should be terminated in New South Wales. Under professional standards legislation the Minister, the council or an occupational association may initiate the amendment or revocation of a scheme. Item [14] of the bill provides that the provisions relating to amendment and revocation do not apply to an interstate scheme. Item [15] of the bill inserts a separate section governing the termination of an interstate scheme operating in New South Wales. The Minister, the council or an occupational association may initiate a termination.

Item [15] of the bill also provides that when an instrument revoking a scheme that also operates interstate is published in the *Government Gazette* the Minister must give notice to the relevant interstate Ministers; and that when the Minister receives notice that an interstate scheme that also operates in New South Wales has been revoked he or she must publish a notice in the *Government Gazette*. The process for the amendment and revocation of a New South Wales scheme and the termination of an interstate scheme is similar to that for the approval of a scheme—that is, there are requirements for the public notification and receiving of submissions, for the council to consider a range of matters, and for gazettal.

Item [16] of the bill inserts a more comprehensive provision on the duration of schemes to cover both New South Wales schemes and interstate schemes that may operate in New South Wales. Item [19] of the bill provides that for the purpose of dealing with a scheme that operates, or indicates an intent to operate, in both New South Wales and another jurisdiction the Professional Standards Council may, in the exercise of its functions under the Act, act in conjunction with the council of the interstate jurisdiction and act in conjunction with the council of the interstate jurisdiction in the exercise of that council's functions under interstate professional standards legislation.

The bill is supported by the Professional Standards Council. It is also supported by key professional bodies, including the Law Council of Australia, the Law Society of New South Wales, the New South Wales Bar Association and the National Institute of Accountants, which were consulted during the drafting of the bill. I commend the bill to the House.

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

CRIMINAL PROCEDURE AMENDMENT (VULNERABLE PERSONS) BILL 2007

Bill introduced on motion by Mr Barry Collier, on behalf of Mr David Campbell.

Agreement in Principle

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.30 p.m.], on behalf of Mr David Campbell: I move:

That this bill be now agreed to in principle.

The Government is pleased to introduce the Criminal Procedure Amendment (Vulnerable Persons) Bill 2007. This bill proposes amendments to the Criminal Procedure Act 1986 to amend the existing provisions that govern

the giving of evidence by children in certain proceedings, and to extend those provisions to cover persons with an intellectual impairment. It is proposed to repeal the Evidence (Children) Act 1997 and insert those provisions into the Criminal Procedure Act 1986, extending their application to intellectually impaired persons. It is considered more appropriate that these provisions are placed in the Criminal Procedure Act 1986.

This bill forms part of the Government's ongoing legal reforms in the area of sexual assault prosecution arising out of the recommendations of the Criminal Justice Sexual Offences Taskforce, and also the Statutory Review conducted by the Attorney General's Department in June 2006 into the Evidence (Children) Act 1997. A number of government and non-government organisations were represented on the task force, including the Attorney General's Department, the Director of Public Prosecutions, the Office for Women, judicial officers from the Supreme Court, District Court and Local Court, as well as the Judicial Commission, the New South Wales Women's Legal Services, the Crown Advocate, senior academics, the Law Society, the Department of Community Services, Victims Services, the Violence against Women Specialist Unit, the New South Wales Police Force, the Legal Aid Commission, the Public Defender's Office, the New South Wales Bar Association, the New South Wales Department of Health and the New South Wales Rape Crisis Centre.

The task force report contained 70 recommendations, which not only focused on laws and procedures affecting the prosecution of sexual assault matters but also gave rise to more general concerns in respect of the protection of vulnerable witnesses within the criminal justice system. The task force recognised that people who have an intellectual disability or other cognitive impairment may be more vulnerable to sexual assault, particularly where they require assistance with their daily life activities.

The task force report highlighted the need to provide greater protection to people with intellectual disabilities and other cognitive impairments, and to improve police investigations and the court process for those people. The task force also highlighted the need to provide further protections for children giving evidence in these types of situations to prevent re-victimisation. The rationale for introducing special arrangements for vulnerable witnesses recognises that such witnesses often suffer a deficit in the ability to communicate and find it harder to adapt to new environments and situations.

I turn now to the detail of the bill. Clauses 5 and 6 repeal the Evidence (Children) Act 1997 and the Evidence (Children) Regulation 2004 respectively. These provisions will be transferred to the Criminal Procedure Act 1986. Item [1] of schedule 1 replaces section 76 of the Criminal Procedure Act 1986, which concerned recorded interviews with children, transcripts of such recorded interviews, and access to the recorded interview itself. New section 76 substantially re-enacts those provisions and replaces references to a "child" or "children" with references to "vulnerable persons", thereby extending its application to persons with an intellectual impairment. The key term "vulnerable person" is defined in the proposed new part 6 of chapter 6 to be a child or an intellectually impaired person. For the purposes of that part, a person is intellectually impaired if the person has:

- (a) an appreciably below average general intellectual functioning; or
- (b) a cognitive impairment (including dementia or autism) arising from, or as a result of, a brain acquired injury, neurological disorder or a developmental disorder; or
- (c) any other intellectual disability.

The only change to section 76 is the insertion of proposed subsection (4), which enables the recording to be admitted in circumstances where the notice requirements set out in the regulations have not been complied with, provided that the parties consent, or the accused person or his or her representative has been given a reasonable opportunity to listen to or view the recording, and it is in the interests of justice. This amendment was one of the recommendations of the Criminal Justice Sexual Offences Taskforce, and it was also highlighted in the Statutory Review of the Evidence (Children) Act 1997 released in June last year.

Item [2] of schedule 1 amends section 91 to provide that a complainant in certain sexual offence proceedings who is intellectually impaired will not be required to attend a committal hearing. This amendment mirrors the protections already in place for child complainants in certain sexual offence proceedings, reducing the number of times such witnesses are subjected to cross-examination over the course of a sexual assault prosecution and reducing the re-traumatisation associated with multiple court appearances. The amendment arises from the recommendations of the Criminal Justice Sexual Offences Taskforce.

Item [3] of schedule 1 replaces existing section 185, which concerns recorded interviews and transcripts of recorded interviews. Proposed new section 185 substantially re-enacts those provisions and extends their application to vulnerable persons, thereby including the intellectually impaired. Item [4] of schedule 1 adds a note to the end of section 274 making it clear that these provisions extend to certain civil proceedings as well as criminal proceedings. Items [5] to [12] make consequential amendments.

Under the amendments, vulnerable complainants in prescribed sexual proceedings, being children and those who are intellectually impaired, now have an entitlement to the presence of a support person when giving evidence in camera—items [6] and [7]. They will be prevented from being cross-examined directly by an unrepresented accused person—item [8]. They will have alternative arrangements for the giving of evidence, such as closed-circuit television, or the use of screens or planned seating arrangements in the courtroom—item 9. They will also have a general entitlement to the presence of a support person as set out in section 294C when giving evidence in such proceedings—items [10], [11] and [12].

Item [13] of schedule 1 inserts a new part 6 into chapter 6 of the Criminal Procedure Act 1986, which deals with evidentiary matters. New sections 306M to 306ZP concern the giving of evidence by vulnerable persons, defined as children and intellectually impaired persons. The new part substantially re-enacts the provisions of the Evidence (Children) Act 1997 to enable electronically recorded interviews made by investigating officials with a witness who is a vulnerable person to be admitted into evidence as part of the person's evidence-in-chief. For children these are commonly known as joint investigation response team [JIRT] interviews. The new part also confers an entitlement upon such vulnerable persons to give their evidence in criminal proceedings and certain other proceedings by means of closed-circuit television or other similar technology, rather than attend the proceedings to give oral evidence.

There are some minor modifications contained in proposed part 6. Proposed section 306Q provides that the regulations may require an investigating official to record interviews with vulnerable persons. This replaces section 7 of the Evidence (Children) Act 1997, which requires an investigating official who questions a child in connection with the investigation of the commission or possible commission of an offence by the child or any other person to ensure that any representation made by the child in the course of the interview is recorded, if the investigating official considers it may be adduced as evidence in court. Existing section 7, which sets out the requirements for the recording of interviews, will be moved to the regulations, and this will allow more flexibility in police operations and the ready adoption of new technologies when they become available.

New section 306U replaces and amends section 11 of the Evidence (Children) Act 1997, which allows the previously recorded statement of a child under the age of 16 years to be admitted in criminal proceedings as his or her evidence in chief where he or she is over the age of 16 but less than 18 years of age. The proposed amendment expands these provisions to enable the recording to be admitted no matter what the age of the person at the time of the hearing. This proposed change is in response to a specific recommendation of the Criminal Justice Sexual Offences Task Force. Subsection (4) also makes it clear that the provisions requiring the vulnerable person to be available for cross-examination and re-examination in subsection (3) do not apply to committal proceedings.

New section 306V replaces section 12 of the Evidence (Children) Act 1997 and concerns the admissibility of the recording of the vulnerable person's evidence. The amendment provides that despite a failure to comply with the notice requirements in the regulations, the recorded statement should be admitted if the parties consent, or if the accused has had an opportunity to view the recording, and it would be in the interests of justice to do so. This amendment also arises from the recommendations of the Criminal Justice Sexual Offences Task Force, as well as the statutory review of the Evidence (Children) Act 1997 conducted by the Attorney General's Department last year.

The task force considered that the court should have a discretion whether to admit the evidence in circumstances where compliance with the notice provisions cannot be proved, provided the accused has had an opportunity to view the recording, and it is in the interests of justice, or the parties consent. This would avoid a two-week delay, which the prosecution is obliged to seek in order to comply with the notice requirements. It would also bring these provisions in line with other judicial discretions.

New section 306ZE replaces and amends section 21 of the Evidence (Children) Act 1997, which places a prohibition on children giving identification evidence by means of closed-circuit television or other similar technology. The child must be brought into court to give such evidence orally. Identification is often not a fact in issue in such proceedings, and the existing prohibition has been identified as unnecessarily problematic and has caused some practical difficulties, particularly where the child is giving evidence from a remote facility. The

proposed amendment therefore retains the prohibition on giving identification evidence by way of closed-circuit television, but limits it to circumstances where identification is a fact in issue in the proceedings. Schedule 2 makes consequential amendments to other Acts arising from the bill.

The amendments in this bill will make it easier for children and persons with an intellectual impairment to give their evidence and provide greater protection from the stresses of the court process, as well as assisting them to give the best evidence they can give. I am sure the amendments will be welcomed by all members. I commend the bill to the House.

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

COMMISSION FOR CHILDREN AND YOUNG PEOPLE AMENDMENT (PARLIAMENTARY JOINT COMMITTEE) BILL 2007

Bill introduced on motion by Ms Linda Burney.

Agreement in Principle

Ms LINDA BURNEY (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [12.44 p.m.]: I move:

That this bill be now agreed to in principle.

The Committee on Children and Young People monitors and reviews the exercise of the functions of the Commission for Children and Young People and the Child Death Review Team. The committee also examines trends and changes in services and issues affecting children and reports to both Houses of Parliament on any changes it thinks desirable to the functions and procedures of the Commission for Children and Young People and the Child Death Review Team. The committee is a joint parliamentary committee and currently has 11 members.

The former Speaker of the Legislative Assembly wrote to the Premier to suggest that the size of the committee be reduced to seven members prior to re-appointing it after Parliament commences. The former Speaker advised that while the committee's current size reflected the high demand to serve on it when the committee was first established, reducing the size of the committee would help to improve the functioning of Parliament and reduce the demands on members' time, possibly making some members available to serve on other committees.

Importantly, the Government considers that changing the number of members on the committee will not adversely affect the committee's ability to carry out its review functions. Reducing the size of the committee to seven members would make its size consistent with two other joint parliamentary committees. They are the Committee on the Office of the Ombudsman and the Police Integrity Commission, and the Committee on the Health Care Complaints Commission. As members would be aware, each of those committees effectively and efficiently carries out its review functions with the same number of members as is proposed by this bill. For those reasons the Government supports the former Speaker's request to reduce the size of the committee to seven members. I would like to thank past and present members who have served on the committee for their efforts. I commend the bill to the House.

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

[Assistant-Speaker (Mr Grant McBride) left the chair at 12.46 p.m. The House resumed at 2.15 p.m.]

QUESTION TIME

MEMBER FOR BLACKTOWN MINISTERIAL PROMOTION

Mr BARRY O'FARRELL: My question is directed to the Premier. How can the New South Wales public trust him when one week he denies Mark Arbib and union influence on the decision to promote the

member for Blacktown, Paul Gibson, to the Ministry, and the next week he says the exact opposite? When will he take responsibility for his actions?

Mr MORRIS IEMMA: This is the first question from the Leader of the Opposition. I thank him for his question and welcome him to his job. The Opposition has finally run out of options and at last has given Barry a go. I also make the observation that following the election he rushed out into the media and gave us all the benefit of his analysis.

Mr Daryl Maguire: Answer the question.

Mr MORRIS IEMMA: This is the second part of his question. If we go back to 1995, there was a Coalition defeat. In 1999 there was a Coalition defeat. In 2003 there was a Coalition defeat. In 2007 there was a Coalition defeat.

Mr John Watkins: It keeps happening.

Mr MORRIS IEMMA: Yes. It was a prominent figure who rushed out and gave an analysis of the reasons for the Coalition's defeat. The reasons are all different but one thread runs through the Coalition defeats in 1995, 1999, 2003 and 2007—Barry O'Farrell.

Mr Barry O'Farrell: Point of order: As enthralling as this is, I draw your attention, for the first time in this four-year term, to renumbered Standing Order 129, which relates to relevance. My question clearly goes to the Premier saying on one occasion that Mr Arbib and the unions had no influence on the proposed appointment of the member for Blacktown to the Ministry and in the next week saying the opposite. It goes to why the public should trust him. It goes to when he will begin taking responsibility for his actions.

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

Mr MORRIS IEMMA: For the benefit of the Leader of the Opposition, the matter has been dealt with and is now the subject of a police investigation concerning Mr Gibson. The member for Auburn occupies the front bench.

GOVERNMENT SERVICES

Ms ANGELA D'AMORE: My question is to the Premier. Following the re-election of the Labor Government, how will he continue to focus on new and improved services for New South Wales?

Mr MORRIS IEMMA: The election result reflects the people choosing a program of improving and expanding services as against a program that involve cuts to services. The commitment that I gave to the people in the run-up to the election and on election night and which I reaffirmed on behalf of the re-elected Government is that that is exactly what we will do. Make no mistake: when difficult decisions are necessary, the Government will take them. When it comes to delivering better services, the Government will make hard decisions.

When it comes to services for New South Wales families, an important balance must be struck. We must protect and boost jobs, growth and investment. We must provide a secure and reliable source of energy for our homes, businesses and industries while doing everything we can to protect the environment and address climate change for future generations. That is the challenge that faces this Government, as indeed it is the challenge that faces governments all over the world—how to provide for jobs, investment and growth for citizens, and how to balance that against the need to take action on climate change and protection of the environment. A reliable energy supply is an essential part of a growing economy. We are tackling this issue now to ensure that the people and businesses of New South Wales have no fears about a long-term electricity supply. We do so to keep our powerful economies powering ahead to provide jobs and investments in the future.

That is why today I announce the appointment of Professor Anthony Owen to advise the New South Wales Government on our future base load electricity needs. Anthony Owen is Professor of Energy Economics at Curtin University. He has a PhD in econometrics from the University of Kent. He has held visiting appointments at British Columbia, Colorado and Leeds universities, at the United Kingdom Department of Energy and at the International Energy Agency in Paris. Recently Professor Owen edited a book entitled *The Economics of Climate Change*. His chapter focused on the transition to renewable energies. He has written other

articles for international journals on energy use and the environment, and the economics of renewable energy. Addressing our future power needs poses complex policy questions that require careful consideration. We need the best possible outcomes for homes and industry, we need the most practical implementation to guarantee future supply, and—

Mr Andrew Stoner: Are you going to turn off the desal?

Mr MORRIS IEMMA: Ask me a question.

The SPEAKER: Order! The Leader of The Nationals will remain silent.

Mr MORRIS IEMMA: —the cleanest options—

Mr Andrew Stoner: Desal?

Mr MORRIS IEMMA: If the Leader of The Nationals asks a question he will get an answer. We need the cleanest options to recognise this State's pioneering commitment to addressing climate change.

The SPEAKER: Order! The Leader of The Nationals will remain silent.

Mr MORRIS IEMMA: The National Electricity Market Management Company [NEMMCO], which runs our electricity grid, has identified the potential need for new baseload electricity generating capacity in this State from 2012-13. Six years might sound like a long time, but building power stations, should they be required, is an extremely complex process with a very long lead time. That means we may need to start making the necessary decisions in the next few months to secure the reliable supply that our State needs.

Mr Andrew Stoner: You have had only 12 years.

Mr MORRIS IEMMA: I am talking about baseload, for the benefit of the Leader of The Nationals. Professor Anthony Owen will prepare a report for the Government on four key issues. According to his terms of reference he will, first, review the need and timing for new baseload generation that maintains both security of supply and competitively priced electricity. Second, he will examine the baseload options available to efficiently meet any emerging generation need. Third, he will review the timing and visibility of technologies and/or measures available, both nationally and internationally, that reduce greenhouse gas emissions. Fourth, he will determine the conditions needed to ensure investment in any emerging generation, consistent with maintaining the New South Wales triple-A credit rating.

The Government goes into this review with an open mind, and only two things will be ruled out. The first is nuclear power. As I have stated previously, there will be no consideration whatsoever of nuclear energy for New South Wales. Second, there will be no sale of electricity generation, transmission or distribution. On all other matters I am yet to be convinced and will await Professor Owen's expert advice. The case needs to be made. There are firmly held views in the community about how we should proceed. Professor Owen will advertise for submissions from the public and stakeholder groups, and will report back to the Government by the middle of the year. This will be an open and accountable process and the people will have a chance to have their say.

The electricity industry, sustainable energy and climate change are of enormous public interest. No doubt there will be fierce debate on all of those issues. The Government does not shy away from debate or from an open process. In fact, we welcome it. We will do whatever is necessary to secure the very best options for New South Wales. We must secure our energy needs and protect our precious environment. After all, the decisions we make in both these areas will not only be for our benefit but largely for the benefit of our kids, their families and their economic prosperity. I will keep the House advised on the progress in this matter.

MARK AARONS RESIGNATION

Mr ANDREW STONER: My question is directed to the Premier. As the Protected Disclosures Act prohibits detrimental action against a whistleblower, how does the Premier defend the treatment of Mark Aarons, whose position in the Premier's office, according to a Labor source, became untenable because Mark Aarons reported allegations of domestic violence to both the Premier and his chief of staff?

Mr MORRIS IEMMA: For the benefit of the Leader of The Nationals, following the recent election Mr Aarons took redundancy from my office to pursue another career, and he does so with my blessing. Mr Aarons has been a faithful servant of my Government and of the Carr Government, and he has been a friend and a valued adviser. I wish him well following his redundancy. If the Leader of The Nationals has any concerns about the treatment of Mr Aarons he should take them to the appropriate forum. I conclude my answer by saying to the Leader of The Nationals that Mr Aarons' departure from my office was a decision taken by him, unrelated to other matters.

RAIL SERVICES

Ms TANYA GADIEL: My question is directed to the Deputy Premier, and Minister for Transport. What is the latest information on improvements to rail services and related matters?

[Interruption]

Mr JOHN WATKINS: It is the "related matters" that gets them, I think. The New South Wales community has told the Government that it wants a safe, reliable, high-quality rail system. We have heard that loud and clear. In the first week of this Government the Premier made it clear that we were to have a commuter charter that links the remuneration of senior management and the price of fares to performance. We also heard from the Premier that a commuter ombudsman would be appointed. The Government recently announced that customer service managers would be visible on our trains and on our stations, giving commuters the opportunity to speak to someone if there is a problem or if they have suggestions for improvements in the rail service. The Government has been investing very strongly in new rail lines, carriages and infrastructure for our rail system, and there have been improvements. The on-time running of our trains is now at 92 per cent, which happens to be the State Plan target. There is more work to be done, but we have delivered some good results.

The real measure of a successful public transport system and rail system is whether commuters will use it: whether we attract people to our rail service, and whether they entrust the rail system with their daily trip to work and to other activities. Today I am pleased to report to the House that new figures released by RailCorp show that from March 2006 until March this year patronage on CityRail services increased by 3 per cent. When we are considering the number of people we carry, 3 per cent in a year is a considerable increase in patronage. That is an extra 8.1 million passenger journeys in a year, and that has taken us to 279.5 million passenger journeys in 12 months. When there are almost 280 million passenger journeys a year, a 3 per cent increase in a year is significant. There has been growth across the system but, in particular, use of the western line is up by 5 per cent, the inner west by 2.9 per cent, the East Hills line by 5.1 per cent, and there has been growth of 4.2 per cent on the main northern line. So the increase in patronage is happening across the board. Community confidence is returning to our rail system—slowly but surely, but it is returning; people are coming back. It is good news.

Speaking of other good news, I refer to the re-election of the Iemma Government in March. It is good news that the people of this State saw through all the Opposition's empty promises. The people of this State were very sensible, and that is good news. We all know that the financial mastery of the Leader of the Opposition brought us an Airport Rail Link that cost the taxpayers of New South Wales \$800 million. The Opposition promised it would not cost 1¢ but it cost taxpayers \$800 million. That is the economics of the Leader of the Opposition.

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

Mr JOHN WATKINS: Today I used the Airport Rail Link and welcomed my daughter home from overseas; I caught the train back. It was fantastic trip. It was on time and it was comfortable. Opposition members said that it would not cost 1¢ but it cost the taxpayers of this State \$800 million.

Mr Adrian Piccoli: Point of order: I refer to Standing Order 129, which relates to relevance. I refer also to the comments made yesterday by the Speaker, the Premier, the Leader of the Opposition and the Leader of The Nationals about decorum in this Chamber. When Ministers stray from relevance, decorum in this Chamber is significantly reduced. The question that was asked was a legitimate question about transport. The Minister initially answered the question but he then moved on to matters relating to the Leader of the Opposition, matters that occurred many years ago and that clearly are not relevant to the question. I ask you to draw the Minister back to the question and to ask him to answer it appropriately.

The SPEAKER: Order! I will allow the Minister to continue. However, from my perspective the concept of "related matters" has to relate to the question. The Minister has the call.

Mr JOHN WATKINS: When the Leader of the Opposition makes promises about a rail link it is relevant to my portfolio. It is certainly relevant to this House when we consider that, as Leader of the Opposition, he will be making comments on financial issues. I take on board your ruling, Mr Speaker. The financial wizardry of the Leader of the Opposition came to the fore when the *Australian Financial Review* recently reported:

As Shadow Treasurer during the election campaign he botched the presentation of the costings launch and failed to explain how his party proposed funding \$9.8 billion in promises.

Mr Adrian Piccoli: Point of order: I refer again to Standing Order 129, which relates to relevance. The Minister's earlier comments might have been about transport and about the Airport Rail Link, but he is now referring to an area that is unrelated to his portfolio and to the question that was asked. I refer to your comments about "related matters". Clearly this issue does not relate to his portfolio or to the question. I ask you to bring him back to the leave of the question.

The SPEAKER: Order! I will allow the Minister to continue. In my view he was referring to matters related to his portfolio, but I will certainly be listening closely to his answer.

Mr JOHN WATKINS: I will draw my answer to a close. More of this later—much more of this later! We have plenty of time; we have four years. Let me finish on this note. The Opposition's economic credibility is appalling, which is why the people of New South Wales rejected it at the last election.

Mr Brad Hazzard: Point of order—

Mr JOHN WATKINS: The new Leader of the Opposition comes to the job with a shocking record of financial mismanagement. He went to the election with a \$29 billion unfunded Peter meter.

The SPEAKER: Does the member for Wakehurst wish to pursue his point of order?

Mr Brad Hazzard: I do.

[Interruption]

The SPEAKER: Order! The member for Wakehurst will direct his point of order to the Chair.

Mr Brad Hazzard: My point of order relates to relevance, as did the previous point of order, but it relates also to Standing Orders 103, 104 and 130. Yesterday you said that under you, as an Independent Speaker, the House would be conducted in a different way. This Government has to contribute to that in a reasonable way. Two answers to questions asked by Government members should have been dealt with by way of ministerial statements. Both those answers addressed Government policy. If those issues had been dealt with by way of ministerial statements—under Standing Order 128 that is not permissible during question time—the Opposition would have had a reasonable chance to respond in the manner provided for in this place. Two questions were asked that were simply a guise to attack the Opposition.

The SPEAKER: Order! The member Wakehurst will conclude his point of order.

Mr Brad Hazzard: If we are to head in the right direction in this Chamber we have a lot more to do. One thing you have to ensure as Speaker is that Government members ask appropriate questions. If they are matters that should be dealt with by way of ministerial statements—

The SPEAKER: Order! I have heard enough on the point of order. That was the longest point of order I have heard in my career as Speaker. There is no point of order. Members are entitled to ask questions and Ministers are entitled to respond to those questions.

MEMBER ASSAULT ALLEGATION

Mrs JILLIAN SKINNER: My question is directed to the Premier. How does he reconcile his statement "I don't want to sit in the Parliament with somebody who hits a woman" with the actions of a Labor

staffer, now a member of Parliament, who witnessed an alleged assault but failed to report it for 19 years until it was politically beneficial for her Labor faction?

Mr MORRIS IEMMA: A police investigation is taking place as a result of a specific allegation that was made. The police have commenced their investigation and they are carrying it out. They will continue to carry it out without political interference and without political commentary from me or anybody else that might jeopardise that inquiry, whether or not it suits the Deputy Leader of the Opposition.

Mr Adrian Piccoli: Point of order: Mr Speaker, I refer you to the ruling of the former Speaker on 26 September 2006. On that occasion a Government member asked the then Minister for Police a question about political interference in criminal investigations and related matters. The former Speaker ruled that question in order, and said:

The Minister has been asked a question relating to criminal investigations. No specific issue has been raised, and the Minister is perfectly in order in providing the House with additional information in response to the question.

I ask that you direct the Premier to answer the question from the Deputy Leader of the Opposition.

The SPEAKER: Order! The member for Murrumbidgee—

Mr MORRIS IEMMA: I am happy to repeat my answer for the member. The Deputy Leader of the Opposition asked a question. The answer is that a specific allegation—

Mr Andrew Fraser: Point of order: Mr Speaker, I draw your attention to Standing Order 94, which states:

When a Member rises on a point of order ... The Member who was speaking shall be seated ... The question only of order shall be stated to the Speaker.

It is evident that you had not ruled on the point of order taken by the member for Murrumbidgee. The Premier spoke over you. I ask you to rule on the point of order.

The SPEAKER: Order! I have heard enough. In response to the point of order taken by the member for Murrumbidgee, the question asked by the Deputy Leader of the Opposition was in order and I gave the Premier the call. The Chair did not rule the question out of order. That is appropriate under the standing orders. Has the Premier concluded his response?

Mr MORRIS IEMMA: Yes.

MURRAY-DARLING BASIN WATER

The SPEAKER: I call the member for Monaro.

[Interruption]

Mr STEVE WHAN: Yes, I am back. Thank you very much. My question is directed to the Minister for Climate Change, Environment and Water. What is the latest information on the Government's efforts to assist communities in the Murray-Darling Basin?

Mr PHILIP KOPERBERG: I, too, am glad to see the member for Monaro back in the Chamber. I am cognisant of his abiding interest in this matter so far as his constituents are concerned. The situation facing our farmers and townships in the Murray-Darling Basin is grim. Unless we receive significant rainfall over the next few weeks we will be left with no choice but to turn off the taps, so to speak, for irrigators and many industries in our southern valleys, leaving them effectively with zero allocations for the start of the coming water year. For the first time since the river systems were regulated, high-security users in the Murray and Murrumbidgee could be without water access. This threatens the survival of the citrus, horticulture and wine industries in the region. Irrigators in the Central West of the State are dealing with a similar critical water shortage. Whilst the situation is slightly better in the Northern Rivers, water users on most of the State's regulated rivers are still facing the possibility of low or zero allocations.

Notwithstanding the proposal by the Federal Government to assume control of the Murray-Darling, a proposal that the Iemma Government has supported since its inception, there is still a need for the New South Wales Government to assist communities through the critical water shortage. Let there be no mistake: This drought is unprecedented. Inflows into the Murray-Darling are at their lowest levels in recorded history, and autumn rainfall has thus far failed to eventuate. That is why the Iemma Government has been working hard with local communities to help them plan for the worst-case scenario. I can inform the House that I am establishing a high-level task force to advise me on this issue as it unfolds. This afternoon I will be meeting with the internationally recognised water expert Professor Peter Cullen to discuss the Murray-Darling Basin and to ask his advice on who would be appropriate to appoint to chair this new task force.

The Murray-Darling Advisory Council will be made up of representatives from the irrigators, farmers, banking, industry, tourism, local communities and the environment. I will ask the advisory council to consult widely and effectively with local towns and businesses that will be impacted by the extremely dire situation of zero water flows. The council will report directly to me on ways that the New South Wales Government can help local communities get through this crisis, particularly in relation to prioritising water allocations. I am cognisant of the fact that it is not only irrigators but also industry generally—for example, the paper mill at Albury, which employs many people—that will be affected. That fact is not lost on the Government. We will determine, in consultation with the affected communities, the best means of ensuring an equitable outcome for users. I make it very clear that the council's role is quite separate from the process that the Federal Government has in place to assume control of the Murray-Darling Basin.

Over the past few weeks I have met with councils and irrigation representatives in Deniliquin and Albury to discuss the options available. I have also established a number of stakeholder reference groups in specific locations along the river system. These groups will report directly to the overarching ministerial advisory council. The newly created Department of Water and Energy will work closely with these regional stakeholder groups to provide regular updates on water availability. We are also currently organising similar meetings for the Lachlan, Macquarie and Cudgegong valleys, and reference groups will be established to plan a way forward in these regions also.

I wish that this issue were not the substance of my first response to a question without notice in this House. In fact, I wish I had better news to bring forth to the Chamber. But we are in one of the worst droughts in living memory—a one in 100 years drought. That is why we have moved quickly to establish this high-level task force. We have also agreed to a number of immediate emergency steps to bolster supply. These include cutting off flows in the Lower Darling downstream of Menindee, ceasing flows into the Wakool River, and temporarily disconnecting a number of artificial wetlands in the Murray.

Across the State water-saving measures, such as groundwater embargos and restrictions, have also been introduced in order to prevent extra pressure being placed on aquifers. Emergency pumping from the Darling has been granted to allow Bourke growers with permanent plantings to divert enough water to give their crops the best possible chance of survival without compromising the town's water supply. The Iemma Government has also offered more than \$300 million in support measures to drought-affected farmers. Irrigators in the Murray and Murrumbidgee have been able to apply for further support under the \$20 million extraordinary assistance package announced in January.

TWEED HOSPITAL CORONARY CARE BEDS

Mr ANDREW STONER: My question is directed to the Premier. How does the Premier reconcile his election commitment of "Better services, not cuts", which he reiterated during question time today, with his Government's decision to close a coronary care bed at Tweed Hospital within weeks of the New South Wales State election?

Mr MORRIS IEMMA: As the Leader of The Nationals would be aware, Tweed Hospital has undergone significant redevelopment and received additional funding to open beds and surgery, and to improve and expand services. As to the specifics of the member's question, I will obtain information from the Minister for Health. But the Leader of The Nationals would know better than anyone how the hospital has undergone a transformation over the past few years, with facility redevelopment and arrangements with John Flynn hospital across the border. The Leader of The Nationals knows better than anyone how that has led to an expansion of specialist services for people on the far North Coast. Specifically, additional moneys have been put into reducing elective surgery waiting lists and cutting emergency department waiting times—and, of course, there are the cross-border agreements that I have signed with my colleague Mr Beattie.

VILLAGE LIFE HOMES

Mr GERARD MARTIN: My question is directed to the Minister for Fair Trading. What is the Government doing to help retirees affected by the threatened closure of Village Life homes in regional New South Wales?

Ms LINDA BURNEY: The member for Bathurst has been involved in and has a deep understanding of this issue. Present generations owe everything to senior members of our community; their sacrifices have made us who we are today. I am most concerned about the situation that developed in Village Life homes centres in New South Wales three weeks ago. The facilities are owned by the MFS Diversified Group and were operated by Village Life Limited. Residents were given six weeks notice that they would have to leave their homes because the operator intended to pull out. The elderly residents were deeply shocked by the notice. Some of the residents have no family, very little support and modest financial means, and they faced eviction. Some are also in their eighties and nineties. They have worked hard over many years and are now seeking to enjoy their retirement in peace and security.

All members have a connection to this situation and I ask them to imagine the distress the residents would have felt at the prospect of losing their homes and anxiety it caused their families. I acknowledge the efforts of local members who saw this distress first hand and who reassured residents and advocated with care on their behalf. Four centres were slated for closure in New South Wales, affecting more than 180 people in Bathurst, Dubbo, Tamworth and Wagga Wagga.

On hearing about the crisis, I immediately instructed the Office of Fair Trading to take action to protect residents' rights. Surely it is our prime responsibility to protect rights. One day after we became aware of the situation, Office of Fair Trading staff were sent to support residents in meetings with the operators. The Government immediately established the retirement housing options task force under the fine leadership of Commissioner for Fair Trading Lyn Baker. The task force consisted of representatives of four agencies: the Office of Fair Trading, the Department of Housing, the Department of Ageing, Disability and Home Care and the New South Wales Health Department. Our public servants moved swiftly and effectively.

How many public service positions was the Coalition going to cut if it won office? The target was 20,000. I am proud of these public servants because they moved swiftly, effectively and with care in responding to the situation. The high level of cooperation meant the Iemma Government was able to offer immediate support to the residents and, fortunately, the crisis was resolved. The owner has appointed new operators, SCV Group Limited, to manage its four New South Wales properties. This is a good result and, most importantly, it is an enormous relief to the residents and their families.

The Commissioner for Fair Trading has examined the new agreement and reviewed the leases signed by the residents and has advised that some improvements are needed, and they will be implemented. We will ensure that the leases comply with the tenancy legislation. This Government's priority is twofold: First, to guarantee that residents are protected under the new arrangements and, second and most importantly, to prevent this situation ever happening again. The task force is now examining the villages operating under similar arrangements in New South Wales to determine whether legal loopholes allowed this situation to occur and, most importantly, to consider how long-term security of tenure can be provided to elderly residents in this type of accommodation.

I understand that MFS is selling its retirement village portfolio to another property investment company. I assure the House that the new owners plan to keep the villages under existing management arrangements. That is an important assurance and guarantee to families and residents. The Office of Fair Trading will monitor this situation closely and will advise me of anything that may have a negative impact on the residents. I will be assiduous in this monitoring.

Mr Andrew Fraser: What does that mean?

Ms LINDA BURNEY: Does the member want me to tell him what it means? This case demonstrates the importance of consumers being careful to examine and be clear about the conditions in the contracts they sign and the providers being upfront with residents about the nature of their tenancy. The Iemma Government is reviewing the laws affecting both tenants and retirement villages. This involves significant reform that will affect thousands of people. The Government will take the appropriate time to get this right. As part of the review, it is considering the legislative changes that may be needed to prevent another Village Life situation.

The crux of this issue is the way we care for some of the most important and vulnerable people in our community. It is the prime responsibility of this House to protect and care for the most vulnerable. Running viable and successful businesses is important, but that in no way diminishes the business sector's moral and ethical obligations to tenants, particularly those who are elderly.

The Iemma Government cares for the older members of our community and their families and it is here to help them to make plans for their future with certainty. As the Premier said to thousands of older people at the Seniors Concert this year, "You are valued and you are loved." This Government remains absolutely committed to safeguarding and promoting the rights of citizens, particularly those of older generations.

THE SPIT BRIDGE WIDENING

Mr MIKE BAIRD: My question is directed to the Premier. How does he explain deceiving the people of Manly when he said on radio on 12 February that he was committed to The Spit Bridge project after he had been told by the Roads and Traffic Authority [RTA] chief executive officer in late January that the costs could blow out to \$130 million?

The SPEAKER: Order! This is the first question asked by the member for Manly. I advise him that he should perhaps take advantage of the Clerks' knowledge and have them look at the content of his questions. On this occasion I will allow the question.

Mr MORRIS IEMMA: For the benefit of the member for Manly, I was advised that the tender process was ongoing. The final cost estimate is the only figure that was relevant to the decision-making process. I understand that the Minister for Roads was advised in late April that the preferred project cost of the Spit Bridge widening would be \$115 million. I was briefed on the final cost of the project immediately prior to the decision being taken not to proceed. That is the fact of the matter. The House should give the member credit for his first question. He campaigned against the project but today he has asked a question that suggests he supports it. The former member for Manly and others supported the project, but this new member ran a high-profile campaign against it. He wanted the project ditched. Today he has asked why the Government is not committed to the project. Until that time it was. As the Minister for Roads said and as I have stated today, the final cost came in at \$115 million.

Mr MIKE BAIRD: I ask a supplementary question. In light of his answer, can the Premier at least commit the funds that he had allocated to the project for the people of Manly?

[Interruption]

The SPEAKER: Order! I remind Government members that the member for Manly has the call. That is not a supplementary question. It is clearly a new question.

Mr Adrian Piccoli: Point of order: The Premier's answer did refer to the cost of the project, at \$115 million.

The SPEAKER: Order! I have ruled on the matter. The member for Murrumbidgee will resume his seat.

AREA ASSISTANCE SCHEME

Ms JODI McKAY: My question is to the Minister for Community Services. Can the Minister update the House on the Government's efforts to support community projects across New South Wales?

Mr KEVIN GREENE: I welcome the member for Newcastle to this place and congratulate her on her inaugural speech, which was given earlier today. The Area Assistance Scheme is part of this Government's commitment to build stronger, more harmonious communities. Since 1995 the scheme has provided over \$106 million to more than 1,700 projects. The scheme has supported programs that have helped vulnerable people and developed safer environments. It has also provided opportunities for young people, people from culturally and linguistically diverse backgrounds, and Aboriginal communities. This scheme works because it gives communities the opportunity to work together to develop real solutions. I am pleased to announce that the Government will spend more than \$2.5 million on 64 new Area Assistance Scheme projects in 2007-08. Those

projects—in Western Sydney, the Hunter, the North Coast, the Illawarra, the Central Coast and Macarthur—will deliver real results. Because these projects are driven by the needs of individual communities, they are very diverse.

Taking just a small cross-section, we are investing \$137,000 to help the families of people who are undergoing drug and alcohol rehabilitation in the Lower Hunter, almost \$37,000 to establish a women's medical centre to help vulnerable women in Newcastle, almost \$290,000 on a speech program to work with disadvantaged children in Bankstown, more than \$270,000 to help families in Blacktown whose children have behavioural disorders, almost \$180,000 to use excess fresh food to make 60,000 meals a year for poor and homeless people in western Sydney, more than \$230,000 to reduce antisocial behaviour in the Northern Illawarra, more than \$75,000 to help families in Tuggerah Lakes develop healthy lifestyles, almost \$125,000 to provide school holiday programs for children at risk in Campbelltown and almost \$45,000 to provide a local community radio station at Gloucester, where, I understand from her speech this morning, the member for Newcastle was born.

We are also spending \$5.5 million to fund 100 existing projects. This means the total investment in the Area Assistance Scheme will reach \$9 million in 2007-08. The next funding round starts in August and applications will close on 5 September. I encourage local organisations with innovative ideas to get involved, and I look forward to updating the House on the next round of projects funded by the Area Assistance Scheme.

TWEED HOSPITAL CORONARY CARE BEDS

Ms REBA MEAGHER: I wish to provide a supplementary answer to the question asked earlier by the Leader of The Nationals of the Premier. Last year it was announced that a five-bed coronary care unit would be established at Tweed Hospital.

Mr Adrian Piccoli: Point of order: I believe it is custom and practice and in accord with the standing orders that the Minister asked a question will give the supplementary answer.

The SPEAKER: Order! Like a number of earlier remarks, this is not a point of order. I ask the member for Murrumbidgee to consider his points of order carefully.

Ms REBA MEAGHER: It was announced last year that a five-bed coronary care unit would be established at Tweed Hospital at a cost of \$500,000. The unit in fact opened in August 2006. I am advised there are currently five coronary care beds operating at Tweed Hospital. An extra bed was operating for that period of time to deal with surge capacity. Nonetheless, five beds are operating at this point in time, which means the Government's commitment has been kept.

Question time concluded.

BUSINESS OF THE HOUSE

Suspension of Standing Orders: Routine of Business

Motion by Mr John Aquilina agreed to:

That from 7.30 p.m. at this sitting:

- (1) an inaugural speech be made by the member for Epping, and
- (2) standing orders be suspended to provide that, until the rising of the House, no divisions or quorums be called and at the conclusion of Government Business the House adjourn without motion moved.

VARIATIONS OF PAYMENTS ESTIMATES AND APPROPRIATIONS 2006-07

Mr Frank Sartor tabled the following documents:

Variations of the Payments Estimates and Appropriations for 2006-07, under section 24 of the Public Finance and Audit Act 1983, flowing from the transfer of functions from the Department of Planning to the Ministry of Transport

Variations of the Payments Estimates and Appropriations for 2006-07, under section 24 of the Public Finance and Audit Act 1983, flowing from the transfer of functions from the Ministry of Police to the Attorney General's Department

Variations of the Payments Estimates and Appropriations for 2006-07, under section 24 of the Public Finance and Audit Act 1983, flowing from the transfer of functions from the Premier's Department to the World Youth Day Co-ordination Authority

Variations of the Receipts and Payments Estimates and Appropriations for 2006-07, under section 26 of the Public Finance and Audit Act 1983, arising from the provision by the Commonwealth of Specific Purpose Payments in excess of the amounts included in the State's receipts and payments estimates (Advancing Australian Agriculture—Exceptional Circumstances and Rural Assistance Authority)

Variations of the Receipts and Payments Estimates and Appropriations for 2006-07, under section 26 of the Public Finance and Audit Act 1983, arising from the provision by the Commonwealth of Specific Purpose Payments in excess of the amounts included in the State's receipts and payments estimates (Rural Partnership Program—West 2000 Plus and Rural Assistance Authority)

Variations of the Receipts and Payments Estimates and Appropriations for 2006-07, under section 26 of the Public Finance and Audit Act 1983, arising from the provision by the Commonwealth of Specific Purpose Payments in excess of the amounts included in the State's receipts and payments estimates (Disability Services Grants and Department of Ageing, Disability and Home Care)

PETITIONS

Rooty Hill Railway Station Access

Petition expressing concern at the difficulties experienced by the elderly, people with physical impairment and parents with prams in accessing the Rooty Hill railway station platform and praying that a lift be installed, received from **Mr Richard Amery**.

South Coast Pensioner Concessions

Petition requesting that pensioner concessions be provided for travel within the South Coast area, received from **Mrs Shelley Hancock**.

South Coast Rail Services

Petition opposing any reduction in rail services on the South Coast, received from **Mrs Shelley Hancock**.

South Coast Rail Line Facilities

Petition requesting that train carriages be fitted with toilet and luggage facilities on the South Coast rail line, received from **Mrs Shelley Hancock**.

Hawkesbury River Railway Station Access

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

Hornsby and Berowra Railway Stations Parking Facilities

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

Bus Service 311

Petition praying that the Government urgently improve bus service 311 to make it more frequent and more reliable, received from **Ms Clover Moore**.

Pets on Public Transport

Petition requesting that pets be allowed on public transport, received from **Ms Clover Moore**.

Pensioner Travel Voucher Booking Fee

Petition requesting the removal of the \$10 booking fee on pensioner travel vouchers, received from **Mr Robert Oakeshott**.

CountryLink Rail Services

Petition opposing the abolition of CountryLink rail services and their replacement with bus services in rural and regional New South Wales, received from **Mr Andrew Stoner**.

Stanmore Public School

Petition seeking the removal of the Distance Education Unit from Stanmore Public School to make the buildings available for the children, received from **Ms Carmel Tebbutt**.

Campbell Hospital, Coraki

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

Breast Screening Funding

Petition requesting funding for BreastScreen NSW, received from **Mr Steve Cansdell**.

Breast Screening Funding

Petitions requesting funding for breast screening to allow access for women aged 40 to 79 years, received from **Mrs Shelley Hancock** and **Mrs Judy Hopwood**.

Shoalhaven Mental Health Services

Petition requesting funding for the establishment of a dedicated mental health service in the Shoalhaven, received from **Mrs Shelley Hancock**.

Tumut Renal Dialysis Service

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

Sunflower House, Wagga Wagga

Petition requesting funding to facilitate the operation of Sunflower House, Wagga Wagga, received from **Mr Daryl Maguire**.

Rescue Helicopter Services

Petitions praying that the Government halt the contract for helicopter medical retrieval services given to a Canadian company and reinstate NRMA CareFlight and Westpac Rescue Helicopter Service as the providers of those services, received from **Mr George Souris** and **Mr Andrew Stoner**.

Rural and Regional Police Resources

Petition calling upon the Iemma Government to allocate more police resources to rural and regional communities throughout New South Wales, received from **Mr Steve Cansdell**.

Shoalhaven Local Area Command

Petition requesting additional resources for the Shoalhaven Local Area Command, received from **Mrs Shelley Hancock**.

Batlow Policing

Petition requesting an increased number of police to address understaffing in the Tumut police patrol, resulting in Batlow police being unable to adequately service the community, received from **Mr Daryl Maguire**.

Forster-Tuncurry Policing

Petition requesting a permanent 24-hour police station at Forster-Tuncurry, received from **Mr John Turner**.

Lake Mulwala Bridge

Petition requesting funding for a new bridge over Lake Mulwala, received from **Mr Greg Aplin**.

Grafton Bridge

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

Termeil Bridge Realignment

Petition requesting that the Princes Highway and Termeil Bridge be realigned to the east of the existing road, received from **Mrs Shelley Hancock**.

Tomerong Traffic Arrangements

Petition requesting an upgrade of the Island Point Road and Princes Highway intersection, Tomerong, received from **Mrs Shelley Hancock**.

Abermain Traffic Arrangements

Petition requesting that traffic lights be installed at the corner of Charles Street and Cessnock Road, Abermain, received from **Mr Kerry Hickey**.

Inner City Bicycle Lanes

Petition requesting dedicated bicycle facilities for the entire length of William Street, and on Craigend Street and Kings Cross Road, received from **Ms Clover Moore**.

Forest Lodge Public School

Petition requesting that a formal pedestrian safety audit be conducted in the vicinity of the Forest Lodge Public School, received from **Mr Andrew Stoner**.

Wallis Lake Traffic Arrangements

Petition requesting road improvements at the intersection of The Lakes Way and Green Point Drive, Wallis Lake, received from **Mr John Turner**.

Cat and Dog Meat Sale

Petition requesting legislation banning the sale of cat and dog meat for human or animal consumption, received from **Ms Clover Moore**.

Recreational Fishing and Diving

Petition requesting the preservation of fishing rights and opposing any ban or surcharge on recreational fishing or diving, received from **Mr Andrew Stoner**.

Private Native Forestry

Petition requesting a review of the draft code of practice for private native forestry, received from **Mr Andrew Stoner**.

State Forests Hunting

Petition opposing hunting in State forests, received from **Mr Andrew Stoner**.

Batemans Marine Park

Petition opposing the Batemans marine park, received from **Mr Andrew Constance**.

Tilligera Dam

Petition opposing the construction of the Tilligera Dam, received from **Mr George Souris**.

Renewable Energy

Petition requesting an investment in clean energy projects and legislation to provide a 15 per cent renewable energy target by 2012, received from **Ms Carmel Tebbutt**.

Lake Tabourie

Petition requesting that the current height constraints of Lake Tabourie be re-evaluated to allow the lake to be opened to the sea, received from **Mrs Shelley Hancock**.

Manning Valley Southern Wall Construction

Petition requesting the construction of the southern wall in Manning Valley, received from **Mr Robert Oakeshott**.

Shoalhaven River Water Extraction

Petition opposing the extraction of water from the Shoalhaven River to support Sydney's water supply, received from **Mrs Shelley Hancock**.

Shoalhaven City Council Rate Structure

Petition opposing a 27 per cent rate increase proposed by Shoalhaven City Council, received from **Mrs Shelley Hancock**.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Ministerial Accountability and Responsibility**

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [3.09 p.m.]: The motion for which I seek priority reads:

That this House condemns the Premier for his failure to uphold standards of ministerial accountability and responsibility.

There could be no more important issue before the House than that of responsibility and accountability. It is, after all, why this bicameral Legislature was formed. Yet what we have seen during question time in the five questions ranging across three different subjects is a failure by the Premier—the person who appoints the ministry, the person who sets the tone for the other members of the ministry—to accept any responsibility or to hold anyone accountable for failings that occur in this State.

The Premier would have us believe that things happen by coincidence, that no-one is responsible. Events just happen, if I can improve the language. The reality is that the Premier says whatever he has to say to get out of the situation he finds himself in. When it comes to the formation of the ministry, one week he said that the unions and Mr Arbib had nothing to do with the decision to offer the member for Blacktown the portfolio of Sport and Recreation. But one week later, following public outcry, he is happy to try to offload the blame to the member, Mr Arbib and the unions. The public can have no trust in a Premier who is not prepared to be responsible and accountable for his decisions, which is why this motion should be accorded priority. It is far more important that we start this Parliament where we should hope to finish it, with a degree of responsibility and accountability by those opposite.

There can be no more important legislation as we start this Parliament than the Protected Disclosures Act 1994—an Act that grew out of a bipartisan select committee, an Act designed to give public officials across

the public sector of New South Wales the protection to come forward and report misconduct. Yet the reason this motion should be accorded priority is to get the Premier to accept responsibility and to be held accountable for what happened to Mr Mark Aarons, who, as the Premier confirmed in question time today, has taken redundancy from his office. What was Mr Aarons' reason for taking redundancy? It was the untenable pressure he suffered, and the embarrassment he apparently caused the Premier and his chief of staff, Mr Kaiser, by making a protected disclosure.

The motion should be accorded priority because whether a protected disclosure occurs in a hospital, a school, or a government department, including the Premier's Department, the person making the disclosure should be treated under the law as the Act proclaims. The Act provides that people who put pressure on those who notify a protected disclosure or handle a protected disclosure are subject to penalties. We need this debate to clarify for the 380,000 public servants across this State how the Government will administer the Protected Disclosures Act. Will it be a continuation of what we saw in the last Parliament: we will say or do anything, besmirch reputations and issue press releases irrespective of the facts simply to get through the media cycle? Or will we uphold this important Act—an Act the former member for Port Jackson spoke in support of when it was introduced, an Act that should go to the heart of all our activities.

If this motion is accorded priority we will be able to discuss domestic violence. The Premier is on the record as saying that he will not sit in this House with someone who has hit a woman. I say "Amen to that", as we all should. But the Premier must be held to account. We need the Premier's view on people who allegedly witness violence against women, but who do nothing about it for 19 years until it suits them politically. I am opposed to domestic violence. I hold adults and others in a position to intervene to stop domestic violence, but who do nothing, equally responsible for such violence. This case has gone on for 19 years. What the Premier did today, as the member for Murrumbidgee suggested—and we could debate this if the motion were afforded priority—is hide behind a police investigation. Today I wrote to the Commissioner of Police to find out whether the inquiry includes a protected disclosure. I do not believe it does, but the Premier is happy to hide behind it.

Mr Michael Daley: Point of order: I refer to Standing Orders 73 and 109 (4) (a). Clearly, the Leader of the Opposition is imputing an improper motive and making a personal reflection on a member of this House, the Premier. Standing Order 73 provides that that can be done only by substantive motion.

The SPEAKER: Order! I ask the member to come to his point of order.

Mr Michael Daley: This is not a substantive motion. The Leader of the Opposition is prevented from making these comments under Standing Order 109.

The SPEAKER: Order! The member for Maroubra will resume his seat. The speaking time of the Leader of the Opposition has expired.

Mr Barry O'Farrell: Point of order: I am happy to have proper points of order taken, but I offer some advice for the proper running of the House. Inappropriate points of order that might be taken from time to time are as bad as points of order, from whichever side of the House, that are too long. These types of debates—and the member for Sydney would say this if she were in the Chamber—are designed to allow members opposite and on this side five minutes to influence their colleagues in which way to vote. It is important that time should not be wasted during this debate.

The SPEAKER: Order! That is good advice from the Leader of the Opposition for both sides of the House.

Clarence River Water Users Rights

Mr STEVE WHAN (Monaro—Parliamentary Secretary) [3.14 p.m.]: Congratulations, Mr Speaker, on your election to the position. My motion should be accorded priority because for almost the entire period since the last Parliament water has been a major issue on the lips of many people around New South Wales. Over that time we have seen the Federal Government's Murray-Darling initiative, a hodgepodge of poorly researched State policies by the Coalition and the policy that is the subject of this motion. Last month Federal Minister Malcolm Turnbull enthusiastically launched a plan to investigate five options for piping water from the Tweed River and northern New South Wales into south-east Queensland from the Clarence River. Today is the first opportunity the House has had to express its views on that plan.

I have no doubt that members on this side of the House believe that this motion, which is of significant importance to the people of country New South Wales, particularly northern New South Wales, should be

accorded priority. We should discuss the options put forward by Malcolm Turnbull and the lack of work done on the environmental impact of those options. We should discuss the lack of consultation on those options before they were put forward and so enthusiastically endorsed by the Prime Minister. We should discuss the lack of consideration for the local community, lack of consideration for the fishing and oyster industries, and lack of consideration for the tourism industry. We should even discuss why the Federal Coalition completely ignored the objections of the member for Clarence. I will have more to say about that if this motion is accorded priority. The motion gives members opposite a great opportunity to put on record what they think of this proposal and what they think of Malcolm Turnbull's proposal to truck or pipe water out of one catchment and into another. It gives them a chance to stand up to John Howard and tell him what they think.

Mrs Shelley Hancock: That's what you do with the Shoalhaven River.

The SPEAKER: Order! The member for South Coast will remain silent.

Mr STEVE WHAN: I hope the member for South Coast gets a chance to speak to the motion. I can see that she thinks this motion should be accorded priority today. I expect that members representing the electorates of Clarence, Tweed, Lismore and Ballina will welcome the chance to debate the motion. They should welcome the chance very early on to put their feelings on record in this place, and let their communities know that they will stand up in this House to tell the Federal Government that its policy is not welcome.

The SPEAKER: Order! The member for Bathurst will remain silent.

Mr STEVE WHAN: I acknowledge that the member for Tweed has not yet made his inaugural speech, which means that he will not be able to contribute today, but his vote today on this motion—

[Interruption]

The SPEAKER: Order! The member for South Coast will remain silent. The member for Lismore will remain silent.

Mr STEVE WHAN: —will show whether he is willing to stand up for the people he claims to represent. I have looked at the website of The Nationals to see whether he has anything to say about it, but he has issued only one press release since the election. I must join with the ABC radio broadcaster who said, "Wake up, Geoff. Where are you?" When he votes today we will see whether he and members representing the electorates of Clarence, Lismore and Ballina are willing to put an important issue for the people they say they represent in this place ahead of political muckraking by the Leader of the Opposition. Today we have the choice of dealing with water resources for northern New South Wales or the Leader of the Opposition falling back into his old habits of muckraking and trying to drag everybody's name through the mud. That will happen very quickly. It is a simple choice today, particularly for members representing the electorates of Clarence, Tweed, Lismore and Ballina: Vote with the Government today to debate a matter of vital importance to the people you claim to represent. If they do not, they will be judged by their constituents for not doing so.

The SPEAKER: Order! Before I put the question, I remind members that they are voting to establish priority, not to debate one motion or the other.

Question—That the motion of the member for Ku-ring-gai be accorded priority—put.

The House divided.

Ayes, 33

Mr Aplin
Mr Baird
Mr Baumann
Ms Berejiklian
Mr Constance
Mr Debnam
Mr Fraser
Ms Goward
Mrs Hancock
Mr Hartcher
Mr Hazzard
Ms Hodgkinson

Mrs Hopwood
Mr Humphries
Mr Kerr
Mr Merton
Mr O'Dea
Mr O'Farrell
Mr Page
Mr Piccoli
Mr Provost
Mr Richardson
Mr Roberts
Mrs Skinner

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

Tellers,
Mr George
Mr Maguire

Noes, 55

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

Question resolved in the negative.

Question—That the motion of the member for Monaro be accorded priority—put and resolved in the affirmative.

BUSINESS OF THE HOUSE**Notices of Motions**

Government Business Notice of Motions (for Bills) given, by leave.

CLARENCE RIVER WATER USERS RIGHTS**Motion Accorded Priority**

Mr STEVE WHAN (Monaro—Parliamentary Secretary) [3.27 p.m.]: I move:

That this House:

- (1) condemns plans by the Federal Government to dam and divert water from the Clarence River to supply south-east Queensland.
- (2) notes with dismay the failure of the New South Wales Coalition to defend the rights of water users on the Clarence River.

The Federal Government proposes to pinch water from the North Coast of New South Wales and give it to Queensland—it is as simple as that. The National Water Commission's feasibility study was released recently by the Federal Minister for the Environment and Water Resources, Malcolm Turnbull. The report recommends that consideration be given to five options for transferring water from northern New South Wales to south-east Queensland. Four of the five options are based on storage and transfer from the Clarence River whereas the fifth option is based on storage and transfer from the Tweed River catchment.

The SPEAKER: Order! Members wishing to carry on conversations will do so outside the Chamber or resume their seats.

Mr STEVE WHAN: The five options included, in respect of the Tweed River catchment, a dam on the Oxley River with a pipeline from Brays Park Weir to the Nerang River; in relation to the Clarence River catchment, a dam on the Clarence River upstream of Duck Creek with a pipeline to the Logan River, a dam on Tooloom Creek with a pipeline or tunnel to the Logan River, a weir on the Mann River with a pipeline to the

Logan River, and a dam on the Mann River with a pipeline to the Logan River. Those proposals were put forward in a paper that was prepared by the Snowy Mountains Engineering Corporation—a fine organisation based in the Monaro electorate. The report states that the proposals are based on a broad desktop review. The report acknowledges that some of the options may be ruled out following detailed engineering and environmental investigations.

However, for the Federal Government it seems that there are a lot more than just options on the table. On 13 April 2007 the *Daily Telegraph* reported that these proposals had been unveiled with the "impassioned support of Prime Minister John Howard". Obviously that was with the strong support of the Minister, Malcolm Turnbull. Prime Minister Howard dismissed the concerns of people in the local area by saying that there was no such thing as New South Wales water. As far as he was concerned, he does not care very much about State borders. He said, "I'm very sensitive to the problems of south-east Queensland"—there are a few marginal seats there, as I remember—"Let's be broad-minded and instead of having a knee-jerk reaction, 'Oh, you can't take NSW water into Queensland'."

The Prime Minister is not willing to listen to the communities of northern New South Wales and he is certainly taking for granted the people who had the misfortune of voting for his candidates in the last election. Malcolm Turnbull, from inner-city Sydney, went to the country to sell this idea by telling people what a wonderful idea it is; but the Federal Nationals are doing very little. As the new Chair of Country Labor's parliamentary group, I put on record in this place our opposition to Mr Turnbull's policy. The report says that this is only a very preliminary plan. Members on this side of the House know that we are in the worst drought in living memory and we acknowledge the measures that the New South Wales Government has taken to secure our water supplies for the future. That is why we have invested more than \$300 million to support farming communities through initiatives such as employee drought-support workers, small business assistance, rural financial counsellors and payroll tax concessions for rural businesses. No-one can predict when this drought will end, or what it will ultimately cost.

The New South Wales Government will continue to provide support. Recognising that we are in a terrible drought the Government has said that it is willing to work cooperatively with the Federal and State governments and has done so by stating its willingness to work with the Federal Government on its plan for the Murray-Darling Basin, even though it is quite clear that that plan has a very long way to go and lot of detail still to be worked out. The plan certainly is not as assured as the new member for Murray-Darling seems to believe, as stated in a recent press release headed, "Water will flow with Cobb & Co—Williams". It is not really as simple as creating small slogans such as that.

The New South Wales Government knows that there is a lot of work to do but we will not go into a process that would risk the livelihoods of North Coast families who rely on the water in the Clarence River for their jobs, for the social fabric and environment of the area. The Clarence River is much more than a river or water source to families in the area. It is important that the Federal Government listens to what people are saying. In some local media in that area it was made very clear that the community is strongly opposed to the plan. The Northern Rivers Regional Organisation of Councils President, Kyogle Mayor Ernie Bennett, said that he would be "reluctant to give away a precious resource to another State which is good at attracting industry, but not so good at planning ahead". Farmers Roy and Margaret Vary of Riverview, at Duck Creek, have also voiced their opposition.

The Mayor of the Gold Coast expressed his concern and spoke about the lack of consultation. And, to his credit, the member for Clarence, Steve Cansdell, described this plan as "First Fleet mentality and I thought Malcolm Turnbull was a lot smarter man than that. We should be looking at 21st century technology." I am afraid that Malcolm Turnbull might not be smarter than that—clearly he is not listening to the member for Clarence. Once again, as in previous debates, we come back to the fact that the New South Wales Nationals are ignored by their Liberal colleagues. As is often the case when the Liberals are in Government federally, The Nationals are ignored and country areas miss out because the New South Wales Nationals seem to be able to only squeal through newspaper reports and complain loudly but never actually achieve anything for the people they are supposed to represent.

The members representing Lismore, Tweed and Ballina have been very quiet on this matter. I searched The Nationals website for their press releases on this matter; I could not find any. Those members seem to have not much to say about this, despite its significant importance to the people whom they represent. It is time in this debate for The Nationals to lay their cards on the table. This is an opportunity for them to support this motion to tell John Howard that they are willing to put the people who live near the Clarence and Tweed rivers ahead of the Federal Government's agenda for the next election.

Labor's Federal spokesman summed up this matter in a press release. He said, "This suggestion of a proposal for a dam on the Clarence River and a pipeline from northern New South Wales into south-east Queensland lacks detail and smells of politics." That is what this is all about: the Prime Minister trying to shore up south-eastern Queensland seats, because he knows many of his party's seats in Queensland are under threat, because Kevin Rudd is going so well in that area. The Prime Minister knows that without the south-eastern Queensland seats he will not be able to win the next election. Quite frankly, he is making it obvious that he is willing to sacrifice the views of residents of northern New South Wales to achieve political results in those south-eastern Queensland seats.

This is not new, the Federal Government has form on this sort of issue. In this place we have debated many times the Federal Government's unwillingness to take action to stop Queensland from damming rivers that crossover into new South Wales and preventing New South Wales farmers from accessing that water. The classic case of Cubbie Station comes to mind. Over and over again we see the Federal Government putting Queensland ahead of New South Wales when it comes to distribution of the GST. Last night's Federal budget sets out the distribution of the GST and the States' relativities. It can be seen that Queensland residents get much more of a subsidy. As it always does with John Howard; it all comes down to politics. The money is part of his political game to keep those Queensland seats; and clearly water is now part of his political game to keep those Queensland seats.

This situation will not change while ever the New South Wales Nationals are voices in the wilderness. More importantly, it will not change while ever there is a Howard-led or a Federal Liberal-National Government, because as we see over and over again at Federal level The Nationals are impotent, they are unable to get their message across, they are unable to win for the people of rural New South Wales. That is why those Nationals voters in Federal seats will take the opportunity at the next election to say to the member for Page and other members that they are making a few press comments. However, being ignored by their leader is not good enough. That does not count as representation. They will want to get Country Labor members in there who they know will be listened to by a Rudd government in the same way that Country Labor is listened to by the Iemma Government.

I am very proud to have been elected as the new Chair of Country Labor. I thank the outgoing Chair, Gerard Martin, and I assure him that we will be keeping up the fight for country New South Wales and getting results.

Mr DONALD PAGE (Ballina) [3.37 p.m.]: Mr Speaker, I take this opportunity to congratulate you on achieving the Speakership.

The SPEAKER: Thank you.

Mr DONALD PAGE: At the outset I indicate that the Opposition agrees with paragraph 1 of the motion, but disagrees with paragraph 2. I move:

That the motion be amended by leaving out paragraph (2).

I point out the irony of having a motion about damming and diverting rivers moved by the member for Monaro, whose electorate would have more dams and diversions than any other electorate in the State. The hypocrisy of him moving this motion when he knows nothing about the issue, and yet he has more dams and diversions in his electorate than any other member, is laughable. Contrary to the intent of the motion, which is that The Nationals have not been vocal on this issue, I remind members that we have been extremely vocal and have made our position very plain, going right back to December last year when the issue was first raised. On 23 December 2006 the *Australian* stated:

Federal water chief, Malcolm Turnbull, has been told bluntly by his National colleagues in the Coalition to butt out of State affairs and drop his proposal for a pipeline connecting northern New South Wales to Queensland.

It could not be more blunt. The article continued:

In a public display of Coalition disunity over the water policy, the New South Wales Nationals have dismissed Mr Turnbull's proposal as unacceptable and unrealistic.

The article goes on to state:

Don Page, the state Nationals MP for the Northern Rivers seat of Ballina, said Mr Turnbull, the Parliamentary Secretary for Water, should have consulted his Coalition colleagues before raising the plan.

We have hardly enough water for our own needs, and we are growing at 2 to 3 per cent a year.

The article goes on to state:

Nationals MP for Clarence Steve Cansdell said the proposal would never proceed.

It could not be clearer. The article continues:

"Malcolm Turnbull should have delved into the realities and done his research before just coming out with this," Mr Cansdell said.

Queensland has got a dismal record with its water infrastructure. We shouldn't have to pay the penalty for that.

How correct is that statement! The article then goes on to state:

NSW Nationals leader Andrew Stoner said ... "The last thing we would agree to in these circumstances is sending NSW water to Queensland. The NSW Coalition is saying to Malcolm Turnbull, "Thanks, but no thanks."

It could not be clearer.

Mr Kerry Hickey: What have you said?

Mr DONALD PAGE: If the member had listened to the article from which I just quoted he would be aware that I am opposed to the proposal. We should not be asked to look after the Queensland Government, which has failed to invest in infrastructure, including water infrastructure. South-east Queensland is growing at a rapid rate, as indeed is the northern part of New South Wales. But under the Beattie Government we have seen no serious planning in relation to infrastructure. Prior to the last Queensland election there was a proposal to dam the Mary River to try to do something about the water shortage. That proposal was unacceptable politically and the Queensland Government dropped it. The current proposal to divert the Clarence and the Tweed rivers to Queensland is not on either.

There is no reason why the people of northern New South Wales should be asked to carry the can for the poor planning of the Queensland Labor Government. Premier Beattie is not asking for this plan. If he is not asking for water from the Clarence and the Tweed rivers to be diverted I cannot see why we are having this debate, as that will not occur. The northern part of New South Wales is a rapidly growing area. We have a population of growth of about 3 per cent per annum and in some cases the growth is even stronger than that. That will continue with the sea change phenomenon and with people coming into the area, and we will need all the water we have for drinking, agriculture, fishing and tourism, and to sustain industries in the northern part of New South Wales.

In this day and age we should be looking at applying sustainability criteria to everything that we do in the area of infrastructure and environmental management. Sustainability means that, wherever possible, catchments must supply the water where it can reasonably be supplied and carry the population growth. It makes no sense today to be talking about diverting water away—hundreds of kilometres in this case—from the upper reaches of the Clarence River into Queensland when other sources of water are available closer to Queensland. The Queensland Government must be made accountable for its inadequate planning in the past. It must look at putting in place water policies that satisfy the needs of its communities. Taking water from the Clarence is not the way to do it but recycling is a significant policy initiative that it should consider.

The other day I was heartened to hear Premier Beattie stating that he would look more seriously at that proposal. On Monday 30 April Mr Cansdell is quoted in the *Daily Examiner* as stating that The Nationals Federal member for Cowper, Luke Hartsuyker, is opposed to this proposal. A couple of weeks ago he was reported in an article in the *Daily Telegraph* as stating that he is vigorously opposed to it. The article also states that Ian Causley and The Nationals candidate for Page, Chris Gulaptis, are opposed to it. I am also opposed to the proposal.

Mr Gerard Martin: What about Mark Vaile?

Mr DONALD PAGE: Mark Vaile does not support the proposal.

The SPEAKER: Order! Members will direct their comments through the Chair. Government members will remain silent.

Mr DONALD PAGE: The Queensland and New South Wales governments do not want this proposal. The Nationals do not want it and it will not happen. I make it very plain that that is The Nationals position in relation to this issue. I refer to another headline in the *Daily Examiner* of 3 May entitled, "Nats hit back with petition." Members of The Nationals signed a petition relating to this issue. I assure those who do not come from the North Coast that members of the community are strongly opposed to this proposal. They applaud members of The Nationals for having the guts to stand up and be counted, which is contrary to what Government members are saying. Members of The Nationals are standing up for their communities and they are being counted.

Do Government members know what happened on the North Coast at the last State election? The Nationals had big swings against the Labor Party. In my electorate there was a 5.1 per cent swing and in the electorate of the member for Clarence there was a 6.5 per cent swing. There was a 7.9 per cent swing against Labor in Tweed and it lost that seat because The Nationals were against this proposal. At least members of The Nationals stand for something. We stand for the sustainable management of our resources. We need that water for the future. South-east Queensland can obtain water from its own resources. The idea of piping water from the Clarence River hundreds of kilometres up to Queensland is unsustainable and uneconomic.

Going back many years when Ian Causley was Minister for Water in this State, he commissioned a cost benefit study into diverting the Clarence River into the western rivers of New South Wales—into the Murray-Darling Basin. The report showed that it was not only uneconomic to do so; it was also environmentally unsustainable. This is not the first time that this sort of proposal has been raised to dam and divert the Clarence River, whether it be into the Murray-Darling Basin or to Queensland. This issue has been around for a long time. The Nationals position on this issue has been strong. We are opposed to the damming or diversion of the Clarence River, whether it be into the Murray-Darling Basin or to Queensland. If Queensland has a water shortage problem it is the duty of that Government to fix it up. As I said at the outset, The Nationals support the first paragraph of the motion but we have moved an amendment to delete the second paragraph of the motion, which states:

- 2 Notes with dismay the failure of the New South Wales Coalition to defend the rights of water users on the Clarence River.

Nothing could be further from the truth. We have defended the rights of water users on the Clarence River. There is no stronger opponent to this proposal than the member for Clarence, and rightly so, as the proposal relates to his electorate and to the electorate of the member for Tweed. Reference was made earlier to water diversions from the Tweed. The member for Tweed also opposes that proposal. As the shadow Minister for North Coast and member for Ballina I oppose this proposal. Luke Hartsuyker, the Federal member responsible for the Clarence area, is also opposed to this proposal. The position of members of The Nationals could not be clearer. We are opposed to the diversion and damming of the Clarence River to meet the needs of Queensland because of that Government's poor administration. If the Queensland Government wants water it should make provision within its budget and its investment strategies to ensure that it has a sustainable water supply for its population.

Mr GERARD MARTIN (Bathurst) [3.47 p.m.]: I support the motion moved by my colleague the member for Monaro. The member for Ballina just made a passionate contribution about why members of The Nationals are opposed to this motion. If this is such an important issue why did The Nationals leave it to Country Labor to move a motion in this House? Members of The Nationals agree that this proposal by John Howard and Malcolm Turnbull, Liberal members of the Federal Coalition, is stupid. John Howard put Liberal members in charge of the water issue because I do not think he trusts members of The Nationals at the Federal level with issues of a serious nature. We are dealing with the credibility of Federal members of The Nationals and what influence they might have on the New South Wales Coalition. Those who have been members of this Parliament for some time would know that members of The Nationals are the pretty lame rump of a fairly inept Liberal Party.

Mr Donald Page: Did you look at the results of the last election?

Mr GERARD MARTIN: I am happy to talk about the results of the last election. In 1988 there were about 22 Nationals members, but what do we have now? Do members of The Nationals really want to analyse how well they have been going? Returning to the substantive motion, are The Nationals prepared to take on their masters in Canberra? John Howard took the decision to dam and divert water from the Clarence River. We have a national water plan, and this and that, because the Prime Minister and the Federal Government were panicked into action by pressure from the Labor States. This Government and preceding Labor governments in New

South Wales have taken the lead on this issue. The Premier is happy to sign up to the national water plan—although we recognise that it is flawed—in order to get moving on the issue. Even Queensland has come on board and agreed to sign the agreement.

Labor members in this place have called on members of The Nationals to take up the case of Cubbie Station. The Federal Government could have acted on that issue but instead it has bowed to pressure from the top end of town, particularly the cotton growers, and done nothing. We are all aware of the damage that Cubbie Station is doing to the rivers in southern Queensland that feed into the Murray-Darling system. This debate is about the credibility of The Nationals; it is not about whether one or two members of The Nationals issued press releases last December and then went silent. Did candidates for The Nationals campaign on this issue in the run-up to the State election? I do not think so. If people trawl through The Nationals web site they will see not a word about the Clarence River. Members of The Nationals would not have addressed the issue today if the member for Monaro had not moved this motion.

There was panic on the other side of the Chamber when the House voted on the motion moved by the Leader of the Opposition. The member for Clarence was sent by his leaders to check whether the Clarence River is still flowing. It is interesting to note that neither the Leader of The Nationals nor the member for Coffs Harbour, the Deputy Leader of The Nationals, is in the Chamber to debate this question. As we have done many times before, we are calling for some impartiality from The Nationals. Remember how The Nationals were silent on the fire blight issue in the lead-up to the election? It is the same old story now. Every time we ask The Nationals to take on their Liberal masters in Canberra they go to water—if members will pardon the pun.

Mark Vaile has been absolutely silent on this issue. The Nationals will probably offer the excuse of Cabinet solidarity, but the Federal Leader of The Nationals should be taking on Malcolm Turnbull and John Howard on this issue. He should stand up for the communities on the North Coast of New South Wales. Country Labor will take the lead in this matter. I am pleased that The Nationals are prepared to join us—albeit reluctantly—today. But if the member for Monaro had not raised the matter we would have heard not one peep from Nationals members on this issue. I commend the motion to the House.

Mr STEVE CANSDELL (Clarence) [3.52 p.m.]: There will be no damming of the Clarence River or diversion of water to Queensland. That is an ill-advised proposal devised by Malcolm Turnbull. When the idea was first mooted last August the current Mayor of Clarence Valley, who is also a member of the Labor Party, put up his hand. He has been in Sydney grovelling to the Labor executive to parachute him as the party's candidate over local aspirants in the upcoming Federal election.

Mr Gerard Martin: What's his name?

Mr STEVE CANSDELL: Ian Tiley. Last August when Turnbull first suggested this plan Mr Tiley said that, as Mayor of Clarence Valley, he would not oppose any damming or diversion of water to Queensland. That same month he told the ABC that water could be stored in pipes or dams and then transported to Queensland or Western New South Wales for irrigation purposes.

Mr Gerard Martin: Who?

Mr STEVE CANSDELL: This is one of your Labor boys. My word it is. Two weeks later the council debated the issue and Mr Tiley voted against the proposal. A couple of months later he was asked by a reporter from the *Australian* newspaper whether he supported the damming or diversion of the Clarence River. Mr Tiley said that he had not changed his mind but that he wanted to be mayor so he intended to keep his opinion to himself. Two weeks ago Mr Tiley circulated in the name of the council a cheap, party-political petition—he was basically acting as the Labor candidate—calling on people to object to the damming of the Clarence River. The hypocrisy in the Labor ranks is mind-boggling. The Clarence River will not be dammed. As I said before, I believe Malcolm Turnbull is ill-advised. Premier Beattie does not want it. He has talked about harvesting water from Tully and piping it to south-east Queensland. That is a great idea. The Queensland Government should also be considering recycling water and introducing water tank rebates for households.

Mr Gerard Martin: We've done that.

Mr STEVE CANSDELL: We have not yet recycled water in New South Wales. We have not done as much as we should. Instead of spending \$1.5 billion on a project that will never get off the ground Turnbull should put that money into water recycling and supporting councils, such as Toowoomba, whose ratepayers

voted against recycling. The Queensland Government should get its act together. It should strive for sustainable development, better infrastructure and forward planning. Every week more than 1,000 people from New South Wales go to south-east Queensland, and now the Federal Government wants to give Queensland our water. Instead of taking the mountain to Mohammed, Mohammed should come to the mountain. Those people are welcome to come to the North Coast and we will share our water with them. We do not have to dam and divert the Clarence River and stuff up the ecology of the area. One study examined the proposal's effects on the local economy. But we must consider also the social and economic implications for the people of the Clarence Valley. We must protect the region's ecology for future generations. Two weeks ago I went up the river in—

Mr Gerard Martin: A canoe.

Mr STEVE CANSDELL: I was not without a paddle. I went to the top of the Mann River with a national parks ranger. We were fishing for eastern cod. I see Labor members licking their lips, but we had to throw the fish back because they cannot be eaten. The river is running at present but for nine months of the year the Mann, Nymboida and Clarence rivers slow to a trickle. If we extract hourly from the river system a volume of water that is the equivalent of an Olympic-size swimming pool in order to sustain south-east Queensland, the northern rivers and the Clarence, Mann and Nymboida catchments will become unsustainable. I oppose totally any damming of the Clarence River or its tributaries. I support the first paragraph of the motion moved by the member for Monaro. However, I reject the second paragraph because the New South Wales Coalition has supported me on this issue. [*Time expired.*]

Mr KERRY HICKEY (Cessnock) [3.57 p.m.]: It is good to see the member for Ballina concentrating his mind on this issue because when we conducted a media search we found not one quote from him about the proposal to dam and divert water from the Clarence River. The member for Ballina raised several points in his contribution. Peter Beattie is considering the Federal Coalition's proposal. Mark Vaile, Malcolm Turnbull and John Howard are working together on the plan. They are talking about taking water out of the Clarence and Tweed rivers and pumping it to south-east Queensland. That will create major environmental problems at the end of the day. New South Wales is already suffering because Queensland is holding back water at Cubbie Station.

The Federal Coalition's policy will minimise growth in the Clarence and Tweed valleys. Country Labor and the New South Wales Government do not support the proposal. According to the member for Ballina, Coalition members have been vocal about this issue yet they have not asked a related question in this place. They have not even raised the issue in the House. They thought it was such an important issue that according to the member for Ballina they were raising it all the time and it was a major election topic. However, he has said nothing about it; he has not raised it in this House.

The member for Clarence talked about fishing at the gorges and catching eastern cod. I am more concerned about some of the other comments he has made. He said that The Nationals will stand on their own to prevent the Liberals from going ahead with this proposal—but they do not have the numbers to stand on their own. He also said that it was one issue on which The Nationals would stand shoulder to shoulder with the Greens—but his understanding of "shoulder to shoulder" is much different from mine.

The Mayor of the Clarence Valley, Ian Tiley, said that the proposal would damage the health of the river, that the residents would fight to protect the waterway, and that many of them were screaming about the issue. This is the issue the member for Ballina wanted to ask questions about in this House, but he did not. It took Country Labor to bring it forward and to represent the Tweed district. It is sad that the member argues about not having the opportunity. He has had as much opportunity as members on this side to raise it.

It is sad that he will not present the issues, the proposals and the problems in his electorate. He simply nods his head. That is what Country Labor is worried about. The member nods in agreement with anything Mark Vaile says, Malcolm Turnbull puts forward, or John Howard wants. That is what the member is and all he has ever been—a yes-man. The member talks about The Nationals' big election win. I still count only 13 members of The Nationals on the Opposition benches. We must ensure that we look after them and change our rules so that they retain their party status.

The transfer of water to the southern Queensland area will affect commercial fishers and, as a result, employees involved in boat maintenance, tourism and many other areas who rely on the water and agriculture industry will be affected. It is sad that The Nationals are not representing the local area. However, many stories circulate in the Grafton area about the member for Clarence's very strong support of the Ghosts—the local

football team. But perhaps we can deal with that later. It is good to see that at least Mayor Tiley will fight for the people. [*Time expired.*]

Mr STEVE WHAN (Monaro—Parliamentary Secretary) [5.02 p.m.], in reply: I thank the members who have contributed to the debate. The member for Bathurst pointed out the difficulties in The Nationals' position and the fact that they have not been listened to even if they are claiming to be heard. The member for Cessnock made a good contribution to the debate, and even informed me about the local football team.

I will deal with a couple of the issues raised by the member for Ballina. He said that in December last year he told Malcolm Turnbull to butt out and that this sort of project was not on. He might have said that at the time, but, surprisingly, Malcolm Turnbull went quiet on the issue until April—conveniently just after the election. He released the discussion paper and he and the Prime Minister said how enthusiastic they were about the proposal. One thing is very clear: The member for Ballina and his colleagues might have told Malcolm Turnbull to butt out, but his response was, "Who was that? Sorry, I didn't hear anything and I'm going ahead anyway." I was pleased to hear the member for Ballina say it is not going to happen and the member for Clarence say there will not be any diversion of the Clarence River.

Mr Steve Cansdell: To Queensland or Western Australia.

Mr STEVE WHAN: I am glad he clarified that; he said it would not be diverted to Queensland or Western Australia. That is reassuring to know and I am indebted to him for that. I hope that those firm statements have been made and that it will not happen, that there will be no diversion and that that does not come as too big a surprise to Malcolm Turnbull and the Prime Minister or upset their plans too much. Let us hope they already know and have agreed that those statements are accurate and that the community can be reassured.

The member for Ballina also referred to The Nationals supporting sustainable water management. Anyone who followed the election campaign would know it is bizarre to suggest that The Nationals support such a policy. We heard some amazing proposals about the management of water around New South Wales. There was a bizarre plan to steal Queanbeyan and Canberra's water and pipe it to Goulburn to help win the seat of Goulburn. The proposal was to steal water from the Murrumbidgee catchment and divert it to the Sydney catchment. I have no objection to the transfer of water within the Sydney catchment, but I do have a problem with taking water from a stressed area like the Murrumbidgee catchment and diverting it to the Sydney catchment. It is a ludicrous policy, but The Nationals supported it.

It gets even better. The Nationals also said that if they were elected in New South Wales they would build the Tennant dam. The problem is that the project site is in the Australian Capital Territory, not in New South Wales! They proposed going into someone else's jurisdiction with the bulldozers to build a dam, saying, "Please don't stop us; it has nothing to do with you. Just go away and don't notice what we are doing. We are just building a dam, flooding one of your valleys and piping out the water." It is ludicrous to suggest that The Nationals support sustainable water management. Members understand the Government's scepticism about The Nationals' assurances that they are being listened to in Canberra.

The shadow Minister for water is missing from this debate. I wonder where he has been while we have been going through this process. One would think he would be deeply concerned about this issue. However, it was good to hear the contributions from two local members. I noted the member for Barwon's interjections. Should we take them as his inaugural speech, or is that unfair? I am sure we will hear more from him. I look forward to hearing from the member for Tweed on this issue after he has made his inaugural speech and is able to contribute to the debate.

The point of this motion is that we must make a strong statement to the Federal Government that this is not on, and this motion does that. I note that, as has been the case for the past 16 to 20 years, the New South Wales Nationals have no influence over their Coalition partners. That is why they do not get results and why they achieved a statewide swing of only 0.3 per cent in an election they should have won. In the electorate of Monaro they have experienced a swing of more than 22 per cent against them in three elections.

Question—That the words stand—put.

The House divided.

Ayes, 50

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

Noes, 35

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

Question resolved in the affirmative.

Amendment negatived.

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

Motion agreed to.

DISABILITY SERVICES FUNDING

Matter of Public Importance

Ms KRISTINA KENEALLY (Heffron—Minister for Ageing, and Minister for Disability Services) [4.16 p.m.]: I ask the House to note as a matter of public importance the urgent need for a fair Commonwealth State Territory Disability Agreement. Families across New South Wales need practical and meaningful services to relieve pressure and improve the quality of life of people with a disability. That is why the Iemma Government last year announced its 10-year plan Stronger Together, with a five-year funding commitment of \$1.3 billion in new dollars. We have listened to people with a disability, their families and their carers, and the service providers that support these people. Stronger Together details how we will provide greater assistance and long-term practical solutions, backed, as I said, with \$1.3 billion of new funding.

Stronger Together focuses on three goals: strengthening families, so that children can grow up with their family in the community; promoting community inclusion, so that adults with a disability have more opportunities to participate in paid employment or in the community; and improving the disability service system's capacity and accountability. This will provide clear entry and exit points based on need. It will provide

increased quality and value for money, and it will improve our accountability, our practices and our policies. Stronger Together includes an immediate commitment of \$154 million this financial year. Already this money is making a real difference to people with a disability, their families and their carers, including 600 new therapy places this financial year for children and adults with a disability.

I had the pleasure of visiting the Pathways Early Childhood Intervention Centre in Marrickville earlier last month with the member for Marrickville, and we had the benefit of meeting some children who are already participating in these new therapy places, as well as the staff who provide the therapy. The staff at the centre do a wonderful job, and on behalf of the Government I place on record our appreciation for the work they do.

This financial year we are also delivering 877 new respite places, \$2 million for other respite projects commencing this year, to assist more than 150 people, and a Family Assistance Fund of more than \$3 million to assist more than 1,500 families through the purchase of one-off items they could not obtain in other ways. In addition, 128 Community Participation providers have been approved to provide individual support options for young people with a disability, and \$6 million has been allocated to upgrade more than 50 accommodation facilities across the State.

Yesterday I visited one of the recently upgraded homes in Bondi Junction, where I had the absolute pleasure of meeting four women who are now in their 60s and 70s, and who have lived together since they were children. They were very excited about the upgrade to the home. They told me they were looking forward to new furniture arriving any day. Our plan, Stronger Together, goes a long way to addressing the needs of people with a disability and their families. However, we know that proper investment from the Commonwealth Government is essential if we are to address critical areas of need. That is why we need a fair Commonwealth State Territory Disability Agreement. The current agreement, which expires at the end of June this year, underpins the disability sector in New South Wales, identifies national priority areas, commits both the New South Wales and Commonwealth governments to specified levels of funding, and describes a performance framework for disability services. The range of services provided under the agreement includes supported accommodation, respite services, community support services, community access services, advocacy and information services, and employment services.

Sadly, the Commonwealth does not have a good track record on negotiating these agreements. Members of the House might recall that the last agreement was signed more than a year late. Although the agreement was signed to ensure certainty for the consumers and service providers, it was clear at the time that the Commonwealth Government had scope to make a greater contribution to ensure services could be extended where necessary. Earlier this month Commonwealth State Territory Disability Agreement discussions began between the Federal Minister, Mal Brough, and all State and Territory Ministers for disability services. On 3 April 2007 a special meeting of Ministers for disability services was held in Brisbane to progress negotiations for a new agreement. Unfortunately, no new agreement could be reached. Despite the huge Commonwealth Government surplus, the Federal Minister was not committed to providing any funding increases for disability services.

The Commonwealth Government's budget delivered last night was an insult. Although the Iemma Government has committed \$1.3 billion to improve disability services in New South Wales, the Commonwealth Government has offered only \$400 million for the entire country—that is \$1.3 billion committed by this Government for disability services in this State and a measly \$400 million committed by the Commonwealth Government for the entire country. This is not growth money; it is merely indexation at the unacceptable rate of 1.8 per cent, and a continuation of the small contribution the Commonwealth makes to the respite program for aged carers. At most, New South Wales would receive \$135 million over four years—a mere 10 per cent of what the Iemma Government has committed to disability services. Five years ago, the Commonwealth Government contributed 20 per cent of funding for disability services in New South Wales and the New South Wales Government provided 80 per cent. Today the Commonwealth share has reduced to 16 per cent. Unless the Commonwealth Government recognises and matches efforts under Stronger Together there will be a further major drop in funding to support people with a disability.

In August last year the Premier wrote to the Prime Minister and asked him to match the New South Wales Stronger Together commitment. In September Mr Howard wrote back and declined. In February this year the Commonwealth Minister responsible for disability services offered a new agreement with no growth funding and inadequate indexation, and made it conditional on the states and territories committing to a series of changes. This offer from the Commonwealth came at the same time as the release of, and in direct contrast to, its Senate inquiry into the funding and operation of a Commonwealth State Territory Disability Agreement.

Minister Brough's offer was in direct contrast to the unanimous report, which found that more funding is required and that funding for disability services should be a shared Commonwealth-State-Territory responsibility. In April the Minister indicated that he would offer growth, but only for two types of services and only to individual jurisdictions that met his unspecified criteria. Last night's Commonwealth budget failed to include any such growth funds.

The Commonwealth proposes that all States and Territories introduce a third party accreditation process for funded services. However, it does not propose any financial support for that system. The New South Wales Government agrees that open and transparent quality assurance processes are essential to ensure the provision of quality services for people with a disability, but we believe the States and Territories must be free to choose the quality assurance model that best fits their needs in the most cost-effective way and implement it in a time line that is appropriate to their circumstances. The Minister has refused to indicate specifically what level of funding to which he would commit, but he made it clear that he would provide funds only above a jurisdiction's current commitments. That means that the Lemma Government's massive commitment under Stronger Together is being ignored. In fact, it means that the Lemma Government is being punished for having a plan and a commitment of \$1.3 billion for services for people with a disability.

I call on members opposite to put pressure on their colleagues in Canberra to do the right thing and quickly commit to the Commonwealth State Territory Disability Agreement that matches our record funding for disability services. The Commonwealth Minister is demanding new transparency measures from States and Territories in the next Commonwealth State Territory Disability Agreement, yet he is not prepared to enter into negotiations with any openness or transparency. The growth funding he alluded to in April is not in the budget. Details of what might be offered are still not known. The current agreement has seven weeks to run. The Commonwealth Government must do more to assist State and Territory governments to meet the demands on disability services across Australia.

The mark of a decent community is one that takes care of all its citizens. That is why the Lemma Government is working hard to deliver new and improved services to those in our community who are most in need, but we cannot achieve this alone. The Commonwealth Government must follow our lead. I will continue to pressure the Commonwealth Government to provide significant, additional funding for disability services and a fourth agreement to match our efforts. Again, I urge members of the Opposition to talk to their colleagues in Canberra and demand that a fair and equitable agreement is signed as soon as possible to ensure that services for people in this State with a disability, their families and their carers can continue to expand and improve.

Mr ANDREW CONSTANCE (Bega) [4.26 p.m.]: I welcome the fact that the first matter of public importance in the life of this Parliament relates to disability services in New South Wales. The provision of Government disability services touches the lives of nearly one million people in New South Wales either directly, or as family members or carers. One in every 10 of us provides support or direct care to someone with a disability. We all want to make choices in life. We all want opportunities to create valued relationships, and we all want the ability to build security for the future. Yet, to have a disability in New South Wales is to relinquish all important life decisions to bureaucrats who will tell people what services they may have, where they will get them, who will provide them and when they will get them. Very often these services determine where people will live, with whom they will live and the recreations they will enjoy.

Over the past 10 years Labor has reduced choices and opportunities for people with disabilities. Almost every service in the sector now operates under great pressure. The New South Wales Government admits that a mere 3 per cent of the almost 400,000 people who are eligible for a disability service in this State actually receive one. Respite services are sinking into crisis. One-third of respite beds are taken up by permanent clients whose desperate families feel they have no choice but to relinquish them. Families have no choice but to make do with a reduced level of respite. Waiting lists for vital services, such as attendant care and the high-needs pool, are growing. In 2005-06, 1,339 people were eligible for only 96 supported accommodation places, which means that 1,243 applicants missed out. But the Government does not keep a waiting list. It does not even publish realistic statistics to enable the community to benchmark the availability of services against the prevailing demand. Government statistics show very clearly that one person with a disability is assaulted every day in a government-funded group home. In more recent times we have seen—

Ms Kristina Keneally: Point of order: The member opposite has misled the House. I advise him to make sure he has read the critical incident report before he makes assertions like the one he just made.

Mr ANDREW CONSTANCE: Send it to me. That is not a point of order.

ACTING-SPEAKER (Ms Beamer): Order! That is not a point of order.

Mr ANDREW CONSTANCE: Thank you.

Ms Kristina Keneally: He made an assertion that one person per day is assaulted in Government care. That is not—

ACTING-SPEAKER (Ms Beamer): Order! The Minister can address the matter in her reply. The member for Bega has the call.

Mr ANDREW CONSTANCE: As I was saying, in recent times during negotiation of the Commonwealth State Territory Disability Agreement many people with disabilities, their families and carers again were bewildered by political process and its ability to address their concerns. Like other members of this House, over recent weeks I have received correspondence from families and loved ones of a person or persons with disabilities regarding the Commonwealth State Territory Disability Agreement. While we have seen political machinations at play, with the States caucusing prior to the early April meeting in Brisbane, I offer my full support to the New South Wales Minister for Ageing, and Minister for Disability Services to break away from the other Labor States and seek resolution of the deadlock on unmet needs funding between the Commonwealth and this State.

The provision of accommodation support for people with disabilities has been identified as the area of greatest unmet need in New South Wales. As indicated earlier, over a third of respite beds in New South Wales are unavailable due to permanent clients blocking their use. The Minister for Ageing, and Minister for Disability Services has an enormous opportunity to show leadership. If she breaks away from the other Labor States, the New South Wales Liberals-Nationals will back her. State Labor should put people with disabilities before politics. As part of the recent negotiations, the Commonwealth Minister invited the States and Territories to re-evaluate unmet need and submit the figures to the Commonwealth Government as consideration for a plan to address unmet need on a dollar-for-dollar funding basis. The only stipulation attached to the offer is that the plan should be outcomes based. In other words, the plan should be linked to hard targets in respite for people who seek that service.

The New South Wales Government will be required to produce waiting lists for those services. This Government fails miserably in providing waiting lists, leaving many families in distress across the State, and in providing accountable and transparent processes surrounding the provision of accommodation and respite services. The Australian Government has indicated that its offer is in addition to the offer already made for an additional \$400 million under the new five-year Commonwealth State Territory Disability Agreement. In return for the additional \$400 million, the Australian Government has asked the States and Territories to focus on improving transparency and accountability, quantify unmet need, initiate independent accreditation systems and improve access by indigenous people to mainstream disability services. This is not an unreasonable proposition. All requests are recommendations of a Senate inquiry.

It is disappointing that the New South Wales Government continues down the path of demanding money without being willing to quantify State needs and financial commitment. I am willing to work with this State's Minister to seek Commonwealth funding for disabilities, but she should produce evidence of the level of existing demand and shortfall in the provision of disability services in New South Wales, in particular supported accommodation services and respite. Recently in Brisbane the State governments caucused before a Commonwealth-States meeting. The State governments walked out of the meeting and again left the disability sector with the impression that the States and the Commonwealth are not willing to work together. The pressure is on the Minister to stand up and be counted, break away from the other States and take up the 50:50 funding offer for unmet need that is on the table.

The New South Wales Minister for Ageing, and Minister for Disability Services has made it clear she is not willing to accept the offer. The Commonwealth Minister wrote to her on two separate occasions but has received no response, as I understand it. On 11 April the Federal Minister, Mr Brough, wrote to State Ministers regarding his commitment to a multilateral agreement. He urged them to reconsider their positions and submit their plans. At this stage, no State or Territory Government has responded. I acknowledge my earlier mistake, but today the Commonwealth Minister wrote to State and Territory Ministers requesting a response to his bilateral offer by 8 June. I understand that disability services Ministers are scheduled to meet again on 25 July 2007 in Sydney.

I urge and encourage the New South Wales Minister to take up the 50:50 funding offer and produce the required waiting list for respite services and supported accommodation. No-one would expect the Commonwealth Treasury simply to hand over funding to New South Wales without the State Government producing its waiting list and information about how and where the money would be allocated. Nobody would regard that as an unreasonable proposition. In the light of media coverage in recent weeks of carers' abuse, the unacceptable processes of the systems to deal with problems and ongoing investigations into the Department of Ageing, Disability and Home Care [DADHC] processes by the Ombudsman and the Auditor-General, I encourage the Minister to carefully examine the department's operating systems and to be open and transparent in relation to those processes. It is not good enough that time and time again people with disabilities, their families and carers have to resort to the media to obtain an outcome that addresses their problems.

It is time that the overall service model adopted by the Department of Ageing, Disability and Home Care for the provision of services to people with disabilities was the subject of community debate. This is not a policy position. It is time to consider whether the Government should opt out of the provision of accommodation services altogether. Perhaps a community debate could consider whether the Government should outsource the provision of accommodation services to the non-government sector and find a better way forward in service provision. After all, a community debate would not hurt and would be timely. The community is fed up with ongoing difficulties associated with obtaining supported accommodation and respite care.

Ms TANYA GADIEL (Parramatta—Parliamentary Secretary) [4.36 p.m.]: Let us be clear that the member for Bega is calling for the end of the Commonwealth State Territory Disability Agreement. Since the Howard Government was first elected, its gradual withdrawal from its responsibilities for people with a disability has been characterised by a pattern of delay, reduced commitment and a succession of Ministers—Judi Moylan, Amanda Vanstone, Julie Bishop and now Mal Brough—who have put a dent in disability services. They demanded that people with a disability get a job, provided next to no assistance for them to do so and penalised them for being unsuccessful.

Instead of doing the right thing and standing up to his mates in Canberra, the member for Bega supports the demise of the important Commonwealth-State agreement. The Commonwealth is offering new funding for respite and accommodation only and is ignoring vital disability services such as day programs, post-school programs, therapy, case management, behaviour intervention, parenting programs and information services. The Commonwealth Government not only has not indicated how much funding is available but the Federal Minister, Mr Brough, has made only a vague suggestion of considerations required for the provision of additional funding. If the Commonwealth Government is serious about improving services for people with a disability, it will match this Government's massive funding increases—and do so quickly.

The member for Bega has said a great deal about waiting lists, and I am happy to explore that further. The Commonwealth is only offering this funding if New South Wales provides data on unmet need. What the member for Bega has neglected to tell the House is that the Commonwealth Government already has this information. The Australian Institute of Health and Welfare has collated this information on a national basis and, in fact, the Commonwealth's own Senate report relied on this data when it recommended that all levels of government increase funding for disability services. That is right: the Commonwealth has the information and is now simply using this request as a stalling tactic.

The member for Bega has magnanimously offered his support, if the Minister breaks away from the Commonwealth State Territory Disability Agreement. That is appalling. The Senate report unanimously found that all levels of government should increase funding for disability services. The Iemma Government has stepped up to the plate and committed more than \$1 billion in additional funding, yet the Commonwealth—despite its \$15 billion surplus—will not meet our record investment.

The issues raised by the Commonwealth, and now the State Opposition, are simply a diversion. The fact is that the disability service system has been under strain for a long time. The Iemma Government acknowledged and responded to this in 2006 with Stronger Together, a 10 year, billion-dollar plan with \$154 million in funding in this financial year alone. In the first six months of Stronger Together the Iemma Government implemented major initiatives to achieve early increases in service capacity, particularly in therapy and respite, while undertaking major policy changes and service development to achieve the long-term goals. The momentum has continued.

We have already seen the introduction of 600 new therapy places in this financial year for children and adults with a disability; 877 new respite places; \$2 million for other respite projects commencing this year, which will assist more than 150 people; a Family Assistance Fund of more than \$3 million to assist 1,500 families through the purchase of one-off items they cannot obtain in other ways; 128 providers of community participation have been approved to provide individual support options for young people with a disability; and \$6 million to upgrade more than 50 accommodation facilities across the State. In contrast, the Opposition went to the recent election without a policy on disability services.

Ms KRISTINA KENEALLY (Heffron—Minister for Ageing, and Minister for Disability Services) [4.41 p.m.], in reply: I thank members who have contributed to this matter of public importance, particularly the member for Parramatta, who raised several important points. She reminded us that Minister Brough wants to neglect all disability services except those few to which he would like to contribute funding. The member for Parramatta reminded us also that Minister Brough's proposed contribution is not, as suggested by the member for Bega, a 50:50 contribution. In fact, I am aware of having received only one letter from Minister Brough. That letter contains a vague suggestion that matching funding might be available, but it completely precludes any forward estimates. I return to my earlier point: Minister Brough is offering the vague idea that some funding might be available, but we have to preclude the \$1.3 billion commitment of Stronger Together.

We are punished because we have a funding commitment and a plan. Minister Brough does not believe our money is appropriate, sufficient or important. He just wants to make a vague offer that looks like he is being generous when he is not. The member for Parramatta pointed out that Minister Brough is delaying the process of negotiation by requesting data. The Commonwealth already has the requested data. The Australian Institute of Health and Welfare has the data. The last time I checked, the Liberals had the numbers in the Senate and the Commonwealth relied on that data for its report, so it already had that data. It is a stalling tactic and ridiculous for Minister Brough to request the data before further negotiations proceed.

The contribution of the member for Bega was wrong on many counts, and that is quite distressing because disability services is a very important part of State Government service delivery. There is no evidence that every day a person is assaulted in a government service. In 2006 the department commenced a review of the quality of support services for residents and serious incidents in its accommodation and respite services. I am advised that the review found that the process of notifying and reporting incidents was appropriate. I am advised further that the review analysed 56 investigation reports relating to incidents that were finalised between May 2005 and February 2006. Those incidents could either be proven or could not be disproven. The Department of Ageing, Disability and Home Care meets the needs of more than 4,000 people with a disability in its accommodation and respite services, and employs 5,000 people to provide those services. Of those 56 reports, in the serious cases the police have charged those responsible—and I make no apology for that. No human service system in the world that supports people with challenging behaviours is immune from that type of incident. However, one incident of harm is one too many. Although the reports showed that the number of incidents is low, thankfully, this Government and this Minister will never stop trying to drive down that number.

However, it was pleasing that the member for Bega offered a policy idea on disability services, because he represents the party that went to the election without a policy on disability services. He seems to be offering a 50:50 funding match, although I am not sure under what authority he can offer that. He also suggested that we outsource completely the government sector accommodation and respite. I am not quite sure where he is going with that policy, but it was good that he threw around a few ideas. He seems to be arguing, at the end of the day, for the demise of the Commonwealth State Territory Disability Agreement; to completely take away the system that has underpinned funding for disability services, that has provided consistent funding nationwide. I have news for him: The peak groups oppose that suggestion, families oppose it and carers oppose it.

The key recommendation from the Senate inquiry was that the Commonwealth, State and Territory governments jointly commit, as part of the fourth Commonwealth State Territory Disability Agreement, to substantial additional funding to address identified unmet need for specialist disability services, particularly for accommodation services and support. I call on all members opposite, indeed all members of this House, to lobby for a fair, equitable agreement that matches the funding commitments that the New South Wales Government has made for people with a disability in this State.

Discussion concluded.

TRANSPORT ADMINISTRATION AMENDMENT (PORTFOLIO MINISTER) BILL 2007

Bill introduced on motion by Mr John Aquilina, on behalf of Mr Morris Iemma.

Agreement in Principle

Mr JOHN AQUILINA (Riverstone—Leader of the House) [4.48 p.m.], on behalf of Mr Morris Iemma: I move:

That this bill be now agreed to in principle.

The Transport Administration Amendment (Portfolio Minister) Bill 2007 will amend the Transport Administration Act to remove provisions that prohibit the Minister for Transport from becoming one of the two voting shareholders of Rail Corporation New South Wales, Transport Infrastructure Development Corporation, Rail Infrastructure Corporation and Sydney Ferries. The bill allows the Minister for Transport to have dual roles as both the portfolio Minister and a voting shareholder. This will put the Minister in a better position to work with rail and ferry operators to improve their operational performance. It will ensure, for example, that the Minister has a seat at the table in formulating these statements of corporate intent for the Government's rail and ferry operators. These statements, which are prepared annually, set down the overarching objectives of those operators for the coming year.

The statements also specify the performance targets and other measures by which the operators' performance will be judged. There is no general prohibition in the State Owned Corporations Act which prevents the portfolio Minister from being appointed as a voting shareholder. The prohibitions in the Transport Administration Act were first introduced in relation to the Rail Infrastructure Corporation and FreightCorp at a time when regulatory control needed to be separated from commercial control.

At the time when the prohibitions were introduced, rail access arrangements were still to be put in place and FreightCorp, which has since been privatised, was operating in a competitive market. With these reforms now behind us the original reasons for the prohibitions have fallen away. Separation of the regulatory and ownership roles is not required in these corporations, given that they do not operate in competitive markets. In the context of the Government's rail and ferry services, the community looks to the Government and to the Minister for Transport in particular to ensure that their performance continues to improve. The repeal of these provisions in the Transport Administration Act is therefore appropriate. I commend the bill to the House.

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

SENATORS' ELECTIONS AMENDMENT BILL 2007

Bill introduced on motion by Mr John Aquilina, on behalf of Mr Morris Iemma.

Agreement in Principle

Mr JOHN AQUILINA (Riverstone—Leader of the House) [4.51 p.m.], on behalf of Mr Morris Iemma: I move:

That this bill be now agreed to in principle.

The Commonwealth has recently amended the Commonwealth Electoral Act 1918 to reduce the close-of-rolls period for Commonwealth elections from seven days to three days after the writ for an election has been issued. This reduced close-of-rolls period applies to enrolled electors who need to update their details. In addition, in the case of most new enrolments and re-enrolments, the roll will close at 8.00 p.m. on the day on which the writ is issued. The effect of these reforms is that the Commonwealth Act is now inconsistent with the close-of-rolls section in the New South Wales Senators' Elections Act. That section provides that the rolls close for the election of senators from New South Wales seven days after the writ is issued.

New South Wales has serious concerns about the Commonwealth amendments. Many voters do not fix up their enrolment details until they become aware that an election has been called. Given that the Prime Minister has a broad discretion to determine the timing of the election, the effect of these reforms is that it will now be too late for many people to enrol once a Commonwealth election is called. Even if they fix up their

enrolment details these people will not be able to vote until the following election. Despite these concerns, I am advised that under the Commonwealth Constitution the New South Wales Government cannot prevent these Commonwealth reforms. Further, the close-of-rolls provision in the New South Wales Act has no legal force and has been displaced by the Commonwealth close-of-rolls provisions.

It would not be desirable for New South Wales to leave the New South Wales Act as it is because this would create a direct inconsistency with the Commonwealth Act and it might create confusion. Accordingly, it is proposed to remove the close-of-rolls provision from the New South Wales Act altogether. The bill does just that by repealing the close-of-rolls provision in section 4 of the Senators' Elections Act. I reiterate the New South Wales Government's reservations about the Commonwealth reforms. The potential unfairness of the Commonwealth changes must be countered by a widespread enrolment education campaign. This campaign should take place well before the next Commonwealth election is called. I urge all voters to check their enrolment details now so they will be able to exercise their right and fulfil their obligation to vote in the next Commonwealth election. I commend the bill to the House.

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

PRIVATE HEALTH FACILITIES BILL 2007

Bill introduced on motion by Ms Noreen Hay, on behalf of Ms Reba Meagher.

Agreement in Principle

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [4.56 p.m.], on behalf of Ms Reba Meagher: I move:

That this bill be now agreed to in principle.

I have pleasure in reintroducing the Private Health Facilities Bill. This bill will promote the health and safety of the public of New South Wales by updating and enhancing the licensing and regulation of private health facilities in New South Wales. Private health facilities in this State generally provide world-class standards of care and treatment. The Government is committed to ensuring that the legislation that regulates such facilities ensures that those standards are maintained and that the public may continue to utilise the private sector with confidence.

This bill was originally introduced as the Private Health Facilities Bill 2006. That bill lapsed on the proroguing of Parliament for the recent election. The second reading speech on that bill provides information on the review of the Act and the major provisions and concepts introduced in the bill. I refer members to that speech for that important background information. The introduction of the bill in 2006 provided stakeholders with an extended opportunity to scrutinise the bill's contents and to raise with the Department of Health any concerns they may have. As a result of that opportunity, the bill I have introduced today includes four amendments to the previous version.

I wish to thank the stakeholders who have taken the time to provide additional comment on the bill, which has resulted in small but, nonetheless, important improvements to the proposed licensing structure. The first amendment is to clause 8, which now provides that when a licence is approved in principle, that approval may be renewed a maximum of six times. The previous bill provided that an approval could be renewed a maximum of four times. Representations from the industry have convinced the Government that, while five years will in most cases be a more than adequate time to complete the development of a facility, certain large and complex developments may take longer. Therefore, it has been agreed that the provision should be amended to allow an approval in principle to run for up to seven years. This amendment provides operators with additional flexibility without affecting the integrity of the planning process.

The second amendment is to clause 29 (1) (a), which provides for the Director General of Health to suspend a private health facility licence in certain circumstances. Private health facility operators have expressed support for the introduction of the power to suspend a licence in appropriate cases. In expressing that support, operators requested that the provision be amended to ensure that a licence could be suspended only when that action was necessary to prevent substantial and serious risk to patient safety. That is an entirely reasonable request, and the provision has been amended accordingly.

I also wish to emphasise that the Government is acutely aware of the impact that suspension of a licence would have not only on an operator's business but also on the livelihoods of the people employed by that operator. I assure the House and operators that in enforcing the provisions of the legislation the regulatory authorities will suspend a licence only when they form the view that patient safety cannot be secured by other less restrictive means, such as the issuing of an improvement notice under clause 52 of the bill.

The third amendment is to clause 39 (4) of the bill, which concerns medical advisory committees. Clause 39 (4) of the previous bill required a medical advisory committee to report to the Director General of the Department of Health any repeated failure by a licensee to act on the committee's advice on certain matters when that failure may adversely impact on the health or safety of patients. Following discussions with industry, that provision has been amended to require notification when the licensee's failure to act on the committee's advice is likely to impact adversely on patient health and safety.

The Department of Health Private Health Care Branch, which administers the regulatory system on behalf of the director general, has advised that this is an appropriate amendment and that it reflects the approach it would expect medical advisory committees to take. It remains, of course, a matter for the medical advisory committee to determine whether a matter is likely to impact adversely on patient health and safety. This amendment is appropriate and recognises that the medical advisory committee's primary function is advising the licensee on clinical governance in a facility.

The final amendment is the deletion of the clause that made provision for the issuing of penalty notices or on-the-spot fines. In the time since the bill was introduced in 2006 the Department of Health has had an opportunity to carefully review the various offences provided for in the legislation. Many of those offences involve serious matters of public health and safety that would be inappropriate to address by way of a penalty notice, which involves no admission of guilt and no public record of any failing or wrongdoing. Other offences in the legislation, such as those that involve the exercise of judgment and for which defences may be raised, are not amenable to the limitations inherent in a penalty notice regime. Therefore, the clause that dealt with penalty notices in the previous bill, clause 54, has been deleted.

Stakeholders have raised a number of other matters concerning the interpretation of various provisions in the bill. I take this opportunity to provide some guidance on those matters. A concern has been raised that the removal of the licensing distinction between private hospitals and day procedure centres should not allow facilities that are currently licensed as day procedure centres to convert to full-service private hospitals in an unregulated and unplanned manner. I am able to give an assurance that that will not be the case. It is anticipated that the licensing standards will provide for a range of service classes and three distinct accommodation classes: day only, overnight recovery, and full-service private hospital.

An operator who wishes to convert an existing day-only facility into one that provides overnight recovery or into a full-service private hospital will be required to make a formal application to the Director General of the Department of Health, who will determine the application based on the legislative requirements, including consideration of any published development guidelines. In terms of the development of planning guidelines, I can give an undertaking that the views of all stakeholders will be sought as the guidelines are developed.

As a final matter, concerns have been raised about clause 62 of the bill, which provides that when a corporation contravenes a provision, each person who is a director of the corporation or is involved in its management is taken to have committed the same offence if that person knowingly authorised or permitted the contravention. This provision does not make directors and managers personally liable to prosecution for breaches of which they had no knowledge. Prosecution of individual directors or managers can occur only in circumstances when they authorised or permitted a breach whilst knowing it to be a breach. Managers and directors who exercise their duties in good faith will not be subject to personal prosecution for breaches by corporate licensees.

The provisions of the Private Health Facilities Bill 2007 provide the framework for an effective licensing and regulatory system for private health facilities in the twenty-first century. I look forward to working cooperatively with the industry and the professions in developing the licensing standards under the revised regulatory framework to ensure that the public of New South Wales can continue to have confidence in the high standards and quality of services provided in the private health care sector. I commend the bill to the House.

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

The DEPUTY-SPEAKER: Order! It being before 5.15 p.m., with the concurrence of the House I will proceed to the taking of private members' statements.

PRIVATE MEMBERS' STATEMENTS

CESSNOCK ELECTORATE TRANSPORT SERVICES AND INFRASTRUCTURE

Mr KERRY HICKEY (Cessnock) [5.04 p.m.]: Funding across the Transport portfolio needs drastic improvement in the electorate of Cessnock, where there is no public transport and local communities face huge problems involving social and economic needs. Many of these social and economic issues could be addressed by better integration of services between Cessnock and Newcastle, which would open up opportunities for our youth to obtain better tertiary education results and secure access to an array of services not available to constituents within the Cessnock electorate. There is a strong need to bring fair harmonisation to outer metropolitan areas to allow for better utilisation of the services provided to commuters in Cessnock. This would reduce fares by up to 40 per cent and ensure that constituents have an available system they can afford. This was a recommendation of the Unsworth report, and it needs to be implemented.

Another area that needs urgent attention is the Glendale interchange. It should be linked to all transport systems. This would allow for much smoother linkage with public systems not just in the Glendale, Edgeworth, Cameron Park and West Wallsend areas but also with Cessnock and Kurri; and they would share more services with the rest of the region. The Glendale interchange is a piece of major infrastructure that has been promised for a long time. When it was announced the plan contained an overpass that linked the industrial area with the local road network. The Glendale area is recognised as an emerging major regional centre and renewal corridor. The lower Hunter strategy recognises this and allows for the growth of 6,000 jobs and 4,000 new dwellings by 2031.

But now the State Government is saying that the overpass is a local government responsibility and that the local council should fund it. To talk up the lodgement of a development application and then deliver only part of the original proposal that was displayed publicly when it was being sold to the community is a display of arrogance. It is taking the region for granted. The Hunter Business Chamber Chair, Mr Stephen Davidson, is most disturbed about how the Hunter is being treated, with, as he put it:

... half baked solutions that do not address the problem in total. In fact they do not put into place what was originally proposed.

The Hunter is the powerhouse of New South Wales, and to ignore industrial development there and place the onus upon local government when it cannot deliver is playing politics and not addressing the services that our communities need. The Glendale interchange is only one issue across the Cessnock transport network. Bus and train links between Sydney and Cessnock are pitiful, to say the least. To travel from Central station to Cessnock, people must endure a train trip of four hours and then catch a bus for another hour, which makes utilising the public and private systems available totally unattractive. Together with local transport provider Mr Aaron Lewis, I have made representations about introducing a service that allows travellers to catch a bus from Morisset to Cessnock, thus reducing travelling time from five hours to three hours.

There are many ways to improve transport and make it more attractive to commuters. This plan would put more people on the system and allow greater utilisation of available services. Simple changes that allow for better outcomes are what we, as a Government, should be aiming for. We must address our short-sightedness in regard to the economic and social benefits. This will allow growth and prosperity for all and will mean jobs for communities that are in dire economic need.

The other issue that has my electorate in an uproar is the shortage of funding for roads. Many regional roads are abysmal if not tragic. It is about time that we as a Government addressed funding in a positive way to ensure that regional roads and roads of State importance are funded adequately. State important roads are roads such as those in the Hunter Valley vineyard area—the oldest commercial wine-growing region in Australia. It is home to some 90 separate vineyards ranging from organisations, such as Southcorp and McWilliams, to large family companies, such as Tyrrells and Draytons, down to small boutique operators. These companies attract more than 1.5 million people to the area annually. Accommodation in the area ranges from resorts to guesthouses to bed and breakfast facilities and there are many world-class golf courses in the region.

An estimated \$82 million is collected by the Commonwealth Government in the wine equalisation tax, yet it returns less than \$2 million in road funding for maintenance and improvement of roads and bridges across

the whole Cessnock local government area. The Commonwealth Government's AusLink to Recovery Roads of Regional Significance program has failed to fund any roads in the vineyard district despite the fact that it attracts visitors from within Australia and overseas. It is critical that we improve the infrastructure in this area to ensure its economy continues to grow for the benefit of the region and the State. These roads deliver tourists travelling on scenic drives, jobs for the local communities and an export product. The roads around Pokolbin are State significant and need to attract more State funding. I call on the Minister for Transport and the Minister for Roads to address funding and planning in a positive way to ensure better outcomes for the Hunter region and the State overall.

VOLUNTEER RESCUE ASSOCIATION

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [5.09 p.m.]: Mr Deputy-Speaker, I congratulate you on your election. I commend the work of the Volunteer Rescue Association [VRA]. Recently I met with a local resident, Leon Bovaird. By way of background, I should note I first met Mr Bovaird through his pro bono involvement on behalf of retirement village residents in my electorate. These elderly residents were involved in a long-running dispute with the operator of a retirement village relating to the budget and the levies imposed upon the residents. The issue went to the Consumer, Trader and Tenancy Tribunal, which finally ruled in favour of the residents. The ruling was subsequently upheld when the operator appealed the matter to the Supreme Court—a case in which I commend the Office of Fair Trading for its support of residents.

Mr Bovaird was appointed a justice of the peace in 1975 and, like many people in my electorate and elsewhere, he is a volunteer, being associated with the Thredbo Ski Patrol Association for some 30 years. This volunteer organisation operates in the Snowy Mountains. Along with Perisher Ski Patrol and Mount Selwyn Ski Patrol, it is a member of the New South Wales Ski Patrol Association—an affiliate of the Volunteer Rescue Association. I commend the actions and activities of these volunteers. Five members of the Thredbo Ski Patrol and two of their friends have been recognised internationally as heroes. In a *Sydney Morning Herald* article on 24 February, Robert Wainwright—a journalist not unknown to these precincts—wrote:

They set off early on Valentine's Day to explore one of northern Japan's remote mountain tops, seven Australians bound together by a passion for finding and skiing virgin powder snow.

But by the time they came down from the mountain that night these veteran snow men, five of them members of Thredbo's elite Ski Patrol, had helped to save the lives of 22 Japanese skiers caught in an avalanche that buried one survivor for 90 minutes, killed two men and landed eight in hospital, where they remain with broken bones and ruptured lungs, bowels and kidneys.

Amazingly, when their job was done the group simply walked away and had a hot bath ... they insist there be little fuss ... however, in Japan ... they have left a lasting mark on rescue co-ordination and training methods.

The article goes on to highlight the extraordinary efforts of these men in rescuing members of a group of 24 skiers caught in an avalanche at the Hakoda resort on 14 February. Let the article give an insight into their actions:

The front half of the 24-strong tour group had been hit by an avalanche, which had smashed into them through a forest. At least one man was dead and several lay badly injured. Those not obviously injured were staggering around the slope, stunned and disoriented. They were all in trouble.

Mr Disher and his colleagues quickly assessed the situation. "No one seemed to know what to do so I guess our training took over and we just took control of the situation. One of the boys shouted, 'There's a hand sticking out of the snow,' so four of us got out our shovels and started digging. Then we saw another one.

We had to get them out quickly. Snow compresses around you like setting concrete; you can't move and you can't breathe. It's the most frightening thing you can imagine."

The second buried skier was a woman, one of six in the group. She was seriously hurt with a ruptured kidney, burst bowel and a punctured lung, but survived.

Another man did not survive despite desperate CPR attempts ...

In addition to digging out and reviving survivors, the Australians also helped to keep the survivors alive until rescuers arrived and then assisted in bringing the injured down the slope. On 26 March 2007, these seven Australians and their partners attended an award ceremony, presentation and dinner at the invitation of the Japanese Consul-General at the Japanese Consulate here in Sydney. The Japanese recognised these Australians as heroes with citations on certificates that read:

For exemplary conduct in an expeditious, precise and courageous manner at the risk of your own life.

The seven men I wish to recognise are Ross McSwiney from Collaroy in New South Wales, Glenn Kirkwood from Campsie in New South Wales, Mark Spilsbury from Croydon Park in New South Wales, Jonathan Disher from Jindabyne in New South Wales, Roger Campbell from Berowra in New South Wales, David Stewart-Thomson from Downer in the Australian Capital Territory, and David Brown from Alexandra Headland in Queensland. On behalf of the Liberal Party and the wider community I acknowledge and salute the courageous and heroic efforts of these seven Australian men, five of whom, as volunteers, are members of the elite Thredbo Ski Patrol Association.

I entreat the State Government to appropriately recognise their efforts. The Liberal Party also acknowledges and salutes all the volunteers within this State's Volunteer Rescue Association and recognises the valuable contribution made to the community by all the volunteers in this country. I thank Mr Bovaird for bringing this episode to my attention. I thank him and his fellow volunteers across the Volunteer Rescue Association for all they do in our community.

Mrs BARBARA PERRY (Auburn—Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Premier on Citizenship) [5.14 p.m.]: I acknowledge the contribution by the Leader of the Opposition about Mr Bovaird, the Volunteer Rescue Association, and the seven members to whom he referred. Volunteers in New South Wales and Australia are the backbone of our community. Their efforts symbolise and are the essence of being Australian. I thank the Leader of the Opposition for recognising their efforts. Members on this side of the House also recognise the contribution they have made.

[Business interrupted.]

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

[Business resumed.]

BLACKTOWN PARISH

Mr PAUL GIBSON (Blacktown) [5.45 p.m.]: Congratulations, Mr Acting-Speaker, on your appointment.

ACTING-SPEAKER (Mr Wayne Merton): Thank you.

Mr PAUL GIBSON: Father Arthur Bridge and Father Warren Edwards are two very special people in my electorate. Father Bridge is the parish priest of Blacktown and, apart from anything else, he is a very dear friend. He has been the parish priest of Blacktown for nearly 12 years. Blacktown has a reputation for being a very Catholic area. I think I am right in saying that there are more practising Catholics in Blacktown per head of population than there is in any other part of Australia. Father Bridge does a great job as parish priest, and he does a great job with the needy and the poor. He does a great job with the sick and promoting the arts in Western Sydney. His special love is music. Through Arts Musica, an organisation set up by Father Bridge, he has taken artists from the poor section of Blacktown, taught them about music and travelled the world with many of them. He has done tremendous work in Blacktown. The Blacktown electorate and the people of Blacktown very much appreciate his work.

A few years ago Father Bridge was given an assistant priest by the name of Father Warren Edwards, a 41-year-old chap who was ordained at St Patrick's five years ago. He spent the first six months after his ordination at Parramatta Cathedral before being made assistant priest to Father Bridge at St Patrick's, Blacktown. He has now been there for some five years. During his tenure at St Patrick's he created a new youth group that has changed young people's attitudes towards faith, church and religion. He has encouraged the youth to attend Mass. More young people attend Mass in Blacktown than any other age group. It is great to see young

people coming back to the church. He has visited Nagle College, Patrician Brothers and St Patrick's, where he has heard confession and taught Scripture classes. He has taken the Mass to Mullauana Retirement Village in Blacktown for many years.

In December, when Father Arthur Bridge was gravely ill, Father Warren took over the duties of parish priest and proved himself to be more than capable. Bishop Manning recognised his abilities and gave him the job of parish priest in the new Rouse Hill parish, which he will take over this week. He will then build the parish and a school in the area. Blacktown's loss is definitely Rouse Hills gain. I congratulate Father Warren on his great work during his five years at Blacktown. On Sunday, after a Mass to farewell Father Warren, many hundreds of people attended a function in the parish hall. It was great to see so many people pay their respects to Father Warren on his leaving Blacktown. Father Bridge and Father Warren are both good blokes and very ordinary blokes. I am very proud to say that they are friends of mine. I am certain they are friends of everyone else in the Blacktown Parish. I could never find two better representatives in a day's march for the big boss upstairs. I know that the words of the Lord, through these two people in the area, electorate and parish of Blacktown, are in good hands. I congratulate both of them on their great work.

ISOLATED PATIENTS TRAVEL AND ACCOMMODATION ASSISTANCE SCHEME AND HEATHER KELLY

Mr JOHN TURNER (Myall Lakes) [5.49 p.m.]: Mr Acting-Speaker, it is delightful to see you in the chair.

ACTING-SPEAKER (Mr Wayne Merton): Thank you.

Mr JOHN TURNER: A constituent in my electorate, Heather Kelly, has written to me about problems she has encountered with the Isolated Patients Travel and Accommodation Assistance Scheme [IPTAAS], and her constructive approach to trying to sort out those problems. When Mrs Kelly had to attend Sydney from Forster for medical purposes on a number of occasions she found that she could make a claim under the Isolated Patients Travel and Accommodation Assistance Scheme. In a letter to me she pointed out that she had to go through nine steps to make a claim under the scheme. First, she had to obtain the claim form from her doctor's surgery. When she went to the surgery the receptionist was not aware of the form; she found it on the Internet, downloaded it and printed it out.

Then, if privately covered, Mrs Kelly had to obtain a letter from her medical insurers to state that it did not pay a travel allowance under her plan. She wrote to her insurers, MBF; after a month she followed up the letter, and finally, two months later, received the requested letter. Mrs Kelly then had to ask her general practitioner [GP] to complete the referring practitioner section of the form. She noted that although her general practitioner had referred her to the plastic surgeon and she was not due to see her general practitioner for any other reason, she still had to make an appointment to see her general practitioner and get him to complete the form. Mrs Kelly noted that the claim form stated that a doctor's receptionist is unable to complete the form. She then asked the specialist to complete the treating specialist section of the form; she waited while he filled out the form. She believes that that took his valuable time away from treating patients.

Mrs Kelly then had to complete the patient and escort details of the form. To be covered under that part of the form, a person must be a pensioner or health care card holder. Mrs Kelly's husband accompanied her when she was admitted to hospital for a major operation that involved a stay of eight days. She needed her husband there for emotional support, and he had to take two weeks leave off work to be with her. The Isolated Patients Travel and Accommodation Assistance Scheme form does not provide compensation for that; it is only for pensioner or health care card holders. Mrs Kelly then had to provide original receipts for petrol. She did not know this, and she did not collect original receipts for petrol when she travelled to Sydney. Therefore, in order to satisfy that part of the claim form, she sent copies of her bank accounts showing where she had paid for petrol on her credit card.

Mrs Kelly then had to provide original receipts for accommodation, which she did. She then lodged the form, which had to be sent to the Isolated Patients Travel and Accommodation Assistance Scheme office within six months of treatment. Mrs Kelly was informed that she would not receive her entitlement for at least six months. The claim form states that a \$40 personal contribution will be deducted from each claim for each individual eligible under the Isolated Patients Travel and Accommodation Assistance Scheme, bearing in mind that a separate form must be submitted on each occasion. At the end of all that Mrs Kelly received \$50.15; she did not receive a covering letter or a breakdown of how the figure was calculated. The patient and escort details

state that "reimbursement is at 12.7 cents per km". The claim process is long and arduous. As Mrs Kelly pointed out, it is cumbersome and time consuming on the part of the patient gathering all the relevant information and certificates. She noted that completing such a form when one is unwell and receiving treatment, never mind struggling with the language on the form, is difficult and adds pressure in times of extreme stress.

Mrs Kelly believes that the application process should be streamlined, including such things as having the receptionist at the doctor's surgery being able to fill out part of the form using the doctor's notes. She also believes that the reimbursement amount of 12.7¢ per kilometre is shamefully low, and I concur. Members of Parliament with a six-cylinder car receive an allowance of approximately 80¢ a kilometre. The figure of 12.7¢ is so low that it is probably not worth the effort of filling out a form. Members of The Nationals know of many other problems relating to the Isolated Patients Travel and Accommodation Assistance Scheme. We fought successfully to have the distance criteria extended. We must streamline the bureaucracy administering the scheme for patients in country New South Wales.

GLORIA HABIB

Ms CARMEL TEBBUTT (Marrickville) [5.54 p.m.]: Today I pay tribute to a great friend of the people of Marrickville and a passionate advocate of cultural diversity, Gloria Habib, who passed away on 15 March 2007 after losing her battle with cancer. Gloria is survived by her husband, George, who is in the gallery today, and her children, James, Geraldine and Jocelyn. Gloria Habib was a remarkable woman who touched the lives of many and brought hope to people overcoming challenges. Marrickville is one of the most culturally diverse electorates in New South Wales; 39 per cent of the population were born overseas and 42 per cent speak a language other than English at home. We are enriched by this diversity. However, it also presents challenges. For example, Marrickville Council statistics show that of those born overseas 23 per cent are poor speakers of English. Gloria understood the needs of those coming to Australia from other countries and worked tirelessly with the many communities in Marrickville, especially with the young people in our schools.

Gloria and her husband, George, who is one of the respected community workers at the May Murray Neighbourhood Centre in Marrickville, were a formidable team who have had a huge impact on services and support for people from non-English speaking backgrounds in Marrickville and beyond. George and Gloria migrated to Australia from Syria in 1973. Gloria began her life in Australia by working at a Sunbeam factory in 1974. At the same time she became involved in community life. Gloria passionately believed in the importance of strong community organisations underpinning the health and cohesion of our society. She put that belief into action throughout her life. In 1978 Gloria became involved with the Australian Arabic Women's Federation as a volunteer. The federation aimed to promote the integration of Arab Australians into society through artistic and cultural pursuits. Her involvement with the federation continued until 1983. She also held numerous positions with the Arab Council Australia.

I remember Gloria's pride when last year the Syrian Minister for Patriates, Bouthaina Shaaban, visited Australia and Gloria played a key role in introducing her to community leaders in Australia. Gloria also became an active member of the Australian Federation of Ethnic Schools Associations. She held various positions on its management committee, including treasurer and vice-president. In 1983 Gloria began work with the Department of Education and Training. She was employed in many positions, including Community Liaison Officer at a number of schools and Multicultural Regional Community Officer; from 1997 until the time she left us, Gloria worked as Community Information Officer for the Department of Education and Training, Sydney Region. Gloria's concern for students in our schools made her a legendary figure, especially in school communities where English is a second language to many. She was a key facilitator of the Marrickville High School multicultural event where parents, community leaders and students would come together to show their support and pride in their school.

Gloria was an invaluable source of advice and support to principals, teachers, students and also for me. She was a tireless worker for a unified, harmonious society that embraced cultural diversity, and she was the driving force behind the Harmony Day School Spectacular. I have had the pleasure of attending a number of the Harmony Day concerts, including earlier this year at Sydney Town Hall. At this event schools from Marrickville and from other parts of Sydney demonstrate the great achievements of our public schools with performances that celebrate cultural diversity and harmony. The day is attended by many consular representatives and is an opportunity for students to gain a greater understanding of the importance and practical application of tolerance and respect. The fact that Australia is, on the whole, a tolerant, successful multicultural society is due in no small part to what happens every day in schools, where students play and learn together. The Harmony Day School Spectacular showcases and celebrates this.

Gloria, in partnership with the May Murray Neighbourhood Centre, was instrumental in the ongoing success of the Harmony Day spectacles. Gloria's boundless energy and passion turned many a fine idea into reality. She would make it all sound so easy, and sweep everyone along with her enthusiasm. It was impossible to say no. But Gloria was also kind and loving, and could make you feel better simply by her smile. She could operate on the public stage but she was capable of engaging at the most personal and intimate level to support individuals.

Gloria, the woman who began her life in Australia as a migrant factory worker with no English, graduated in 1999 with a BA in Adult Education from the University of Technology, Sydney. Through her work, she has made a lasting impact on the lives of so many people. Her life will be remembered and memories of her will be forever precious. She may not be with us in person today, but she is very much here in spirit and her legacy will endure. My electorate, as did so many, benefited from Gloria's commitment and passion for a better world.

BATEMANS MARINE PARK

Mr ANDREW CONSTANCE (Bega) [5.59 p.m.]: During the last Parliament I spoke at length in this place about the challenges that the Batemans Marine Park poses for the commercial and recreational fishing sector. Community debate has raged for well over 12 months and the zonings will be activated in June this year. While the Minister for fisheries will be hopeful that all that is behind the Government now, unfortunately it is not. While recreational anglers brace for the highly regulated environment in which they will enjoy their pastime, many commercial fishers operate under a cloud of enormous uncertainty. I believe no-one in the community, including members of the Greens, agrees with the Government's treatment of the highly valued members of the far South Coast community who are involved in the area's commercial fishing fleet.

What I am about to divulge to the House is a situation that I seek to have investigated and remedied through appropriate financial compensation or, alternatively, by further expansion of access to the resource. I have been provided with a statutory declaration from an industry representative who attended a meeting with the Minister, Ian Macdonald, prior to the announcement of the zonings. I am advised that on 11 October 2006 at 2.30 p.m. in the ministerial office of Mr Ian Macdonald a meeting took place between industry representatives from the cooperatives at Ulladulla, Bermagui and Newcastle, and Andrew Reid from the department, the Minister and his adviser. The statutory declaration states:

After a quick discussion, the minister assured all of us that he was wanting to work with and support the Co-Ops affected by the Port Stephen's and Batemans Marine Park and he did not want to see the Co-Ops suffer financially.

Mario Puglisi who is a representative on the Bateman's Marine Park Advisory committee asked ... [the Minister] about the recommendation of banning trawling in the Marine Park.

Ian Macdonald's response was somewhat rude and he seemed agitated at the question, he then went on to give his word that 40% of the Marine Park would be left open as general use zone which would mean 40% would be left opened for trawling.

I remind members that on 13 December the Government announced that trawling would be banned from the park altogether. Regardless of views on trawling, the issue is that the Minister led the commercial fishermen to believe that moving forward there would be security for their businesses and their families. Based on the Minister's word, one fisherman, Mr Antonio Lavallo who is based in Ulladulla and Bermagui, chose not to partake in the buyout offered by the Commonwealth at that time as he felt that he could maintain a living if still able to access 40 per cent of State waters in the Batemans Marine Park.

I believe that the Minister, Mr Macdonald, has some serious explaining to do. His actions led industry participants to make decisions based on his advice in relation to the Commonwealth buyout in the belief that they would have access to State waters, which now do not exist. There is no excuse for the Minister making commitments on zoning when clearly that was beyond his control. What makes this matter even more disgraceful is that the Labor Government and the Marine Park Authority have done no scientific research on the level of fish stocks in the park. It is a park based on politics, not a park based on scientific research.

I will be referring this matter to the appropriate bodies for investigation. In the meantime the fisheries Minister should explain his actions to this House. The Labor Party's actions during the marine park process have ruined the lives of some commercial fishermen and the success of South Coast businesses. There is no doubt that for 12 months in the lead-up to the activation of the marine park and its zonings the commercial industry had a gun held to its head which prevented the industry from advocating, lobbying and seeking public support for its position in relation to the implementation of the zones by the Department of Environment and

Conservation. There is more to reveal about the true extent of mishandling of the commercial industry throughout that process but, as a result of it, some commercial fishermen are really struggling to cope.

In the instance I have cited, one fisherman made decisions on his future based on advice from the Minister for fisheries, yet six weeks later the Government closed down the fishery. But for that advice, he may have benefited from taking up the Commonwealth Government's buyout. His situation is now untenable. Myriad issues are associated with the commercial buyout. To make this Labor Government sit up and listen, part of the details relating to that process may have to be disclosed to Parliament. I call on the Minister to remedy the situation by assessing a compensation payment to that fisherman or extending access so that he can revive his business and get back on track.

SUTHERLAND SHIRE FAMILY SERVICES INCORPORATED

Mr PAUL McLEAY (Heathcote) [6.04 p.m.]: Recently I attended the annual general meeting of Sutherland Shire Family Services Incorporated. Last year I was honoured to accept the group's invitation to become its patron. As usual, the annual general meeting was very well attended by representatives of the police, the management committee, the Department of Community Services, the Sutherland Shire Council, volunteers, advocates, supporters, clients, mums, community representatives and many others, including me as the group's patron and local parliamentary representative.

Sutherland Shire Family Service Incorporated aims to promote, support and carry out programs that are designed to contribute to the elimination of poverty and the promotion and maintenance of wellbeing among families living in the Sutherland shire. The objects of the service include, but are not limited to, providing relief, assistance and support to families facing crisis, poverty or distress, or struggling to meet other needs; encouraging users of the service to develop skills that will contribute toward their self-determination; providing such assistance without discrimination on the basis of race, class, gender and sexuality; advocating for the needs of families in crisis or under stress; and targeting families facing poverty, violence, stress, breakdown, or other social disadvantage, or who have children at risk. The group has several other very worthy objects.

Sutherland Shire Family Services Incorporated is the auspicing organisation for all services in The Shire Family Centre, which includes the Djanaba Occasional Care Service and the Southern Sydney Women's Domestic Violence Court Assistance Scheme, and has a total of 16 workers. By using a blend of approaches, including solution-focused and strength-based work, feminist theory, narrative work and good old-fashioned commonsense, family workers provide individual family assistance to families living in the Sutherland shire who are experiencing additional disadvantage or stress. The Djanaba Occasional Care Service provides occasional care for the local community, particularly an enhanced service for young children with special needs.

The Southern Sydney Women's Domestic Violence Court Assistance Scheme is funded through the Women's Domestic Violence Court Assistance Program and administered by the Legal Aid Commission of New South Wales. The scheme has been operating since 1996 and assists women and children who are seeking protection from violence. That is what the organisations do, but that tells only part of the story. The real story is: Who are the human beings, the real people, who are providing this challenging, distressing but often rewarding, loving yet sometimes terrifying but always, sadly, essential assistance? Kath Jones is the new coordinator. She is a gem. She has a huge depth of experience in working with families.

Kath Jones has a wonderful team including the immensely experienced Lola Hearn, who has been with Sutherland Shire Family Services Incorporated for nearly 20 years. Lyn Lee is the team leader and she is assisted by family workers, Ann Hogan and Kath Jones, the youth and family worker, Diane Manns, the bookkeeper, Tracy Creasey, the group facilitator, Linda Taylor, and the recently commenced family worker, Jodie Hines. At the Djanaba Occasional Care Service, Jann Griffiths has been the director for 17 years and is representative of the very experienced staff of the service. The assistant director, Kathy Murphy, has given over 10 years of service. Debbie Stephens is the service's child care assistant and Emma Healey and Eleanor Free are child care trainees.

Everyone knows and loves the coordinator of the Southern Sydney Women's Domestic Violence Court Assistance Scheme who has been with the scheme for 10 years, Beverly Lazarou. Beverly has won several NSW Police awards for her work in the Women's Domestic Violence Court Assistance Program. The scheme's assistant coordinator is Susan Peir and the child support workers are Kimberley Hood and Kath Jones. However, one name that most people would associate with Sutherland Shire Family Services Incorporated is missing, and that is the name of a long-term local feminist, activist, community campaigner, true believer, former Sutherland

Shire Citizen of the Year Award winner, Edna Award winner and all round good person who is loved by many and sorely missed—the enigmatic Joy Goodsell. Her service to the community will be missed. I wish her all the best for her retirement and for her travels to the north.

YOUNG SCHOOL CROSSINGS

Ms KATRINA HODGKINSON (Burrinjuck) [6.09 p.m.]: On 24 December 2001 Sister Bernadette Poidevin, a Catholic nun, was struck and killed by a vehicle while using the Campbell Street pedestrian crossing in Young. Campbell Street is a dedicated pedestrian crossing, but it is also used as a school crossing by Young Public School and is situated within a 40 kilometres per hour school zone. The local community has significant concerns about pedestrian safety at two school crossings in Young: the Campbell Street crossing and the school crossing on Elizabeth Street outside St Mary's Primary School.

For members who are unfamiliar with the great town of Young, Campbell Street and Elizabeth Street are local names for parts of the Olympic Highway, which traverses the town. I have personally inspected traffic flows and safety at both crossings on several occasions and I share the concerns of parents for their children's safety. The Roads and Traffic Authority's [RTA] annual average daily traffic data for 2003, the most recent available, shows that traffic volumes on the Olympic Highway at Young can be over 11,000 movements. The last time this data was measured by the Roads and Traffic Authority on Elizabeth Street was in 1994, when there were 6,233 daily traffic movements.

Last year the parents of Young Public School took their own traffic survey over a two-week period in March. This revealed that in each 90-minute period, during which the 40 kilometres per hour speed limit applied, there were an average of 747 traffic movements through the school zone. That is 8.3 vehicles a minute or one vehicle every 7.2 seconds, which is a lot for a small country town. The Campbell Street crossing was last upgraded in 1998 when a pedestrian refuge, double-sided pedestrian warning signs, line markings and approach signage were installed. The Elizabeth Street crossing has only the standard 40 kilometres per hour warning signs and does not have a central pedestrian refuge. Crossing supervisors tend both crossings, but these supervisors have reported numerous occasions when they were personally involved in near accidents.

Late last year I asked a question in this place of the Minister for Roads seeking information about the number of complaints that the Roads and Traffic Authority has received about the Campbell Street crossing and his plans to improve the safety of children at this crossing. The Minister's reply, as usual, did not respond to the question, but simply passed the buck to Young Shire Council. The Roads and Traffic Authority's traffic volume and speed surveys that were reported to Young council's traffic committee on 6 March 2007 showed that the 85th percentile speed through the crossing was 49 kilometres per hour. That is disturbing because it shows that most motorists do not recognise the school crossing area as being a 40 kilometres per hour zone. The same problem exists at the Elizabeth Street crossing.

In discussions with the Roads and Traffic Authority, the school crossing supervisors, who carry stop signs, have indicated that drivers ignore the signs and will drive past them when they are standing in the middle of the road. On many occasions I have witnessed many heavy vehicles charge right through the Campbell Street pedestrian crossing. Police have carried out enforcement measures targeting this behaviour, but this has not had a noticeable effect on driver behaviour. This problem has been ongoing for years and the State Government has ignored the many pleas by parents for action. Michael Philpott, principal of St Mary's Primary School in Elizabeth Street, has expressed to me his concerns about safety at the crossing. He has stated that the installation of flashing lights at the Elizabeth Street crossing is the absolute minimum required for safety. His preferred option is the installation of pedestrian traffic lights, but his requests for this to occur have been knocked back.

Apart from having fewer speed-restricting measures than Campbell Street, the Elizabeth Street crossing has poor driver sight lines. A crest located only 200 metres to the north of the crossing means that many vehicles, particularly trucks and other heavy vehicles, travelling above the 50 kilometres per hour speed limit have insufficient time to slow down before they enter the 40 kilometres per hour school zone. The problem at both of these crossings appears to be one of driver awareness of the speed at which they are travelling in relation to their surroundings. Robyn Dawe, one of the parents who has been campaigning for the installation of flashing lights at these crossings for the past four years, informed me that at the beginning of the 2006 school year an electronic speed advisory board was installed at the southern end of the Campbell Street school zone. While the speed advisory board was in place, parents noticed a marked improvement in motorists' behaviour and speed. These two school crossings are located on one of the busiest roads in the region and it is urgent that these safety issues be addressed.

A Roads and Traffic Authority trial of electronic warning devices was supposed to conclude on 5 April this year. This is at least the third trial of electronic school zone speed-limiting measures that the Government has undertaken since 2003. The safety of children crossing busy roads needs action, not continual bureaucratic trials of equipment that may or may not produce slightly better results. I call on the Minister for Roads to start rolling out flashing lights at school zones across the State. He should start with the crossings at both Campbell Street and Elizabeth Street in Young, and he should do it immediately.

BRISBANE WATER SECONDARY COLLEGE

Ms MARIE ANDREWS (Gosford) [6.14 p.m.]: It gives me great pleasure to inform members of the House of the recent completion of major upgrade work undertaken at Brisbane Water Secondary College. On 7 March 2007 I accompanied the then Minister for Education and Training, the Hon. Carmel Tebbutt, to the Woy Woy senior campus for the official opening of new works that had been carried out at Brisbane Water Secondary College. The opening marked a massive program of investment by the New South Wales Labor Government in the dual campus college, which was first announced by the then Minister for Education and Training, the Hon. John Aquilina, in 2001. The college was opened in 2002 after much community consultation.

Brisbane Water Secondary College comprises Woy Woy senior campus for years 10 to 12 students and Umina junior campus for years 7 to 9 middle school, one of only three such schools throughout the State. The State Labor Government committed itself to the refurbishment of both campuses over successive budgets with a contribution of \$3.6 million, with the remaining funds coming from the Australian Government. The Federal member for Robertson and Minister for Local Government, Territories and Roads, the Hon. Jim Lloyd, also officiated at the opening.

As the local member I am proud to report to the House that the opening on 7 March marked the completion of the stage two upgrade of Brisbane Water Secondary College. At the Woy Woy campus the work comprised refurbishment of the existing tiered learning space with a movement studio, refurbishment of existing kitchen to include a commercial bay, refurbishment of the existing cafeteria, major landscape and stormwater works throughout the school and external works and services. At the Umina campus the upgrade work comprised a new administration building, refurbishment of block AM for staff facilities, conversion of existing staff facilities to seminar rooms, stores and general learning classrooms, a car park and external works and services. Stage one of the college upgrade, which was completed some time ago, included at the Woy Woy campus a new administration area, a car park and refurbishment of the special education unit and at the Umina campus a new movement studio and performance workshop, new outdoor learning spaces, a new covered outdoor learning area [COLA] and games courts.

At the March 2007 opening the then Minister for Education and Training, the Hon. Carmel Tebbutt, paid tribute to the teaching staff, the students, the parents and citizens association and other friends and supporters of the school. I too compliment all those people for their dedication and ongoing support of the college. I was very pleased to hear Mr Pat Lewis, principal of the Brisbane Water Secondary College, deliver an address at the official opening. Mr Lewis, who unfortunately has been on sick leave of late, played a key role in the formation of the collegiate model of schooling. I admit that I was in two minds about the then two high schools on the Woy Woy peninsula, that is, Umina High School and Woy Woy High School, one of the longest established high schools on the Central Coast—Gosford High School being the first—forming a secondary college. Pat Lewis, who at the time was principal of Umina High School, was convincing that the model would be successful. The rest is history.

Pat Lewis and members of the Brisbane Water Secondary College steering committee must be congratulated on their commitment and steadfast belief in the collegiate concept. Thankfully the college has been a resounding success in all areas. The students' outstanding academic, sporting and performance achievements—such as the students' recent exhibits at the Royal Agricultural Show at Homebush Bay—are proof of that. I congratulate them. I should also mention that all those at the official opening had a taste of their success, as the delicious refreshments provided at the morning tea had been prepared by the college's hospitality students.

I acknowledge the support of Mr John Mather, Regional Director, Hunter/Central Coast, Mrs Maree Roberts, Deputy Regional Director, Hunter/Central Coast, and Mr Frank Potter, School Education Director, Hunter/Central Coast, for the excellent work they do in supporting Brisbane Water Secondary College and, indeed, all the schools within the Gosford electorate. I also acknowledge the hard work done by Mr David Beattie, former principal of Woy Woy campus, Mr Frank Gasper, former principal of Umina campus, and Ms

Pam McAlister, relieving principal of the college at the time of the opening. I also congratulate the school captains and vice-captains on the great job they do for their college.

JURORS AND SENTENCING

Mr MALCOLM KERR (Cronulla) [6.19 p.m.]: Mr Acting-Speaker, I congratulate you on your appointment by the Speaker to that temporary office, and wish you well.

ACTING-SPEAKER (Mr Thomas George): Thank you very much.

Mr MALCOLM KERR: In any democracy the most important office is that of citizen. One of the roles of a citizen is to act as a juror, that is, to sit in judgment on fellow citizens. That role is important to all constituents, whether they have served on a jury or are likely to serve on a jury. Constituents who are called up for jury service sometimes claim it is not convenient for them and contact members of Parliament and seek our help in making representations to decline the request to serve on a jury. Many constituents do, of course, serve on juries as jurors.

Some time ago one of my constituents, Mr Harry Babbage, contacted me about the need for a handbook for jurors. The Sheriff's Office has advised that a handbook for jurors has been completed, and it has sent a copy to my office. I draw the attention of the House to an address given by the Hon. J. J. Spigelman, Chief Justice of New South Wales, at the annual opening of the law term dinner of the Law Society of New South Wales on 31 January 2005. The address was entitled "A New Way to Sentence for Serious Crime". The Chief Justice said, quite rightly, that the maintenance of public confidence in the judiciary requires that the administration of justice appeal directly to the public. He further said, "The best way of doing so is through the jury system." He then put forward an idea for jurors to play a role in the sentencing process, with a view to enhancing public confidence in it. He said:

What I have in mind is the development of a system in which judges consult with juries about sentencing. There was a tradition in the United States that many states had juries which actually imposed sentences. Now, only half a dozen states continue that tradition, although there have been recent calls for its return. I am not suggesting anything of that character here. The scope of relevant considerations is such that sentencing requires the synthesis of a range of incommensurable factors. This cannot be done by a group, without an undesirable process of compromise. Ultimately, an experienced criminal judge must decide, often quite instinctively, where the balance should lie.

What I am proposing is an in camera consultation process, protected by secrecy provisions, by which the trial judge discusses relevant issues with the jury after evidence and submissions on sentence and prior to determining sentence.

I do not put forward this proposal as a means of increasing the level of sentences. Generally, I do not believe that it will have that effect. Nevertheless, such a basic change in procedure can have unexpected effects. The available research concludes, as I have said, that jurors generally accept the appropriateness of sentences in those cases on which they sat.

By virtue of his office, the Chief Justice is someone whose views need to be accorded consideration. On my reading of his writings I am sure he understands the accumulated wisdom of the age and does not seek change for the sake of change. I have some misgivings about giving jurors a role in the sentencing process. Given the controversy that often accompanies sentencing by judges, it is high time the Government made known its views about the suggestion of the Chief Justice. The Government has had ample time to do so, as that address was given in January 2005. The public is entitled to an answer from the Government.

VILLAGE LIFE LIMITED

Mrs DAWN FARDELL (Dubbo) [6.24 p.m.]: Mr Acting-Speaker, I also congratulate you on your appointment. Well done.

ACTING-SPEAKER (Mr Thomas George): Thank you.

Mrs DAWN FARDELL: Earlier today the Minister for Fair Trading alluded to the fiasco concerning Village Life that affected the electorates of Bathurst, Dubbo, Tamworth and Wagga Wagga. Dubbo had been fortunate in having a Village Life complex in its community; it is a great concept that is accepted by the community as a retirement village option. In 1998 the Village Life company was established. In 2003 a Village Life prospectus was released and the company was floated on the Australian Stock Exchange. Major shareholders were ING Limited and Westpac Banking Corporation. On 12 April 2003 a *Sydney Morning Herald* headline read, "Investing in the aged takes a leap".

In February 2004 ABN-AMRO released its predicted share forecasts for Village Life stock of 30 per cent growth in earnings. In April 2004 Village Life operated an estimated 43 villages, offering rental on 2,151 units. In June 2004 Village Life announced a plan to raise \$48 million by floating 22 properties. In October 2004 the company's annual report indicated the company was performing below the standard quoted in its prospectus. There was a delay in opening some facilities. In February 2005 the company's share price plummeted. In May 2005 it fell from \$2.88 to 47¢. In June 2005, five directors left the company. In August 2005 two retirement village projects were cancelled and seven villages under construction were sold to the manager of the trust. Shareholders commenced class action against Village Life. In September 2005 the managing directors stepped down.

On 2 February 2006 the *Australian Financial Review* stated that the company profile showed that the company was managing villages for Westpac's \$54.8 million unlisted Village Life Property Trust and the listed ING Real Estate Community Living Fund Trust, previously known as Village Life Trust, which owned \$127.6 million of the villages. In March 2006 negotiations commenced between Village Life, ING and Westpac over restructuring and financial arrangements. In late March the MFS Group purchased 17 per cent of Village Life, when the stock was down to 9¢. Another company with interest in Village Life at that time was Babcock and Brown, through its sub-holdings in Prime Life Trust, which in turn was a part-owner of MFS. In April 2006 MFS increased its stake in Village Life to 19 per cent, purchasing more of the shares at a low price. Details of those actions were reported in the *Australian* on 18 April 2006.

On 22 April 2006 MFS officially merged with Villa World, which then had 6,000 housing lots in the pipeline in Queensland, Victoria and New South Wales, mostly concerned with accommodation for the aged. In May 2006 a statement was made to the Australian Stock Exchange noting the acquisition of Village Life operated properties by MFS, which bought 23 properties from Westpac, reported to have been worth \$55 million. It was announced that lease agreements between Village Life and MFS would be renegotiated. In June Village Life founding board members were dumped and others took over.

On 17 April 2007 Australian Broadcasting Corporation [ABC] news mentioned an item sourced from comments made in Melbourne by a Village Life official that residents of 10 facilities would be issued with eviction notices due to a breakdown in talks with the MFS Group regarding the handover of operations. Poorly constructed letters were issued to the residents. Public furore at the handling of the issue forced the Dubbo manager to call a meeting of residents at 12.30 p.m., at the same time that the members for the three electorates I mentioned earlier were also hot on their heels. Distraught residents were informed that they would have to vacate within six weeks, because high-level corporate negotiations had broken down. They were given no further explanation.

Residents of Village Life were notified of an official meeting with a representative from Village Life at 12.30 p.m. on 18 April 2007. Later that day there was more national and local media coverage of the matter. MFS claimed that Village Life had approached it to terminate operational agreements, and as MFS did not have a proper licences to operate, the villages asked to take over the properties as vacant leases. A single representative from Village Life was despatched from the company after approximately three weeks employment, one week of which was spent in training. He later informed the assembled media that his first day on the job was spent firing employees. He arrived in Dubbo after being in Tamworth and gave a three-minute statement. He left immediately afterwards, and was instructed to say nothing further.

Prior to that meeting I had arranged for representatives from the Premier's Department, the New South Wales Tenants Advocacy Service, the Office of Fair Trading, and counsellors from the Greater Western Sydney Area Health Service to be in attendance. Further statements were made in the media between Village Life and MFS, each blaming the other for the breakdown. The Minister for Fair Trading was fully involved at this stage and her department worked on that issue. The Minister was expected to make an announcement advising of the State Government's stance.

This was a great fiasco but my question is: Who pays? Four out of five days of that working week, and other days, were spent unravelling this problem as government departments in my town came to a stop in seeking to deal with these elderly people. We did not mind doing that, but who pays? The corporate cowboys who created this mess led these people to believe they faced eviction and now they tell everyone it is okay; they now get the managers to cook them raspberry muffins and tell them they are safe and secure. Who pays the costs incurred by the government agencies, the non-government agencies, and everyone involved with the health of the elderly? It is time we made these corporate cowboys accountable and pay restitution.

NORTH COAST HEALTH SERVICES

Mr ROBERT OAKESHOTT (Port Macquarie) [6.30 p.m.]: I congratulate you on your appointment to the Chair, Mr Acting-Speaker, and wish you luck in the role over the next four years.

ACTING-SPEAKER (Mr Thomas George): Thank you.

Mr ROBERT OAKESHOTT: Likewise, I congratulate the Minister for Health on her appointment and wish her luck in her difficult portfolio over the next four years. I am pleased that the three of us are in the Chamber because this issue—health services on the North Coast—is one that the three of us could resolve quietly without anyone else listening!

The two major capital works projects on my waiting list are stages 2 and 3 of the upgrade of Lismore Base Hospital—my hospital of birth, so I would not be opposed to that—and the fourth pod at Port Macquarie Base Hospital. Tonight I will attempt to lobby the Minister to get this pod on the capital works program of the New South Wales Health budget. I am heartened that the new Minister for Health has already been to the area and has spoken to the medical staff council as well as the area health service. I know that visit went very well.

There had been ongoing lobbying of the previous Minister for Health, and the area health service has recognised the need. I am worried about the lack of projects on the North Coast capital works budget once the two radiotherapy units at Port Macquarie and Coffs Harbour are completed. Basically, there is not another capital works project of any significance set down for development in an area that will grow significantly in the near future. That should be a concern to both the Minister and the Government.

The fourth pod is an extra building wing at Port Macquarie Base Hospital to deal with the two major needs of the Port Macquarie, Hastings and Macleay areas. One is the mental health commitment made previously. The buyback of the hospital in February 2005 was welcome. On that occasion the then Premier and the Minister for Health—the present Premier—made some strong and welcome commitments with regard to mental health. A 20-bed unit has been agreed upon, but that will be delivered only when a fourth pod at the Port Macquarie Base Hospital is built. That is one important part of the fourth pod building works.

The other is the incredibly busy emergency and intensive care unit at Port Macquarie Base Hospital that is now in desperate need of expansion. The hospital was completed in 1992. As a privately built public hospital, it had an emergency department capacity for 14,000 visitations. Last year twice that number presented—28,000. I understand—and I am happy to be corrected—that the growth in the past two years in particular has been significant: more than a 15 per cent growth in the past year on the back of more than a 7 per cent growth in the previous year.

There has been a significant growth in emergency department presentations throughout the entire North Coast Area Health Service specifically because of Port Macquarie Base Hospital emergency department presentations. I understand that presentations at other hospitals remain steady or are even declining, but the significant growth in presentations at Port Macquarie Base Hospital is increasing the figures for the North Coast Area Health Service significantly.

The demands on the emergency department and intensive care unit, and the longstanding promises in regard to mental health services that date back to February 2005 with the buyback of the hospital, are strong reasons to turn what has been a general commitment through the Port Macquarie master plan project towards a fourth pod into a deliverable project that can be delivered very soon. The demand is there now in the emergency department presentations and the mental health needs of the area. This is not only a health issue; it is an all-of-government planning issue. If the hospital is full, the "house full" sign is displayed for the whole area. So, I hope that all in Cabinet recognise this as the most important need in the Port Macquarie area, and I urge the Minister to look at it closely.

Private members' statements noted.

[The Acting-Speaker (Mr Thomas George) left the chair at 6.35 p.m. The House resumed at 7.30 p.m.]

INAUGURAL SPEECHES

Mr GREG SMITH (Epping) [7.30 p.m.] (Inaugural Speech): It is a great honour to address this House in my inaugural speech as the member for Epping in the presence of distinguished colleagues, including my

parliamentary secretary from another place, Mr John Ajaka, my wife Juli and my children, as well as many other relatives and friends. I have been happily married for 33 years to Julieanne and we have five beautiful adult children. The eldest, Benedict, is married to the lovely Julianna, and they are the parents of our grandchild, Theresa, aged two—the cutest kid I know—and are expecting another child in September.

Ben, a scientist and an MBA student, works at Macquarie University. Dominica, my daughter, who is present, is a nurse and child care worker. Nathaniel, as some of you may know, is a plumber and runs his own business. Jerome, formerly a licensed real estate agent, is studying to be a nurse; and Philomena, who is studying to be a history teacher, is in her third year at Macquarie University. They are a formidable team. Without their encouragement and support and that of my brothers John, who is present, Michael and Martin, who is also present, and their wives and families, I would not be here. Michael is in California, but he is here in spirit.

My path to this place has been an unusual one, although many aspects of my upbringing and formation are similar to that of numerous others. My parents, Ted and Noreen Smith, who both died two years apart in the late 1980s, were married in 1942 in Albury, and I am the second of their four sons. The example of service given by both my parents was very strong. At one stage we had three grandparents living with us for several years. Despite this inhibiting our fighting, swearing and skylarking, we benefited much from the wisdom and experience of our grandparents. As a result, I have always had great respect and affection for our senior citizens, and this feeling undoubtedly motivated me to sing with The Tokens—I will not be singing tonight—a band I helped to found that entertains mainly elderly people.

My experience with five generations of my own family and my extended family has reinforced a determination to support and defend the family unit as the cornerstone of community life. In their advancing years in particular, my parents spent much of their time doing voluntary work, mainly with Vinnies. My parents shared a deep Catholic faith, which I was fortunate to have passed on to me. This was supplemented by the strong education I received from the Sisters of St Joseph at Beverly Hills and North Goulburn, De La Salle Brothers at Coogee, and Marist Brothers at Randwick.

It was at De La Salle Coogee where I first became interested in politics, as a result of class discussions by Brother Leo Neville and free blotters distributed by local politicians. It was sort of like a race; whoever could get the most blotters would say, "I support that particular party." Two boys from the class above me rose to significant heights in politics—Laurie Brereton and Peter Collins. I am thankful to my friend Peter Collins, who at one stage was a work and law school colleague, for his support in providing me with a reference in my preselection.

I met Juli Joyce in about May 1972 when we were both living with our families in Lane Cove, and we were married in September 1973, when I was a graduate articled law clerk and she was a supervisor at MLC Life Insurance North Sydney. We went to live at Hurstville. I was elected an alderman on Hurstville council in September 1974, and our first child, Benedict, was born in June 1975. We moved back to Lane Cove in 1977, when Juli was expecting Dominica, who was born in August. We soon became embroiled in one of my many fights, a fight with a nearby sweets factory, Lifesavers, and formed a residents action group to campaign and stop it building an extension in which it planned to make chocolates. I wrote a letter to the company protesting about the noise and fumes made by it, and it responded by sending me a large box of lollies and chocolates. My colleagues thought we should keep them as evidence, but we had already eaten them—so as not to waste! I think Ben helped out a lot, although he was only two years old. The company later modified its plans and gave away land to the council for a buffer zone and moved its chocolate factory to Melbourne.

After we won this battle we moved to a house closer to Lane Cove shops where we lived for about 10 years, during which time our three other children, Nat, Jerome and Philomena, were born. We outgrew the house and moved into a large house in Lane Cove west. In April 1996 we moved to Epping and we have lived there ever since. Shortly after arriving at Epping we became parishioners at St Gerard Majella's parish at Carlingford, which was easier for us to get to than the church at Epping because of the lights and the bridge. At St Gerard's Father Finian Egan charmed us with his Irish wit and his pastoral devotion to his flock.

We became active in the parish and led a family group, with me singing as a cantor each Sunday—and I will not sing now!—and being elected to the parish council. Meanwhile, the boys became active in local sporting teams, Dom was active in the Hills Musical Society, and Philly played tennis. We joined various groups, including the Epping Civic Trust and the Epping RSL club, and we became involved in more resident action campaigns in our neighbourhood, this time against a developer that wanted to build on water-affected land at the back of us.

I am very grateful to all the Liberal Party branch members, Young Liberals and friends who helped me in the State campaign, in particular, my campaign manager and friend Noel McCoy, and my friend Lieutenant-Colonel Paul Kim, a Korean Vietnam veteran, who is here tonight. I am also very grateful to the many residents who allowed my signs to be erected in their front yards and on their fences. Some were long suffering, having to put up not only with my ugly puss greeting them each morning but also with the various beards, moustaches, and other appendages and witty comments that were added to the signs overnight by friendly passers-by.

I thank the electors of Epping for electing me as their local member and entrusting me with the privilege of representing them in this House. I particularly thank the Epping club and Epping and Eastwood RSL sub-branches for their warm hospitality, and the Shack, a youth drop-in centre. I also thank those others who generously supported my campaign financially or by prayers and encouragement. Thanks go to my friends Peter and Deborah Debnam who encouraged and supported my wife Juli and me. I also thank Barry and Rosemary O'Farrell. Barry has entrusted me with a shadow ministry concerning legal matters and he has given me much support. I also thank my adjoining Federal members: the Prime Minister, John Howard, and the Attorney-General, Philip Ruddock.

As a result of insufficient infrastructure and continuing population increases, the once quiet Epping has become a noisy conduit and service centre for the commuters of north-west Sydney. Since we came to Epping there have been significant changes in our local environment. At that stage the traffic on Epping Road, Pennant Hills Road, Carlingford Road and Beecroft Road was a lot lighter and the M2 Expressway was still in its embryonic stage and certainly had not reached North Rocks, let alone Cheltenham. The forests in its path, like those alongside Epping Road at North Ryde, were thriving and green. Now the trees are gone and a six-lane expressway and enormous fortress-like soundproofing walls largely replace the forests. These roads are often gridlocked at peak hour and are more like parking lots than roads.

I now regularly use the Lane Cove tunnel and have experienced the convenience of it cutting the time it takes to drive into the city. However, this convenience comes at an unacceptable price. I fear that drivers, including many from the Epping electorate, will be exposed to health risks from fumes and inconvenience from road closures to funnel vehicles into the tunnel. My colleagues Anthony Roberts, the member for Lane Cove, and Gladys Berejiklian, the member for Willoughby, and I will not rest until the Lane Cove tunnel is properly filtered to safeguard tunnel users and neighbouring residents from dangerous fumes from the stacks. The money spent on delaying the road closures should be spent on the filters.

I am concerned at the chaos that will be caused by the road closures that, of course, have been held off by a \$25 million payment until well after the election. The *Weekly Times* and local action groups have strongly supported us in our endeavours. The opening of the new railway station at Epping, with its lift and stairs, has been marred by the battle for the retention of the old footbridge, which, unlike the new one, has a ramp for the elderly, the handicapped, and young mothers with prams and strollers. I support this battle and have circulated a petition that is attracting much attention.

There are several other ongoing battles in the Epping electorate in relation to which residents feel that they have no choice but to fight. These include, first, the fight over the overdevelopment of the Channel 7 site in Mobbs Lane, Epping, which my distinguished predecessor, Andrew Tink, MP, led so well; second, the concerted opposition to the above ground portion of the north-west rail link, which would cause serious damage to the environment of Cheltenham and parts of Beecroft; and, third, the overwhelming dominance of Pennant Hills Road by large trucks, making it hostile for drivers of cars, residents, shops and businesses.

The proposed solutions are a tunnel under Pennant Hills Road, a proposal supported by several studies and the Federal and State governments, or a new road to link the M7 with the F3 at Kariong. Hopefully it will be sorted out by the Pearlman inquiry, but who knows because there is a conflict between the residents and both governments. Each week day the residential streets near our railway stations are like a car park, with thousands of commuters from other parts of the north west parked there. Shopkeepers on both sides of Epping station are suffering financially because there is no parking close by for their customers. The people of the electorate of Epping are concerned that we are becoming like the people in the song *Big Yellow Taxi*:

They took all the trees, and put 'em in a tree museum
And they charged the people a dollar and a half to see them
No, no, no, don't it always seem to go
That you don't know what you've got till it's gone
They paved paradise, and put up a parkin' lot

We in Epping, Eastwood, Beecroft and Pennant Hills want to preserve our paradise by parking lots being built above and around the railway stations, to keep the non-local cars away from our homes, our driveways, our footpaths, and our shops and businesses. We want the Epping-Chatswood link extended to Parramatta, as promised, with ample parking provided at each station. This is surely reasonable and what an efficient State government would do. These are some of the challenges I willingly take up on behalf of the people of the Epping electorate.

I now want to speak about my career in criminal justice. For most of my legal career I have worked as a prosecutor, first for about 10 years with the Commonwealth, then from late 1987 with the State as a Crown Prosecutor and Deputy Senior Crown Prosecutor, and then from April 2002 as Deputy Director of Public Prosecutions. In September 2004 I was appointed Senior Counsel. In between I worked on investigations into serious organised crime, in senior positions at the Stewart Royal Commission into Drug Trafficking concerning the Mr Asia syndicate, as Senior Adviser (Legal) at the National Crime Authority, and then as General Counsel to the Independent Commission Against Corruption inquiry into police corruption. [*Extension of time agreed to.*]

After such an interesting and rewarding career as a practitioner, I never anticipated that I would have the opportunity to run for Parliament. Then Andrew Tink stunned us all by announcing his plans to retire at the 2007 elections. Andrew was a good friend whom I had introduced to the Director of Public Prosecutions, Nicholas Cowdery, QC. Andrew was most popular in the electorate and a great shadow Minister. Although his political song may have ended, his melody lingers on. Once the opportunity arose, after much reflection and discussion with my wife and family I decided to seek preselection for Epping, where we had lived for 10 years. I realised full well that this would involve a personal wrench in leaving my friends and colleagues at the Office of the Director of Public Prosecutions and from among the Crown Prosecutors. I had enjoyed my career in various Commonwealth and State agencies immensely but felt that this was a rare opportunity to make a difference.

I anticipated that the road ahead might be like the rocky road to Dublin: "One, two, three, four, five." But I, like many others, thought that New South Wales should be doing a lot better, that my children and the children of this State generally should be able to look forward to having their own homes near their employment and having schooling at an affordable price, and to being able to live in a peaceful community where respect for others is the norm. It seemed to me that Epping—and many areas just like Epping—was not only being inundated with cars and trucks and fumes and noise, but had other major infrastructure and social problems to be urgently addressed. My main motivation for leaving my career as a prosecutor was a hope that I could help make changes that would benefit the people of this State and lift standards of behaviour. I still hold that hope.

It has long been my view—I believe, a view shared by many of my colleagues—that many of the changes to the criminal justice system in recent years have not worked well. Rather, they have complicated things, leading to greater risk of error and more appeals. These changes may have been made with the best of intentions but were failing the community. An area of particular concern to me was the sentencing of convicted criminals. The Greiner truth in sentencing legislation added certainty to the actual time a prisoner was to serve, and that was a great improvement over the previous system whereby, despite being sentenced to lengthy periods of imprisonment, most prisoners were released after serving less than half their total sentence. It must never be forgotten that the previous system of reducing sentences due to remissions and the granting of licences for release was corrupted by the corrupt Minister for Corrective Services Rex Jackson.

Critics have pointed out that truth in sentencing meant larger prison populations and required enormous extra expense in building more prisons. The public generally supports longer sentences. Indeed, there remains a widespread perception that many current sentences are inadequate. Many think that if you do the crime, then you should spend the time. Whatever one's views on the adequacy of sentencing practice, there is no doubt that the sentencing task has become more difficult. As the years have passed, the Sentencing Act 1991 has become the Crimes (Sentencing Procedure) Act 1999, which contains many amendments and additions, some of which have added great complexity to the sentencing judge's task. There is a growing tension between the application of the principles of sentencing by judges and magistrates on the one hand, and the victims of crime and their families and the general public on the other.

In recent years there has been a greater recognition of the rights of victims of crime and their immediate families, and as a result greater pressures have been placed on prosecutors, like Margaret Cunneen, to not only honour the ethics of the legal profession by not going all out for a conviction or heavy sentence but also to maintain the confidence of the victims and/or their relatives. There is a natural tendency for victims to regard

Crown Prosecutors as their legal representatives. Although Crown Prosecutors do their best to buffer the trauma of the trial or sentencing proceedings, they must maintain their objectivity. I have observed and experienced this pressure, sometimes intense, on a number of occasions, including during the two lengthy trials arising out of the murder of Constable David Carty. Despite the gruesome damage caused by violent crime, it is important that victims and their relatives achieve healing of the mental hurt and, if possible, the physical damage they have suffered.

Many victims and their families have been convinced that healing will be assisted by the perpetrator being heavily punished, and if the punishment appears inadequate the hurt is greater. I understand that. Prior to appearing for the Crown in appeals against the inadequacy of sentence, I spent much time preparing victims and their relatives, particularly the relatives of deceased victims of homicide, for various possible outcomes. A life sentence can never bring back a child or relative. While great work has been done by witness assistance officers from the Office of the Director of Public Prosecutions and elsewhere, there is much work to be done in this area. In my view victim impact statements should be taken into account as an aggravating circumstance for sentencing; that is, additional time in jail should be imposed because of the impacts on victims and their families. This is allowed in Victoria under a Labor Government but is currently taboo in New South Wales. Many years of opportunity have been wasted and the law has never been changed in that respect.

I wish to briefly address two issues that were raised during my candidacy concerning my religion and my involvement in the pro-life movement. As earlier stated, I am a practising mainstream Catholic and make no bones about that. There are many Catholics of various degrees of commitment in all avenues of our society, including current Premiers, Opposition Leaders, Chief Justices and other judges, former Prime Ministers, Governors General, and leaders of commerce and industry and trade unions. Their Catholicity has not impaired their ability to do their jobs. Nor has mine. I have held a number of supervisory positions in government, some being responsible for hundreds of other professionals and support staff, with differing religious faiths or none, from various races, and having varying domestic arrangements and sexual preferences.

I have established cordial relationships with virtually everyone I have worked with, allowing occasionally for annoyance by some who have unsuccessfully sought promotion or been reprimanded. I have never discriminated against anyone. I support ecumenism, and have many friends from other Christian persuasions and of other faiths, and of no faith. I believe that my Catholic faith and upbringing have helped make me a fair and reasonable person, and helped me to cope with the various pressures of life, which we all face but perhaps I more so than some. I am unashamedly pro life and pro family, as are many other politicians. The contentious issues of abortion and euthanasia are rarely debated in this place. I do not expect this to change. I am a team player, and while I may exercise my right to a conscience vote on some issues I will never seek to impose my religious views on others. As to the law's traditional protection of the sanctity of human life, I firmly believe in the ethic articulated by High Court Justice Sir Gerard Brennan.

I am inspired by the life and death of St Thomas More, the Patron Saint of Lawyers and Politicians, whose statue is located in the Speaker's Garden. St Thomas More set out his philosophy in the oft repeated phrase, "I die the King's good and loyal servant—but God's first". Commenting on More's example to others, Lord Rawlinson of Ewell, the former British Attorney General, said at a Congress in Sydney in 1978:

Thomas More was the first man in modern times to show the way. He taught all men, but public men in particular, that be the cost never so dear, that be the consequences to position, ease, repute and even family never so great, a man must choose the spirit. Each man, to be a man, must be God's servant, first and always.

I hope I am able to live up to the sentiments expressed by Lord Rawlinson during my service to the people of Epping and this State as a member of this honourable House.

MENTAL HEALTH BILL 2007

Bill introduced on motion by Mr Paul Lynch.

Agreement in Principle

Mr PAUL LYNCH (Liverpool—Minister for Local Government, Minister for Aboriginal Affairs, and Minister Assisting the Minister for Health (Mental Health)) [7.50 p.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to bring before the House the Mental Health Bill 2007. This bill is the culmination of an extensive consultation and review process commenced by the Government in 2003. Members will be aware that the Mental Health Bill 2006 was introduced in this House by the then Minister Assisting the Minister for Health (Mental Health) in November 2006. The second reading speech on that bill provides detail about the history of the review of the Act, its focus and some of the key provisions in this new piece of legislation. There is, I think, no need to revisit in detail the matters canvassed in the Minister's speech on the history leading up to the introduction of this important piece of legislation. I pay particular regard to the former Minister for the extraordinary role that she played in public consultation to get the bill to this point.

In introducing the Mental Health Bill 2007 it is appropriate that I restate the Government's commitment to mental health services, with this legislation remaining one of the keystones to supporting ongoing improvement and reform of these services. Whilst endorsing the comments made during the second reading speech in November last year, it is also appropriate that I outline again for the benefit of the House the aims and focus of the bill, and some of its key provisions. I will also outline some minor amendments to the bill that have occurred since its introduction last year.

The changes included in the new bill have as their focus a number of key reforms. These include a new part drawing together the key objects and patient protection provisions, including new provisions containing "principles of care and treatment"; recognition of the role of carers and patients, and recognition of their right to information and to be involved in care and treatment decisions—this addresses one of the main issues raised in the review, which was to enable the sharing of relevant information with patients and their carers, and support the involvement of both patients and carers in treatment decisions—and clarification of transportation provisions and the role of police to balance law enforcement and mental health priorities.

This aims to provide a more structured approach to admission and transport. The changes will also allow ambulance officers to take people who appear to be mentally ill to a hospital for treatment. The power will not be open ended but will be limited to where the ambulance officer is treating a person and providing ambulance services and where that officer has been authorised to make detention decisions. Training and support for ambulance officers will be critical to ensure that they can safely and effectively perform this role. As such, the Ambulance Service will ensure that necessary training occurs as part of the authorisation process.

New, more detailed transportation provisions have been developed for the new bill. The new provisions aim to emphasise that NSW Health will take primary responsibility for patient transports, with requests for police involvement to be limited to where there are serious concerns about patient and/or staff safety. The revision of "prohibited treatment" provisions to include psychosurgery is another provision in the legislation. The bill lists a number of prohibited treatments that will not be permitted in New South Wales. These are deep sleep therapy, insulin coma therapy and psychosurgery. The definition of psychosurgery has been revised. It was crucial that the ban on psychosurgery did not prevent treatment and research into other debilitating medical conditions. The definition, therefore, allows the listing in the regulations of the medical conditions or illnesses for which treatment may be provided.

The legislation also features the streamlining of provisions relating to treatment in the community. This will be done by consolidating the current two orders into a single community treatment order that can be initiated while in care or in the community and allowing those orders to run for 12 months. One concern expressed by submissions on a single order was to ensure that appropriate criteria were used and to ensure that the person subject to the order would have a reasonable and proper opportunity to challenge its being made. To this end the bill provides for people in the community to be given 14 days notice of an application for an order. The test for issuing an order will be the same whether a person is in the community or detained in a facility, although their personal circumstances will, of course, be relevant to the order. Legal representation will be available, as with current processes, but a failure to attend on the notified date will allow an order to be issued in the person's absence. Orders will be able to be made by the tribunal or by a magistrate.

I turn now to clause 150 of the bill. Under the 1990 Act the tribunal is required to be constituted by three members, irrespective of the nature of the matter before it. This means that a full panel must be constituted for what are very often simple interlocutory matters, such as listing arrangements, arranging or changing venues, noting representation and simple adjournments. Clause 150 of the bill creates flexibility to allow simple matters such as these to be dealt with by a legal member of the panel—that is, the president, a deputy-president or another appointed lawyer—sitting alone.

The Government recognises that one-person panels should be limited to these minor and administrative matters and that it is important to ensure transparency in how decisions on constituting the panel are reached.

The Government therefore proposes, in consultation with the tribunal, to develop regulations using the powers in clause 150 (5) to ensure that a full three-person panel sits where substantial or contested matters come before it. That is, the Government intends that the single member will be used only in procedural matters. There is the possibility that it might be extended to a very restricted class of emergency situations. That will be the subject of further discussion. It is also important to emphasise that these changes do not affect the constitution of the tribunal in forensic matters. The provisions in relation to forensic patients have been retained and will continue to require the panel to be fully constituted by the president or a deputy-president, a psychiatrist and another suitably qualified member in forensic reviews.

The bill I now bring before the House generally reflects the 2006 bill but has been slightly revised and finetuned. For example, under the 1990 Act a range of different functions were allotted to a range of different offices, including the Director General, the Chief Health Officer, authorised officers appointed by the Director General, medical superintendents and medical officers working in the facility. The 2006 bill simplified these provisions. Other roles were designated functions of the Director General, largely replacing the old concepts of authorised officer. In operational practice there will be no change as the officers who are currently appointed as authorised officers will continue to exercise the function via a formal delegation from the Director General.

In the period since the 2006 bill was introduced, however, a number of additional references have been identified as needing to be changed to the Director General in keeping with this policy. This includes references to the Chief Executive Officer of the Ambulance Service in clause 4 and references to the authorised medical practitioner in chapter 4. Some minor changes have also been made as to who can approve forms used under the legislation. Currently, forms can be made by regulations or can be approved by the Minister. Changes have been made in the 2007 bill to allow the president of the Mental Health Review Tribunal to approve forms used by the tribunal.

The 2006 bill also limited the public facilities which could be gazetted as declared psychiatric facilities to premises of an area health service under the Health Services Act. There are, however, additional public facilities this terminology does not cover such as Justice Health and the Children's Hospital at Westmead. Both of these premises are statutory health corporations. The language of clause 109 has, therefore, been revised to refer to public health organisations, a term that covers all public facilities listed in the Health Services Act.

A limited number of changes have also been made to restore some aspects of the forensic provisions in the 2006 bill, taking them back in line with the 1990 Act. The main changes in this regard change the period of time in which a forensic patient must be reviewed from 12 months back to six months, as it is in the 1990 Act. The period of time between reviews is a matter that will be considered by the current forensic review. The 2006 bill also provided the Director General with a right of appearance when the tribunal is reviewing forensic matters. This marked a change from the current system where the government does not have any express right to appear. Such a right would be relevant if there were no executive discretion, and the tribunal or another judicial body made final decisions on release. However, the question of whether the executive discretion should be retained or not is still pending the outcome of the forensic review. The right to appear provision, therefore, has been removed in the 2007 bill so that the provisions reflect the current scheme in the 1990 Act. To leave the provision in there would have pre-empted the results of the review. I commend the bill to the House.

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

The House adjourned at 8.04 p.m. until Thursday 10 May 2007 at 10.00 a.m.
