

LEGISLATIVE ASSEMBLY

Tuesday 16 October 2007

The Speaker (The Hon. George Richard Torbay) took the chair at 2.15 p.m.

The Speaker read the Prayer and acknowledgement of country.

ASSENT TO BILLS

Assent to the following bills reported:

Crimes Amendment Bill
Liquor Amendment (Special Events Hotel Trading) Bill

ADMINISTRATION OF THE GOVERNMENT

The Speaker reported the following message from His Excellency the Lieutenant-Governor:

J. J. SPIGELMAN
Lieutenant-Governor

Office of the Governor
Sydney

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

29 September 2007

ADMINISTRATION OF THE GOVERNMENT

The Speaker reported the following message from the Administrator:

KEITH MASON
Administrator

Office of the Governor
Sydney

The Honourable Justice Keith Mason, Administrator of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Lieutenant-Governor of New South Wales, the Honourable James Jacob Spigelman, being absent from the State, he has this day assumed the administration of the Government of the State.

6 October 2007

BUSINESS OF THE HOUSE

Notices of Motions

Government Business Notices of Motions (for Bills) given.

QUESTION TIME

HOSPITAL EMERGENCY DEPARTMENT MISCARRIAGE PROTOCOL

Mr BARRY O'FARRELL: My question is directed to the Minister for Health. What, if any, extra money has been allocated to hospitals to implement the new miscarriage protocol that requires a midwife to be on call 24 hours a day, seven days a week, in hospital emergency departments?

Ms REBA MEAGHER: The Leader of the Opposition's question surprises me as it pre-empts the recommendations of the inquiry. Let us be clear. Following the distressing events that occurred at Royal North

Shore Hospital I commissioned an independent investigation to be undertaken by Professor Cliff Hughes of the Clinical Excellence Commission and Professor Bill Walters, head obstetrician at the Royal Hospital for Women.

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

Ms REBA MEAGHER: Those two expert doctors will advise the Government on what went wrong on that night in question at Royal North Shore Hospital, but, more importantly, they will provide—

Mr Greg Smith: Point of order—

[Interruption]

The SPEAKER: Is the member for Epping taking a point of order?

Mr Greg Smith: I have changed my mind.

The SPEAKER: Order! The member has changed his mind. That was very entertaining. The Minister has the call.

Ms REBA MEAGHER: More importantly, they will recommend to the Government how it can improve its models of care for women presenting to emergency threatening miscarriage. We all agreed that our system could be strengthened and that greater privacy and dignity could be afforded to women in those circumstances.

Mr Barry O'Farrell: Point of order: My point of order relates to relevance under Standing Order 129. The Minister's thesis is that I am pre-empting her inquiry. Don't you know that you already have a mandatory protocol that requires midwives to be on duty 24 hours a day, seven days a week in the State's emergency departments? Where is the money for it?

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

Mr Barry O'Farrell: You don't know what your department's protocols are. You have made a fool of yourself and that is why you should go. You are a joke!

The SPEAKER: Order! The Leader of the Opposition will cease interjecting. Outbursts like that will not be tolerated.

[Interruption]

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

Ms REBA MEAGHER: The time frame of the inquiry was that it should report to me by 26 October.

The SPEAKER: Order! I call the Leader of Opposition to order for the second time.

Ms REBA MEAGHER: We take this issue so seriously that we moved to accelerate the introduction of new models of care.

[Interruption]

To the contrary: pockets of excellence within our system demonstrate that we can do things better, and we will. We are already trialling those new models of care at Nepean Hospital, Westmead Hospital, Blacktown-Mount Druitt hospital, Auburn hospital and Royal Prince Alfred Hospital. These are examples of hospitals that have taken the initiative to drive a new model of care that is sensitive to the needs of women in these emotionally distressing circumstances.

The SPEAKER: Order! Members will cease interjecting.

Ms REBA MEAGHER: I have made it very clear that Professor Walters and Professor Hughes will advise the Government on how to adopt that model of care.

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

Ms REBA MEAGHER: There is no one size that fits all in our hospitals. It will be a challenge in our smaller rural and regional hospitals.

Mrs Jillian Skinner: Point of order: Under Standing Order 129 my point of order relates to relevance. Minister, the protocol is already in place. We have it here. I seek leave to table the protocol. As you don't know of its existence I will table it.

The SPEAKER: Order! I ask the Deputy Leader of the Opposition to resume her seat. The Minister's answer is relevant to the question. The standing orders do not make provision for the Deputy Leader of the Opposition to table the document. She would be aware of that. The Minister for Health has the call.

Ms REBA MEAGHER: Furthermore, we anticipate that there will be costs and staffing implications as we roll out this new model. But I have given the commitment publicly, and so has the Premier, that we will meet that cost because at the end of the day women deserve a greater degree of privacy and dignity when dealing with this very difficult circumstance.

HOSPITAL SYSTEM INVESTMENT

Ms NOREEN HAY: My question is to the Premier. What is the latest information on the State's efforts to strengthen our hospital system in the wake of Federal disinterest and neglect?

The SPEAKER: Order! The Premier has the call.

Mr Adrian Piccoli: Point of order: Under Standing Order 128 I ask you to rule the question out of order. The standing order provides that questions should not contain inference or imputation. Clearly that question contained inference and imputation about the motives of the Federal Government. As an Independent Speaker you have set a very high standard. We would like to have that standard upheld in the House, and that should include the content of questions asked by Government members.

The SPEAKER: Order! I have listened to the remarks of the member for Murrumbidgee. It would be a sad day for New South Wales if the House could not hear the answer to a question about strengthening the hospital system and, of course, related matters. The Premier may respond to the question.

Mr MORRIS IEMMA: I can outline for the member for Wollongong the measures the State Government is taking to strengthen our public hospital and health systems.

[Interruption]

The member for Clarence might just once make a contribution to a debate on health from a position and in a tone—

[Interruption]

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

Mr MORRIS IEMMA: —that does not always start with the claim that the system is in crisis or a mess.

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

Mr MORRIS IEMMA: He might also start from a position and in a tone that suggests there is no silver bullet solution. If you are able to cross those two thresholds, then you might be able to make a worthwhile contribution to a debate about health. Like everybody else, you need to understand the sorts of pressures and demands on our health system. The simplistic notion that you sheet home all of the blame to State governments across the nation just underscores how ignorant you are.

The SPEAKER: Order! I call the member for Clarence to order for a second time.

Mr MORRIS IEMMA: What you are on about is not strengthening our health system, but in tearing it down and using it and the great people who work in it for base political purposes. You would have a lot more credibility if just once you could get up in this place and make—

Mr Steve Cansdell: Point of order—

The SPEAKER: Order! Government members will remain silent.

Mr Steve Cansdell: My point of order is relevance. The Premier has talked about the member for Clarence not standing up for his area. You stuffed it, Minister.

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

Mr Steve Cansdell: You messed it up! You and Craig Knowles gave her a poisoned chalice. She cannot fix it. You could not fix it. You are a disgrace!

The SPEAKER: Order! I call the member for Clarence to order for a third time. If he so much as breathes he will find himself outside the Chamber.

Mr MORRIS IEMMA: I do not know about him breathing, but he has been sketching! Last time we sat, despite complaints about the number of sitting days, the member for Clarence spent that entire week sketching. I want my money back!

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

Mr MORRIS IEMMA: The pressures on the health system revolve around an ageing population, the extraordinary increase in medical technology and the cost of providing that technology. The measures we have taken at State level to meet those demands and pressures are the following. The first relates to resources. When the Treasurer delivered the budget the Minister for Health was given a budget of \$12.5 billion. That is pushing one-third of the New South Wales budget. If the current rate of increase in health expenditure continues—that is, if we do not add more but continue the average rate of increase in health expenditure that has occurred over the past five years— estimates from the Treasurer and from Treasury are that by 2037 Health will consume the entire New South Wales budget.

That is a very good indication of the sorts of resources that are required by and are going into the hospital system now, and what will be required into the future. But resources alone will not enable us to provide sustainable health services. That is why we are making investments to ensure that we also have the workforce required to deliver those services. That is why at State level we are making record investments to change the model of care to ensure that we have services and support, for example, for the chronically ill to provide them with care, support and services outside of hospitals to help reduce hospitalisation—

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

Mr MORRIS IEMMA: —and to reduce re-admissions. If we do not, in 2037 Health will consume the entire State budget.

The SPEAKER: Order! The member for East Hills will remain silent.

Mr MORRIS IEMMA: One safe assumption can be made: If the Coalition is sitting on that side of the House in 2037, no matter who is leading a Labor Government at that time, the Opposition will still be talking about a crisis in health funding. The only question is: what will they be saying when health expenditure consumes an entire State budget? They will be repeating the same simplistic and nonsensical argument we have been hearing for the past two weeks about beds. Of course we need more beds, and this year there is an additional 353. That is why the Government has embarked on the Sustainable Access Program, which commenced in 2004, to add 1,500 acute care beds to our hospitals.

As part of that program the Government also started addressing bed numbers and support outside the hospital setting to prevent hospitalisation and to reduce admissions. Despite this being exclusively a

Commonwealth responsibility, the New South Wales Government is making investments in transitional care beds. To reduce hospital admissions we are making investments in bed equivalents, under the Hospital in the Home Program, to provide people with nursing and medical support in the home.

The SPEAKER: Order! I call the Leader of The Nationals to order.

Mr MORRIS IEMMA: One would be hard pressed to find a single health professional in any part of our national health system who would claim that the only solution is to just keep adding beds. Of course we need beds. We need better management of beds. We also need investment in a range of support services and beds outside hospitals such as, for example, nursing home beds. At any one time in the New South Wales public hospital system hundreds of our senior citizens can be found in public hospital beds when they should be in nursing home beds.

The SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr MORRIS IEMMA: I would love to have a debate with the Leader of the Opposition about disability services any time he likes.

Mr Andrew Constance: Point of order: I am happy to have the debate about disability—

The SPEAKER: What is the point of order?

Mr Andrew Constance: There are 2,000 people in nursing home beds who have a disability and you are here making a mockery of old people in hospitals.

The SPEAKER: Order! The member for Bega will resume his seat. I place him on three calls to order.

Mr MORRIS IEMMA: What happens outside our hospitals impacts on the services that are provided in our hospitals. Beds are just pieces of furniture; beds require staff. The Commonwealth has exclusive jurisdiction for university training and John Howard's razor gang for 11 years has been reducing university places for doctors and nurses. The State Government has had to step in and fill the gap, as far as the law will allow it to do so, when it comes to training. That is why New South Wales has retained a residual nurse training program. Currently 1,000 trainee enrolled nurses are going through our TAFE system as an extra investment the State Government is making to provide the workforce to staff the beds. That is why we have the Nursing Re-connect Program, nursing scholarships and reasonable workloads. A range of measures is being undertaken to recruit and retain the nursing workforce because Canberra refuses, and has refused for 11 years, to make an investment in nurses.

There is no shortage of young Australians who want to become nurses and doctors. I will give the Opposition one very good statistic upon which to dwell. When it was time to provide advice to Canberra about nursing needs for 2008, the New South Wales health system assessed that New South Wales would require an additional 1,700 nurses in 2008 to meet demand in our hospitals. Guess how much Canberra granted in extra university places to meet that demand?

The SPEAKER: Order! The member for Murrumbidgee will cease interjecting. The House will come to order.

Mr MORRIS IEMMA: The request was 1,700—and Canberra granted 200. I note the points made by the shadow Minister and the member for Murrumbidgee. I will cop the criticism of this Government if just once they will show some honesty in the debates we have about health and just once acknowledge that the Commonwealth is partly responsible when it comes to training nurses and doctors, let alone when it comes to funding.

The SPEAKER: Order! The Deputy Leader of the Opposition will cease interjecting.

Mr MORRIS IEMMA: Let us return to the issue of funding and that extraordinary admission by Tony Abbott on national television last week when he was confronted with evidence on funding from the Australian Health and Welfare Institute, an independent body that has tracked Commonwealth funding to public hospitals for the past decade. The institute found that 11 years ago when John Howard came to office, the funding per share between the Commonwealth and State stood at approximately fifty-fifty, half and half. In a decade it has declined to less than 45 per cent for the Commonwealth.

In breathtaking cynicism, Tony Abbott happily admitted that. He said, "Yes, and the States have been increasing their funding to meet that gap faster than anything we have been doing." He said that with a big smile on his face on national television. He did not say, "Yes, we have been cutting funding to public hospitals for a decade, and by the way we are going to do something about it, or by the way we will spend some of that massive surplus on a public hospitals." No, he just smiled on national television, nodded, and said, "Yes, that is the case. We have been taking funding out of our public hospitals."

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

Mr MORRIS IEMMA: Surely the member for South Coast does not want to go into the subject of the GST, because a cross-subsidy of \$879 from the New South Wales taxpayers, her constituents' money, is going to other States. She may wish to undertake the exercise of adding up how many beds, doctors and nurses are being provided in Queensland with money from her constituents. I am sure she does not want to go there! Tony Abbott, during his admission, failed to say that he would do something about restoring funding, but he added that he would spend tens of millions of dollars setting up another layer of bureaucracy—hospital boards, his magic bullet solution. There are more than 700 hospitals across the country and 238 of those are in New South Wales. The Tony Abbott solution was signed off by the New South Wales Opposition, which took the reintroduction of hospital boards to the last two State elections. The Federal Government does not know how it will work or what will happen when a board authorises a hospital to keep spending.

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

Mr MORRIS IEMMA: The New South Wales Opposition signed off on that policy. We estimate that it will cost an additional \$128 million in New South Wales to set up a third layer of bureaucracy comprising more boards and more bureaucrats to run our hospital system. But not one extra cent will go towards providing an extra bed, an extra doctor or an extra nurse. That kind of nonsense has been coming from Canberra about hospitals and hospital funding. It is the sort of nonsense that has been signed off by the Leader of the Opposition. With breathtaking cynicism, the Leader of the Opposition asked a question of the Minister for Health about resources, yet he is the one who signed up to Tony Abbott's hospital boards policy. In seven months as Leader of the Opposition, the invisible man has had one big bold policy on electricity, which would have resulted in prices rising and supply decreasing.

The next piece of policy thinking he did in seven months was to sign up to Tony Abbott's hospital boards policy and ask a question about resources for hospitals, despite being signatory to a policy that will give us another layer of bureaucracy—more boards, but no beds, no nurses and no doctors. The Leader of the Opposition is a member of the same branch of the Liberal Party as the Prime Minister and the Federal Minister for Health and Ageing, but he has never raised the issue, with either of them, of reinstating the funding to New South Wales public hospitals. I bet he has never said that the razor-gang cuts to public hospitals funding over the past 11 years should be reinstated.

The SPEAKER: Order! Members will cease calling out.

Mr MORRIS IEMMA: I bet that the Leader of the Opposition has never once raised the issue with the Federal Minister for Health and Ageing or the Prime Minister because, as we have seen, he has little interest in having a proper debate on Health. Instead he comes in here seeking to score cheap political points when the Government's Health budget this year is an all-time record investment.

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

Mr MORRIS IEMMA: This Government is funding new models of care that provide support outside a hospital as well as inside a hospital and has undertaken record investment in training health professionals to provide those services, in the absence of appropriate funding and training of an Australian workforce for Australian hospitals over the past 11 years.

HOSPITAL EMERGENCY DEPARTMENT MISCARRIAGE PROTOCOL

Mr ANDREW STONER: My question is directed to the Minister for Health. As her new mandatory miscarriage protocol for south-west Sydney hospitals requires a midwife to be on call 24/7 in emergency departments, has the same protocol been implemented in country hospitals, or is it a case of one standard for Sydney and another for country New South Wales?

Ms REBA MEAGHER: I just cannot believe how bad the Opposition is.

The SPEAKER: Order! The House will come to order. I place the member for Epping on three calls to order. I call the Leader of The Nationals to order for the second time. Question time will be conducted in the proper manner.

Ms REBA MEAGHER: I have answered this question, but I am happy to answer it again because The Nationals did not seem to get it. Professor Walters and Professor Hughes will examine the circumstances of the case at the Royal North Shore Hospital, look at the alternative models of care that already exist within our system, and give advice to the Government on how we can roll that out across our hospitals. Not only that, I have consistently made the point that no one size will fit all. Every hospital is different. There will be additional challenges in meeting demands in rural and regional hospitals, and we are committed to providing that service across the State, including in rural and regional hospitals. Again, we are committed to ensuring that our health service delivers a more sensitive standard of care for women presenting with miscarriage in our hospitals. We look forward to the expert advice of the Clinical Excellence Commission and Professor Walters on how best to implement that standard throughout our system.

ROYAL NORTH SHORE HOSPITAL MANAGEMENT TASK FORCE

Dr ANDREW McDONALD: I direct my question to the Minister for Health.

The SPEAKER: Order! Members of the Opposition will remain silent so that we can hear the question.

Dr ANDREW McDONALD: Can the Minister inform the House of the latest information regarding action to improve Royal North Shore Hospital?

Ms REBA MEAGHER: There has been a great deal of public interest in this issue and I cannot believe that the New South Wales Opposition has not asked a question about it. Truly, I cannot believe that the Opposition has not asked this question. When I became the Minister for Health I made it very clear that I was concerned about the management of Royal North Shore Hospital and in the first week the director general of health replaced the chief executive of the area health service and put in place a new management team. Despite a difficult couple of weeks the new team has been getting on with the job of implementing the improvements across the system.

Many positive initiatives are being implemented at Royal North Shore Hospital. The issue of bullying has been a concern and it was raised with management some time ago, but the new management team is now leading the charge for change and improvement. We have established the professional practice unit, which will directly report to the chief executive on staff complaints and will also refer patient complaints where appropriate to the Health Care Complaints Commission. When concerns over bullying were first raised, the new management team immediately investigated them.

Vern Dalton and Judith Mepham were commissioned to undertake a complete review, including the previous investigations into allegations of bullying. They completed their report in September. That report was presented to me and we have taken action to implement the recommendations. The chief executive has met with all of the staff to ensure that they are aware of a zero tolerance policy to bullying and to get their input for the support of the implementation for change. An external facilitator, Professor Trevor Waring, the chancellor of the University of Newcastle, was engaged to facilitate these mandatory information and education sessions for all staff.

The new chief executive has established a nursing task force consisting of nurses from across the hospital. The nursing task force now meets weekly and reports to the chief executive on a fortnightly basis. I met with the nursing task force last week to hear firsthand the issues they were concerned about and to ensure that the plan of action for improvement was developed with the full input of nursing staff.

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

Ms REBA MEAGHER: The task force has developed a plan and a timetable for action to address specific concerns relating to management systems failure on staffing, the workplace environment and management nursing communication issues within the hospital. Improvements in all of these areas will result in

improved patient care. A number of actions have already been implemented including a review of nursing rosters. There has also been a review of employment-related processes to streamline the recruitment of nurses.

The SPEAKER: Order! The Deputy Leader of the Opposition will cease interjecting.

Ms REBA MEAGHER: There has been the commencement of a recruitment campaign for the vacant nursing positions and the appointment of a nurse manager to coordinate "nurse link" programs such as Nursing Reconnect and targeted overseas recruitment. A new nursing management structure is also being considered to give nurses an enhanced operational management role. The new chief executive has also taken an innovative approach to staff recruitment and has formed an agreement with the University of Tasmania for the hospital.

Mrs Jillian Skinner: Tasmania?

Ms REBA MEAGHER: That is right, Tasmania, because it will facilitate our access to overseas nursing positions. As we have just heard from the Premier, we are now required to go to those lengths because of the Commonwealth's chronic underfunding of nursing places. Let me make it clear: When the Commonwealth underfunds our universities, it underfunds our hospitals. It is a requirement that the chief executive has to think outside the square and develop innovative recruitment strategies to fill the nurse vacancies at the hospital.

I also had the opportunity last week to meet with senior doctors who have formed a clinical reference group to work with the new management on the development and implementation of a new management plan for the hospital and I was encouraged at how cooperative the doctors and nurses are. They are embracing the new management structure of the hospital; they are embracing the opportunity to put Royal North Shore Hospital back on the front foot.

The SPEAKER: Order! The Deputy Leader of the Opposition will cease interjecting.

Ms REBA MEAGHER: Make no mistake: the Opposition has taken every opportunity to drag down the reputation of this hospital—every opportunity.

The SPEAKER: Order! The House will come to order. Question time has been rowdy. All members who have been called to order are now on three calls. Question time will be concluded in accordance with the standing orders.

Ms REBA MEAGHER: The New South Wales health system is a very big system and it is not perfect, but when things go wrong we acknowledge that and we learn from it to strengthen our system. We cannot have an Opposition that is prepared to use the efforts, commitment and passion of our staff as a political football in scoring points against the Government and we have seen that over the course of the last two weeks. Let me make it very clear: The staff at Royal North Shore Hospital, the doctors and our nurses do a very good job; they do a good job under difficult circumstances. They do an excellent job in the face of rising demand; they do a great job in the face of rising demand. I commend the doctors and nurses for embracing the new management team and wanting to work so cooperatively to put Royal North Shore Hospital on the front foot, and we are committed to working with them in that goal.

HOSPITAL EMERGENCY DEPARTMENT MISCARRIAGE PROTOCOL

Mrs JILLIAN SKINNER: My question is directed to the Minister for Health. Why is the Minister only now developing her hospital miscarriage policy when the chair of her committee, Professor William Walters, said the problem was recognised a long time ago and the Labor member for Macquarie Fields, Dr Andrew McDonald, said on air that he had tried to put this into practice 10 years ago but was ignored by Labor?

Ms REBA MEAGHER: I have made the point that when circumstances have arisen I have acted quickly to have them investigated and to make the changes required to make our system stronger. Also at the same press conference that the member is referring to Professor Cliff Hughes of the Clinical Excellence Commission made the point that Health is a constant learning experience.

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

Ms REBA MEAGHER: As community expectations change and, as demands change, the way we can treat people also varies and we do adjust our models of care to meet those new needs. When this matter was brought to my attention and I saw room for improvement, I acted.

INFRASTRUCTURE CHARGES

Mr ALLAN SHEARAN: My question without notice is directed to the Minister for Planning. Can the Minister update the House on the response to the Government's overhaul of infrastructure charges announced last week?

Mr FRANK SARTOR: I thank the member for Londonderry for his continuing interest in the planning of Sydney. Last week the Premier announced a major win for homebuyers with an overhaul of infrastructure charges for new land release areas. The changes will save at least \$25,000 per lot in growth centres alone and set new principles for release areas across the State. The principles will increase transparency, certainty and accountability. It is a fresh philosophy, which reflects the Lemna Government's commitment to provide infrastructure in line with growth. The new philosophy will be applied to the growth centre areas, greenfield areas and existing areas, replacing an ad hoc system with a more consistent approach.

Until now, section 94 contributions have varied wildly from council to council. For example, I am advised that the city of Sydney levies nearly \$25,000 on a three-bedroom house in its southern precinct, but nearby Randwick council levies less than \$6,000 per residential lot in its Bundock Street redevelopment. Similarly, Coffs Harbour council levies \$6,000 per dwelling in its city centre, but Port Macquarie council, in the same mid-North Coast region, levies \$25,000 on a four-bedroom unit. The simple fact is that developers have always been required to contribute to local infrastructure as a consequence of their development. For example, approval by the State for a Rhodes Peninsula development required infrastructure works to improve rail and bus services, and a \$165 million residential redevelopment at Chatswood will help deliver major upgrades to the railway stations.

The principles outlined last week are clear. There will be no cross-subsidy between regions or types of development. However, we must look at price distortions between council areas and consider the combined impact of local and State infrastructure charges. The application and review of charges in existing areas will be subject to consultation with industry and local government. Only two weeks ago the shadow Minister for Planning implored the Government with these words, "Stop talking and start acting on State infrastructure levies". As a result of that statement, one would have thought the shadow Minister and his good friend the Leader of the Opposition would say something positive about the Government's announcement. But what do we get? Carping! Negativity! Scaremongering! That seems to be a prerequisite for membership of the Liberal Party. If one is a malcontent one can join the Liberal Party.

Then they fabricated a myth that the Government replace new levies on brownfield to pay for greenfield infrastructure. That is another big, fat Barry-Brad porky! Government money committed to infrastructure in greenfield areas will be sourced from the budget and not from a charge on brownfield areas. Let us be clear about that. The Opposition also misses the point that growth in brownfield areas makes good sense because often the train lines, schools and roads are already there. That is why, in the metropolitan strategy, the Government is planning that about 60 per cent of the growth will be close to existing urban areas, focused on centres and corridors. Only through a strategic mix of new homes in greenfield and brownfield areas can we properly cater for Sydney's urban growth in a balanced way.

Let us not dwell on what Opposition members say because it is always mumbled, confused, jumbled and negative. Let us hear what industry and others are saying. Returning to the Government's announcement last week, I am pleased to advise the House of some quotes chosen at random. Single mum Melissa Page was quoted in the *Daily Telegraph*—that great journal of record—as saying that "It's a good idea. It will be a big help." The Executive Director of the New South Wales branch of the Housing Industry Association, Graham Wolfe, described the reforms as "a significant down-payment on lifting housing affordability".

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

Mr FRANK SARTOR: The New South Wales Urban Task Force stated in a media release that "these changes will make it easier for developers to sell new residential lots to mum and dad homebuyers at an affordable price". What about Patricia Forsythe? What do members think she said? Sydney Chamber of Commerce Executive Director Patricia Forsythe said the changes would help to "kick-start building activity in Sydney's growth belt". Patricia is with us; she has changed sides. She has left the Liberal Party behind. She went on to say—one must listen to Patricia these days—that "the days of local councils squirreling away millions in unspent infrastructure levies are finally coming to an end". Never has a truer word been spoken! The Executive Director of the Property Council, Ken Morrison, said that the move to rein in levies on new housing would "help

Sydney's affordability equation". No doubt this is an important initiative, a coherent and transparent philosophy to guide the provision of housing in this State. It is a sensible approach.

[Interruption]

If Opposition members did not have Alan Jones they would have nothing. That is all they have got—Alan Jones, who is that great source of objectivity with whom we are all so familiar. We know that Alan Jones is always objective. The Iemma Government is tackling housing affordability at a State level but we clearly need a consistent national approach. Unfortunately, the Federal Government is completely out of touch with working families. Just today the *Financial Review* stated that "Right now ... most of our cities only have one parent. The State Government". Where has the Federal Government been since the last Federal Labor Government? Where has support for cities gone in the 11 years of Howard and Costello? Cities have gone down. The Federal Government does not care about cities at all.

Mr Andrew Stoner: Point of order: My point of order relates to relevance under Standing Order 129. We have seen Minister after Minister use this Chamber to introduce Federal issues to help out their friend Kevin Rudd. But the Premier needs to answer this question: Why does Kevin Rudd no longer appear in media opportunities with the Premier?

The SPEAKER: Order! I call the Leader of The Nationals to order for the third time.

Mr FRANK SARTOR: I am glad the Leader of The Nationals has raised Federal issues because I was about to finish on this point. Only Kevin Rudd is focused on a fair go for families. He has already announced plans that would save new homebuyers up to \$20,000 on a home purchase and create more affordable rental properties. We look forward to working with a new Kevin Rudd Labor Government to benefit families in this State.

HOSPITAL OBSTETRIC SERVICES

Mr KEVIN HUMPHRIES: My question is directed to the Minister for Health. Given that the Minister's new protocol requires a midwife to be on call 24/7 for women presenting with a miscarriage where the hospital has an obstetric unit, what will happen to women in the country who present at one of the 32 hospitals where Labor has shut the obstetric unit? Or is this another case of one service for the city and another for the country?

Ms REBA MEAGHER: I have answered this question. However, I take the opportunity to remind the member for Barwon that we are committed to investing in rural health. Members opposite would know from the last budget—our record investment in health in New South Wales and, indeed, in rural health—that \$1.6 million will be allocated to planning for the redevelopment of Narrabri hospital. That is just one example across the State. I hope that the honourable member takes the opportunity to remind his constituents of our commitment to capital improvements in rural and regional New South Wales, as well as our commitment to improve clinical numbers in the bush.

Mr Adrian Piccoli: Point of order: My point of order relates to Standing Order 129, relevance. The question specifically referred to the 32 maternity units across country New South Wales that have been closed, and asked what women will do when or if they present with a miscarriage according to the protocols that the Minister has put in place. Is the Government simply making policy on the run, or is it making policy in one part of New South Wales and not in other parts of New South Wales? The question deserves an answer. I am sure that some of the 32 maternity units are located in the seat of Northern Tablelands. The people of New South Wales deserve an answer. We are in the trouble we are in because spin always takes precedence over substance.

The SPEAKER: Order! The member for Murrumbidgee has made his point. I ask him to resume his seat. The Minister's answer is relevant to the question and I call on her to conclude.

Ms REBA MEAGHER: I take this opportunity to remind the Opposition of the \$15 million that this Government has put forward for rural training initiatives. That is a 96 per cent increase in the past two years. It is important that the Opposition also realises that those training programs are being directed at general practitioners so that they can work in our country hospitals. We are training general practitioners and giving them additional skills in anaesthesia and obstetrics so that they can perform those functions and overcome the workforce shortage created by chronic underinvestment by the Howard Government. The Iemma Government is

committed to investing in rural and regional New South Wales and we are committed to delivering services as close to home as we safely can. But our ability to spread our range of services would be greatly enhanced by a genuine commitment from the Commonwealth.

ROYAL NORTH SHORE HOSPITAL INQUIRY

Mr BARRY O'FARRELL: My question is directed to the Minister for Health. Is the Minister prepared to front up and give evidence under oath to the parliamentary inquiry into Royal North Shore Hospital?

Ms REBA MEAGHER: If I am invited to do so, yes—absolutely. I have made contact with the chair of the parliamentary inquiry and made the point that he will have the full cooperation of my department. I have urged the staff at Royal North Shore Hospital to cooperate with the inquiry as well. If I am invited I will be happy to appear. But that begs the question: Is the Leader of the Opposition issuing the invitations? This is not a political stunt; it is a genuine, independent parliamentary inquiry.

TAXI RANK SECURITY

Mrs KARYN PALUZZANO: My question is addressed to the Minister for Transport. What is the latest information on secure taxi ranks?

Mr JOHN WATKINS: I wish I had more time to give a detailed answer. There are currently 31 secure taxi ranks operating successfully across New South Wales—11 in Sydney and 20 in regional New South Wales.

Mr John Williams: Name them!

Mr JOHN WATKINS: I do not have time. Secure taxi ranks have operated in Sydney since 2001, and since December 2005 they have been expanded across the State. All the advice I have received is that the secure ranks are operating well. That picture was confirmed by a survey of Sydney secure ranks on Friday 31 August and Saturday 1 September to see what the people using those ranks thought about them. A summary of the results found that 90 per cent of people surveyed said that the use of a secure rank improved their safety and 60 per cent thought that was a significant improvement, 70 per cent said that the secure ranks had reduced the risk of physical attack, verbal abuse, robbery and antisocial behaviour, 70 per cent said that the waiting time was reduced, 75 per cent said that they thought a secure rank improved their chances of catching a taxi, and 80 per cent of users said that they were satisfied with the way that security staff assisted them.

These results are outstanding and I commend the New South Wales Taxi Council, taxi operators, security staff, Ministry of Transport, councils and the New South Wales Police Force, who have been involved in the operation and selection of these ranks. Following these overwhelmingly positive results I have asked the Ministry of Transport to work with the Taxi Council to assess whether we should increase the number of secure ranks.

WARRAGAMBA DAM BLUE-GREEN ALGAE OUTBREAK

Mr PHILLIP COSTA: My question is addressed to Minister for Climate Change, Environment and Water. Will the Minister update the House about what measures are being taken to manage the blue-green algae outbreak in Warragamba Dam?

Mr PHILIP KOPERBERG: I congratulate you, Mr Speaker, on being awarded an honorary doctorate from the University of New England. That is what we need: another doctor in the House!

The SPEAKER: I have always said that there should be more doctors for the country.

Mr PHILIP KOPERBERG: I am pleased to advise the House that Sydneysiders continue to drink water that meets world standards—and exceeds it in many cases—despite the fact that, as the member for Wollondilly alluded to, we are still experiencing a large outbreak of blue-green algal bloom on Lake Burragorang. NSW Health has advised me that the algal bloom does not represent a threat to the quality of the drinking water supplied to Sydneysiders. The water supplied to Sydney Water for treatment is being sourced from a depth of more than 40 metres. In other words, the off-take on Warragamba Dam is 40 metres or so below the algal bloom and there is minimal chance of water being drawn from within the vicinity of the algal bloom. This means the water that Sydneysiders are drinking continues to pass and exceed all Australian, and indeed international, standards.

No toxins have been detected in either the water being drawn from the dam or the treated drinking water below the filtration plant at Prospect. But it is likely that the bloom will remain throughout summer until colder weather reduces the water temperature, possibly at the start of next winter. In recent days I have been advised that low levels of cryptosporidium were detected in a sample of raw water entering the Prospect filtration plant. But this is simply testament to the fact—if any were needed—that the tens of millions of dollars spent on treating Sydney water at the plant is working effectively inasmuch as no pathogens whatsoever were detected in the treated water. In other words, the water coming out of the treatment plant is completely free of pathogens. So again there is no threat to the quality of Sydney water and no threat to the health of people who drink that water.

The Iemma Government, through the Sydney Catchment Authority, has embarked upon a major program of works to upgrade Warragamba Dam. Today I have announced that \$23 million will be spent on completely overhauling electrical wiring in the system at Warragamba Dam. In all, the Iemma Government is investing some \$240 million in addition to the \$56 million spent on building the Prospect raw water pumping station. These works have been undertaken to ensure that the dam and the associated pipelines continue to operate reliably and efficiently. Additional upgrades also included building the auxiliary spillway in 2002 to withstand floods at a cost of some \$111 million and construction of the deep water pumping station at Warragamba, which was completed in 2005-06, at a cost of some \$62 million. The pumping station is now fully commissioned and can provide an alternative water supply for Sydney for a period of at least three weeks.

Our immediate and long-term plans provide for a secure and safe water supply. The Government continues to monitor water quality both in the supply system and through the treatment process. This includes reviewing how we are managing this incident to inform future incident responses. I will keep the House advised about progress in managing the algal bloom, which is a naturally occurring phenomenon. I again assure the House that the water provided to Sydneysiders is perfectly safe to consume.

Question time concluded.

FIRE DANGER WARNING

Ministerial Statement

Mr MORRIS IEMMA (Lakemba—Premier, and Minister for Citizenship) [3.18 p.m.]: I rise to report—

Mr Greg Smith: A Cabinet reshuffle?

Mr MORRIS IEMMA: We had one: it occurred after 24 March. Something happened on that day. I report to the House that we are again in a period of extremely high fire danger. I advise the House that I have just received advice that the F3 and the Northern rail line have been closed temporarily due to a fire in bushland between the F3 and the rail line at Mount Colah. Firefighters from both New South Wales Fire Brigades and the New South Wales Rural Fire Service have responded to the blaze. In addition, about 85 firefighters are currently working hard to contain a blaze that has burnt out more than 100 hectares in the Mount Kembla area. Currently there are no properties under direct threat and a southerly change is expected to push the fire northwards and away from the Mount Kembla township. A bushfire emergency has been declared for Wollongong, Shellharbour and Kiama local government areas.

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [3.19 p.m.]: I join with the Premier in extending the Coalition's support and thoughts in particular to those emergency service personnel whom we look to on occasions such as this to respond to fire crises whether in the city or the country. As one of the members of this House whose electorate is surrounded by bushland I understand the pressure that fires such as this bring to bear on local communities, families and physical assets. This is a terrible time for those who are caught up by the closure of the F3 and rail services; it is an even worse time for people in Sydney and other places who are concerned about their families, their friends and their assets in their homes. The Coalition supports the emergency services and the jobs they do. The member for Hornsby, who represents Mount Colah, and I have had previous experience with the loss not only of property but also of lives. Our hearts and our thoughts go out to those who are, again, fronting up for the State on this occasion.

LISMORE HAILSTORM

Ministerial Statement

Mr NATHAN REES (Toongabbie—Minister for Emergency Service, and Minister for Water Utilities) [3.20 p.m.]: Just before 3.00 p.m. last Tuesday, Lismore and the surrounding district were hit by a massive hailstorm and rainstorm. When I arrived in the area on Wednesday morning locals told me that it was the worst storm to hit the town in more than 70 years, with hailstones the size of tennis balls. The damage was made worse by a second storm that quickly followed when heavy rain entered buildings through holes caused by hailstones. The local State Emergency Service swung into action after receiving 250 calls for assistance in the first half hour. It received a total of 680 calls for assistance, 640 of which came from Lismore with other calls coming from the Tweed, Byron Bay, Mullumbimby and Casino.

On my arrival in Lismore the member for Lismore, Thomas George, who recognises that these emergencies are above politics, met me. With the State Emergency Service regional controller, Scott Hanckel, we toured the worst hit parts of the city. Many homes had smashed windows, damaged roofs, gouged cladding, broken skylights and awnings, and water damage. Hailstones had damaged hundreds of vehicles. The St Andrew's Anglican Church sustained major damage to its slate roof and stained-glass windows. St Carthage's Cathedral and its school buildings were also damaged, as was Richmond River High School. Numerous public buildings were damaged including the city hall, the base hospital, the ambulance centre, the TAFE college and the Lismore police station. Local producers told me of damage to the region's valuable fruit industry, particularly its macadamia crops.

I had no hesitation in declaring a natural disaster for Lismore and Byron council areas, which triggered a range of assistance measures to residents, business owners, primary industries and council to help with the cost of the clean-up, and repairs to property and infrastructure. However, the assistance that really counts was already in place. The State Emergency Service crews were in action covering roofs, boarding up smashed windows and setting things right throughout the towns. In the first hours, teams from the Lismore area were joined by emergency crews from Ballina, Casino, Woodburn, Kyogle and Tabulam, two New South Wales Fire Brigades crews and a Rural Fire Service strike team of 30 volunteers. In all, 25 State Emergency Service teams, seven New South Wales Fire Brigades teams and three teams from the Rural Fire Service responded to the emergency.

More than 100 State Emergency Service volunteers travelled from as far afield as Sydney, Queanbeyan, Wellington and Inverell. After six days of hard work, all 680 tasks were completed. State Emergency Service members, such as local controller Lindsay Matterson and unit controller Brett James, worked tirelessly day and night till the job was done. The Insurance Council of Australia has reported that 9,000 insurance claims have been lodged with a damage bill at almost \$15 million. Climate change with global warming is a reality, with more bushfires, more summer storms and more calls on our emergency services volunteers.

Today, as the Premier outlined, there are bushfires at Mount Kembla and to the north of Sydney, and also at Maroota, Tamworth and Port Stephens. I am advised that all of them are under control at this stage. In times of trouble the State Emergency Service volunteers and members of our other emergency services, such as the New South Wales Fire Brigades, the Rural Fire Service and the Volunteer Rescue Association, turn out to help those communities in need. But it must be said, when I visited Lismore last week and attended two major functions over the weekend for our volunteers, it was obvious that a worrying trend is emerging. Unprompted, volunteers raised their concerns about WorkChoices.

The SPEAKER: Order! Members of the Opposition will come to order. The Opposition will have an opportunity to respond.

Mr NATHAN REES: Whether those opposite like it or not, WorkChoices is having an adverse impact on our ability to recruit and retain volunteers in the emergency services. In enterprises in which people have to negotiate their agreements individually, the right to emergency service leave will become increasingly difficult to secure. WorkChoices undermines the collective spirit of goodwill upon which our volunteer system is based. We owe our volunteers a huge debt of gratitude.

Mr Adrian Piccoli: Wrong! Wrong! Wrong!

Mr NATHAN REES: It is not one of the five protected conditions, and the member for Murrumbidgee knows it.

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

Mr NATHAN REES: It is also imperative that we provide the framework, the equipment, the encouragement and the guaranteed opportunity for those volunteers to get on with their selfless work.

Mr THOMAS GEORGE (Lismore) [3.25 p.m.]: I join with the Minister for Emergency Services in recognising and thanking the many volunteers, emergency service workers and Lismore City Council who supported the community of the city of Lismore last week. However, I do not agree with the rest of his speech. Let us not forget that most of the volunteers had spent the previous week fighting fires in the Bundgalung National Park; they had arrived home just that day. As the Minister said, the hailstorm hit Lismore at two o'clock in the afternoon. I pay tribute also to the families of the volunteers who provide support and especially the employers who provide the time for volunteers to do the job. However, as the Minister said, this is above politics.

I am very proud to be the member for the electorate of Lismore. I have never had one volunteer raise WorkChoices with me. I am sure I understand the Lismore electorate better than any other member of this House. On behalf of the community I thank all the volunteers, their families and their employers for their support of the Lismore community. I refer to the support that Lismore has received from not only local volunteers but also volunteers from around the State. I sincerely thank them on behalf of the community.

STANDING COMMITTEE ON PUBLIC WORKS

Report

The Clerk announced the receipt of report No. 54/01 entitled "2006 Conference Report: The National Parliamentary Public Works and Environment Committees Conference, Brisbane and Cairns", dated September 2007, received out of session on 8 October 2007.

LEGISLATION REVIEW COMMITTEE

Report

The Clerk announced the receipt, pursuant to section 10 of the Legislation Review Act 1987, the report entitled "Legislation Review Digest No. 3 of 2007", dated 12 October 2007, received out of session on 12 October 2007.

PETITIONS

CountryLink Pensioner Booking Fee

Petitions requesting the removal of booking fees charged to pensioners on CountryLink services, received from **Mr Greg Aplin** and **Mr George Souris**.

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 **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**.

Hawkesbury River Railway Station Access

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

Tamworth Cancer Treatment Services

Petition requesting that Dr Smee be allowed to continue providing cancer treatment services in Tamworth, received from **Mr Peter Draper**.

Radio Wave Clinics

Petition requesting funding for radio wave clinics, received from **Mr Peter Draper**.

Nioka Palliative Care Unit, Tamworth

Petition requesting that the Nioka Palliative Care Unit remain a stand-alone unit within Tamworth Hospital, received from **Mr Peter Draper**.

Lismore Base Hospital

Petitions requesting funding for stage 2 of the Lismore Base Hospital redevelopment, received from **Mr Thomas George** and **Mr Donald Page**.

Breast Screening Funding

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

Hornsby Palliative Care Beds

Petition requesting funding for Hornsby's palliative care beds, received from **Mrs Judy Hopwood**.

Rescue Helicopter Services

Petition requesting that the Government halt the decision to award the contract for helicopter medical retrieval services to a foreign, for-profit company, review the tender process and make the tender documents publicly available, received from **Mrs Judy Hopwood**.

Mental Health Services

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

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**.

School Crossing Safety

Petition requesting that all school crossings be upgraded to improve safety, received from **Mr Greg Aplin**.

Preschool Speed Zones

Petition asking that 40 kilometre per hour speed zones be introduced outside all preschools in New South Wales, received from **Ms Katrina Hodgkinson**.

Licence Renewals for Drivers Over 75 Years

Petition opposing the new regulation concerning licence renewals for drivers over 75 years and asking that current rules unfairly restricting elderly drivers be examined, received from **Mr Greg Aplin**.

Inner Sydney 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**.

Forster-Tuncurry Cycleways

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

Banora Point Bypass

Petition requesting construction of a western bypass to remove highway traffic from Banora Point residential areas, received from **Mr Geoff Provest**.

Sextons Hill Road Deviation Western Route

Petition opposing the Roads and Traffic Authority Sextons Hill deviation preferred option and requesting a western route, received from **Mr Geoff Provest**.

Sextons Hill Road Deviation Options A and B

Petition opposing the Roads and Traffic Authority Sextons Hill deviation options A and B, received from **Mr Geoff Provest**.

Sextons Hill Road Deviation Option C

Petition opposing the Roads and Traffic Authority Sextons Hill deviation preferred option and supporting option C, received from **Mr Geoff Provest**.

Underground Cables

Petition requesting urgent implementation of an achievable plan to put aerial cables underground, received from **Ms Clover Moore**.

Liquor Licensing Process

Petition asking that the liquor licensing process be amended to encourage and promote the development of small, local venues and a diversity of venues, received from **Ms Clover Moore**.

STANDING COMMITTEE ON NATURAL RESOURCE MANAGEMENT (CLIMATE CHANGE)**Membership****Motion, by leave, by Mr John Aquilina agreed to:**

That Thomas George be appointed to serve on the Standing Committee on Natural Resource Management (Climate Change) in place of Andrew Raymond Gordon Fraser, discharged.

BUSINESS OF THE HOUSE**Suspension of Standing Orders: Bills**

Mr JOHN AQUILINA (Riverstone—Leader of the House) [3.31 p.m.]: I move:

That standing orders be suspended to permit the introduction and the mover's agreement in principle speech on the following bills, notice of which was given this day for tomorrow:

- Food Amendment Bill
- Law Enforcement (Powers and Responsibilities) Amendment Bill
- Road Transport (General) Amendment (Written-off Vehicles) Bill
- Summary Offences Amendment (Spray Paint Cans) Bill
- Tow Truck Industry Amendment Bill

Mr ADRIAN PICCOLI (Murrumbidgee) [3.32 p.m.]: The Opposition does not oppose this motion but, as is always the case, this Government is most disorganised. Procedures are already in place in this House, the Government having introduced new standing orders only six months ago. We are six months into a four-year

term and this Government still cannot get its act together. This year the Parliament has sat only 18 days. Almost every parliamentary sitting day the Leader of the House has to suspend standing orders to change parliamentary procedure.

Mr Speaker, a few years ago, before both you and I were members of Parliament, Bob Carr sacked John Aquilina from his job as Leader of the House and Paul Whelan was made Leader of the House. I suspect, although I will have to check *Hansard*, that he was sacked because he is incompetent. He was sacked from the Speaker's position and at the 2003 election he was sacked from his position as Minister for Natural Resources. He was sacked from his position as Minister for Education and Training after a major stuff-up and embarrassment, and after humiliating a student of Cecil Hills High School. He has a history of humiliation in this place.

Mr Alan Ashton: Point of order: Earlier the Leader of the Opposition said that the Opposition would agree to suspend standing orders. All that the member for Murrumbidgee has done in the last minute and a half is attack the Leader of the House. Opposition members should either agree or disagree with the motion and call for a division if necessary.

Mr ADRIAN PICCOLI: My comments relate to competence. After 18 sitting days the Leader of the House still cannot get it right. Legislation should be introduced through the proper processes. We should follow standing orders that were introduced by the Minister for Local Government and passed by this Parliament. If the Leader of the House, a party hack, cannot get it right how can we expect another party hack—Reba Meagher, the Minister for Health, who is overseeing a \$10 billion budget for 1.7 million patients a year—to get it right? She is in the most important portfolio in New South Wales and she does not get it right by a long stretch. Last night in estimates committee hearings the Minister for Transport could not answer questions relating to the Tcard and other important transport issues. The Minister for Transport should be across his portfolio.

Mr Michael Daley: Point of order: This motion does not afford the member for Murrumbidgee an opportunity to give us a rambling dissertation about what he perceives to be right or wrong with the Government. This motion, which is quite specific, is to suspend standing orders. I ask you to draw him back to the leave of the motion.

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

Mr ADRIAN PICCOLI: This is what happens when party hacks are appointed to positions. The Leader of the House spat the dummy when he lost the Speaker's position and insisted on being appointed as Leader of the House. He does not have a portfolio but he is provided with a car and with additional staff—an issue that was raised last night in estimates committee hearings. We now have a party hack as the Minister for Health. Party hacks that are Ministers do not do that much harm when giving contracts to the sons of other Labor hacks.

Mr Steve Whan: Point of order: My point of order relates to relevance. Standing orders state quite clearly that in this forum members should not make personal reflections on other members of the House. All that the member for Murrumbidgee has done is make personal reflections on other members, which reveals his own ineptitude in his job.

Mr ADRIAN PICCOLI: I am so pleased—

The SPEAKER: Order! Perhaps the member for Murrumbidgee might allow me to rule on the point of order. There is no point of order, but I ask the member for Murrumbidgee to consider the language he is using.

Mr ADRIAN PICCOLI: I am pleased that the member for Monaro, who is now the chair of the regional task force, took a point of order. Let us talk about Labor Party hacks. He kicked up a big stink because he was not originally the chair of that task force. He was then made chair of the task force and conducted reviews in country New South Wales. Is the member aware that the most important issue in country New South Wales is health? The chairman of the regional task force spent all this money conducting reviews when the most important issue in regional New South Wales is health. [*Time expired.*]

Mr JOHN AQUILINA (Riverstone—Leader of the House) [3.37 p.m.], in reply: The member for Murrumbidgee's selective knowledge of history, which is appallingly inaccurate, is surpassed only by his appalling lack of knowledge of the standing orders of this House. For the information of the member for Murrumbidgee, if he would just shut up for a moment—

[*Interruption*]

The SPEAKER: Order! The member for Murrumbidgee was given a fair hearing. I ask him to resume his seat and remain silent.

Mr JOHN AQUILINA: For the information of the member for Murrumbidgee and Opposition members, tonight we will debate legislation and tomorrow we will need to debate additional legislation. I moved a motion to suspend standing orders to enable that legislation to be debated. This motion has nothing to do with reordering procedures; it is mainly an instrument to facilitate the activities of this House—a mechanism that has been used by leaders of this House since time immemorial. Despite the member's grossly inaccurate knowledge of past issues and his claims about me being a party hack, I remind him I have been a member of Parliament for 26 years and I have survived eight elections. When he can equal that record he will be entitled to make the sorts of statements that he made today.

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

Motion agreed to.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Climate Change

Mrs KARYN PALUZZANO (Penrith) [3.39 p.m.]: This motion should be given priority because jobs in the renewable energy sector and jobs that working families rely on are either being lost or put at risk by the Federal Government's policy failures. This motion should be accorded priority because, as members know, the Iemma Government is leading the way in combating climate change. On matters of climate change the Iemma Government leads and does not follow; it acts and does not delay; and it delivers on its commitments. Unlike the Howard Government, this Government does not dither and put jobs at risk through inaction.

Royal North Shore Hospital Inquiry

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [3.39 p.m.]: No wonder Kevin Rudd will not be seen in this city with either Premier Morris Iemma or the Minister for Health. After 12 years of Labor government, after five Labor health Ministers, some of whom frankly appeared competent in the job, and after a decade of spin over substance when problems have occurred in our hospital system, this State is visited with a hospital system that is flawed to its very core. Three weeks ago almost to the hour Mark Dreyer received a telephone call from his wife alerting him to the fact that she believed she was about to miscarry. I will not go through the circumstances that ensued other than to remind this House that our hospital system has reached such a situation that a pregnant woman ended up miscarrying in a public toilet in one of our great hospitals. That is what happens when you put more effort into media management than into fixing problems.

Let me bell the first lie resorted to by the Minister for Health today. Royal North Shore Hospital is held in great esteem by the community it has served for more than 100 years. The staff who work at that hospital are held in great esteem. Why? Because most of them live within the areas and communities we represent in that part of Sydney. The staff deserve the resources, funding, beds and other facilities that would ensure Royal North Shore Hospital can again give the quality of care it has provided in the past and that currently is not available after 11 years of this Labor Government simply managing media issues for the moment instead of tackling the underlying problems.

Since events unfolded three weeks ago we have heard a number of responses from the Government. The Premier said that if Mark Dreyer was not satisfied with the inquiry being established the Premier would change the terms of reference. To this day he has refused to establish a full and open judicial inquiry to allow the problems of the hospital to be identified and solutions to be found. The lessons learnt from such an inquiry could benefit the entire State hospital system. I understand that the Premier is concerned about decisions he made when he was Minister for Health that affected the North Sydney Area Health Service. But public interest should be put ahead of protecting his reputation and his party's political interests.

Hospitals at Westmead, Liverpool, Grafton and other areas across the State can learn lessons from a genuine inquiry. The Minister for Health is clearly incompetent and not across the issues of the problem. This was revealed today. Area health services have introduced a mandatory protocol requiring 24-7 midwifery

services at hospital emergency departments but she has not provided funding for that to occur. The first reaction of the incompetent Minister for Health to the problems at Royal North Shore Hospital was to establish a new piece of bureaucracy—a new complaints unit at that hospital. That will not offer any comfort to Mr Dreyer and Ms Horska.

More importantly, her response flies in the face of the defence used by the Premier when he was the health Minister four years ago during the Camden-Campbelltown hospital crisis. He told us that the Health Care Complaints Commission had been reformed to tackle the issues. Had it not been for the work and ongoing efforts of the member for North Shore over the past three years the issues that have come to light with this hospital would not be getting the attention they now are in relation to Jana Horska and Mrs King. Nurses and doctors are speaking about the pressure they face because of the lack of resources, bed closures and not being able to recruit hospital staff. According to the Department of Health annual report there are 100,000 nurses in New South Wales. Only 37,000 are prepared to work in our public hospitals. Why? Because the Government will not give hospitals, whether at North Shore or anywhere else in the State, the funds, the beds and the support they need to give people the care they deserve.

Mr Steve Whan: Point of order: The Leader of the Opposition has spent a long time giving his speech, and has been given a lot of latitude, but he really should point out that he complained during the election that we spend too much on salaries.

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

[Time expired.]

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

The House divided.

Ayes, 49

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

Noes, 38

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

Pair

Mr Gibson

Mr R. W. Turner

Question resolved in the affirmative.**CLIMATE CHANGE****Motion Accorded Priority****Mrs KARYN PALUZZANO** (Penrith) [3.52 p.m.]: I move:

That this House:

- (1) condemns the Federal Government for its inaction on climate change, in particular its failure to develop a National Emissions Trading Scheme;
- (2) notes that because of this policy failure, the New South Wales Government's world-leading Greenhouse Gas Abatement Scheme has been put at risk and the market has suffered an acute impact;
- (3) further notes that hundreds of jobs have either already been lost or been put in jeopardy; and
- (4) calls on the Federal Government to immediately release its policy on emissions trading to combat the growing threat of climate change and ease the risk of job losses in the renewable energy sector.

Our world-leading Greenhouse Gas Abatement Scheme is acknowledged as being at the forefront of initiatives to drive down carbon emissions. It has developed a reputation as one of the world's most innovative carbon trading markets. It is the second-largest mandatory carbon market in the world. It has reduced emissions by more than 500 million tonnes since it was introduced and it has resulted in the creation of thousands of jobs in the renewable energy and the energy efficiency sectors.

But that has all been put at risk by the failure of the Howard Government. Mr Howard has gone from being a denier to being a ditherer on climate change. Working families now are falling victim to his poor leadership. At the eleventh hour the Prime Minister belatedly indicated that he might be in favour of emissions trading, but he has failed to spell out the details. That is what has caused such uncertainty in the marketplace in New South Wales. In the seven months from January to August this year carbon certificates fell from \$12 to just \$6.10, and the Federal Government is directly responsible for this.

With the proposed establishment of a national emissions trading scheme, a transition plan is needed to ensure that investments made as a result of the New South Wales scheme do not continue to be adversely affected. Our scheme started in 2003—more than four years ago. But still the Federal Government has not even outlined how a national emissions trading scheme will work, let alone started to introduce one. The scheme reduces greenhouse gas emissions associated with the production and use of electricity and encourages businesses to develop ways of offsetting emissions. In 2004 the New South Wales Government initiated the National Emissions Trading Task Force to develop a preferred design for a national scheme with all the State and Territory governments, and we have been putting pressure on the Prime Minister ever since. From 2004 the pressure has been constant.

In February this year at the Council for the Australian Federation we announced that the States and Territories would introduce a national trading scheme for greenhouse gas emissions by the end of 2010. Finally, at long last, in June this year the Prime Minister agreed to implement a national emissions trading scheme. The final report of the Prime Minister's task force on emissions trading acknowledged the need for the transition arrangements. The report states:

Details for achieving this would need to be developed further in the design phase of any trading scheme, and due regard given to those participants that had invested on the basis of the current expiry date of 2020.

But until the Commonwealth Government releases details of the design of the national emissions trading scheme it intends to implement it is not possible to finalise a transition plan. As the Owen Inquiry into Electricity Supply in New South Wales noted, uncertainty over the key design elements of the national emissions trading scheme is unnecessarily delaying important investment, including low-emission technologies development. The Iemma Government already has acted to reduce uncertainty by amending legislation to extend its Greenhouse Gas Abatement Scheme until a national scheme is established. We also established two high-level industry and

government working groups: one to consider ways to prepare for the transition from the Greenhouse Gas Abatement Scheme to a national emissions trading scheme; and the other to consider ways to address the demand side of abatement or energy efficiency elements of the Greenhouse Gas Abatement Scheme.

But this motion is really about recording in this House the absolute scandal that has evolved in the market because of the Federal Government's inaction. I am advised that thousands of jobs in the renewable energy sector either have already been lost or are at risk of disappearing. For example, more than 1,000 have been lost from companies EBG, NECO and Field Force in Sydney, Wollongong and Newcastle. The companies are involved with the door-to-door canvassers of households to switch to energy efficient lighting, the contractors who carry out the work, or the administration staff. Tamworth and Forbes have also been hit with cancellation of concentrated installation projects.

In Tamworth NECO had 10 plumbers engaged to work on the projects, but they have now been cancelled. The call centre in Tamworth has gone too, along with the jobs. The company also has offices in Kiama, Gosford and Grafton that will close. There is also the issue of the flow-on jobs for the plumbers, electricians and others involved in trades. I think that members are starting to get the picture. John Howard, always the clever politician, tries to claim that it is Labor that puts at risk the economy and jobs growth. That is evidence that he and his Government have lost touch completely with working families. That could not be clearer. We should also note that projects in Victoria, South Australia, Queensland, Tasmania, the Australian Capital Territory and New South Wales have suffered a major impact. That is because our Greenhouse Gas Abatement Scheme also recognises types of abatement anywhere in the interconnected national electricity market.

The Iemma Government stands ready and willing to discuss with the Commonwealth Government the option of a smooth transition from the Greenhouse Gas Abatement Scheme to a national abatement scheme. But such discussions are not possible until it is clear what the national scheme will involve and when the transition will begin. The challenge today for those opposite is to stand up for the fledgling renewable energy sector and the working families who rely on it. Stand up for those working families in Sydney, Wollongong, Newcastle, Tamworth, Forbes, Kiama, Gosford and Grafton. Stand up for the renewable energy sector. Those opposite also need to speak out about the appalling maladministration by the Howard Government.

As we have heard, it impacts on the city, the regions and the bush. This is surely a moment for bipartisan support in this Chamber, and I welcome that bipartisan support. It is an opportunity for the Opposition. It is an opportunity for the member for Goulburn to do the right thing by standing up for the renewable energy sector and the people it employs. We know that the Opposition does not have a plan. In the recent State election the Opposition did not have a plan to combat climate change. The Howard Government has been asleep on climate change for 11 years. At least those opposite could show some courage and use this House to condemn the Federal Government for its inaction.

The DEPUTY-SPEAKER: Order! The member for Murray-Darling should remember that this is a debate, and he should listen to it.

Mrs KARYN PALUZZANO: Opposition members should condemn the Federal Government for its inaction and the jobs that it has destroyed. As I said, 1,000 jobs have been lost in companies in Sydney, Wollongong and Newcastle. Workers from EBG, NECO and Field Force, and their families have been affected. The companies have been making inroads on climate change and emissions abatement. I welcome Coalition members of this House standing up to the Howard Government's inaction on climate change, and welcome their contribution to the debate.

Ms PRU GOWARD (Goulburn) [4.02 p.m.]: I move:

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

- (1) congratulates the Federal Government on its plan to introduce a national emissions trading scheme by 2011;
- (2) welcomes the abolition of the Greenhouse Gas Abatement Scheme that will result from a national scheme; and
- (3) condemns the New South Wales Government for its failure to stimulate investment in renewable energy over the past 12 years.

What we have heard today is another attack on the Federal Government, six weeks out from a Federal election. It is not about getting on with the job of fixing the environment of New South Wales; it is not about taking

responsibility for what a State Government can do to address our filthy harbours and our rundown parks and our struggling renewable energy sector, nor the absence of a carbon soil policy. It is about none of those things. It is about attacking a government in another place at another level. It is an outrageous abuse of parliamentary time, one that we can anticipate more of over the next six weeks because it is easier for this Government to attack the Federal Government than it is to accept responsibility for its own activities and indeed to seek ways to develop debate so that government in New South Wales is better. The failure of the New South Wales Government to act in its own backyard is an absolute scandal.

Ms Noreen Hay: Point of order: On the issue of relevance, the motion condemns the Federal Government for its inaction on climate change.

The DEPUTY-SPEAKER: What is your point of order?

Ms Noreen Hay: The member opposite should be brought back to dealing with the motion that has been put before us.

The DEPUTY-SPEAKER: Order! At present the member for Goulburn is dealing with one aspect of the debate.

Ms PRU GOWARD: The Federal Government is to be congratulated on planning to introduce the national carbon trading scheme by 2011. Development of a national scheme consistent with those of our international trading partners and not diminishing Australian living standards to the medieval levels anticipated by our friends opposite will take considerable time. We cannot expect a Federal scheme to be developed without considerable thought and consultation. This being so, the Federal Government is introducing a national carbon trading scheme. That, of course, is part of the explanation for the difficulties that we have seen in New South Wales in the greenhouse gas offsets industry. That is the result of overproduction of abatement certificates in New South Wales. The State Government failed to recognise that production of abatement certificates is a great deal easier than achieving target reductions.

The market is preparing for the national scheme. That is why there is no longer the same interest in purchasing abatement certificates at the old price of \$11 or \$12 a certificate. That is why the price has dropped to \$6 a certificate, which the member for Penrith was unable to explain in her introduction. It is the reduction in price of abatement certificates to \$6 that has caused some companies to go into receivership. Why has the price of certificates dropped to \$6? Because there is excessive supply and a lack of interest, not only because of the anticipation of a national scheme, which would be run much more transparently—

Ms Lylea McMahon: Because of the uncertainty.

Ms PRU GOWARD: No, it is absolutely clear that the State governments committed some time ago to a national scheme. They called for a national scheme. Did they not anticipate a period of uncertainty, or do they think that in the world of commerce a scheme can come in overnight, absolutely seamlessly: everybody just switches from one scheme to the next? It does not happen like that in the real world, and there was always going to be a period of uncertainty.

The scheme that Federal Labor has committed to has targets to be met by 2020 and 2050—targets that will be met when the people making the statements, such as Mr Garrett, will be in nursing homes. Under a Labor government the targets are unlikely to be met. A party that is not real about climate change sets targets so far in advance that it need not meet them in its lifetime. It can set targets that it knows it will never have to be responsible for: it will not be its problem. It makes it up as it goes along and never takes responsibility. If Labor were serious there would be a five-year plan, a six-year plan and a seven-year plan. But Labor is incapable of that because it involves actually committing to action.

Mrs Karyn Paluzzano: Point of order: I take note that the member opposite is asking about targets and a plan. We would love one. We would love a transition scheme—

The DEPUTY-SPEAKER: Order! There is no point of order. The member for Goulburn may continue.

[Interruption]

The DEPUTY-SPEAKER: Order! The member for Murray-Darling will cease interjecting. The member for Goulburn should be given the opportunity to make her point.

Ms PRU GOWARD: It takes time to develop a national carbon trading scheme that is transparent and has stakeholder support. The scheme is now in the process of being developed. As I said, the scheme should identify realisable targets for time frames of less than 20 or 30 years. It is realisable in shorter time frames than 20 or 30 years. It is interesting to recognise that the State Government has failed in its own responsibilities. In referring to the Greenhouse Gas Abatement Scheme, one mistake the member for Penrith did not make—perhaps it was fortunate for her because she knows so little about it—was to repeat the numbers frequently parroted by the Government in terms of reductions in greenhouse gas emissions. I think the latest number is 40 million tonnes. They are no more than a counting trick, and the House should be grateful that at least the member for Penrith did not repeat that figure.

If the Government was truly worried about the consequences for the greenhouse gas abatement offsets industry and employment it should have done one simple thing: it should have increased the target for the reduction in greenhouse gas emissions. That would have forced the sale of the abatement certificates at a price higher than \$6, which was insufficient to produce any sale at all. Consequently, the companies have got into difficulties. The Federal Government has invested an enormous amount of money and time in assessing the climate change model to ensure that it got it right. Unlike this Government, the Federal Government's responsibility is to get it right and to base its policies on evidence. In order to do that it required proper modelling.

In the debate about greenhouse gas emissions and climate change there is serious conflict between scientists. It is not easy to reconcile those competing scientific analyses and to come up with a scheme that will meet a reasonable, believable and realisable model. It is time for us to achieve real things in this House, and we will have real debates about parliamentary responsibility. This motion is a disgraceful waste of the time of the House. We congratulate the Howard Government on its commitment to climate change, and to a responsible, comprehensive rate. The failure to invest in renewable energy in this State, compared with the other States, stands as the Government's greatest omission in terms of its own actions and the potential for action in this place.

Ms CARMEL TEBBUTT (Marrickville) [4.12 p.m.]: I support the motion moved by the member for Penrith. The impact of climate change is one of the biggest challenges confronting governments not only in Australia but across the world. Contrary to the assertion of the member for Goulburn, both the New South Wales Government and the New South Wales Parliament have a responsibility to discuss and debate climate change, which is one of the critical issues confronting our communities. The past five years have been amongst the hottest in Australia since records began. The current drought is one of the worst and longest on record; it has touched us all. The fact that we have already experienced significant bushfires this season is yet another example of the effect of global warming. So it is incumbent on us as representatives of the people of New South Wales to discuss and debate the issue.

Climate change is not a new issue or a recent phenomenon. However, in the past 12 months there has been a significant increase in both community awareness and understanding of the issues, partly due to the impact of Al Gore's film *An Inconvenient Truth* and because of the release of the Stern report in the United Kingdom. During the recent New South Wales election campaign in my seat of Marrickville climate change was one of the issues most frequently raised with me by my constituents. What will the Government do about climate change? What action can we take to address climate change? When societies are confronted by challenges—challenges that require concerted global action by governments, communities and industry—people look for leadership from their elected representatives: leadership to set out a plan to deal with these issues and leadership to have the courage to implement the sort of actions that are needed to deal with these issues. Despite overwhelming evidence of the need for action, the Federal Government has not shown such leadership; leadership from the Federal Government has been lacking.

The member for Goulburn was right when she said that it takes time to develop a national emissions trading scheme. However, the reality is that if the Federal Government had started taking action when other countries were taking action, we would be well advanced. The fact is that at the moment we are not advanced because the Federal Government did not take action—no ratification of the Kyoto Protocol, no national emissions trading scheme and no genuine commitment to addressing climate change. And we know why that is so. The Prime Minister has proudly admitted that up until recently he has been a climate change sceptic. He has been happy to describe himself as such. But as with so many other issues, Mr Howard has seen fit to change his

position in recent times when he has been confronted with clear evidence that he is out of step with the rest of the community.

Political expediency and nothing else is what has caused the Prime Minister to announce recently that he will begin work on a national greenhouse gas emissions trading scheme. But there is no detail, no plan, no cap on emissions and no date for when trading emission credits will begin. Everyone knows that a cap and a trade emissions trading scheme requires a target. Without a target, there is no certainty for business, the community or the environment. Yet the Prime Minister will not even contemplate selecting a long-term emissions goal until 2008. He has had 11 years and it is simply too late. We know the real reason there has been a lack of action and a lack of detail. The Federal Government is divided on this issue.

There is no clear consensus from the Federal Government about the need to address climate change. There are too many climate change sceptics still in the Federal Government, which is presided over by a leader whose real plan to address carbon emissions is to introduce nuclear power plants. That is the real plan: to have nuclear power plants across Australia. But that is not what the community of New South Wales wants. We should compare this record to that of the New South Wales Government. We have taken seriously our responsibility to reduce carbon emissions and address the impact of climate change. We have established the world's first mandatory carbon emissions trading scheme. We became the first State to set strict targets to reduce greenhouse gases. We set up the Climate Change Fund, providing a scheme of residential rebates, and we are legislating for renewable energy targets. So we are taking action in New South Wales.

No doubt our Greenhouse Gas Abatement Scheme is impacted by the lack of certainty and lack of Federal Government action. A transition plan is needed while a national emissions trading scheme is established. We cannot finalise such a plan until the Federal Government releases details of the national emissions trading scheme. We are calling on the Federal Government to release these details so that we can put a transition plan in place. Until we have these details, our hands are tied.

Mr MICHAEL RICHARDSON (Castle Hill) [4.17 p.m.]: I have listened to this debate with a degree of interest. One thing that needs to be spelt out is that the assumptions made by the member for Penrith in her motion are largely wrong. She talked about the fact that the Greenhouse Gas Abatement Scheme, which is world leading, has been put at risk. Far from being world leading, the Greenhouse Gas Abatement Scheme is an abject failure that tends to reward the owners of existing projects rather than stimulate investment in renewable energy sources. The member for Penrith talked about the Government's great achievements in the area of climate change. Members would be aware that New South Wales has a lower percentage of electricity created by renewable energy sources, excluding the Snowy Hydro, than any other State in the country. That is because the Government has demonstrably failed over 12 long years to invest in renewable energy sources and to stimulate investment in renewable energy sources by the private sector.

Do members know how many wind farms we have in New South Wales? We have two: one at Crookwell and one at Blayney, and there are a couple of other wind turbines around the place. But that is all. That is okay because the Minister for Water Utilities announced yesterday that the Government intends to make a significant investment in new wind farms—which, I might add, may or may not be in this State—in order to power the desalination plant. So the Government is not going to reduce greenhouse gas emissions from power stations. That is too much for it to contemplate. It intends to build wind farms—or have them built interstate and buy back the electricity for New South Wales—to power a monstrosity that nobody in Sydney wants. That is a measure of the Government's lack of commitment to doing anything positive about climate change.

The member for Penrith said that hundreds of jobs in the renewables sector have been lost or put at risk. But those jobs are primarily in companies that are doling out mini fluorescent light bulbs and water-saving showerheads. My secretary has been importuned by people handing out these gadgets at Castle Towers shopping centre in my electorate. She has a collection of them. She asked me, "What will I do with all these mini light bulbs and showerheads? I do not have enough showers in my house to install them in." These are not real jobs. The money from the Greenhouse Gas Abatement Scheme has not been used to build new wind farms, biomass plants or solar power stations. It seems to have been spent on make-work schemes. The idea behind taxation is to collect a little money from a lot of people and then combine it to build big projects from which everybody benefits—such as renewable energy plants. Government should not collect a little money from everybody and then say, "If you're lucky enough to be walking through Castle Towers shopping centre on a particular day we'll give you a couple of mini fluorescent light bulbs." That is not the way the system works.

If the Government had been fair dinkum about reducing greenhouse gas emissions at source it would have encouraged investment in renewables from the earliest days. The Greenhouse Gas Abatement Scheme

demonstrably does not encourage investment in renewables. Some 95 per cent of projects that were approved up to 2005 were up and running before the scheme began. According to the University of New South Wales, 70 per cent of the total number of certificates issued will not represent additional greenhouse gas reduction. The scheme is flawed. It is already a failure and if it is floundering that is not necessarily a disadvantage. The very structure of the Greenhouse Gas Abatement Scheme puts it at risk. The Government must rethink entirely its attitude towards renewables in this State. Even the New South Wales Renewable Energy Target Scheme that the Government intends to implement will stimulate investment in other States, not New South Wales. [*Time expired.*]

Ms LYLEA McMAHON (Shellharbour) [4.22 p.m.]: The member for Goulburn attempted to defend the indefensible: the fundamental failure of the Howard-Costello double act and the Federal Coalition Government to meet climate change, which is the challenge of our lifetime. The Federal Government has had 11 years to address this serious issue. In the absence of any leadership in this area, the State Government has stepped in. Climate change affects the hardworking families in the electorate of Goulburn and they should be rightly appalled by their local member's blind allegiance to the Federal Coalition Government and its failure to address this issue.

The DEPUTY-SPEAKER: Order! The member for Murray-Darling could have participated in this debate but he chose not to do so. He will remain quiet.

Ms LYLEA McMAHON: As my colleague the member for Penrith outlined, this motion should have priority because jobs in the renewable energy sector—jobs that working families rely upon—are being lost or put at risk by the Federal Government's climate change policy failures. Many members have spoken in this debate about the Prime Minister's failures in this regard. In contrast, the Iemma Government is leading the way in combating climate change. Our \$340 million Climate Change Fund has been incredibly well received by the community, with more than 4,000 applications for rebates for installing water tanks received in just over three months. Members might be aware that in July the Iemma Government increased from \$800 to \$1,500 the rebate for installing an approved water tank, as promised during the recent election campaign.

Working families are embracing our practical initiatives to reduce greenhouse gas emissions. Our policies are an example of what can be achieved. We delivered on our commitments and now more than 4,000 working families are benefiting from the rebate. The Minister for Water Utilities recently announced new rebates to help working families to do their bit to tackle climate change. The new rebates are now available for home installation and energy-efficient hot water systems and could save families up to \$1,500 when upgrading their homes to make them more environmentally friendly. The two most energy-intensive activities in New South Wales homes are hot water heating and keeping homes either warm in winter or cool in summer. Together these activities account for more than half of all household energy use and are, therefore, large contributors to greenhouse gas emissions. The rebates will provide up to \$1,200 to replace an electric hot water system with an approved solar or heat pump hot water system, \$300 to convert from electric to a five-star gas hot water system, and half the cost of installing insulation to a maximum of \$300.

The hot water system rebate was originally scheduled for January 2008 but was brought forward because of the significant contribution that this change can make to reducing emissions. By replacing an electric hot water system with a greenhouse-friendly alternative, working families can save up to three tonnes of emissions a year. These are the practical investments that the Iemma Government is making now to ensure that New South Wales does its bit on this very important issue. As we have heard, the real policy inertia is in Canberra, where the Prime Minister refuses to act. His stubbornness has permeated the entire Government. It was reported recently that public servants are not even allowed to write the words "global warming" in briefing material. How outrageous! But now in the shadow of a looming date with destiny the Prime Minister is supposedly a convert. Give me a break! This motion urges members to condemn the Federal Government for its inaction and failures on this important public policy issue. [*Time expired.*]

Mrs KARYN PALUZZANO (Penrith) [4.27 p.m.], in reply: This has been a most enlightening debate. The speech by the member for Goulburn contained all the buzzwords beloved of climate change sceptics. It was a trip back to the Dark Ages. The member claimed that climate change had had no impact on markets and outlined dissent from scientists. She expressed anger at criticism of the Prime Minister's performance over the past 11 years and used buzzwords favoured by climate change sceptics. Is the shadow Minister for climate change and environment a climate change sceptic? Are Coalition members climate change sceptics? The member for Goulburn accepted that there was uncertainty in climate abatement markets. The price has fallen to \$6 a certificate because the Prime Minister's ambivalent response to climate change has caused uncertainty.

The Prime Minister has spoken about emissions trading but markets need decisive leadership, leadership such as the Iemma Government gave in 2003. Markets need the type of decisive action provided by the Iemma Government, not the sort of dithering, cunning remarks of the Prime Minister, John Howard. It was interesting that the member for Goulburn noted that we needed a transition for these abatement schemes. That is exactly what I said when I spoke earlier: there is a need for a transition so that markets have certainty and leadership.

I accept the challenge of the member for Marrickville. This is a crucial debate. Whether we are talking about abatement schemes or low emission technology or the availability of certain rebate schemes, it is a critical debate. The community has been aware of this for far longer than our Prime Minister. It is an absolute disgrace that the Australian Government has not signed the Kyoto Protocol. We have had no leadership; we have had scepticism but not leadership from the Federal Government. At least the Iemma Government took this on board in 2003, much earlier than others.

We need certainty for our markets and for the environment. As I said, there were buzzwords from the member for Goulburn, but no mention of the environment, markets or certainty. There needs to be a balance between those markets and the environment for our future generations. I thank the member for Marrickville for her challenge and for raising the important issues of community awareness and the Stern report. The member for Castle Hill made light of working families who are contributing to the Greenhouse Gas Abatement Scheme. Members opposite continue the rhetoric of making a joke of those people standing in the Castle Towers shopping centre working on abatement schemes.

The member for Castle Hill mocked the hard work of those people who hand out the energy- efficient light bulbs and water-saving showerheads. He mocked the work of environmentally aware companies to combat climate change. He is an absolute disgrace. Like the Prime Minister, the member is out of touch with his constituency. We all need to do our bit. I commend the member for Shellharbour for outlining the practical investment, time and energy put in by the Iemma Government and for noting the programs and policies that need to be in place. We will not just wake up it is finished—bang, it's over! We have to wake up and set a plan; we have to have a policy. The policy we are debating today was put in place in 2003. The other policies and plans that the member for Shellharbour outlined have been put in place between 2003 until now.

Mr Thomas George: Shellharbour? Where is the member for Shellharbour?

Mrs KARYN PALUZZANO: She is sitting right here behind me. She outlined the rebates for solar power. I commend the motion to the House.

Question—That the words stand—put.

The House divided.

Ayes, 48

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

Noes, 37

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

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

Mr Roberts
Mrs Skinner
Mr Smith
Mr Souris
Mr Stokes
Mr Stoner
Mr J. H. Turner
Mr J. D. Williams
Mr R. C. Williams

Tellers,
Mr George
Mr Maguire

Pair

Mr Gibson

Mr R. W. Turner

Question resolved in the affirmative.

Amendment negatived.

Question—That the motion be agreed to—put.

Division called for and Standing Order 185 applied.

The House divided.

Ayes, 47

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

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

Mr Morris
Mrs Paluzzano
Mr Pearce
Mrs Perry
Mr Rees
Mr Sartor
Mr Shearan
Ms Tebbutt
Mr Terenzini
Mr Tripodi
Mr Watkins
Mr West
Mr Whan
Tellers,
Mr Ashton
Mr Martin

Noes, 38

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

Ms Hodgkinson
Mrs Hopwood
Mr Humphries
Mr Kerr
Mr Merton
Ms Moore
Mr Oakeshott
Mr O'Dea
Mr O'Farrell
Mr Page
Mr Piccoli
Mr Piper
Mr Provest

Mr Richardson
Mr Roberts
Mrs Skinner
Mr Smith
Mr Souris
Mr Stokes
Mr Stoner
Mr J. H. Turner
Mr J. D. Williams
Mr R. C. Williams
Tellers,
Mr George
Mr Maguire

Pair

Mr Gibson

Mr R. W. Turner

Question resolved in the affirmative.**Motion agreed to.****WORKCHOICES FAIRNESS TEST****Matter of Public Importance**

Ms TANYA GADIEL (Parramatta—Parliamentary Secretary) [4.47 p.m.]: We have heard on many occasions of the unfairness that WorkChoices has imposed on workers and the needless red tape and uncertainty it has thrust on employers. As a matter of public importance it is imperative that members are now made aware of the changing perspectives of employers on how severe and unworkable WorkChoices has proven to be and workers' concerns that WorkChoices continues to be unfair despite the introduction of the fairness test. The so-called fairness test has complicated WorkChoices further and increased employers' paperwork, trouble and uncertainty whilst damaging productivity.

As members will be aware, WorkChoices is the Commonwealth's large-scale takeover of the States' and Territories' industrial relations system. In contrast to the fair and balanced New South Wales State award system, WorkChoices lets employers offer substandard working conditions effectively with no safety net protections. The fairness test purports to deliver fairness to WorkChoices employment agreements. It is a test to see how certain conditions are treated in the agreement compared to the award. In practice, however, it does not guarantee that WorkChoices agreements will be of equal value to the award. Instead, it allows for non-monetary benefits to be taken into account in exchange for valuable entitlements that pay the rent, like penalty rates and overtime.

The Iemma Government has always said that WorkChoices is unfair. There is rising employer and employee consensus that this is true. To try to pull the wool over our eyes even more, a year after WorkChoices commenced, John Howard re-branded two government agencies and charged them to administer and assess compliance with the new fairness test. But Mr Howard's fairness test has failed in two areas. [*Quorum called for.*]

[*The bells having been rung and a quorum having formed, business resumed.*]

The member for Terrigal can run but he cannot hide! We are coming after him. Mr Howard's fairness test has two key failings: it does not secure fairness and it is not much of a test. The Prime Minister says that when penalty rates and a few certain other conditions have been traded away workers must be compensated. But fair compensation can be little more than an employer providing vague, non-monetary benefits at the expense of available entitlements such as weekend penalty rates and overtime. The agency conducting the fairness test, the Workplace Authority, has a manual on how to assess agreements as fair. The manual says that if an agreement does not provide fair monetary compensation, assessors can take into account non-monetary benefits to establish compliance with the fairness test.

However, non-monetary benefits like car parking or a child-care place do not pay the rent, and they may carry significant tax implications for families that could potentially reduce the social benefits to which they are entitled, like family tax benefit or low-income offsets. Working families have little certainty as to how much money they will earn when trying to manage tight budgets if non-monetary factors can be taken into account; nor can workers or their employers be certain of the cash value these benefits will be assigned under the test. Additionally, there are no safeguards to protect workers from being ripped off. An employer could undeservedly profit from offering a non-wage benefit by signing a premium for goods and services in lieu of wages or by imposing an administration fee for the service.

The unpredictability of the test leaves workers unable to evaluate whether the agreement offered to them is either fair or will enable them to meet their financial commitments. The test also takes a long time to assess agreements, leaving businesses and employers in a state of flux over wages and conditions. The latest figures released just last week should set alarm bells ringing as they show that the majority of agreements assessed by the Workplace Authority over the past three months have failed the fairness test. Of almost 146,000

assessments, so far 38,000 assessments—just over a quarter—have been completed. Only 12,832 of those assessed have passed the fairness test—less than one-third. This is a worrying sign indeed.

Mr John Williams: A pretty good share.

Ms TANYA GADIEL: The member for Murray-Darling said that was a good result! I am sorry, but the stranger in the House said this is a good result. It shows what a sham this system is. These extreme workplace laws put in place by John Howard and Peter Costello, which are subject to a phoney fairness test, undermine the wages and conditions of working families. What are those opposite doing to stand up for the interests of hardworking families in New South Wales? Nothing. Absolutely nothing!

Mr John Williams: Let us see the complaints. Who are they? Tell us who they are. Show us the people who are affected.

Ms TANYA GADIEL: We heard what the member for Murray-Darling said: merely getting one-third to pass the fairness test was good. That is why you lot are facing annihilation at the Federal election. Bring it on! You have no plans. By contrast, Kevin Rudd will scrap these unfair WorkChoices laws and Australian workplace agreements and restore balance and fairness in the workplace. This unfair system is proving a sham for employees and employers alike. The Workplace Authority encourages employers to provide their proposed agreements for pre-lodgement review—supposedly to fast-track the official assessment process.

ACTING-SPEAKER (Ms Diane Beamer): Order! I call the member for Murray-Darling to order.

Ms TANYA GADIEL: It is alright; he will have to do better than that! Employers say that even the pre-lodgement process is too slow and in the end, after waiting six to eight weeks, the Workplace Authority will not always give them an answer because it has been unable to determine whether an agreement would pass the test on the available information. The unions say the process just cannot be relied on—as the Lowbenthal Abattoir in South Australia recently found out.

[*Interruption*]

If the member for Lismore chooses to be quiet for a while, he might find out something. Trying to do the right thing by its workers, the abattoir sent its proposed employee collective agreements to the Workplace Authority. It was advised that the proposed agreement provided fair compensation for the removal or modification of protected conditions, but the Australian Council of Trade Unions calculates that the agreement reduces the take-home pay of 300 meat workers by up to \$88 per week. Even Blind Freddy can see that that is not fair, even if those opposite cannot. Many employers are finding WorkChoices and its fairness test just too time consuming and too difficult to comply with, even though their peak employer representatives have a dedicated case management service available exclusively to them.

The latest research by the Australian Human Resources Institute revealed that human resources practitioners say that WorkChoices has made it more complex to do business and manage workers. In fact, 55 per cent said that it had increased their organisation's need for legal advice. Even worse, 20 per cent have said WorkChoices was the reason morale had declined in their workplace. Some employers are abandoning the very agreements and workplaces WorkChoices promoted—the take-it-or-leave-it, non-union agreements that undercut the award. [*Time expired.*]

Mr CHRIS HARTCHER (Terrigal) [4.57 p.m.]: It is always interesting to hear the Labor Party quoting its selective use of statistics, but it never tells us about the level of industrial disputation, which is now the lowest for over 35 years.

Mr Allan Shearan: Because they are too scared to use it.

Mr CHRIS HARTCHER: Because, as the member for Londonderry just said, they are much too scared to say so. The Labor Party never tells us about the level of unemployment in this country, which, at 3 per cent, is now the lowest since the very unhappy memory of Gough Whitlam. The current unemployment level is one of the lowest in the Organisation for Economic Co-operation and Development. The Howard Government has achieved in Australia extraordinary—

Ms Tanya Gadiel: Point of order: Standing Order 129 refers to relevance. We are talking about WorkChoices and the fairness test for workplace agreements. If the member for Terrigal wants to talk about the

statistics, he should get back to the 38,000 assessments that have been conducted—which represents almost a quarter—that have not passed the fairness test. They are the kind of statistics the member for Terrigal should be rattling about.

ACTING-SPEAKER (Ms Diane Beamer): Order! The member for Terrigal was talking about WorkChoices. I will allow him to continue.

Mr CHRIS HARTCHER: The wisdom of Solomon exists in our Acting-Speaker! As a result of the Federal Government's workplace relations legislation, industrial disputation and unemployment have been at their lowest levels almost since the Second World War. Under workplace legislation, real wages have risen faster than the Consumer Price Index. At every level—wages, industrial disputation and employment—the people of Australia, the working families of Australia, are better off under the Howard Government. The figures speak for themselves, but those figures were not quoted by the member for Parramatta, who unfortunately does not even have the correct nomenclature in the title of this matter of public importance. The legislation is no longer WorkChoices. The "WorkChoices" has been dropped for some time and it is now "Workplace Relations". Members should allow me to read the title of the legislation to the House. It is the Workplace Relations Amendment (A Stronger Safety Net) Bill 2007. If there is one side of politics that looks after the workers, it is—

Mr John Williams: The Coalition!

Mr Jonathan O'Dea: The Coalition!

Mr Thomas George: The Coalition!

ACTING-SPEAKER (Ms Diane Beamer): Order! The member for Terrigal will direct his remarks through the Chair.

Mr CHRIS HARTCHER: I get carried away. The Australian workforce continues to become more productive and receives better wages, and continues to have a lower level of industrial disputation and a lower level of unemployment. So where is the problem? The problem lies in the trade union leadership, of which the member for Parramatta of course is a strong supporter. The trade union leadership is frightened that the continuation of workplace relations will mean that there will not be an ongoing role for trade union leadership. That is what they are frightened of.

The trade union leadership is talking about jobs, yes—trade union bosses' jobs. The issue that is at stake in the workplace relations legislation is the future role of trade unions in this country. Workplace relations legislation has decentralised the decision-making process in the workforce away from centralised wage fixing, collective agreements and the arbitration court toward the factory floor where employers and employees sit down, discuss, and make decisions themselves. They do not need, and will not need, trade union involvement. A certain group is scared, and that is the trade union leaders. Trade union leaders are fighting for their jobs and for their futures so they are throwing every cent of their members' funds, every second of their organisers' time, and all the energy they possess into trying to bring down the Howard Government.

Even if, heaven forbid, the Howard Government were to fall, Mr Rudd has made it clear that there will be no turning back. A Rudd Labor Government, by its own announcements, does not intend to rewind the whole system of workplace relations. Kevin Rudd has introduced and promoted a whole range of proposals for unfair dismissal legislation, transitional arrangements and individual contracts. All that spells business as usual. This debate is a simple con trick to persuade trade union leaders to keep the money and support flowing, and to use their assets for political purposes, not for the industrial purposes for which they are paid. In return Kevin Rudd will do something for trade union leaders after 24 November 2007. Workplace relations will not change, because the Australian economy depends upon a flexible, well-paid workforce, and that is what we have under the Federal Government's legislation.

To make doubly sure that the legislation is fair to all parties, the Federal Government introduced the stronger safety net legislation, which came into force on 7 May 2007. As the member for Parramatta correctly stated, that legislation requires any workplace relationship agreement, which is an agreement between an employer and employee who receives less than \$75,000 a year, must pass a fairness test that is administered by an independent umpire, the Workplace Authority. The agreements must be vetted. They do not become valid unless they are checked out by that independent umpire and found to be fair to all concerned. The level of attention being given to these agreements is shown by the figures cited by the member for Parramatta. They

show that the Workplace Authority knocks back agreements relentlessly unless they are fair to the employee. The employees are benefiting.

Only one group in the community benefits less from workplace relationships legislation than members of the Australian Labor Party, and that is the trade union bosses who stand behind them. To be a worker in this country means being looked after by a government that is giving workers the best chance of employment, the best chance of good wages, and the best chance of good industrial conditions, all supervised by an independent umpire. No wonder trade union membership is falling. Less than 15 per cent of the private employment market is engaged in trade union membership, or fewer than one in six.

Mr Frank Sartor: Why are you so anti-workers?

Mr CHRIS HARTCHER: I always enjoy debating the Minister for Planning. He asks why the Coalition is so anti-worker, but under his mayoral regime in the Council of the City of Sydney the workforce was reduced. The former Lord Mayor of Sydney reduced the workforce. People lost their jobs when he was lord mayor. They were restructured out of their employment. Under the Howard Government, jobs and employment have increased. More people get jobs under Liberal than under Labor. Under Labor, people lose their jobs. What was the secret plan revealed only last Monday week in the *Daily Telegraph*? It is draft legislation by the Treasurer, Michael Costa, to slash the workforce. The legislation, the restructuring bill 2007, has not yet been introduced into Parliament but it will slash the workforce by 20 per cent, not 20,000.

Mr Geoff Corrigan: Point of order: I ask you to confine the speaker to the leave of the matter before the House. Quite clearly, he has spoken about WorkChoices—or workplace relations, whatever he wants to call it now—but he is now beginning to speak on matters that are far removed from the subject of the debate. I ask you to draw him back to the leave of the matter before the House.

ACTING-SPEAKER (Ms Diane Beamer): Order! I am sure the member for Terrigal will return to the matter before the House.

Mr CHRIS HARTCHER: I could not agree more with your ruling. The New South Wales Government effectively has lost its power over employment as a result of the High Court's decision and Federal legislation, but it knows that it will not get that power back under Kevin Rudd, who has made it quite clear that he will not restore industrial relations powers to the States. The Federal Government will take the powers and keep them. A Rudd Federal Government will not wind back the Howard Government's industrial legislation—something that Kevin Rudd has made clear. The days of the trade union bosses are over. Labor members can fly their pathetic kite if they like, but in the end they will go down with it.

Mr ALLAN SHEARAN (Londonderry) [5.07 p.m.]: The Howard Government's so-called fairness test is so riddled with loopholes and so limited in the protections it purports to provide that working families cannot be confident they are getting a fair go from the Government, or a fair day's pay when they do a fair day's work. The Federal Government introduced a fairness test for workplace agreements on 7 May 2007. The test does nothing to protect workers' rightful entitlements or to ensure that, when award conditions are traded or modified, they are exchanged for real and fair compensation. Through the fairness test, the Howard Government is asking Australian working families to trade off penalty rates, overtime and other award entitlements, but for what? For non-monetary compensation!

I do not think a free cinema ticket, a Big Mac or a DVD will pay the rent. What a joke! What matters to Australian working families is their take-home pay—a fair day's work for a fair day's pay—their ability to meet their mortgage commitments, pay their bills and put food on the table. What is most unfair about the so-called fairness test is that, although it was introduced to counter perceptions, as the Prime Minister puts it, that WorkChoices is unfair, it does not apply to all WorkChoices agreements. There are more than 300,000 WorkChoices agreements out there that were made before the fairness test applied. Mr Howard has stipulated that the test will not be retrospective and will not apply to those agreements. He is clearly out of touch with the needs of working families, and those opposite will not stand up to him.

Meanwhile, Kevin Rudd will stand up for the interests of working families, and restore balance and fairness in the workplace. He will scrap the unfair laws and Australian workplace agreements, and also provide special protections for small businesses. The Workplace Authority's own data shows that a large proportion of WorkChoices agreements have had entitlements to penalty rates, shift and overtime loadings, public holidays

and public holiday pay, rest breaks, annual leave loading, allowances, incentives and bonuses stripped away. Two-thirds of agreements cut penalty rates and annual leave loading, more than half cut overtime loadings and shift allowances, and 40 per cent cut rest breaks. As these agreements are not subject to the fairness test, no-one will ever scrutinise them to see what inequities they might contain. The agreements have not been the subject of independent review because the powers of the former independent umpire, the Australian Industrial Relations Commission—an umpire that had an established track record of over 100 years of ensuring workplace justice in this country—have been removed by the Howard Government.

It has been over five months since the Howard Government introduced its so-called fairness test to counter perceptions that WorkChoices is unfair. Yet all it has done is add a further layer of complexity to the red-tape nightmare that WorkChoices has imposed upon employers. In fact the fairness test has resulted in a red-tape roundabout for employers. The Federal Government is wasting millions of taxpayers' dollars on its WorkChoices hard sell yet it has not managed to inform employers of their obligations. A recent Sensis survey of small and medium businesses revealed that a staggering 45 per cent were unaware of the new fairness test.

Because of the fairness test employers are now struggling to keep pace with pre-lodgement processes, lodgement assessments, and requirements to hand out fact sheets or else face hefty fines, and they face the uncertainty that they may not be receiving correct information from a Federal agency. Can employers be blamed for throwing up their hands in utter frustration? It is laughable that the head of the Workplace Authority says that all employers have to do to pass the fairness test is "simply pay employees the right amount". In developing agreements to put to the Workplace Authority for approval employers have no real idea of what they should be paying their workers. The Howard Government's Australian Fair Pay Commission last year ripped pay rates out of awards and failed in its obligation to publish replacement pay scales. Workers do not know what they are entitled to and employers' responsibilities are unclear.

Employers, in an attempt to do the right thing, are lodging agreements for pre-approval but are finding that they are faced with a wait of six to eight weeks to hear back from the Workplace Authority. While we only know anecdotally about the pre-approval process, we know for sure about the official lodgement procedure. The test is an absolute farce. It has been assessed by 260 new contractors, including dozens of back-payers, who have no knowledge of awards or experience with our industrial relations systems. The contractors are required to navigate their way through 42 baffling pages of procedures and labyrinth-like flow charts.

Even people familiar with industrial instruments would be confounded by this red-tape, yet the Howard Government wants us to believe that these contractors will ensure businesses are meeting their obligations. A six-day crash course in industrial relations is not sufficient training when determining fairness in the Australian workplace. The only thing Mr Howard and his workplace relations Minister have done is introduce a sham process that will cost taxpayers \$370 million over the next four years. WorkChoices is not delivering what Mr Howard promised. How much more proof does the Commonwealth need to understand that these laws are a shambles and a burden on businesses, workers and families?

Ms TANYA GADIEL [5.12 p.m.], in reply: I thank the member for Londonderry and the member for Terrigal for their contributions. Many people in this place refer to the member for Terrigal as the Swamp Fox. I would like to see him referred to as the ideological dinosaur. Today his ideology and union and Labor hatred came out. It was just an ideological rant. He said that my statistics were no good but his were fantastic. He talked about how fantastic the Howard Government was for this nation. He asked us to point to the people who had been disadvantaged. On 24 November when the people of Australia are lining up at the polling booths they will be remembering whether they have been disadvantaged.

To return to the substance of the debate, the basic conditions of Australian workers have been undermined by the Coalition Government. In 2007 redundancy benefits should be a community standard, yet they are not protected under WorkChoices or covered in the fairness test. It is entirely possible that a worker under a WorkChoices agreement would not receive one cent in compensation after being made redundant. Likewise with paid maternity leave. Alarming, the Workplace Authority's manual for fairness test assessors says paid maternity leave is only of value to women, and that if an agreement provides for paid maternity leave it can be used to offset protected award conditions, including penalty rates and overtime. Of course, this is outrageous, but it is permitted under the fairness test endorsed by the Howard Government.

It is unthinkable that a woman's lawful employment conditions could be forgone for five years over the life of an agreement based on the fairness test assessor's assumption that she may have, or may wish to have, a child. It is blatant discrimination and it will only widen the gender pay gap. This raises the question of how

fairness is applied in the workplace. There is tension between individual and collective fairness. Given that the fairness test covers so few conditions while so many others have been stripped away, decisions can have a disproportionate impact on some workers. The Howard Government is chasing its tail. On one hand it is allowing employers to legitimately underpay workers whilst waiting for the outcome of the fairness test and on the other it is exposing them to potentially crippling backpay liabilities, fines and legal actions. A fair, transparent and equitable industrial relations system is what New South Wales families and businesses deserve. The only way to achieve this is to vote John Howard and his Coalition out of Government in Parramatta—

Mr Thomas George: You don't mean that.

Ms TANYA GADIEL: I so mean that. The member for Lismore may not get phone calls about the impact of WorkChoices but my office is inundated. The offices of Labor members are inundated. People do not approach Coalition members because they know they will not represent them. What is the point of ringing a member of The Nationals or the Liberal Party and talking about WorkChoices? People know that Coalition members sold them out.

Discussion concluded.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PRIVATE MEMBERS' STATEMENTS

CENTRAL COAST ROADS EXPENDITURE

Mr GRANT McBRIDE (The Entrance) [5.19 p.m.]: I take this opportunity to inform the House of the strong commitment of the Iemma Government to road infrastructure spending to meet the needs of the growing population in my electorate of The Entrance and also the whole of the Central Coast. My colleagues and I—my colleague Mr David Harris, member for Wyong, is in the Chamber at the moment—have been working hard to get more money for the coast arterial road network. It has been my number one priority. I am pleased that Premier Morris Iemma and the Minister for Roads have signalled through their actions and words that the Central Coast is a priority for the Government. As I travel around the Central Coast I have noticed that upgrades are under way on all arterial roads. The level of work being done on the Central Coast arterial roads is unprecedented during my 15 years as the member for The Entrance.

In the 2006-07 State budget the Central Coast received a massive 69 per cent increase in capital road expenditure, bringing the estimated road spending on the Central Coast to \$73 million. This commitment was further enhanced with an increase to \$79.5 million in the 2007-08 budget. This increased commitment to funding means that key projects throughout the Central Coast arterial road network will significantly improve road safety and traffic flow. Over the next four years we will see the biggest road building program the Central Coast has ever seen in terms of local arterial roads. The Pacific Highway at Ourimbah is being widened, improving access to the F3 freeway and safety around Ourimbah Public School, with further work to take place over the next 12 months.

The Central Coast Highway is being upgraded to four lanes from Ocean View Drive to Tumby Road, Wamberal, and between Terrigal Drive and Carlton Road at Erina. The Government has committed \$140 million over four years to this project. On the Pacific Highway between Tuggerah and Wyong—part of it is in the seat of Wyong—known locally as Tuggerah straight, work is being undertaken on upgrading the road to four lanes. Stage one involves duplication of the roadway between Anzac Road and Mildon Road, including widening the existing bridge over the Mardi Creek channel. The Government has invested \$22 million on the project to date, with stage two to follow the completion of stage one.

Other works include major upgrades to Avoca Drive between the Central Coast Highway and Sun Valley Road, plus major intersection improvements in and around Gosford. The work on Avoca Drive was preceded by improvements to the Central Coast Highway and Avoca Drive. I congratulate the Premier and the

Minister for Roads, Eric Roozendaal, on listening to the needs of residents of the Central Coast and committing the Government to investing in improvements to our arterial road system. A small but strategically important road project was the re-signing of more than 13 different roads—that is, 13 separate names—that make up the route known as the Central Coast Highway. The Central Coast Highway starts at Kariong and travels through Gosford, across the Brian McGowan Bridge—the bridge is dedicated to Brian McGowan, a former member for Gosford—and towards the coast. It then runs parallel to the coastline to Budgewoi via Wamberal, Bateau Bay, Long Jetty, The Entrance, Norah Head and Noraville, and it then heads inland to Doyalson, where it meets the Pacific Highway.

This strategic bit of work is a great initiative from the point of view of tourists moving around the Central Coast. One can imagine the confusion when this section of road previously had more than 13 different names. Giving directions was a major issue. I acknowledge the unqualified support and endorsement by the member for Terrigal of the Lemma Government's roads program for the Central Coast. It is great to see this bipartisan approach from members opposite. I refer to the September edition of the newsletter of the member for Terrigal *in touch*. In an article on page 4 under the heading "Roads funding for Terrigal" the member recognised the Government's commitment. He said:

These road upgrades are vital for the residents of the Central Coast, they are all arterial roads linking residential areas with the commercial areas of Erina and Gosford and then through to the F3 so residents can easily access Sydney and Newcastle.

... with the upgrades we can expect to see improved safety, better travel times, improved traffic flow, and accessibility which will match the level of development of the Central Coast.

I thank the member for Terrigal for his kind words, his spirit of bipartisanship, and his endorsement of the Lemma Government's hard work and ongoing commitment to improving the arterial road network for all Central Coast members.

BINGE DRINKING

Mr MALCOLM KERR (Cronulla) [5.24 p.m.]: I will address a situation in which people are taking a different route to that outlined by the member for The Entrance; it is a road to destruction that I do not endorse. I am talking about underage drinking and binge drinking. In the early hours of last Sunday morning I was in Cronulla mall with Brett Stevens, who is an expert on crime and gangs, and Reverend George Capsis. We were there to observe what goes on in the early hours. We were pleased to see a strong police presence in the early hours of Sunday morning, and that is to be commended. Nevertheless, as the evening and early morning temperatures increase it becomes more attractive for people to get out, which leads to excessive drinking and antisocial behaviour.

I hope that the Government has seriously considered the Surgeon General's Call to Action to Prevent and Reduce Underage Drinking 2007, which was issued by the American Department of Health and Human Resources. The *St George and Sutherland Shire Leader* has a copy of the report, which is well worth viewing. I ask the Government what action and strategy it has to deal with the problems of underage drinking and binge drinking. Section 4 of the report, entitled "Taking Action: A Vision for the Future", provides the following principles:

1. *Underage alcohol use is a phenomenon that is directly related to human development.* Because of the nature of adolescence itself, alcohol poses a powerful attraction to adolescents, with unpredictable outcomes that can put any child at risk.
2. *The factors that protect adolescents from alcohol use as well as those that put them at risk change during the course of adolescence.* Internal characteristics, developmental issues, and shifting factors in the adolescent's environment all play a role.
3. *Protecting adolescents from alcohol use requires a comprehensive, developmentally based approach* that is initiated before puberty and continues throughout adolescence with support from families, schools, colleges, communities, the health care system, and government.
4. *The prevention and reduction of underage drinking is the collective responsibility of the Nation ...* families, schools, communities, health care systems, religious institutions, criminal and juvenile justice systems, all levels of government, and society as a whole.

Most of those areas—schools, the health care system and the justice system—fall within the domain of the State Government. I welcome the response of the Minister for Ageing, and Minister for Disability Services to this problem. It is incumbent on her to outline what action the Government is taking. No doubt she is receiving instructions from the member for East Hills in that regard. As a distinguished educator the member for East

Hills has considerable experience with the younger generation and adolescents so I am sure the Minister will receive good instructions in that regard.

The first thing this Government could do is increase the penalties, as people such as Councillor Schreiber and the Local Government Association have been saying for some time. The maximum penalty attached to the consumption of alcohol in alcohol-free zones—which is dealt with under section 442 of the Local Government Act—should be increased from the current maximum penalty of \$22 to \$1,100, which applies to the consumption of alcohol contrary to notices erected, including in Cronulla mall. It is outrageous that the Government has not increased the penalty. It is futile that the police be asked to enforce such a ridiculous penalty.

PENRITH ELECTORATE RUGBY LEAGUE

Mrs KARYN PALUZZANO (Penrith) [5.29 p.m.]: As the member for Penrith it gives me much pleasure to announce to the House that the mighty Penrith Panthers football club was recently crowned club champion for the 2007 National Rugby League season. I am particularly proud to note the achievements of some of the junior teams, which do not get the same sorts of accolades as the National Rugby League team. The club championship is awarded to the club that has the best cumulative performances in the SG Ball, Harold Matthews, Jersey Flegg, Premier League and National Rugby League competitions. The final regular season finishing positions for the five Penrith Panther clubs were: sixteenth in the National Rugby League, second in the Premier League, first in the Jersey Flegg, second in the SG Ball, and second in the Harold Matthews competitions. So Penrith teams made five finals and were the premiers in the Jersey Flegg competition.

I congratulate the players and coaches of the victorious Jersey Flegg team. I note also that both the Harold Matthews and SG Ball teams made it into their respective grand finals but were beaten on the day. The future of Penrith Panthers is bright given the junior talent that is rising through the ranks. I acknowledge also the players who were recognised at the recent Penrith Panthers championship awards presentation. The National Rugby League Player of the Year was Michael Jennings, the Clubman Award went to Frank Puletua, the John Farragher Award for Courage and Determination went to Nathan Smith, the Rookie of the Year was Michael Jennings, the Premier League Players of the Year were jointly Brendan Worth and Craig Trindall, and the Jersey Flegg Players of the Year were also jointly Masado Iosefa and Brendan Hlad. Congratulations to all the players who were recognised on the night.

The Iemma Government is committed to supporting the Penrith Panthers and the Credit Union Australia Stadium. I recently presented a cheque for \$5 million to Penrith City Council that will go towards stage two renovations of the stadium. I was happy to lobby for this funding and was delighted to present the cheque to former Mayor of Penrith Pat Sheehy. I look forward to the future achievements of our rugby league teams. But in so doing I must raise the plight of the Penrith Emus rugby union team. This team has shown great improvement over the past two years but is now facing its biggest challenge off the field: a move by a number of eastern suburbs clubs—namely Randwick, Eastern Suburbs and Sydney University—to exclude them from the Shute Shield.

I am appalled by the elitist attitudes of these clubs, which are threatening to walk out of the New South Wales competition and form their own league. Rugby union is growing in popularity at a junior level in the Penrith electorate. Many schools, both public and private, now have rugby union teams. There has been competition locally for many years with the Blue Mountains rugby union teams but concern is growing about where Penrith Emus will find new players. There is a local competition for juniors in years 7 and 8, and in years 9 and 10. I had the privilege of watching some matches in the years 7 and 8 competition. Team members played quite well even though some had never played rugby union before. Although some had previously played only soccer and rugby league they developed their skills during the games and thoroughly enjoyed themselves. It was a privilege to see the players improving their self-esteem through teamwork.

Removing the Penrith Emus from the major New South Wales competition would be a terrible blow to the availability of sporting options in Western Sydney. It was apparent when the Western Sydney Rams won the minor premiership in the recent Australian Rugby Championship that Western Sydney has a large pool of talented rugby players. New South Wales Rugby is about to make a decision on the future of the Penrith Emus, together with teams from Illawarra and Southern Districts. I support and promote the playing of rugby union in Western Sydney and hope that New South Wales Rugby will reject the elitist attitudes of clubs from the eastern suburbs.

BARWON ELECTORATE OBSTETRIC SERVICES

Mr KEVIN HUMPHRIES (Barwon) [5.34 p.m.]: A Moree team used to play a yearly pre-season game against Penrith but that tradition has fallen by the wayside.

Mr Alan Ashton: You would probably still beat them too.

Mr KEVIN HUMPHRIES: We are not elitist; we were privileged that they came up our way. There was mention in the House today of the state of maternity units and obstetrics in rural New South Wales, particularly in my electorate of Barwon, which covers almost 30 per cent of the State. The Australian Medical Association revealed in a press release that successive Labor governments in New South Wales have downgraded rural hospitals, leaving patients without essential care within a reasonable distance of their homes. That is clearly unacceptable to me and to my constituents, and I am sure to many in the wider community. Almost half of all rural obstetric units in New South Wales have closed in the past 10 years—and 10 have closed in Barwon. The downgrading of rural hospitals has resulted in an exodus of doctors, who were unable to use the skills in which they were trained.

In the past 10 years obstetric units have closed in Coonabarabran, Brewarrina, Cobar, Coolah, Coonamble, Gilgandra, Nyngan, Walgett, Warren and Wee Waa within the electorate of Barwon. The unit at Narrabri is currently under threat. Not more than three weeks ago a pregnant woman presented to this unit, but due to inadequate staffing and a mix-up in the roster she was forced to drive herself to Moree, 100 kilometres away. She delivered safely at the Moree unit, which is the most important thing. Other obstetric and maternity units throughout rural New South Wales are also threatened with closure, including the one at Gunnedah, which borders the electorate of Barwon.

We recognise that there must be a balance between large tertiary referral centres and hospital care in the community, particularly in rural areas such as Barwon. Everyone in New South Wales deserves equitable access to health care as close to home and family as possible. Community hospitals can provide care for chronic and complex conditions, a range of surgical procedures and maternity services. Failing to invest in rural health and to provide leadership in this area is leading not only to inadequate servicing but also to economic decline in some rural communities. The President of the Maternity Coalition, Caroline McCullough, made some interesting comments on this issue recently when she said:

If the Labor Party is serious about overhauling Australia's health system—

especially that in New South Wales and particularly rural New South Wales—

... they need to consider and address the crisis in Australia's maternity system.

She continued:

We are seeing rural services close, skyrocketing caesarean rates, appalling indigenous health outcomes, an unaccountable private hospital sector and overloaded public hospitals. With underspending in the public system and astonishing waste in the private system, these problems impact both on the health of women and their families, and on the pockets of every taxpayer.

There is a push in rural areas to establish a national health and hospitals reform commission and inquiries into this issue. We need leadership from the New South Wales Government. We must put women and families in rural areas first and make a clear commitment to fix our broken birth care system. It is not about declining populations. For example, the population of Ballina on the North Coast is exploding. Dr Sue Page, The Nationals candidate for the Federal seat of Richmond, used to deliver babies in the local area. Ten years ago Byron Bay had six doctors who could deliver babies. Today that number has been halved, largely because of a lack of commitment by the State Government to in-house training for rural general practitioner proceduralists. The Coalition has that matter on its radar and will address it. The State Labor Government needs to take that matter on board.

WADALBA SCHOOLS LEARNING COMMUNITY

Mr DAVID HARRIS (Wyang) [5.39 p.m.]: On 17 August it gave me great pleasure to officially launch the Wadalba Schools Learning Community and to sign the No Dole Charter on behalf of the Minister for Education and Training, John Della Bosca. The development of strong local networks through school collaboration has been an exciting innovation in the Hunter-Central Coast region. These local networks have been coined local management groups, and 26 local management groups cover the 302 schools in the region.

Local management groups were initially developed to assist schools in making more effective use of school and regional resources. A spin-off from the local management groups has been the creation of learning communities of schools.

Learning communities of schools generally aim to develop more innovative and responsive learning environments, to better support teacher professional learning, and to foster stronger partnerships between schools and their families. The first of the learning communities was the Tuggerah Lakes Learning Community. The Wadalba Schools Learning Community is a formal collaboration between Wadalba Community School, a large comprehensive kindergarten to year 12 school, and its four partner primary schools—Warnervale Public School, Woongarra Public School, Tacoma Public School and Tuggerawong Public School. All those schools are located in the north Wyong area of the Central Coast.

The Wadalba Schools Learning Community was an initiative of the five school principals and the concept was built under the vision of vibrant schools promoting learning and success. Since its inception earlier this year the Wadalba Schools Learning Community has already achieved some significant outcomes for students. In particular, teachers in all participating schools have collaborated on a boys education project, a curriculum planning process for literacy, the development of teacher skills in the systematic and explicit teaching of mathematics, and the development of quality assessment tasks for students. It is clear that students from Wadalba Community School, Warnervale Public School, Woongarra Public School, Tacoma Public School and Tuggerawong Public School will continue to benefit greatly from the initiatives that will underpin the Wadalba Schools Learning Community into the future.

The recent announcement at Wadalba comes roughly a year after the creation of the Tuggerah Lakes Learning Community. The Tuggerah Lakes Learning Community involves the three campuses from Tuggerah Lakes Secondary College, based at The Entrance, Berkeley Vale and Tumby Umbi and their partner primary schools located at Bateau Bay, Brook Avenue, The Entrance, Wamberal, Berkeley Vale, Chittaway Bay, which is in my electorate, and Killarney Vale. The schools in the Tuggerah Lakes Learning Community share knowledge, expertise and resources to ensure continuity of learning from preschool all the way through to year 12.

Over the last 12 months, under the banner of "United in Excellence, Equity and Opportunity", the Tuggerah Lakes Learning Community has developed an excellent community profile and significantly added to the learning outcomes of all students, particularly through innovative middle years programs. Both the Wadalba Schools Learning Community and Tuggerah Lakes Learning Community have also used their collaborations to host highly successful values forums. Those forums have enabled students, parents and their teachers to discuss and explore the values that they believe should underpin their school, public education and the world in which they live.

It is clear since the incorporation of local management groups and the subsequent creation of learning communities, that schools in the Hunter-Central Coast are maximising their effectiveness from both a student learning and resource perspective through collaboration and effective partnerships. It is through those partnerships and networks that schools in the Hunter-Central Coast region are positioning public schools as the schools of choice. Congratulations must go to the principals of the schools involved in the Wadalba Learning Community—Nigel Brito of Wadalba Community School, Leonie Clarkson at Woongarra Public School, Jill Carter at Warnervale Public School, Alan Sharpe at Tacoma Public School and Lesley Burch at Tuggerawong Public School—as well as their students, staff and communities for this fantastic initiative.

The second part of the ceremony was the signing by students of the No Dole Charter. The Beacon No Dole Program, which originated in Tasmania in 1995, to combat youth unemployment is now operating in 80 schools across Australia. Schools running the program report significant positive benefits for the school, the community and, most importantly, all students. Students, parents and teachers report that through this program leaving students have developed a greater understanding and confidence about their career decisions following year 10, whether it be further education, training or employment. The conscious and public commitment of students to pursue further education, training or employment, coupled with active support and involvement from local businesses and a focus on individual career planning have proved to be key ingredients in assisting young people to make a positive transition from their school years.

LICENCE LAWS FOR OLDER DRIVERS

Mr ROB STOKES (Pittwater) [5.44 p.m.]: I bring to the attention of this House the discriminatory treatment in New South Wales of older drivers. I wrote to the Minister for Roads about this issue in April this

year to point out the concerns that many Pittwater residents had in relation to the current licensing regime. The Government responded with a proposal to change the licensing requirements for older drivers in this State, which has drawn a massive reaction from my community of Pittwater. Last week I held a public meeting at Mona Vale Community Centre that was attended by more than 400 people, both old and young, who gave me a very clear message of how they felt about the Government's plans.

Quite simply, the Pittwater community is sick of older people being treated like second-class citizens. The situation in which older drivers must sit for a driving test simply on the basis of their age is discrimination, pure and simple. The fact that older drivers have a lower crash risk per kilometre than young drivers is clearly not considered at all. A series of votes was conducted amongst the approximately 400 people who attended the meeting. The results were extremely clear-cut. By almost unanimous votes, the meeting rejected both the existing system and the proposed changes. In particular, those who attended the meeting were mystified and angered by one of the Government's proposed changes, that is, that older people will not have to take the mandatory driving test if they agree to drive no more than 10 kilometres from their homes.

This proposal is bizarre and raises some big questions. Surely it is unsafe for drivers to constantly watch their trip counter to see how far they have driven. What happens to the insurance of older drivers who stray just outside their 10-kilometre leash? Will they be left without insurance if a younger driver smashes into their vehicle? Where is the evidence that older persons are less likely to be involved in an accident within 10 kilometres of their homes than further afield? Surely if it is safe for an older driver to travel 10 kilometres, why is it not safe to drive 15 or 20 kilometres? And what happens if an older driver takes the test, but fails? Can he or she still drive within a 10-kilometre radius like those who elect not to take the test?

A 10-kilometre restriction in Pittwater would be next to useless. Anyone living in the northern part of my electorate treats the idea of a 10-kilometre restriction with the derision it deserves. Such a restriction barely allows people from Palm Beach or Avalon to drive to their nearest hospital at Mona Vale. It will not get them anywhere near the proposed new hospital at Frenchs Forest—and no, there is no direct public transport from Pittwater to the new hospital site. The proposed 10-kilometre restriction would leave many older people stranded. Older drivers have told me that mandatory licence testing is often conducted in an arbitrary and capricious manner. One constituent explained that she was failed when the instructor deliberately left his seatbelt undone, and immediately ended the test the moment she started the vehicle. That was nothing more than a mean trick, and there are dozens of stories to match it.

I turn now to discrimination. The current policy and its proposed changes discriminate against older drivers purely on the basis of their age, which results in real injustice for older people. Indeed, it seems questionable whether the current policy is *intra vires*. The Anti-Discrimination Act 1977 states that the arrangements for the licensing of older drivers may be exempt from anti-discrimination laws if they are "imposed in order to meet safety considerations that are reasonable in the circumstances". Therefore, the Government must demonstrate that what is being proposed is reasonable and that it is not based merely on ideology, but on hard evidence.

Put simply, this age-based discrimination cannot be justified without hard evidence, and yet hard evidence seems to be a resource in very short supply in this matter. Pittwater is an outlying area of Sydney characterised by difficult topography and limited public transport. How can people age with dignity and independence in their own homes when they face the very real risk, every year, of having their driving licences snatched away? These proposed changes are not acceptable to the older drivers in my electorate, who simply cannot understand why they are being treated so unfairly when their only crime is to have celebrated too many birthdays.

PADSTOW PANTHERS JUNIOR RUGBY LEAGUE FOOTBALL CLUB AND ALEX JALLOH

Mr ALAN ASHTON (East Hills) [5.49 p.m.]: Tonight I bring to the attention of the House a serious matter: the denial of natural justice to the Padstow Panthers Junior Rugby League Football Club and its star 11-year-old player, Alex Jalloh, by the Canterbury-Bankstown District Junior Rugby League. On 1 September 2007 Alex scored six tries and won the Player of the Match Award when the Padstow team defeated St John's, Lakemba, 32 to 22 in the under-12 grand final at Belmore Oval. According to reports in the *Canterbury Bankstown Express* and the *Sun-Herald* newspapers, at the conclusion of the game an official from the St John's club, who had also called Alex a black nigger, slapped Alex in the face. The Padstow Panthers club lodged a complaint but the Canterbury-Bankstown District Junior Rugby League dismissed it because of a lack of evidence.

On the evening that the charge was heard young Alex could not be present to give evidence as he was playing soccer for a New South Wales school representative side. He was unable to be contacted, even by mobile phone, which is not surprising for an 11-year-old boy who came to Australia as a refugee from his war-torn homeland of Sierra Leone, where his father was killed in the civil war. The Padstow Panthers club appealed against the decision to take no action whatsoever against the St John's official. The Canterbury-Bankstown District Junior Rugby League appeals committee also rejected the appeal on the ludicrous ground that the Padstow Panthers club could provide no fresh evidence. However, the club had new evidence. Alex Jalloh was available to give evidence and I am told that other witnesses were there, including another young player who saw the whole incident but who could not attend the first hearing because he was on a camp.

After these allegations and appeals were unceremoniously dismissed, the Canterbury-Bankstown District Junior Rugby League charged the Padstow Panthers club with a code of conduct violation relating to the publication of the alleged incident in the *Canterbury Bankstown Express* on 11 September 2007. For this offence the club has been fined \$2,000 and, in all likelihood, will not be invited to participate in the Canterbury-Bankstown Junior Rugby League in 2008. I find it unbelievable that the Canterbury-Bankstown District Junior Rugby League can choose to sweep under the carpet the most serious allegations that go to the heart of the New South Wales Child Protection Act and resort to the age-old tactic of shooting the messenger for bringing these allegations to light.

Given that the *Sun-Herald* edition of Sunday 16 September chose to run an editorial on the original allegations, I am surprised that the Canterbury-Bankstown District Junior Rugby League did not find the editor of the newspaper guilty for also bringing it into disrepute. The editorial, which was headed "League must tackle racism for Alex's sake", tackled the Canterbury-Bankstown District Junior Rugby League for threatening the club with disciplinary action because it had the hide to go public with its anger. The newspaper editorial stated:

The League is wrong and must step in to investigate whether a terrible wrong has been done to Alex. What he says happened to him is a criminal offence and should be investigated by police.

I am the proud patron of both the Padstow Panthers Junior League Club and the East Hills Bulldogs Junior Rugby League Club in my electorate. The East Hills club is the oldest club in the junior league and Padstow Panthers is the newest. It is most unfortunate that the Canterbury-Bankstown District Junior Rugby League has decided to ignore serious allegations of racism and assault. The Canterbury-Bankstown District Junior Rugby League, which was formed in 1921, has produced exemplary players and officials who have represented the senior club and New South Wales, Queensland and Australian sides.

These events have got out of hand because people have chosen to cover up or, at best, not carry out any investigation into allegations brought by the Panthers club. Earlier this year an official from St John's, Lakemba, was suspended for five weeks after swearing at Alex and threatening him. I am also advised that local parents witnessed the St John's players celebrate their victory over the East Hills Bulldogs in the under-13 grand final on the far side of Belmore Oval. I am advised that at least one player bared his backside to the crowd, while other players made inappropriate gestures to rival players, parents, children and officials. Something appears to be very wrong in the handling of these allegations by the junior league.

The young player who made the original complaints is 11 years old. Local and national newspapers contacted officials of the Padstow Panthers club and they answered questions honestly. These officials are volunteers, like those at all junior leagues clubs, and should not be punished for trying to protect young Alex. The club and the player have been denied natural justice. I was advised today that Malcolm Noad, Chief Executive Officer of the Bulldogs, said that the senior club would not act because the incident had been before the junior leagues appeal committee, and that is that. I call on Malcolm Noad to reopen this case. If he cannot or will not do it, the New South Wales Rugby League should carry out its own investigation.

At the moment a battling club has been dealt a terrible blow for daring to try to protect its young players from racial and physical abuse. This matter, which has been aired in the newspapers, has been the subject of community comment. The club tried to go through the appropriate processes. Perhaps it should have gone straight to the police, who would have been forced to investigate the allegations. I am sure that would have embarrassed the Canterbury-Bankstown District Junior Rugby League even more.

FORSTER-TUNCURRY POLICING

Mr JOHN TURNER (Myall Lakes) [5.54 p.m.]: Tonight I again refer to police numbers and to the lack of a 24-hour police station in the Forster-Tuncurry area. I have spoken about this issue on a number of

occasions, asked a number of questions and done a number of things, but all to no avail. Since the Minister's recent visit to the Forster-Tuncurry area a number of incidents have occurred. I thank the Minister for taking the time to visit the area but, unfortunately, nothing has occurred as a result of his visit. I refer to an article in the *Great Lakes Advocate* of 3 September 2007 headed "Party over: woman attacked." A woman had the temerity to ask some people to turn down the radio and she was attacked. A couple of days ago I received a letter from a committee in the Anglican Church in Forster-Tuncurry that states:

As you may be aware, two elderly female parishioners were attacked in St Albans church porch after choir practice and had their bags stolen by two male offenders. This occurred on 15th August. One lady fell during the struggle and had to have stitches in her hand. We understand that there have been several similar incidents of bag snatching in Forster/Tuncurry recently.

I would describe the incidents in that area as more than several. Because of these incidents Forster Bowling Club employs its own security guards to escort female clientele to their cars. After the Minister visited the area I wrote to him to confirm that I wanted him to take the matter further with the Commissioner of Police and employ extra police officers to man the station. He wrote back to me and said, among other things, that he would do that, but he has not honoured his undertaking. The Minister also said in the letter that there was a perception of crime in the area. I inform him that there is no perception of crime; crimes are being committed in the area.

About three or four days after the Minister visited the area three elderly ladies in the Tuncurry area, which is close to my electorate office, were terrified when they awoke in the early hours of the morning and found male intruders in their houses. I do not have time to refer to all the incidents that have occurred but I assure the Minister that there is no perception of crime in that area; crimes are being committed. Forster-Tuncurry police station is not manned 24-hours a day because there are not enough police. The Minister, who will not stand up to the Commissioner of Police, says that it is up to the commissioner to provide more police.

The Minister informed low-lives and criminals in my area that they can terrorise people between 4.00 a.m. and 8.00 a.m. every day as the police station is not open during that period. The Minister said, "There is no problem in this area; there is only the perception of crime. Feel free to go out between the hours of 4.00 a.m. and 8.00 a.m. and rob people because there are no police." The police in Taree are not able to handle any incidents that occur in Forster-Tuncurry as the Taree police station is located 37 kilometres away and only two police officers are on duty. Police officers at Taree could be 60 kilometres north or south of Taree police station attending to other matters, so there is no way that they can attend to any incidents that occur in Forster-Tuncurry.

The Minister is aiding and abetting criminals in my community by informing them that the best time to commit crime is between 4.00 a.m. and 8.00 a.m. Most of the criminal acts tend to occur between 4.00 a.m. and 6.00 a.m. and there have been many terrifying incidents in the area. Not so long ago a lady who was going to work was confronted by a mob of Aboriginal youths on the street, terrorised and badly injured. Thankfully the police van was being returned to the police station, and officers intervened and prevented the incident from becoming a lot worse. The Minister must honour his undertaking, see the Commissioner of Police and, if necessary, instruct him to provide more police in the area.

The Minister must inform the commissioner that there is a problem in this area. I repeat: There is not a perception of crime in the area; crimes are being committed. Ladies are being terrorised in their homes and it is not safe for them to walk on the streets. The Minister must ensure that additional police are employed and that they are on duty in Forster-Tuncurry 24 hours a day, seven days a week. The Minister is saying to low-lives and criminals, "You have free range in Forster-Tuncurry." Residents in the area have had enough. These criminals must be stopped. I refer to articles in other newspapers headed, "Two bags snatched", "Last ditch effort", "Lock it up or lose it", and "Thieves target Palms". This is simply not good enough for the people of Forster-Tuncurry and it is simply not good enough for me. If the Minister does not do something about this issue he will encounter real problems. The police have indicated that they will take industrial action and the people of Forster-Tuncurry have had enough.

MACQUARIE FIELDS TAFE AND SOUTH WESTERN SYDNEY INSTITUTE OF TAFE

Dr ANDREW McDONALD (Macquarie Fields) [5.59 p.m.]: I bring to the notice of House the achievements of our local TAFE system, in particular the I Am Me Program at Macquarie Fields TAFE and the 2007 Student Achievement Awards for the South Western Institute of TAFE. Earlier this year I attended the I Am Me presentation at Macquarie Fields TAFE, which was a fundraising event for the Make-A-Wish

Foundation. The presentation was organised as part of a course targeted at disadvantaged women, with the aim of empowering them with self-esteem. The course identifies their transferable skills, helps them develop job-seeking skills and helps with further education.

The outreach course was implemented as part of the Premier's Department's Strategic Plan 2005-2006 that was developed in consultation with community, government and non-government organisations as a result of the civil unrest in 2005. The object was to engage women living in Macquarie Fields and provide training to enhance their opportunities for employment. Part of this process involved the students in decision making in relation to a project that they would plan, implement and review.

Michelle Morrison was the course organiser, and the students decided to organise a fundraising event for the Make-A-Wish Foundation, including linking up with a local fashion retailer to provide a fashion parade. A total of \$916 was raised during the two-hour event. I had a wonderful time and was really impressed by the effort of the staff and students, all in support of one of my favourite causes. The Soul Sisters from year 8 at Campbelltown Performing Arts High School sang brilliantly. Another student, Lisa Blackley, gave a courageous and inspiring speech, in which she described her son's brave fight for life from ultimately fatal liver disease. Her words will live with me forever. Courses such as I Am Me are very important to the social fabric of our area. The staff at Macquarie Fields TAFE are committed and do a wonderful job for our community. We look forward to future expansion of the college. I commend both the I Am Me Program and Macquarie Fields TAFE to the House.

In July I was fortunate to attend the 2007 South Western Sydney Institute Student Achievement Awards held at the Liverpool Catholic Club in my electorate. The South Western Sydney Institute, the largest TAFE institute in Australia, comprises nine colleges, and has 550 courses for 75,000 enrolled students. New South Wales is extremely fortunate to have Barry Peddle, the director of the South Western Sydney Institute, who is a committed, passionate educator. The TAFE system provides the first, second and third chance for education for our people and the South Western Sydney Institute has many innovative programs, such as the I Am Me Program, and others that are conducted 100 per cent of the time in the workplace. The Minister for Education and Training, the Hon. John Della Bosca, was present and he said, "TAFE gets things done". Achievements such as those of the students present on the night do not come easily. TAFE New South Wales is the largest workforce training provider in Australia and the current annual State budget is \$1.7 billion.

The State Plan for 2005-2016 aims to increase the number of people in education from 11.7 per cent to 16 per cent and to allow more flexible training. The goal is that the number of 18-year-olds in year 12 or in recognised training will increase from 82.7 per cent to 90 per cent. The Iemma Government's 25 trade schools will be a major step forward in trade training for our people. The institute director's medal was given to Cheralyn Darcey, who was selected from all the finalists. Eamon Brown from Granville College Students Association spoke on how life would be dull without the input of the student association, and he paid tribute to the dedicated teachers at TAFE and the way TAFE makes a difference to the way our students live.

The night was organised by Beverley Dimitrovski and was an enormous success. Sponsors included Optus, the South Western Sydney Institute student associations, Advance Metal Products, Fuji Xerox, Liverpool City Council, Volvo Commercial Vehicles, Hunt's Comfort Inn, Liverpool Catholic Club, TAFE and Community Credit Union, Thiess, Bankstown City Council, and Telstra. We are extremely fortunate in south-western Sydney to have such committed TAFE teachers and students. They do a great job and deserve the praise of the House.

LICENCE LAWS FOR OLDER DRIVERS

Mr MIKE BAIRD (Manly) [6.04 p.m.]: Tonight I speak about the same subject as the member for Pittwater: the concerns of the many senior citizens on the northern beaches about the proposed changes to driving regulations that the Roads and Traffic Authority has put on its website. I point out at the outset that to undertake community consultation with the senior citizens in our society through a website demonstrates no understanding of those members of the community or the way to communicate with them. Many senior citizens do not have access to the Internet and did not know about the proposed changes until the matter was raised in the various communities.

The first response to the proposed changes was very clear. Three hundred and twenty-six constituents from all age groups—the 60s, 70s, 80s and even some 90s—attended a forum at which there was unanimous opposition to the proposed changes. Almost 500 people in my electorate have signed a petition against the

proposals and many have written to me to object. The evidence suggests that this is clearly a form of discrimination. For some reason the Roads and Traffic Authority, the Minister for Roads and the Premier have taken the view that they no longer want to extend respect to our senior citizens: they want to take away their freedom.

There are many problems with the proposal and I will go through some of them. Statistics on the website of the Roads and Traffic Authority show that almost six times more crashes are caused by drivers aged 25 and younger than by drivers aged 70 and older. The statistics also show that 30 per cent of crashes caused by drivers in their 80s occurred outside the driver's local government area. That means that the majority of such crashes occurred close to the driver's home. The facts do not add up. Most of the accidents occurred closer to home, but there were fewer of them—in fact, the lowest level of almost any demographic. It is flawed logic. The 10-kilometre restriction is ill-conceived. A driver either is or is not a safe driver. What is missing is a real respect for those members of the community who day in and day out have safe driving records but who, more importantly, are volunteers and form a critical part of our community. No regard is being paid to the social isolation involved. The NRMA is very clear in its statement:

There is no evidence in Australia or abroad to suggest that these restrictions will make any difference to road safety standards, particularly since they are not the age group causing the majority of problems on our roads.

The statistics demonstrate that. The Minister for Roads has argued that this proposal is an opportunity to address the issue of an ageing population. This proposal will further compound the problem of social isolation amongst our senior citizens. I quote Ian Turbott from Fairlight, who said:

My wife died 7 years ago. I live alone. My 2 daughters and my grandchildren live 1½ hrs drive away. I drive each weekend to stay with either of them – that is my life: my family. To prevent me doing this would take my life away. There are no buses, trains etc.

Such social consequences are being ignored and they are being compounded by this impost proposed by the Roads and Traffic Authority and the Government. Age should not be the deciding factor in determining a person's ability to drive safely. There was a clear theme at a number of the forums we held and in correspondence, that is, the concept of self-regulation. For example, 77-year-old Richard Sansom from North Balgowlah said:

In my experience the vast majority of older drivers are far more responsible than younger drivers and when the time comes for them to give up driving, for whatever reason, they are aware of this and voluntarily relinquish their licence.

Self-regulation has never been more evident than it is with senior citizens in relation to driving. The impact of a 10-kilometre restriction in my area will be appalling, just as it will be in Pittwater. Anyone living on Eastern Hill who wants to drive to the new northern beaches hospital, which we await with open arms—and I look forward to cutting the ribbon with the Minister for Health—would not be able to do so under the proposed restriction because it is 10.2 kilometres from Eastern Hill to the new hospital. A 10-kilometre restriction makes no sense whatsoever. The Roads and Traffic Authority should start again and, rather than discriminate against drivers on the basis of age, embrace the senior citizens of our community. It is time we returned some dignity to them, and reviewing these licence proposals would be a start.

GLEN INNES OPPORTUNITY SHOP

Mr RICHARD TORBAY (Northern Tablelands—Speaker) [6.09 p.m.]: Often we hear in this House about the tremendous contribution volunteers make to our community. Most country communities depend heavily on the work of these people who willingly give their time and energy to support local services and organisations. It has been a long tradition for country people to give something back to the community and it never occurs to many of the volunteers I meet that what they do is anything more than the right thing. Recently I called in to meet the volunteers who run the Glen Innes Opportunity Shop, which recently donated \$61,700 from its annual profits to groups benefiting the local community. It is one of the few independently run community shops of its kind.

Its patron is 88-year-old Mrs Delsie Stumbles, who has been working for the op shop since she was 22 years of age. She is the last remaining member of the original committee, and after 66 years of service still works a four-hour shift on Monday afternoons, travelling over two kilometres to the shop on her electric scooter. Until recently she always walked. She has never owned a telephone and never driven a car. She still grows most of her own vegetables and makes the sponge cakes and scones that she originally contributed to the shop in 1941. The venture was then known as the Pat Shop, short for the Patriotic Shop, which had changed its name

from the Wartime Tearooms and Comfort Fund originating during the First World War. From 1941 Mrs Stumbles and other volunteers made cakes and sold second-hand clothing to raise money for the Australian Comforts Fund to provide warm clothing and food parcels for the soldiers, sailors and air force personnel engaged in the war. The volunteers also spent time knitting socks and making camouflage nets to help with the war effort.

At the end of the war the group changed its name to the Opportunity Shop and continued its work to contribute to the Food for Britain campaign. It began donating also to local groups including the Apex Children's Library, the Far West Children's Association and the Flying Doctor Service. In those days boy scouts collected donated clothing from around the town and district to be sorted and sold at the shop. The Opportunity Shop has changed venues around six times and once lost its entire stock in a fire on Sunday 5 March 1961. True to the spirit of these volunteers, they found new premises and were up and operating again eight days later. The shop now occupies its largest ever premises and is increasing profits each year.

The current president, Mrs Denise Pryor, told me that the op shop holds a special place in the hearts and minds of the people of Glen Innes, who appreciate that all the money raised is returned to the community. The largest donations this year were \$5,000 to Glen Industries to support its work with disabled employees, \$6,000 for the Hunter New England Health Service to purchase a pulse oximeter in the maternity ward and \$5,000 for a University of New England Nursing Scholarship for a local student. Donations were made to schools, the Westpac Rescue Helicopter Service, the local pipe band, the RSPCA, emergency services, the local art gallery, the toy library and a mental health support group—in all 35 groups shared the funding support.

The 40 volunteers, many in their seventies and eighties, keep the Opportunity Shop operating 5½ days a week. Mostly they sell clothing, jewellery, books, shoes and electrical goods, and their clientele includes all socioeconomic groups. These days the op shop has a bit of a cachet with shoppers looking for vintage clothing and brand items. Another change in our throwaway society is that many items donated are almost new. When a pair of shoes at the op shop costs \$2, a jacket \$5, a shirt \$2.50 and a woollen jumper \$3, it gives some idea of the number of sales it takes to raise more than \$60,000 a year. It is a highly profitable, well-managed organisation and the volunteers who run it are true professionals: they keep the costs down and the profits high—and the labour force is free. They are positive and cheerful. Over a cup of tea they told me how much they enjoy the work and each other's company. These volunteers are an example to us all and demonstrate most successfully, in our money-obsessed times, that some of the best things in life are still free.

Ms KRISTINA KENEALLY (Heffron—Minister for Ageing, and Minister for Disability Services) [6.14 p.m.]: I thank the member for Northern Tablelands for bringing this matter before the House and acknowledge also the volunteers who work in the Glen Innes Opportunity Shop. As someone who used to work for the St Vincent de Paul Society I have a great understanding of the role that those shops play not only in the community but also in supporting charitable organisations with the funds they raise. I am impressed with the member's detailed knowledge of the prices at the op shop: I believe that demonstrates his level of commitment and understanding of his local community and of his involvement within it. Of course, volunteering and increasing the number of volunteers in New South Wales is an integral part of the State Plan. The State Plan recognises the role volunteers play in making our State a great place to live. It is a pleasure to have such a positive story brought before the members of this House.

CHARLES STURT UNIVERSITY INDIGENOUS EMPLOYEES

Mrs DAWN FARDELL (Dubbo) [6.16 p.m.]: I bring to the attention of the House the ongoing work of Charles Sturt University [CSU], particularly the efforts of the Dubbo campus, to engage and encourage more indigenous students into university education. Last Tuesday, 9 October, I was honoured to attend the university's inaugural staff conference dinner for approximately 30 attendees. Indigenous staff members were joined by members of the local community, including elders Mrs Pat Doolan, Nita Scott, Russell Ryan and Uncle John Hill, who gave the welcome to country. Also present were Gary Shipp, an outstanding educator and the director of the newly created Centre for Indigenous Studies and head of the Dubbo campus; Professor Ian Goulter, Vice Chancellor of Charles Sturt University; and Lyn Riley-Mundine, Academic Coordinator at the Koori Centre, University of Sydney.

This was the first time the conference was held in Dubbo. Mr Shipp is to be applauded for his philosophy and drive to keep indigenous youths in high school and to do all that is necessary to encourage them to move on to university. I applaud the work of Lyn Riley-Mundine, who has the noble aim of increasing participation rates of indigenous students in postgraduate and undergraduate courses, and to develop teaching of

Aboriginal studies. Charles Sturt University's involvement with indigenous education is extensive, through support units in Dubbo, Wagga Wagga, Albury and Bathurst. This work has expanded also into finding ways to recruit and retain indigenous students.

Mr Shipp pointed out that the conference objectives were twofold: firstly, to introduce the indigenous staff to each other and, secondly, to discuss the future objectives of the Charles Sturt University indigenous education strategy—in particular, the impact of the strategy on assisting the university to be further recognised as a national university of inland Australia. The strategy was developed in 2007 after the appointment of Gary as the inaugural director of the newly established Centre for Indigenous Studies at Dubbo campus. His appointment enabled him and his staff to prepare an indigenous education strategy for the university. The centre had a major role in the review of curriculum design and delivery of courses available at the university. This entails aligning the strategy with recent developments in higher education and, in particular, with Commonwealth and State indigenous education policies.

Initiatives from the university's strategy include specialist workshops in cross-cultural training within all divisions and schools, consultancy support to all supervisors of indigenous staff, obtaining funding through the structured training and employment program of the Department of Employment and Workplace Relations to recruit 10 indigenous trainees in 2007, indigenous staff network meetings held at the Wagga Wagga and Bathurst campuses for all indigenous staff, indigenous staff conferences held annually with the 2008 conference to be held at the Albury campus, and Pathways to Work, which includes opportunities for work experience, mentoring, cadetships and traineeships.

I refer to Heather Bell, Manager of Campus Services for Charles Sturt University. She has a clear view of the future through the identification, development and delivery of teaching programs and research across professional and academic programs within the university. She is taking a lead role in the development of collaborative engagement between indigenous communities, university faculties, research centres and schools. Heather represents the university in matters relating to indigenous education. She is developing research and consultancy links and projects with local communities, institutions, services and agencies, with national and international scholarly communities in the field.

The results speak for themselves. For example, Melinda Fox, a young mum who was acknowledged as the first Aboriginal graduate of Charles Sturt University Dubbo campus, received her Bachelor of Education qualification earlier this year at a ceremony I was proud to attend. The educational and social values created by such facilities as those offered by Charles Sturt University add a much-needed layer to communities throughout the Dubbo electorate. Charles Sturt University now is moving out providing outreach education in Parkes and the surrounding areas. Whether those opportunities are through distance education or on campus, the university is well placed to take on far larger numbers of indigenous students wishing to fulfil a university education. In Mr Shipp's letter to me he said:

The University has a real commitment to both Indigenous education and employment within its footprint. Our future aspirations are that this commitment will have a positive impact on reconciliation within NSW and in particular the constituents of the Dubbo Electorate.

Private members' statements noted.

[Acting-Speaker (Mr Wayne Merton) left the chair at 6.20 p.m. The House resumed at 7.30 p.m.]

TRADE MEASUREMENT LEGISLATION AMENDMENT BILL 2007

Agreement in Principle

Debate resumed from 25 September 2007.

Mr ANDREW CONSTANCE (Bega) [7.30 p.m.]: Our system of trade measurement regulation ensures that suppliers and traders can operate with certainty as to what measurements are valid and be assured that the actual measuring instruments are accredited, tested and accurate. Our system of trade measurement means that consumers are protected from rip-offs arising from inaccurate measurement and they can be assured they are getting what they pay for. Trade measurement governs the sale of a wide range of goods, including packaged products, flow meters such as petrol pumps, shop scales, measuring instruments in industry and agriculture, and liquor. Some services are also covered, such as those in the transport industry, through regulation of weighbridges.

The legislation is currently administered and enforced by Office of Fair Trading inspectors, who arrange testing of goods on sale as well as the accuracy of measuring instruments to protect consumers from receiving less than the advertised amount. Measurement across Australia is based on the metric system. There are some minor cultural differences between States, such as the annoying Melburnian habit of referring to a "middy" as a "pot". Although a stubby is a 375-millilitre bottle of beer everywhere else in Australia, the Northern Territory has an additional unit of measurement whereby a "Darwin stubby" is two litres!

Putting aside semantics, the Liberal Party and The Nationals are long-time advocates for a coherent, national approach to consumer regulation, and this bill is consistent with that approach. The bill amends the two New South Wales Acts governing trade measurement—the Trade Measurement Act 1989 and the Trade Measurement Administration Act 1989. The first part seeks to bring New South Wales into line with other States on a number of technical and licensing issues, including sale of firewood where measurement is by volume, licensing arrangements for weighbridges, amendments to some definitions in the Act and clarification of the offence of misleading another person using a measuring instrument.

These changes are made in the name of harmonisation, which is an approach taken by State consumer affairs Ministers to try to coordinate regulation and minimise differences that confound industry and consumers alike. In this case the changes before the House have been agreed on by the council of consumer affairs Ministers and are drawn from model legislation introduced in Queensland. The aims of harmonisation are wonderful to reflect upon, but the reality is that as a process it is tortuously slow, and progress is glacial. Take for example a provision proposed in this bill that will clarify how firewood volume is measured. It introduces a test to determine what two cubic metres of firewood actually means so that suppliers have guidance and disputes can be resolved. If one believes that the sale of firewood should be regulated in an Act of Parliament—and I am not entirely convinced it should—the changes in this bill are simple commonsense.

It is therefore astonishing to realise that the amendment before the House was first proposed to all the States in 2000. In other words, the State-based collaborative system has in this case had a gestation period of no less than seven years to clarify measurement of firewood. The idea of harmonisation is to cut through red tape but, thanks to the great paradox of federalism, the effect is the opposite. In fact the State-based collaborative process accumulates red tape rather than reduces it. We have reached the point at which the system verges on paralysis. If it takes seven years to legislate to clarify one aspect of measuring firewood, I ask members to think of what happens to issues that are actually complex or contentious.

The usual suspect for slowing things down is partisan politics. However, with Australia enduring wall to wall Labor States, there is no hiding behind superficial blame shifting. It is clear the system of harmonisation is itself the problem. State Labor Governments defend it because it allows them to cling to scraps of power that are meaningless to the States in the greater scheme of things but are the stuff of nightmares for business working across State boundaries. Thanks to harmonisation the actual outcomes are very few and the credibility of federalism is suffering as a result.

In relation to trade measurement, the need for uniformity is so simple and obvious, and the States' performance has been so abysmal, that it has attracted the attention of business, the Productivity Commission and, of course, the Federal Government, which has been driving reforms in the interests of Australia's economic prosperity. After many years of laborious, incremental effort by the States, the Council of Australian Governments decided on 10 February 2006 to elevate trade measurement to the top of its agenda. It was listed as one of six so-called "regulatory hot spots" to be reformed. At its 13 April 2007 meeting the Council of Australian Governments considered the issue again and according to its communiqué resolved to form "a national system of trade measurement funded and administered by the Commonwealth at an estimated cost of around \$29 million over four years".

The second goal of the legislation before the House today is to give effect to this Council of Australian Governments decision by putting in place transitional arrangements enabling a national system to commence on 1 July 2010. The Liberal Party and The Nationals support these reforms, which have been made possible only by the generous offer of the Commonwealth Government to fully fund regulation of trade measurement from 2010. We note there will be a proportionate saving to the New South Wales budget of around \$10 million over that period. I hope and expect that Minister Burney has penned a very nice thank you letter to the Prime Minister to acknowledge his Government for making this reform possible and ensuring that the New South Wales Government is \$10 million richer as a result of signing on to this agreement.

However, these substantial savings to the State of New South Wales pale in comparison with significant improvements the reforms bring to business and consumers who have laboured under seven different

measurement systems for too long. The single regulator approach for trade measurement makes sense for manufacturers, importers, retailers and anyone seeking to do business in Australia.

The current system means one cannot be sure what the law is unless one has first checked with seven State and Territory governments because, as this bill shows, there are differences and the process of getting uniformity is torturous and inexact. It makes sense for consumers because laws that businesses are capable of complying with are always in the interests of consumers and give certainty and protection against rip-offs. The Opposition welcomes commonsense at last coming to trade measurement. It must be pointed out that everything I have said about the benefits of a single regulator applies equally to Australia's system of product safety: seven different State and Territory governments are beavering away in their own worlds deciding product safety standards that are different for each jurisdiction and are a nightmare for business.

The shadow Minister for Fair Trading, the Hon. Catherine Cusack, has highlighted many of the consequences of a dysfunctional all-States-having-a-go approach. It created loopholes that prevented a proper ban on lead-painted toys that could expose our youngest children to horrendous risk. Monkey bikes, which are miniaturised motorcycles, that fail to meet acceptable standards were banned two years ago in Victoria and more than a year ago in Queensland, South Australia and Tasmania, but are still legal in New South Wales. Why? The reason there are so many flaws in our product safety system is that States such as New South Wales want to cling on to their bits of power even though it is at the expense of protecting our children.

It is indefensible, but the Minister has spent the better part of two months defending the indefensible and playing politics in the lead-up to the Federal election. Again, this is typical of Labor and it is the reason nobody can respect it. As Christmas approaches the Minister will be preparing her annual killer toy press releases. She will claim that the State Government is vigilant on the issue of child safety. Members should not believe a word of it. If the Government cared about child safety it would repair the holes and prevent the accidents before they occur by endorsing a single system of regulation.

The legislation before the House is welcome, but the principles that underpin the need for a single regulator of trade measurement are identical to those of product safety. The Government's position on these issues could not be more contradictory. On behalf of the State Opposition I welcome progress towards a rational, national, single regulator system of trade measurement. I congratulate the Howard Government on its persistence—it must have taken the patience of a saint to bring all these Labor State governments to the table. It is no surprise that the deal with the States for a single regulator was not able to be done on principle but instead was achieved with money. The Opposition nevertheless thanks the Federal Government for showing the fortitude and finding the resources to make this happen. The Opposition supports the bill.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [7.39 p.m.]: I am pleased to support the Trade Measurement Legislation Amendment Bill 2007. The bill seeks to make a number of amendments to the Trade Measurement Act 1989 and the Trade Measurement Administration Act 1989 that will improve the administration of the Acts by clarifying their intent or covering identified deficiencies. Most of the amendments are of a technical or minor nature. Trade measurement is an essential part of ensuring that the correct measure of goods is supplied in commercial transactions. The use of accurate measuring instruments for trade purposes means that consumers do not receive less than they have paid for and traders do not supply more than the consumer has ordered.

The amendments in the bill were identified by the Trade Measurement Advisory Committee as part of its ongoing function of reviewing the uniform trade measurement legislation. The committee was established by the Ministerial Council on Consumer Affairs to carry out the review and other functions connected with the uniform legislation. The New South Wales trade measurement legislation is part of uniform legislation that arose from an agreement entered into by most State and Territory governments, including the New South Wales Government, and the Commonwealth in 1990.

Under that agreement the relevant ministerial council considers and approves amendments to the model uniform legislation. The lead jurisdiction for the uniform legislation, Queensland, prepared a draft bill incorporating the amendments that were identified by the Trade Measurement Advisory Committee. That draft bill was approved by the ministerial council and was subsequently passed by the Queensland Parliament as the Consumer Credit and Trade Measurement Amendment Act 2006. It is understood that the other participating jurisdictions are in the process of amending their trade measurement legislation in line with the Queensland model amendment Act.

This action is also in keeping with the agreement reached by the Council of Australian Governments at the April 2007 meeting concerning the national trade measurement system. Under that agreement there will be a

three-year transition period up to 1 July 2010 for the transfer of responsibility for the administration of trade measurement from the State and Territory jurisdictions to the Commonwealth. That agreement also provided for the State and Territory jurisdictions to maintain the necessary resources devoted to the administration of trade measurement during the transition period, including the maintenance of the uniform legislation.

I turn now to the purpose of the New South Wales Trade Measurement Act, which is to provide for the correct approval, use and inspection of measuring instruments for trade purposes, requirements for the packaging and labelling of prepackaged articles, and a licensing system for businesses that certify measuring instruments or operate public weighbridges. The Trade Measurement Administration Act provides for administrative arrangements, such as licence and certification fees and charges that will help support the ongoing operation of trade measurement in New South Wales. Amendments in the bill apply mostly to the Trade Measurement Act and can be divided into three groups: amendments concerning the licensing of public weighbridges and servicing and certification businesses, amendments that mainly deal with improving consumer protection, and amendments to the definitions in the Act and other technical or minor amendments to improve the administration of the Act.

I will now focus on the provision in the bill relating to the sale of firewood by volume, as there was an initial misunderstanding among some suppliers about what they were required to do under the amendments. I also make clear that these firewood amendments do not affect the other common ways in which firewood is supplied to consumers, by weight or by the load. The impetus for the firewood amendments was to help with the resolution of disputes over the volume of firewood supplied between consumers and the suppliers of firewood. Currently there is no definition in the Act for firewood, and no procedure for determining the volume of firewood supplied. The amendments rectify this legislative deficiency.

A firewood supplier is required to ensure that the stated volume of firewood for each sale, for example, two cubic metres on the consumer's receipt, is at least equal to the volume worked out by using the dimensions of a stack of firewood that has been made with as few gaps as possible. This amendment does not require the supplier to neatly stack every delivery of firewood. Instead it encourages suppliers to develop or use a rule of thumb to ensure that the correct volume is supplied to every consumer. The consultation issues paper for this amendment, which was prepared by the Trade Measurement Advisory Committee and made available to stakeholders, referred to an industry rule of thumb. Under that rule "thrown" firewood is approximately three-quarters of the volume of firewood that has been stacked.

The lead jurisdiction that analysed the consultation comments advised that once the operation of the proposed firewood amendments was explained to stakeholders most firewood suppliers supported them. Long-term suppliers could see the benefit of having an objective method of measuring the volume of firewood included in the Act as it would provide a level playing field both for those suppliers and for the fly-by-night suppliers. Consequently, the amendments will protect the interests of honest traders and consumers. As this and the other amendments in the bill will improve the administration of the trade measurement Acts, which will benefit both consumers and traders, I commend the bill to the House.

Mr JONATHAN O'DEA (Davidson) [7.43 p.m.]: The purpose of the Trade Measurement Legislation Amendment Bill 2007 is to amend the Trade Measurement Act 1989 and the Trade Measurement Administration Act 1989 in line with amendments approved by the Ministerial Council on Consumer Affairs for the uniform trade measurement legislation. Trade measurement standards enable businesses in various industry sectors to compete on an equitable basis. The standards facilitate fairness in commerce and instil confidence in consumers that they will receive the quantity of product for which they have paid.

The bill improves this situation further with an appropriate balance between public interest and business considerations. For example, regarding firewood, the bill improves the ability of merchants to fairly compete, and consumers to confidently purchase a stated amount of firewood. While many people may not be terribly interested in firewood, people in the bush certainly are. I am mindful of the semirural areas in Belrose and Oxford Falls in my electorate of Davidson as well as rural areas represented by my Coalition colleagues.

As recognised in the Queensland Parliament some 18 months ago when the model legislation was debated, consumers paying for loosely dumped firewood can receive up to 25 per cent less wood from their suppliers than they should. This can be due to the trader failing to exact the cubic metre measurement because of the wood not having been properly stacked. Previously consumers who had paid for a full cubic metre of firewood may have received only three-quarters of a cubic metre, despite having paid the full price to an unscrupulous supplier who effectively charged for air space between the loose wood.

I compliment the New South Wales Government along with other State and Territory governments for addressing such matters and for their cooperation in harmonising laws on weights and measures. I also commend the Commonwealth Government, which will take sole responsibility for administration of a national trade measurement system from 1 July 2010. This bill makes good headway in the field of weights and measures: I applaud it as a demonstration of intergovernmental cooperation. However, one has to ask, generally: Why is such progress so slow? Another topical area with frustratingly slow progress is the law covering product safety. State governments have rejected a 2006 Productivity Commission report recommending the establishment of a single regulator. Rather than go into detail on this area now or focus on the many other specific areas for potential collaboration I will address the philosophy surrounding intergovernmental cooperation.

Intergovernmental cooperation is often stymied by politics rather than commonsense. Sadly, opposing forces do not want to be seen to be in agreement, as we have noticed in recent debates on health, disabilities, education and infrastructure. It is the ideological barrier that makes bills such as the Trade Measurement Legislation Amendment Bill 2007 noteworthy rather than commonplace. I would like to think that differences that divide us politically on such matters are secondary to a common pursuit of the common public good. More needs to be done and more quickly. In many government regulatory areas there are up to nine different and competing sets of laws that cause unnecessary duplication and inefficiency. Money saved through sensible cooperation could be used to improve front-line services such as health, education and transport for the New South Wales public.

It is time we looked at the benefits of cooperation in a true spirit of working for the good of those we are elected to serve. Better cooperation between governments, especially on business regulation, will help both the efficiency of the business sector and more generally the economy in what is an increasingly competitive economic environment. The Business Council of Australia and the New South Wales Business Chamber have recently recorded their frustration at the slow progress in this regard. You do not need senior business management skills and experience to see that cooperation is an obvious way to improve the performance of government.

While governments are not businesses as such, they should be run on sound economic lines. The benefits cooperation brings should compel both sides of politics to investigate ways to reduce duplication and improve Federal-State and interstate relations. Again I commend the New South Wales Government for introducing this amendment bill but ask why it has taken so long and why we do not see more sensible bills involving intergovernmental cooperation before the New South Wales Parliament.

Mr KERRY HICKEY (Cessnock) [7.50 p.m.]: I speak in support of the Trade Measurement Legislation Amendment Bill 2007. Trade measurement is crucial to ensuring the correct quantity or quality of goods supplied in business transactions in a fair and efficient way. This helps to create greater commercial certainty for consumers and traders and contributes to confidence in the operation of the marketplace. To help put trade measurement in context within the Australian economy, I note that the 2006 report of the review of the national trade measurement system prepared for the Ministerial Council on Consumer Affairs indicated the annual value of goods sold by measurement is typically about 50 per cent of gross domestic product in developed countries. Based on that estimate, the review stated that the trade measurement system in Australia might be underpinning transactions worth about \$400 billion per year.

Against that background, this bill aims to amend the Trade Measurement Act 1989 and the Trade Measurement Administration Act 1989 so that the administration of the Acts will be improved by clarifying their intent or adding some provisions to cover identified deficiencies. Most of the amendments are of a technical or minor nature. The Trade Measurement Advisory Committee, the national body of trade measurement officials, as part of its ongoing function of reviewing the uniform trade measurement legislation, has identified the amendments that appear in this bill. The New South Wales trade measurement legislation is part of the uniform legislation administered by the participating jurisdictions. Most State and Territory governments, including the New South Wales Government and the Commonwealth, signed an agreement to establish the legislation and its supporting framework. Under that agreement the relevant ministerial council considers and approves amendments to the model uniform legislation.

A draft amendment bill was prepared by the lead jurisdiction for the uniform legislation containing the amendments that were identified by the Trade Measurement Advisory Committee and the Parliamentary Counsel's committee. That draft bill was approved by the ministerial council and was subsequently passed by Queensland Parliament as the Consumer Credit and Trade Measurement Amendment Act 2006. New South

Wales and other participating jurisdictions are in the process of amending their trade measurement legislation in line with the Queensland model amendment Act. This action is also in keeping with the agreement reached by the Council of Australian Governments at the April 2007 meeting concerning the national trade measurement system.

Under that agreement State and Territory jurisdictions are to maintain the necessary resources devoted to the administration of trade measurement, including the maintenance of the uniform legislation, during the transition period to full Commonwealth responsibility for the national trade measurement system on 1 July 2010. Most of the amendments in the bill fit into the following three groups: amendments concerning the licensing of public weighbridges and servicing and certification businesses; amendments that mainly deal with improving consumer protection; and amendments to the definitions in the Act and other technical or minor amendments to improve the administration of the Act.

As a number of amendments in the bill affect the licensing arrangements for public weighbridges I thought it would assist members if I were to briefly review some of those amendments and provide some additional background. The bill provides for licensing the individual public weighbridge rather than the owner of the weighbridge to make sure that each weighbridge meets the requirements under the legislation. It is anticipated this proposal will have only a small impact on the owners of public weighbridges as there are about 90 public weighbridge licensees in New South Wales and eight or so have more than one public weighbridge. As licensing fees are already charged on a "per weighbridge/place of business" basis, current licensees will not have to pay additional fees under this proposed amendment.

The bill also provides for the introduction of a weighbridge suitability statement. Currently the Office of Fair Trading provides public weighbridge licence applicants with the requirements that must be met for a public weighbridge licence to be issued or renewed. The requirements cover such matters as weighbridge location, visibility, approaches, platforms and pits. They are designed so that the weighbridge is operated safely to produce accurate measurements for consumers and traders. These requirements also need to be met by the public weighbridge licensee before the Office of Fair Trading can issue a separate certificate of suitability for a particular weighbridge. It is intended that the weighbridge suitability statement provided for in the bill will replace the presently used certificate of suitability.

By providing for the weighbridge suitability statement to be attached to or to form part of the public weighbridge licence the process of licence issue and renewals will be more streamlined. Paperwork will be reduced with only the one document being issued. As it is a requirement for the suitability statement to be displayed at the public weighbridge, this will assist users to readily determine that a particular weighbridge is suitable to be used as a public weighbridge. Stakeholders were consulted about the amendments in the bill affecting public weighbridges and it is understood that the majority of stakeholders supported those amendments. Since the amendments will improve the administration of the trade measurement legislation for the benefit of traders and consumers, I am pleased to support the bill.

Mr MICHAEL DALEY (Maroubra—Parliamentary Secretary) [7.56 p.m.], in reply: I will comment on a couple of remarks made by the member for Davidson and the member for Bega. It is ironic that the Coalition is attempting to wrap the debate on such a simple bill into the realm of Commonwealth-State relations. We on this side of the House are more than happy to debate Commonwealth-State relations, but let us just examine some of the claims made during this debate. Has there been true Commonwealth-State cooperation in the area of health? No. The Commonwealth Government is more than happy to spend \$50 million of taxpayers' money in marginal seats in Tasmania to assume control of a single hospital but, as we heard today in Question Time, there has been a reduction in real funding from the Commonwealth to the States not only in health but also in other areas for the past 10 years.

We will not even talk about the great GST rip-off, whereby New South Wales taxpayers are ripped off to the tune of \$3 billion each year as our GST funding goes to other States. Similarly, in road funding, it was okay for the Prime Minister to say last week that he would like to fund improvements to the Pacific Highway to the tune of \$2.8 billion at a time when the Federal Government is running up a \$17 billion surplus, but only if the States fund dollar for dollar. This is a simple bill, the purpose of which is to amend the Trade Measurements Act 1989 and the Trade Measurement Administration Act 1989 to adopt the amendments approved by the Ministerial Council on Consumer Affairs for uniform trade measurement legislation. I acknowledge the time it has taken to introduce these amendments. This has occurred partly as a result of the consultation process between jurisdictions. I thank members opposite for their support and I commend the bill to the House.

Question—That this bill be now agreed to in principle—put and resolved in the affirmative.

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

Bill declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

HOUSING AMENDMENT (COMMUNITY HOUSING PROVIDERS) BILL 2007

Agreement in Principle

Debate resumed from 25 September 2007.

Mr CHRIS HARTCHER (Terrigal) [8.00 p.m.]: The New South Wales Coalition does not oppose the amendment to the Housing Act and I would like to thank the Minister and his office for offering me a briefing on the matter. It was very kind of them. I am advised by the New South Wales Federation of Housing Associations that it supports the bill. It stated in an email to me:

- It will recognise community housing as a form of social and affordable housing provision. The current Act really only recognises public housing. This sector is certain to play a growing role in the provision of affordable housing.
- More important, it will allow providers to be registered and their performance regulated. Currently this [is] only done on an administrative, rather than a legislative basis. This is a precondition for a couple of the key measures that we hope to see in the near future. First, increased government investment and transfer of assets to the NGO sector. Without this, they will not have the asset backing needed to leverage the investment needed to increase the supply of low cost housing. Government will need regulatory assurance that public assets and investment are used for their intended purpose. Second, it will give private investors or lenders comfort that risks are being managed and overseen by the regulator. In the UK, this regulatory assurance was estimated to be worth 100 basis points on the cost of funds. Over 30 billion pounds has been lent into the UK sector since.
- Finally, it will bring NSW into line with other jurisdictions that have introduced statutory regulation for community housing.

In New South Wales there are some 36 associations providing community housing for more than 13,000 households. These range from the smallest association, which manages only 30, to the largest, which manages over 2,400. In my electorate of Terrigal the group known as Pacific Link Community Housing administers a range of community housing. My electoral officer, Ray Carter, has been honoured to be on the board of that organisation for some time. The organisation does excellent work in assisting people into affordable housing. Some community housing organisations are very small, but other community housing associations are quite large. The New South Wales Federation of Housing Associations' website states:

There are 3 main types of community housing: housing associations, co-operatives and church owned housing. Housing associations manage the vast majority of community housing tenancies. But the others play a crucial part in making community housing the vital and diverse sector that it is.

1. Housing associations are specific professional not-for-profit housing providers. While they mainly manage rental housing, they may provide other services as well.
2. Co-operative housing is subsidised by government, but is fully managed by the tenants themselves, providing real control and 'ownership' of their housing.
3. Church-based agencies have responded to need in their local communities and bring church resources to the table. In partnership with government they have played an important role in providing local solutions.

There are peak bodies for each of the three mainstream types of community housing. The federation is the peak for housing associations. The websites of the other peaks provides information about their type of community housing and the resources they provide. There is also a fourth type of community housing: Aboriginal housing. I quote from the website of the federation:

There is also a distinct, Indigenous-controlled, housing system. While much of this housing is managed through the NSW Department of Housing, there is also [a] significant number [of] Aboriginal community based housing providers. This sector is administered by the Aboriginal Housing Office.

Accordingly, community housing is here, and is here to stay. The New South Wales Coalition in its 1999 State election policy advanced the cause of community housing quite strongly. It was not taken up by the

Government, which is now eight years behind the Coalition in advocating this legislation. The Coalition advocated the legislation as far back as 1999 and the Coalition advocated far more attention being paid to community housing and far more asset provision for it. The Coalition advocated in 1999 policy that major public housing estates be gradually transformed into greater community housing models. That, of course, is the policy now being adopted belatedly by the State Government in its recent announcement about the Bonnyrigg proposal. The New South Wales Federation of Housing Associations advises me that there is a real and growing need for community housing for low-income groups. The Minister addressed this issue in his agreement in principle speech. The New South Wales Federation of Housing Associations advises:

Judy Yates and Marianne Wulff have undertaken two analyses which show the growing shortfall of rental housing that is affordable to low income households. In the five years to 2001, despite falling numbers of low income households, the loss of low cost housing and the restriction of all new supply to the top end, saw the absolute shortfall of rental housing affordable to such households rise from 50,000 across the country to 59,000. If the same proportion of low cost properties were occupied by households that could afford to pay more as was the case in the previous five years, then the shortfall would rise to 177,000 or 11.3% of rental stock. This is more than the total additions to stock across the market (94,000) over the five year period.

In the NSW market matters are even worse. In 2001 there was a cumulative absolute shortage of 61,000 affordable dwellings in NSW (not taking into account the affordable stock occupied by higher income households). 36,000 of this is in Sydney, where the cumulative undersupply reaches further up the income scale. In effect, even with perfect markets, it would be impossible for 11.5% of renters in Sydney to find housing they could afford. This is 70% of the low income renter households earning less than \$23,200. A sixth of all households renting in Sydney are in this income band. The shortfall of low cost housing in Sydney alone is almost twice the 19,000 properties added in the five years to 2001.

So, on the supply side, NSW needs between 45,000 and 176,000 new affordable rental dwellings. Current investment patterns - public and private - are adding absolutely no such dwellings.

This is an extraordinary figure given the analysis by the New South Wales Federation of Housing Associations. Those figures are set forth in its submission of September 2007 to the Federal Minister for Families, Community Services and Indigenous Affairs, the Hon. Mal Brough. It is entitled the New South Wales Federation of Housing Associations' "Response to a Request for Information by the Australian Government". The Australian Government, through the Hon. Mal Brough, wrote to all States and to all interested organisations, including the State Minister for Housing, asking for information about housing needs and how they could be accommodated in the new Commonwealth-State Housing Agreement to be negotiated between the Commonwealth and the States. The existing Commonwealth-State Housing Agreement is about to expire. The Minister, the Hon. Matt Brown, addressed this issue in passing in his agreement in principle speech. I quote further from the information supplied by the federation:

The Federation has analysed the costs of a range of its members - excluding the costs of capital. The average rental income varies by location and portfolio between \$60 a week and \$109 a week. (This result includes a small proportion of Commonwealth Rent Assistance.) The average rent is \$89 a week. Similarly, average per property operating costs—excluding capital costs—vary by organisational size and location from \$71 to \$123 (average \$92.13). The result is that for most providers, a further subsidy is required.

It goes on to say:

However, part of the CSHA funds for community housing in NSW have been used very efficiently to increase supply. Over the past 25 years, the CSHA funding for community housing has been leveraged to increase the supply of housing through its private rental headleasing program. This program has, in effect, brought 5,642 privately financed dwellings into the social housing system—around \$1.1 billion of housing investment has been leveraged. CSHA funds have been used to subsidise the gap between tenant rent and the market rent charged per property management costs.

While the cost effectiveness of this will decline over time, over the last 25 years a rough calculation suggests that the leverage may be approaching 2:1. The association's analysis shows that community housing costs the taxpayer 90 per cent of the cost of providing public housing; in other words, it is a 10 per cent saving, even though it provides more houses and more services. That is because so much of the work is done on a voluntary basis, so much of the work is not charged for, and so much of the work is done through non-government organisations. Overall, community housing is an efficient and effective way of ensuring that social housing is provided across the community. I am pleased that the Minister is now in the Chamber.

Mr Matt Brown: I am happy to grace you with my presence.

Mr CHRIS HARTCHER: As the Minister says, he has decided to grace the House with his presence. That is very gracious of the Minister. As I said, the Minister referred to the Commonwealth-State Housing Agreement. The Minister recently re-announced the Bonnyrigg redevelopment proposal. Indeed, he spoke about the Bonnyrigg project yesterday in the budget estimates committee hearing. The proposed Bonnyrigg project involves a public-private partnership. The proposal was originally announced by the Minister's predecessor, the

Hon. Carl Scully—a very happy memory—in 2004. At that time the proposed redevelopment was to cost \$500 million and was to be completed in eight years. Under the current Minister, the total cost of the proposed redevelopment has gone from \$500 million to \$733 million and it is estimated to take 14 years. That is the Minister's standard efficiency: from \$500 million to \$733 million; from 8 years to 14 years. The Minister is doing well—even by Labor Party standards. Who else could get a 50 per cent blow-out in cost and about a 40 per cent blow-out in time in just three years? Only the Labor Party, and only this Minister.

The story gets better. The Bonnyrigg project, which will involve community housing, will replace a large number of public housing units with a new public-private partnership. The original proposal was for 90 per cent public housing; in other words, 90 per cent of people would be looked after in public housing. The new proposal is for only 30 per cent public housing. This is called privatisation by stealth! This Minister, in a Labor Government, is presiding over, through a public-private partnership, the redevelopment of a large public housing estate in New South Wales and privatising it. How many extra houses will be created for the community? Zero! With the waiting list for public housing increasing to nine years in certain areas—

Mr Brad Hazzard: Fourteen years!

Mr CHRIS HARTCHER: As the member for Wakehurst reminds me, the waiting list for public housing on the northern beaches is now at 14 years. The story gets better. The Minister told the budget estimates committee hearing yesterday that 136 of the existing housing stock in Bonnyrigg will not even be relocated in the Bonnyrigg area. He is going to have to buy housing stock—he could not say where; he just said, "in the suburbs around Bonnyrigg". The Minister was asked to name the suburbs around Bonnyrigg, but he did not know them! He could not name the suburbs around Bonnyrigg, the area he is redeveloping. He simply said, "There are a number of suburbs."

Mr Matt Brown: They're not determined.

Mr CHRIS HARTCHER: The Minister interjects, "They're not determined." So what do we get? A \$233 million blow-out, an eight-year blow-out, 136 units of housing stock not being provided, the massive privatisation by stealth of what was a Department of Housing area, and the 90 per cent set aside for public housing will now be 30 per cent set aside for public housing. And this is the Labor Party, the party that looks after the workers! This is the party that believes in looking after the community; this is the party that believes in looking after the low-income groups in our community! Yesterday we saw the Minister duck and weave at the budget estimates committee hearing. He cannot duck and weave now. The Minister did not even know the suburbs around Bonnyrigg. He did not even know Labor Party heartland. If it were a question of branches, he would know; he would know where the branches were. But as far as the community is concerned, the Minister is not particularly interested. Let us go on.

Mr Michael Daley: That was so enjoyable. You're captivating the House.

Mr CHRIS HARTCHER: I acknowledge the remark of the member for Maroubra, who said by way of interjection, "You are captivating the House." In all my years in this place, that is probably the finest tribute that has been provided to me. The member's predecessor would not have been so kind. The Minister proudly announced the public-private partnership. Do members know what the Minister said yesterday? He said, "There is only \$368 million of public money in it." The project has blown out to \$733 million, but there is only \$368 million of State money involved. In other words, let the private sector carry it!

This is the Government that gave us, through a public-private partnership, the Cross City Tunnel. What an example of government blunders and administrative inefficiency! This is the Minister who is now going to give us the privatisation of public housing in the Bonnyrigg area. The Labor Party is walking away from its constituency base. Any person who thinks that the public housing waiting lists will be reduced should look at the figures. They should go to the Minister's speech. There are a few asides about Canberra and about the \$300 million the Minister is going to lose, allegedly, under the Commonwealth-State Housing Agreement—which has not even been renegotiated yet, so how does he know what he is going to lose? However, there is nothing in his speech about reducing the waiting lists, nothing about the targets for community housing, nothing about how many community houses will be provided under this legislation and nothing about the Government's aims to build up the housing stock for low-income groups in New South Wales.

Where are the figures? Where are the target figures year by year by which the Minister will reduce the housing waiting lists and by which he will provide low-income groups in the State with affordable housing

through the community housing project? There is not a single figure in his speech and there was not a single figure at the budget estimates committee hearing yesterday. Other than setting up the framework that this legislation provides, the Minister has no target, no ambition and no aim for housing the low-income groups in the State. And this is—dare I repeat it—a Labor Government!

Ms Angela D'Amore: You need to remind us.

Mr CHRIS HARTCHER: I do. The member for Drummoyne said, "You need to remind us of that." I do need to remind you because you, unfortunately, are not looking after the very people whom you regularly pledge you do look after. The Labor Party has cynically abused people's trust. In the one area in which one would expect a Labor Government would be really determined—which is to reduce the waiting list for public housing and address affordability of housing in the State—the Government proposes a framework for community housing and the Minister gives us a massive cost blow-out of \$233 million, a time blow-out of eight years, and a denial of public housing in a project which will go from 90 per cent public housing to 30 per cent public housing through a public-private partnership. That is the framework the Government is delivering to us in 2007.

We do not oppose the legislation because it was our proposal in 1999. The policy is in the Parliamentary Library, if the Minister would care to read it. It would probably help him a lot if he knew what we advocated with regard to community housing in 1999. Eight years later, the Government is now adopting our policy. If there are any other Coalition policies the Government wishes to adopt, it should just give me a ring—I am only a phone call away and only too happy to help. The Government says that all the State's problems are the responsibility of the Commonwealth. We heard it yesterday. The Government blamed interest rates for everything, including the problems with affordable housing. The Government says yes, there is a problem, but it is all Canberra; it is all interest rates. No, it is not. The public housing waiting list continues to grow. On the northern beaches the waiting list is—

Mr Brad Hazzard: Fourteen years!

Mr CHRIS HARTCHER: —14 years! Let the figures speak for themselves.

Ms JODI McKAY (Newcastle) [8.19 p.m.]: I am pleased to speak in support of the Housing Amendment (Community Housing Providers) Bill. The bill recognises the role of community housing as a viable and diverse component of the New South Wales housing sector. I am a strong advocate for the growth of community housing. I have seen first hand in my electorate the great work of a local community housing provider, Compass Housing, formerly known as Newmacq. Compass Housing manages more than 750 properties in the Hunter region. The dedication, commitment and hard work this organisation displays to provide housing for people in need in my local community is outstanding. I look forward to seeing Compass expand as the Iemma Government sets up the legislative framework for it to do so.

This bill provides for a new regulatory framework that focuses on managing risks and facilitating opportunities for community housing providers to grow and expand. My colleague the Minister for Housing, who is in the House tonight, released a target earlier this year to more than double the number of properties being managed by community housing providers over the next 10 years to more than 30,000, as set out in the consultation draft strategy "Planning for The Future: Community Housing". That is an ambitious and achievable target. This bill helps us to achieve this target by providing a strong and robust legal framework through which the Government can better regulate community housing providers.

This growth will be achieved through stock transfer programs and an innovative and unique debt equity scheme whereby the Iemma Government will invest up to 60 per cent of a project and a registered community housing provider will provide the remaining funding through a combination of debt and equity. Providers will also be encouraged to bring private sector and other non-government partners to the table to make up this 40 per cent. Under the first round of debt equity, a total of \$3.4 million was allocated to two projects, one in Nowra and one in Artarmon. These projects are expected to yield 40 dwellings for affordable housing. Had the Government used the \$3.4 million to buy or develop social housing itself, only 12 properties would have been delivered.

This bill will provide confidence to potential investors and partners to facilitate the growth of community housing, and this sector is well placed to expand. Their arms-length from government status provides significant benefits to facilitate growth. Community housing providers are able to attract funding and

capital from sources other than government, such as through borrowings or by entering partnerships with charitable bodies, local government or private development partners. Community housing providers have charitable tax status; this also gives them access to a number of tax exemptions. This means that potentially they could achieve significant savings if they become involved in the construction or development of new social housing and affordable housing projects.

These additional resources, when combined with government funding and assistance, can generate significantly more dwellings than government funding alone. So community housing offers a way to maximise the amount of social and affordable housing available to those experiencing housing stress. In addition, the locally based nature of providers means that they have the ability to respond flexibly to local community needs and opportunities. A well-regulated, high-performing community housing sector is well placed to undertake these types of activities into the future, which means that the sector can easily expand. However, regulation is not just for providers who plan to undertake growth activities.

Strong performance is also important to ensure tenants receive the highest quality service. Strong performance ensures that providers are accountable to the public for the government funding they receive. Strong performance ensures that government-owned properties are well maintained and managed. This bill is another example of the Iemma Government's commitment to providing new infrastructure and improved services to the people of New South Wales. I look forward to continuing my support of community housing providers in the Hunter, like Compass Housing. To that extent, I support the bill.

Mr RAY WILLIAMS (Hawkesbury) [8.24 p.m.]: The Housing Amendment (Community Housing Providers) Bill is designed to encourage potential private sector partnerships to construct affordable housing. It clearly demonstrates the State Labor Government's failure to provide affordable housing for families across New South Wales that are desperately seeking a home. On that point, the best way to minimise the demand on community housing is to provide people with encouragement to purchase their own home. The best way for people to buy their own home is, first, to give them a job; then give them a job with real wages. This week we learnt that the current unemployment figure is at a 33-year low. Labor members can only dream about an unemployment rate of 4.2 per cent. That low figure is providing people with the opportunity to purchase their own home.

One glaring failure of this Government in terms of providing affordable housing is the lack of land being developed across New South Wales. It is the same old story of supply and demand; if you do not have enough blocks of land for sale, the shortage will force prices upwards, and out of the reach of average families. The benefits of the good economic management by the Federal Government in reducing taxation and keeping interest rates at record low levels are far and away overshadowed by the lack of available land supply for housing, which adds hundreds of thousands of dollars to the price of a new home.

I was raising my children and struggling to pay for my first home at a time the interest rate was 17.75 per cent. That is right; when I was paying off my first home the interest rate was 17.75 per cent. A quick calculation shows that that is 10 per cent higher than current interest rates. Indeed, it is more than 10 per cent because at the moment people can get an interest rate of 7.59 per cent. I can well remember when the last Federal Labor Government was in power. It was a troubled, disastrous time; families were sent to the wall, and some could not feed their children as jobs were scarce. But the interest rates were unrelenting; they continued to go up and up, while employment was coming down.

From the time I commenced the process of getting my first housing loan approved, rates jumped from 15 per cent to 17.75 per cent in just over a month. Times were tough. We certainly do not want to see that repeated under another irresponsible Federal Labor Government because Labor struggles with financial responsibility at the best of times. We do not need to look far to see what we could expect if we were to get another Federal Labor Government. We are seeing typical Labor financial irresponsibility in New South Wales with the increased cost of a block of land because of the failure of our current State Labor Government's policies.

This State Government has reaped the rewards of the biggest housing boom in this country's history through record stamp duty taxes and, most importantly, by selling its own land at record high prices through Landcom. Instead of reinvesting this money into land for the future, it has wasted the entire proceeds on failed Cross City Tunnel contracts or \$500,000 refurbishments to the Government offices in Governor Macquarie Tower. It is interesting that the Minister for Climate Change, Environment and Water has graced us with his presence as he occupies one of those offices.

Ms Noreen Hay: Point of order: I raise the issue of relevance. The member for Hawkesbury is talking about planning issues; he is not addressing the substance of the bill before the House. I ask you to bring him back to the substance of the bill.

ACTING-SPEAKER (Mr Matthew Morris): Order! I concur that the Cross City Tunnel is somewhat removed from community housing. I ask the member for Hawkesbury to confine his remarks to the leave of the bill.

Mr RAY WILLIAMS: Point taken. I acknowledge the presence of the member for Wollongong, who had not been sighted in her electorate for just over 3½ months. So it is welcome back to the Chamber.

Ms Noreen Hay: Point of order. I realise that the member opposite is new and inexperienced but to rise in this House—

Mr RAY WILLIAMS: I turn up for work every day.

Ms Noreen Hay: —and suggest that I have not been working in my electorate—

Mr Thomas George: At least he has been here every week.

Ms Noreen Hay: Get behind me, Satan. To suggest in this House, and mislead this Parliament, that I have not been working in my electorate for 3½ months is a blatant misrepresentation of the truth. He should withdraw that statement. I have been working and I do not have to answer to him. I am not going to have it placed on record in this House. That is a clear untruth. My point of order is that the member opposite, whether it be through inexperience or not, has misled this House with that comment. He should withdraw it and apologise. I insist upon that.

ACTING-SPEAKER (Mr Matthew Morris): Order! I have suggested to the member for Hawkesbury that he should be mindful of his comments and should confine them to the leave of the bill. The reference to the member for Wollongong is out of order and I ask the member for Hawkesbury to withdraw it.

Mr RAY WILLIAMS: I am merely repeating what was written in the *Sun Herald* the day before yesterday. The member for Wollongong had not been sighted. She did not think three months was enough time off.

Ms Noreen Hay: Point of order: Instead of withdrawing the statement he has actually exacerbated it by referring to an article he read in the paper which he suggests stated that I was not in my electorate. If he cannot read and comprehend that article that is a problem for him but he should withdraw the statement that I have not been in my electorate for three months.

ACTING-SPEAKER (Mr Matthew Morris): Order! The reference in the media is outside of the control of this Chamber. If any member wishes to raise issues concerning another member's performance that should be done by way of substantive motion, and such a motion is not before the House. I ask the member for Hawkesbury to withdraw his suggestion in relation to the member for Wollongong.

Mr RAY WILLIAMS: I take that on board. I wonder what the families of Western Sydney, or indeed anywhere in Sydney, think about refurbishing these offices at \$500,000 when families cannot even get a home. We are talking about a bill that is going to provide community housing but families right across New South Wales cannot even get a home. Yet we hear about this gross self-indulgence of money, of \$500,000, to refurbish offices. The Labor Party continues to bleat on about its social conscience, but I do not believe it has a conscience. While rental properties increase weekly, biting even further into the family budget, it continues to push away the possibility for people to purchase a home. In my area of Beaumont Hills, a suburb of my Hawkesbury electorate—

Ms Lylea McMahon: Point of order: I wish to draw the Opposition speaker back to the bill.

ACTING-SPEAKER (Mr Matthew Morris): Order! I have ruled on this matter. The member for Hawkesbury is constantly straying from the leave of the bill. For the final time I ask him to restrict his remarks to the leave of the bill. If he does not I may have to take another course of action.

Mr RAY WILLIAMS: While you were being inconvenienced in the chair I was speaking about a suburb in my electorate by the name of Beaumont Hills. It had a certain amount of community housing provided

some 10 years ago as that beautiful suburb was being built. It is ironic that when the housing was provided and the people were moved in they were absolutely incensed that they had a lovely house and a lovely suburb but no public transport. They did not have enough money to purchase a car, their local shopping centre was over five miles away, they could not access the shopping centre, they could not take their children to school and they had to move out of that community housing. This highlights the neglect of the State Government. It is providing areas for people to live in yet it is not providing the infrastructure for them to move around the electorate. If this State Government—

Mr Frank Terenzini: Point of order: I am sure the member for Hawkesbury must think this is all relevant. He has been reminded three or four times now to get back to the bill. Perhaps he can organise a meeting with his friends for later to tell them all this. Again I refer to relevance. The remarks of the member for Hawkesbury should be brought back to the bill.

ACTING-SPEAKER (Mr Matthew Morris): Order! I uphold the point of order and again request the member for Hawkesbury to restrict his remarks to the leave of the bill. The member for Hawkesbury still has plenty of speaking time, and he has still not formally withdrawn his earlier comments in relation to the member for Wollongong.

Mr RAY WILLIAMS: No, because they were comments that were made publicly in the *Sun Herald* and I will not withdraw them. If the State Government is serious about providing affordable housing it needs to get rid of the appalling infrastructure levy of \$150,000 a block, which is crippling the housing industry. One way to minimise the demand for community housing is give people the opportunity to provide their own homes. People in New South Wales are being more highly taxed than those in any other State. It is no wonder that Kevin 07 does not want to be seen here with the Premier. No-one wants to be seen with our Premier but the people of New South Wales unfortunately are stuck with him.

Our Premier has failed in service delivery, whether it is community buildings, health or public transport. The Premier of New South Wales is a great example of what we can expect under Federal Labor government. To prove that point, Kevin Rudd does not want to be seen anywhere near our Premier. Unfortunately, the people of New South Wales are not that lucky. While the residents and developers are leaving this State in droves, the message is clear: If you want an affordable home you need to move to Queensland. That is why thousands of people each week are leaving this State to go there. They are going in their droves to escape the moribund condition of this State and its appalling record of service delivery.

Ms ANGELA D'AMORE (Drummoyne) [8.36 p.m.]: I am pleased to speak in support of the Housing Amendment (Community Housing Providers) Bill because its introduction fulfils a Lemna Government commitment to the Legislative Council's Standing Committee on Social Issues in 2003-04. The standing committee undertook an extensive inquiry into community housing, and a key recommendation of the final report in November 2003 was the introduction of legislation to regulate and recognise community housing, to support the ongoing development of community housing in New South Wales. The Lemna Government strongly supported that recommendation.

There are some outstanding community housing providers managing tenancies in my electorate of Drummoyne such as the Women's Housing Company, which provides long-term housing for single women. In 2004 I saw the outstanding work of the organisation when we launched 15 units at Abbotsford for single women. St George Community Housing is a key provider in support housing for people with high and complex housing needs who require extra assistance and support. Burwood Community Housing provides a range of community housing options, from crisis through to long term. Cumberland Housing Co-op Ltd provides accommodation services, particularly to culturally and linguistically diverse groups.

Churches Community Housing provides housing in partnership with church organisations, with a focus on those needing support services, particularly the homeless, single and sole parent families. The bill will support such organisations undertaking new activities such as housing development and the management of private investment alongside public investment to create more housing opportunities. The statutory recognition and regulation of the community housing sector has been widely advocated by stakeholders to support the growth of the sector. The bill has been developed following extensive consultation with community housing organisations and other key stakeholders. The leveraging of private sector investment and the development of properties will be key components of growth for the sector.

The bill aims to increase business competitiveness for community housing providers by providing investors with assurances that the key risks are being monitored. The new regulatory regime will also help

secure the reputation of community housing providers and offer greater certainty to potential investors of government intentions for community housing. Our consultations with the financial and property industries tell us that a sound regulatory regime will provide confidence in community housing providers and attract potential investors. The confidence that the Government is committed to a healthy, vibrant community housing sector is also likely to create increased lending to the sector at reasonable rates. This has been the experience in the United Kingdom. In the United Kingdom there is a direct relationship between regulation and the cost of borrowing money for affordable housing investment. Regulation has led to lower borrowing rates than those available to not-for-profit organisations.

The bill also provides for staged intervention and appropriate tools for intervention when an organisation does not perform adequately and there is a risk of failure. While this occurrence is rare, the bill provides clarity on the scope for government intervention, which ensures that government assets are managed appropriately and improves certainty for tenants. A regulatory code for registered community housing providers is currently being developed for adoption as a regulation under the Act. The regulatory code will focus on managing risks and facilitating opportunities for community housing providers. The details of the regulatory code will be developed in consultation with key stakeholders. It will be proportionate to the risks involved and sufficiently flexible to support small speciality organisations and larger organisations undertaking development activities.

The bill will provide for the expansion of community housing, meaning that there will be more homes and more support services for people in need in New South Wales. The bill will protect the interests of current and future community housing tenants and users, protect the Government's investment in community housing and improve the capacity of the sector to deliver high-quality community housing on an innovative and sustainable basis. This is part of an overall package working to grow our community housing sector that includes several aspects. I thank the Minister for Housing for his outstanding work. I know that tenants and other residents in my electorate are looking forward to the new affordable housing strategies that the Iemma Government is adopting. These include the \$230 million commitment to growing the community housing sector. Our community housing strategy Planning for the Future aims to grow the community housing sector from 13,000 to 30,000 over the next 10 years. That is a detail that Opposition members seem to forget.

Our Affordable Housing Innovations Fund is a \$50 million investment in innovative ideas to grow the New South Wales community housing sector by partnering with the private sector and non-government organisations through a debt equity model. The Centre for Affordable Housing provides an affordable housing local government kit that assists local councils in developing and delivering affordable housing projects. Councils in my electorate have certainly welcomed the kit. I was pleased when the Minister visited the City of Canada Bay at the start of the year and joined Angelo Tsirekas, the Mayor of the City of Canada Bay, in launching the kit. We are most supportive of that initiative.

I note also that about two weeks ago I attended a Shelter New South Wales forum at which the member for Terrigal was also present, representing the Opposition. He said that the Government was adopting an Opposition policy. However, one of the first questions he was asked at the forum was why the Liberal Party's website did not contain a policy on affordable housing. Many stakeholders at the Shelter New South Wales forum were quite concerned that the Opposition did not seem to have a position on affordable housing. The stakeholders had tried to ascertain the Opposition's position on affordable housing because they were interested in asking the member for Terrigal some questions. Unfortunately, they could not be informed about the Opposition's policy because they could not find it. I think that is quite interesting. I commend the bill to the House. We look forward to having more affordable housing options in our electorates.

Mr MICHAEL RICHARDSON (Castle Hill) [8.44 p.m.]: The Housing Amendment (Community Housing Providers) Bill ostensibly facilitates more public housing being run by public housing organisations. The member for Terrigal said that this was Coalition policy in 1999. It was certainly Coalition policy when I was shadow Minister for Housing in 2002 and 2003, and it was something I advocated strongly in my document "Community Ties", which was published in 2001. I will quote from that document as I believe it is relevant to tonight's debate. I wrote:

The Government itself admits that tenants living in the 30 per cent of its public housing dwellings that are located in estates of more than 100 properties share similar problems, including poor access to services, badly designed and maintained housing, concentrations of disadvantaged families who are stigmatised by the rest of the community, and high rates of vandalism, crime and antisocial behaviour.

An example of this is Claymore in south-western Sydney. "Claymore shopping centre resembled a concentration camp, the school a prison. The reserve, where the community was supposed to gather, was eerily unused. Badly lit, it had no play equipment, no picnic tables, not even a bench", according to one report ...

The back-to-front designs and thin party walls offered little privacy. The reserves ... were places to dump stolen cars, do drugs, and gateways to burgle the houses ... There was no balance of age and income levels; the unemployment rate was 52 per cent; 45 per cent of the population were under 15; almost half lived in single-parent families; and fewer than 1 per cent were over 65.

One of the most feared streets in the suburb was Proctor Way, where an average of 60 incidents a month—drugs, break-ins, assault, vandalism—was reported to the police. In 1995 there were six house fires in as many months, culminating in the deaths of five people in October 1995. This was the turning point. A desperate Department of Housing (DOH) approached Argyle Community Housing, a non-profit organisation which involves tenants in managing their neighbourhood, to run the street for six months.

When Argyle's Brian Murnane moved into the street, no-one wanted to live there; 25 of the 80 properties were vacant. He advertised widely and offered incentives for people to move in. Slowly the houses filled ... Proctor Way is now one of the most sought after streets in Claymore, with a two-year waiting list.

I assume that that is still the case some six or seven years later. I continued:

Community housing has one major advantage over the Department of Housing: flexibility. A community housing association can move quickly, trial ideas in a way DOH, with its 133,000 households, would find impossible, and discard them if they do not work. For example, community housing tends to use multi-skilled handymen for maintenance, when DOH has traditionally used tradesmen. Quicker response times, the ability to fix more than one problem at a time, and greatly reduced costs are the major advantages ...

Continuing expansion of the community housing program—which already accounts for more than 20 per cent of the State housing budget—would allow more public housing tenants to benefit from new ideas tailored to local needs. Community housing may also be better equipped to provide support for disabled and mentally ill people, through non-traditional local networks.

I think members can understand that the Opposition has had a longstanding interest in community housing and offered longstanding support for the policies that are facilitated by this legislation. If I have one criticism of the bill it is that it does very little other than set up a new bureaucracy in the shape of a Registrar of Community Housing. There is already an Office of Community Housing within the Department of Housing and it is not clear to me what additional functions the registrar will perform. Is the Minister saying that he does not trust his own department or that community housing associations—he says elsewhere that he wants to grow them so he must support them—are amateurish and need more regulation?

The member for Newcastle spoke about Compass Housing and said how well it was doing in her electorate. I am delighted to hear that but I wonder how that organisation has managed to survive and flourish given that the provisions in this legislation will not be in place until it is passed through the other House and proclaimed. I guess that if the intent of the bill is carried through perhaps the deadening effect of that extra layer of bureaucracy will be less detrimental. The Minister said that the bill will give the community housing sector the certainty it requires to partner with other not-for-profit organisations, local government and the private sector on affordable housing projects. According to Adam Farrar, Executive Director of the New South Wales Federation of Housing Associations, registering and regulating housing providers will give private investors or lenders comfort that risks are being managed and overseen by the regulator. Mr Farrar further stated:

In the UK, this regulatory assurance was estimated to be worth 100 basis points on the cost of funds—

That is one percentage point—

Over 30 billion pounds has been lent into the UK sector since.

If that happens, one would assume it would be beneficial. It does not mean, as the member for Terrigal said, that the Government is seeking to privatise the public housing sector. The Minister talked about growing the sector from 13,000 to 30,000 homes over the next 10 years, largely through transferring properties from the Department of Housing. That is yet another vote of no confidence in his department. He is saying that the Department of Housing is not doing a good job and he does not trust the community housing sector, as it is currently structured, to do the job. That is why this current piece of legislation is necessary.

Mr Matt Brown: Do you oppose the legislation?

Mr MICHAEL RICHARDSON: I have already said that I support increasing the community housing sector. I read that out in detail. The Opposition has supported such a position for eight years. Division 3 of the bill allows the Land and Housing Corporation to provide assistance to community housing associations by providing funding, land or other property. There was some dissent to the contribution made by the member for Hawkesbury and a suggestion that he was not speaking to the legislation. The Minister had nothing to say about division 3 of the bill in his agreement in principle speech. In fact, he had more to say about the alleged malfeasance of the Federal Government than he did about the bill that is currently before the House.

If he had expanded on the bill we would all be a bit more enlightened. Division 3 seems to be superfluous because the Government already gives money to the community housing sector. Indeed, it built 268 new community housing units in 2005-06. The Government has had a policy of leasing properties for and transferring stock to community housing associations since 1995. Proctor Way is a classic example of this policy. Section 67I allows the Land and Housing Corporation to enter into a partnership with a community housing provider. The Land and Housing Corporation has entered into partnerships in the past. I would like to know how this legislation facilitates such an initiative when it is already occurring.

One issue the bill does not address is maintenance. The Minister did not refer to maintenance at all. The upper House committee, which recommended that a similar bill to this one be brought to the Parliament, was highly critical that major maintenance work for community housing has to be purchased through the monopoly government agency Resitech. I challenge the Minister to prove that Resitech does the job better or more quickly or cheaply than the private sector. After the consolidation of MultiTrades' contractors, which decreased from 18 to 14 in 2004, the Government paid too much for maintenance. By most estimates it paid 30 to 50 per cent more than it did under the old system. All the money went to the middleman while the subcontractors were being ripped off. I am not the only one who says that. The Auditor-General in his 2005 performance audit report on public housing maintenance said:

Despite this progress, the Department's maintenance is still largely responsive rather than planned, the maintenance backlog has not been substantially reduced since the 2001 audit, and a low level of properties are maintained to an adequate standard.

That is what I found when I was shadow Minister for Housing. I visited an extraordinary number of properties that had been burnt out or damaged or where fences had been torn down. Many were riddled with white ants because no preventative maintenance had taken place. An entire estate at Boolaroo near Newcastle had been condemned and written off due to white ant infestation. I would be interested to hear how the Minister intends to deal with the maintenance of community housing in the future. The maintenance of public housing under this Government has been an absolute disgrace, as has been the maintenance of our schools. It is not only public housing that suffers under this Government. Overall, I do not oppose the legislation. It is a good initiative to have community housing associations looking after more public housing. As I wrote six or seven years ago, community housing associations are more responsive to the needs of their tenants, the tenants have a greater say in the running of their estate and crime levels are lower. Maintenance work needs to be improved and done more cheaply.

Mrs JUDY HOPWOOD (Hornsby) [8.55 p.m.]: At the outset of my contribution to the Housing Amendment (Community Housing Providers) Bill 2007 I indicate that the Opposition does not oppose the bill. The bill amends the Housing Act 2001 in respect to community housing. The objects of the bill are to provide for the appointment of a Registrar of Community Housing, the registration of community housing providers and the giving of assistance to registered community housing providers so as to support the provision of housing for people on a very low, low or moderate income. Many members have community housing dwellings in their electorates and a great number of people want to gain access to those dwellings. I am not alone in that regard. Since the last election I have had many conversations with local residents who are desperate to obtain community housing because they cannot afford to rent in the private market. Even with rental assistance they find it very difficult. However, there is not enough public housing stock.

I pay tribute to Garrigal Housing, which is a community housing provider in my area. I have a close relationship with Garrigal Housing. It does an excellent job in the provision of community housing and outstrips the Department of Housing in its ability to house people and look after them. This legislation forms the New South Wales Government's strategy for growing the community housing sector by supposedly improving the ability of community housing providers to partner with other community groups and private investors, thus increasing affordable housing options in New South Wales. I can inform the House that many people in New South Wales, particularly in my electorate, are extremely concerned about the availability of affordable housing. Obviously, this issue crosses into the realm of being able to afford to purchase a house or obtain affordable rental accommodation.

Last week the Seniors Advisory Committee of Hornsby Shire Council held a forum on this issue. The forum was very well attended. The Seniors Advisory Committee in the Hornsby area is extremely active and very effective in conveying its messages. It has wide-ranging interests, one of which is affordable housing. Recently the Our Lady of the Rosary Social Justice Group held a forum at Waitara on homelessness and affordable housing. That forum was also very well attended. The speakers included Reverend Bill Crews, members of the Seniors Advisory Committee and others who have a broad breadth of experience in finding

solutions for people such as those who become homeless not by choice or families living in a car. Those people need assistance to get into affordable housing.

The Hornsby electorate has an estimated couple of hundred homeless people. Although some choose that lifestyle many would love the opportunity to gain access to accommodation. As an aside, it is assumed that as the Hornsby area is described as being on the upper North Shore it does not have problems and issues associated with the need for temporary accommodation—it has no refuges or crisis accommodation. However, government funding for the provision of refuges and crisis accommodation would be very welcome. There is a great need for community housing. Although the bill goes some way towards increasing that housing, a great deal more needs to be done.

The wait for public housing in the Hornsby electorate can be as long as 14 years. Currently there are many problems with priority housing provided by the Department of Housing. Previously I have used the example of a young mother who has five children under the age of eight years. She was living with her parents in a very small dwelling in Westleigh. For some reason she did not qualify for priority housing, although the family desperately needed to be independent. Obviously the threat of media exposure forced a change of opinion by the Department of Housing over a weekend and, suddenly, the young mother was offered a house. I could cite many other similar examples.

The speakers at the Seniors Advisory Committee Forum included the Salvation Army, which does a great deal in the Hornsby area to alleviate poverty issues. The Salvation Army gave many poignant examples of people who approached it in absolutely desperate situations and were unable to gain any assistance from government sources. Many had waited for a very long time to get into public accommodation. Hornsby Shire Council also gave a presentation. The member for Terrigal referred to the 1999 policy, which strongly supported across-the-board strengthening of community housing, not the piecemeal council-by-council approach.

It would be very beneficial to have routine, regular council attention to the provision of community housing when working with developers. Unfortunately, in the Hornsby area developers are not compelled to give any recognition to the need for that type of accommodation. The member for Drummoyne was quite hypocritical in praising the bill in relation to the provision of more community housing. Yet in her electorate there is a young couple—the husband is a quadriplegic—who are about to be forced to leave a dwelling that has been sold on the private market. Despite many requests to the member for Drummoyne and the local Federal Labor member for assistance, the couple has had no resolution to their plight.

I call on the member for Drummoyne to attend to the needs of that young couple, her constituents. They are in desperate need of suitable community housing accommodation that meets the needs of his disability. I will not name that wonderful young couple—she knows who they are. The young man is studying and wants to be independent. His wife is an absolutely amazing person. However, they are not being assisted as much as they should be by the Government. That couple needs urgent attention, as they have to relocate in the early weeks of December. Obviously, being a quadriplegic his dwelling needs specific modifications, including ramps. The Opposition does not oppose the bill, but the Government needs to do a lot more to meet the needs of community housing applicants.

Mr GEOFF PROVEST (Tweed) [9.04 p.m.]: I am pleased to not oppose the Housing Amendment (Community Housing Providers) Bill 2007. Community housing, particularly in the Tweed electorate, is a major problem. Recently relevant Ministers who have visited the Tweed electorate seemed more interested in the Federal election campaign than in their portfolio responsibilities. As a result, the Ministers show up and tell the media that everything is fine with public and disability housing in the Tweed and then rush off to the Federal Labor member's electoral office, obviously to offer assistance.

In the Tweed there have been enormous issues with public housing. I advise members that everything is not fine with public housing. I applaud the actions of our current community housing providers within the Tweed who struggle under the load and do a damn fine job. The Government puts seniors on a 17-year waiting list—yes, that is right, the current waiting list is 17 years—and that strikes me as rather unique. Across the border in Queensland, there is a wait of only eight years for public housing. After the recent resignation of Peter Beattie as Premier of Queensland the media recorded him as saying that his greatest failure was not providing sufficient health facilities in his State. I guess the situation is similar in New South Wales in recent times.

I can give two classic examples with public housing in New South Wales. Recently a story was released regarding the Department of Disability Services. In May 2006 the department purchased a house for

\$620,000 and spent \$100,000 on modifying it for disabled people. That house was ready for people to move in, yet it remained vacant for 17 months; the department sat on its hands for 17 months. Today I received a letter from the Minister for Ageing, and Minister for Disability Services in which she clearly points out the actions taken regarding the house. I agree with most of the actions taken. However, I point out that the final paragraph of her letter states:

The NSW Government has invested more than \$1 million to purchase, modify and fit-out the Terranora group home and has allocated \$400,000 in recurrent funding to House With No Steps to run the facility.

That house was purchased for \$620,000, as stated publicly by its previous owner, and the Government spent \$100,000 on modifications. The modifications were completed in November 2006. In the interim, and until last week when the department started to interview prospective tenants, a security guard checked the house every night. Once a week a man mowed the lawns and another man maintained the pool. From November 2006 until today there has been no tenant in that house. According to the Minister for Disability Services the Government spent \$1 million on that exercise. To keep needy people on a waiting list for that time is a tremendous shame. The Government is guilty of neglect and inept management. Unfortunately that house is located in a hilly area. Why spend \$1 million on a home with a long, steep driveway and no nearby public transport, and let it sit empty?

If the Iemma Government continues to take the exclusive advice of senior bureaucrats instead of listening to the local community it will repeat the same mistakes. The second example is the extraordinary case of Yarra Court about which the Minister is familiar. The State Government sent out eviction notices to seniors aged between 70 and 90 who lived in 30 units in Banora Point but it later said that it was a mistake. The same mistake was repeated some weeks later. As the Minister well knows, the eviction notice was dated 24 June and stated:

We require vacant possession to be given by 31 July.

These people, most of whom were pensioners, were eligible for the public housing list.

Mr Matt Brown: Point of order: Although I am happy to listen to a geographical tour of the member's electorate, the bill relates to public housing. Therefore, I ask that you draw the member back to the leave of the bill.

Mr Brad Hazzard: To the point of order: I have been listening to this debate with great interest. Members on both sides have been given leniency by the Chair to have broad-ranging debate on the effect of public housing and community housing in their electorates. I understand the Minister's desire to bring debate to a conclusion, but it would not be fair to cut off a member who is simply following the practice that has been adopted for the last 1½ hours.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! The Minister is not suggesting that the member for Tweed conclude his contribution. He is suggesting that he return to the leave of the bill. The member for Tweed has the call.

Mr GEOFF PROVEST: I believe my comments are relevant because we are talking about community housing administered by the department.

Mr Matt Brown: The Assistant-Speaker has given a ruling.

Mr GEOFF PROVEST: I am following that ruling. Recently the Minister visited Yarra Court. The community housing issue is enormous, as is reflected by the significant number of people on the public housing waiting list. It is another example of the Sydney Labor Government being completely out of touch with the Tweed in regard to community housing. I have asked the Premier twice to visit the Tweed and he has told me in Parliament that he would, but he has failed to do so. I do not oppose the bill but I ask the Minister to take a genuine interest in his portfolio, to pull his control bureaucrats into line and to do what he is paid to do. People in my electorate are suffering from being on the public housing waiting list for 17 years.

Mr Matt Brown: Your constituents are praising us.

Mr GEOFF PROVEST: No, they are very critical. They are praising some of the workers in the Department of Housing—I praise them also—because finally commonsense has prevailed. The Minister visited

the electorate for five minutes, posed for a few camera shots and then ran off to help with the Federal Labor campaign.

Mr MIKE BAIRD (Manly) [9.13 p.m.]: I speak on the Housing Amendment (Community Housing Providers) Bill because we have been elected to represent those who are far less privileged than many of us in this House. I am glad that the Minister for Housing is at the table because this is an issue of grave concern not only to me but also to many people on the northern beaches. I am sure that the Minister is aware of the statistics that each night in Sydney only one-third of the people who need a bed in community housing get one. That means that two-thirds do not. In Manly people sleep in the grandstands of Manly Oval, in the bus shelters and many spots around the community because they have nowhere else to go.

I commend the work of the Manly Community Centre, which keeps a homeless register and now fills up by 2.00 p.m. each day. The manager, Jaqui Smith, who has worked tirelessly at the centre for 22 years, says that people who come in seeking a bed after that time cannot be helped. Day in, day out, she looks people in the eye and says, "I have nowhere to put you." The northern Sydney area is being neglected. A local community housing worker who works in the Department of Housing spoke to my office and stated:

There is a community housing crisis and Northern Sydney is being neglected. I've seen a Department of Planning map which basically draws a line from Coogee to Baulkham Hills—there's an assumption that because the average person earns more in Northern Sydney there are no needs north of that line. But there are pockets of poverty in all parts of the State.

Despite the shortage, there are no plans for any new community housing. Although it may be a new concept, the Government must do what is right because of the enormous need in the community.

Ms Angela D'Amore: That is why the Minister is going to increase it from 13,000 to 30,000.

Mr MIKE BAIRD: I will keep him accountable. The Minister must represent in Cabinet the people who attend the centre looking for a bed. The onus is on the Minister to fight for them because this is not a game. The Minister cannot pat himself on the back for introducing this bill when two-thirds of the people who require beds are turned away. The responsibility is on the Minister to get those funds from Cabinet to deliver the necessary beds and we will be watching the Minister's performance. This is not about spin; it is about delivery.

Recently a local social worker came into my office. He was devastated because he had nowhere to send an 18-year-old female who needed a bed for the night. This woman planned to put on a hooded top to disguise herself as a male because her only hope was to try to get a bed at a men's refuge. No young woman should have to do that. The Manly Community Centre has recently set up the Manly Warringah Women's Housing Cooperative and is trying to raise funds from the community because currently there are no options for women who need affordable or short-term housing on the northern beaches. There is a grey area between community housing and public housing.

Mr Matt Brown: No, there isn't.

Mr MIKE BAIRD: Yes, there is. The waiting list for a two-bedroom apartment in the northern Sydney area is 12 years. A local father has been knocked back for public housing even though he is caring for his three-year-old and 12-year old sons on his own. He had to give up work after his partner died in a car crash when his youngest son was a few weeks old. He was taken off that housing list and forced to reapply after he did not receive a letter from the department because it was sent to his old address. These types of bureaucratic bungles have to be addressed.

The Eversham boarding house in Manly closed a couple of years ago with the result that there is no longer any short-term affordable housing available. The community is relying on the Minister to find resources to provide such housing. Fairlight House, which is run by Sydney City Mission, has a few short-term beds but these are reserved for intoxicated males. The women's refuge on the northern beaches can only help women who have suffered domestic violence. In addition, the caseworker at the refuge has been told that there are no longer any resources to support her.

Mr Matt Brown: Point of order: Although the member for Manly has raised the legitimate concerns of his constituents he is not addressing the substance of the bill. The Opposition seems intent on flouting the standing orders of the House. I ask you to draw the member back to the leave of the bill.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! I am sure the member for Manly will comply with the standing orders.

Mr MIKE BAIRD: I encourage the Minister to visit the refuge and meet the people.

Mr Matt Brown: And I encourage you to follow the standing orders.

Mr MIKE BAIRD: I ask the Minister to visit, but if he does not want to meet the people he purports to represent, then do not bother. We welcome the fact that the Minister recently opened a new property, the first positive thing that he has done, but he referred in his press release to the wrong road. It does not matter where the property is located—it is located somewhere in Manly—because he got that part right. The problem is that that facility provides only 14 beds. Local community workers with decades of experience said this State environmental planning policy must change so that local government can supply affordable local housing.

In an article in today's *Sydney Morning Herald* the Mayor of London stipulated that 50 per cent of all new developments would go towards affordable housing. We will have adequate community housing only if the Minister embraces those sorts of solutions. It is a shame that the Minister is not interested in hearing about people's concerns or listening to stories about individual electorates. I will hold this Minister accountable if he does not go to Cabinet and secure the resources that these people deserve.

Mr BRAD HAZZARD (Wakehurst) [9.21 p.m.]: As the shadow Minister indicated earlier, the Opposition does not oppose the Housing Amendment (Community Housing Providers) Bill and there are aspects of it that I support. About eight or nine years ago, in my former role as shadow Minister for Housing, I addressed the Federation of Community Housing, from memory in Coffs Harbour, and said that a Coalition government would be supportive of community housing. A few years down the track I am glad to see that the Labor Government is moving down that path. Although the Department of Housing clearly has a continuing role to provide public housing, it now has a great opportunity to expand community housing in New South Wales.

Even without the benefit of this legislation, which seeks to appoint a Registrar of Community Housing and implement certain other measures, community housing has been growing in New South Wales because it is so successful. As I understand it, community housing organisations are currently caring for approximately 13,000 households in New South Wales. Some community housing organisations, which are quite small, care for only five or six properties, while others have vastly increased resources. There is provision in this bill for the appointment of a registrar and registration of community housing providers. The bill also provides direction for the activities of the registrar and how he will go about supporting community housing organisations, which are worthy pursuits that fulfil the goals Opposition members were talking about eight or nine years ago. Proposed section 67B lists the registrar's functions. Earlier the Minister for Housing took exception to some of the matters referred to by other Coalition members but all those matters are relevant. Some of the registrar's functions include:

- (d) to provide information to persons in relation to community housing,
- (e) to provide advice to the Minister in relation to community housing ...

One of the issues that is relevant to debate and that should be taken into account under proposed section 67B relates to advice that is given by the registrar. Whilst members of the Government and members of the Opposition might have big political differences—and I am critical of the fact the Government took so long to arrive at this point—the former Minister for Housing, Joe Tripodi, visited Bringa Women's Resource Centre, which is located on the northern beaches in my electorate, and listened to the concerns expressed by those women. I extend the same invitation to the current Minister for Housing. He could have an off-the-record briefing and listen to the concerns of women who, in some cases, have worked in the women's collective movement for over 25 years. Those women work with various community housing organisations.

This bill talks about partnerships with women's resource centres. As the member for Manly said, this bill talks about women's resource centres—centres that deal primarily with domestic violence—working in partnership with community housing organisations to try to provide housing for some of the most vulnerable people on the northern beaches. The current Minister should understand, as his predecessor Joe Tripodi understood after his visit, that although the northern beaches are often labelled as being devoid of people in need, thousands of people are in need of public housing. As observed earlier tonight, the waiting list for someone who is not on the priority housing list—in other words, he or she might be on the general list—is about 14 years, which is a problem.

Officers in the Department of Housing are doing the best they can in difficult circumstances, but greater opportunities are offered through the community housing structure. If the registrar fulfils his or her

functions under proposed section 57B and advises the Minister on some of these issues—at that stage the Minister might not need any advice because he might have visited the northern beaches and had a discussion with people at the coalface—the Minister might understand the enormity of the problems facing people on the northern beaches. The member for Manly referred to a recent discussion held with a caseworker working with community housing organisations. She and the entire management of the resource centre told us, as local members of Parliament, that they were concerned.

One of the things that makes community housing organisations work well is when there are effective partnerships with other organisations. Bringa Women's Resource Centre, which is part of that partnership arrangement, told us that funding for a caseworker, who had been working effectively with some of the women who had been most stressed and most at risk as a result of domestic violence, was coming to an end in October. That community housing organisation has been good enough to extend its facilities and to take in these women and their families. This bill talks about a partnership arrangement that the registrar will be encouraging, but I am talking about a caseworker who is about to lose her position.

Bringa Women's Resource Centre is so concerned about this issue that it met with Dick Persson, the administrator of Warringah Council, the member for Manly, me, other members of Parliament and community people, and said, "The partnership between the community housing organisation and the resource centre is critical to the success of the community housing organisation and to our efforts to ensure that families are protected from domestic violence." The net result is that this caseworker is working daily with 18 families to ensure that they are placed in community housing. That is why this bill is significant.

The Minister should take great heed of what is being said tonight and he should heed the advice that will be given to him by the registrar. He must ensure that that important position at Bringa Women's Resource Centre on the northern beaches is not terminated. Even if the Minister is not prepared to commit to that issue he should at least consider talking to women at that resource centre, as did his predecessor Joe Tripodi, about some of the broad-ranging issues.

Mr Matt Brown: I will come.

Mr BRAD HAZZARD: The Minister said he would come, for which I thank him. We can then sort through some of these issues. A group of students from Brookvale TAFE came to see me and one of the issues raised was the lack of emergency housing opportunities for young people on the northern beaches. I have discussed this with the member for Manly and I am sure he would have liked to have raised this matter also, but his opportunity was somewhat curtailed. The only venue available closed recently due to a lack of funding. The students asked me to raise this issue with the Minister because they said they need to have community housing and emergency housing on the northern beaches for young people.

I ask the Minister to come down and talk to us and he will find out that the northern beaches is a major challenge for any government because although it is considered to be a well-off area there are many families living there who are in deep trouble. I acknowledge that Garrigal Community Housing is our major provider on the northern beaches but Burdekin works with youth. The people who work in Garrigal and Burdekin, the people who work generally in youth services and the people who provide support for the many people on the northern beaches who simply cannot access housing are very special people. On behalf of the member for Manly and on behalf of the member for Pittwater I ask the Minister to come and talk to the various groups about this matter. As I said, we accept the Minister's offer. Whether it is an on-the-record or an off the-record briefing, we are happy to discuss this matter further with the Minister. We want him to visit as soon as possible.

Mr GREG APLIN (Albury) [9.31 p.m.]: One of the provisions of the Housing Amendment (Community Housing Providers) Bill 2007 is that it will give assistance to registered community housing providers to support the provision of housing for people on a very low or moderate income. I note that we are debating the bill in October and that on 26 July the Federal Government announced a major shake-up on the delivery of public and community housing across Australia to drive an increase in availability. They are similar themes. At that point the Minister for Families, Community Services and Indigenous Affairs, Mal Brough, said that current arrangements through the Commonwealth-State Housing Agreement, which have resulted in the Australian Government providing almost \$10 billion over the past decade directly to the States and Territories, had failed to deliver additional housing for those most in need. Mr Brough went on to state:

Clearly, more of the same won't work and will not help those in need.

The Commonwealth-State Housing Agreement has evolved over the past 50 years. It was effective in building up the stock of public and community housing to add about 385,000 new dwellings, almost 5 per cent of Australia's housing stock. Mr Brough went on to say:

But over the past 10 years the States and Territories have used these funds in ways that have not increased supply.

He provided a table that showed in 2000-01 New South Wales had a total of public and community rental housing stocks of 140,968, yet that figure had declined to 138,580 in the year 2004-05. The 2007-08 Commonwealth-State Housing Agreement grant funding by States and Territories shows that New South Wales received total Commonwealth funding of \$301.2 million compared with State matching funding of \$120.6 million. In that context it is interesting to note that in a submission to the Federal Government the New South Wales Federation of Housing Associations, which is the industry association of not-for-profit affordable housing managers and developers in New South Wales, stated:

Our 35 full members provide social and affordable housing across the State. The smallest manages 30 tenancies, the largest now manages 2,400, ranging from affordable housing for moderate income households to housing for complex needs tenants, particularly those with a mental illness, in partnership with support providers.

The federation welcomed the Federal Minister's call for further information on changed approaches to delivering sustainable, innovative cost-effective ways of increasing the supply of social housing, and agreed that an approach was necessary that went beyond a single State government managed system. The submission stated:

Such a new approach will draw on a wider range of investment, project proponents and ongoing managers and would maximise the use of resources.

One of the great advantages of such an approach is that it more effectively links social housing and government housing assistance more generally into the housing market - particularly the rental housing market - rather than creating program silos. This will allow the development of low cost housing to help bring downward pressure on the rental market, encouraging low income residents to aspire to a housing career that may progress to home ownership, and to encourage investors into the low cost end of the market.

Two analyses have been conducted and the federation referred to these as showing the growing shortfall of rental housing that is affordable to low-income households. On the supply side it was found that New South Wales needs somewhere between 45,000 and 176,000 new affordable rental dwellings. Current investment patterns, public and private, add absolutely no such dwellings. The federation acknowledged that any developments need to be sustainable and that for most providers a subsidy would be required. It said that this may be met by increasing rents to a point at which they attract maximum Commonwealth rent assistance. However, even with this rental supplement from the Commonwealth, rental income does not fund the return on any new investment or borrowing costs.

The need for operational subsidies for affordable housing generally is not surprising since public housing also requires a subsidy. That requirement has increased as the supply of public housing is more and more tightly rationed, resulting in decreasing income streams and increasing management costs. Whatever varying degrees of efficiency exist, they are not the reason why State housing authorities are not able to increase supply. The federation found that the threshold issue is that no social housing system that is tightly targeted to the lowest income households can charge affordable net rents and remain viable without subsidies. The majority of those subsidies, to both public and community housing, are currently provided through the Commonwealth-State Housing Agreement. Without the subsidies, there would be no alternative but to sell down the stock or change the focus of the business.

Part of the Commonwealth-State Housing Agreement funds for community housing in New South Wales has been used very efficiently to increase supply. Over the past 25 years the Commonwealth-State Housing Agreement funding for community housing has been leveraged to increase the supply of housing through its private rental head leasing program. This program has, in effect, brought 5,642 privately financed dwellings into the social housing system: around \$1.1 billion of housing investment has been leveraged. Commonwealth-State Housing Agreement funds have been used to subsidise the gap between tenant rent and the market rent charged and per property management costs. While the cost effectiveness of this will decline over time, over the past 25 years a rough calculation suggests that the leverage may be approaching 2:1.

I want to talk a little about Homes Out West. On 13 November 2006 I was invited to launch the provision of that organisation's services to the Albury community. Homes Out West assists in the provision of rental accommodation for people experiencing difficulty with their housing needs. The organisation began in Deniliquin and is now servicing the whole of the southern Riverina region, with offices in Deniliquin and

Albury. The scheme is funded through the Office of Community Housing to provide low-income earners with appropriate and affordable housing options and is currently funded for 119 properties in the Deniliquin and Albury areas. The properties range from one-bedroom units through to four-bedroom homes located throughout the townships.

Some properties, 33 in total, are referred to as capital properties as they belong to the scheme through an arrangement with the Government. The organisation oversees the total management of these properties, including responsive and long-term maintenance requirements. Other properties that Homes Out West has are rented through private landlords and local real estate agents. Where possible, it offers tenants long-term accommodation options. Interestingly, a number of successful partnerships have been formed in recent years, with Homes Out West undertaking housing management on a fee-for-service basis. These include properties in Deniliquin, the Inala/Mirradong Housing Corporation, for which Homes Out West manages 22 bedsit units; and Vinnies emergency accommodation program, for which Homes Out West manages six crisis accommodation program properties; Balranald Shire Council and MacKillip Rural Services, for which Homes Out West manages six units of accommodation for disabled young people in Balranald—a great success story; and the New South Wales Aboriginal Housing Office, for which Homes Out West manages 13 properties in Moama.

In Albury the Albury Supported Accommodation Service has 10 crisis accommodation program properties operated by Homes Out West, and Yes Youth and Family Services has four youth properties. Importantly, the service also acts as a point of referral and advocacy for clients and is available to all age groups and cultures. I hope that as part of the bill the operations of organisations such as Homes Out West will be encouraged and supported throughout New South Wales. We have acknowledged the need; it is time for the Government to ensure that that need is more adequately addressed.

Mr MATT BROWN (Kiama—Minister for Housing, and Minister for Tourism) [9.39 p.m.], in reply: I am pleased to respond to the agreement in principle debate, especially after some intelligent comments, most of which were from the member for Newcastle, Jodi McKay, and the member for Drummoyne, Angela D'Amore, the Chair of my policy caucus committee. Their comments were pertinent to this important bill, which will provide new infrastructure and improve services to the people of New South Wales. I might add that those comments were in stark contrast to the contributions of most Opposition members, with the exception of the member for Wakehurst, who I thought spoke very intelligently on the bill. The member for Terrigal commenced his contribution by claiming that I said nothing about housing targets in the estimates committee hearing. The member for Newcastle certainly set the matter straight by pointing out that the State Plan sets out a clear target of increasing community housing stock from the present 13,000 to 30,000.

When the Coalition was last in government in 1995 community housing stock was a measly 2,000. We have increased that stock to 13,000 and our ambitious target is to increase it to 30,000. The State Government is all about targets. The member for Terrigal also claimed that in the estimates committee hearing I said nothing about social housing. I do not know what community housing is if it is not social housing! During the estimates committee hearing I certainly spoke about other forms of social housing. The member for Hawkesbury spoke about housing affordability and mentioned interest rates. However, he failed to state that interest rates were at their highest, 22 per cent, when John Howard was Treasurer in the Fraser Government. Housing affordability was also raised by the Prime Minister leading into the last Federal election, when he promised the people of Australia, many of whom voted for him on his promise, that he would—

Mr Greg Smith: Point of order: My point of order is relevance. Just as points of order were upheld when the member for Hawkesbury introduced political matters dealing with Federal issues, now the Minister is breaching the standing orders in the same way.

ACTING-SPEAKER (Mr Thomas George): Order! There is no point of order.

Mr MATT BROWN: It is good to hear that the member for Epping has learnt a few standing orders and continues to get them wrong.

ACTING-SPEAKER (Mr Thomas George): Order! I ask the Minister to return to his reply.

Mr MATT BROWN: The Prime Minister claims that he will keep interest rates low. We have now had nine interest rate rises in a row.

Mr Barry Collier: How many was that again?

Mr MATT BROWN: There have been nine interest rate rises in a row. Many Australians voted for the Prime Minister at the last Federal election because they believed his promise to keep interest rates low. Interest rates are a key feature when we talk about housing affordability. People are reluctant to further extend their commitments by entering into loans because they cannot trust the Prime Minister. Current speculation now is that interest rates will increase further. Many people have large debts on their homes and continued interest rate increases are the reason for low investment in the property market. The member for Hawkesbury made sly attacks on members on this side of the House, including the member for Wollongong, who I know is a dedicated worker for her electorate. I enjoy working with her for the betterment of the people in the Illawarra and South Coast.

The member for Castle Hill spoke about poor design in some public housing estates. He mentioned the suburb of Claymore and alluded to the comments of the member for Terrigal regarding aspects of the Bonnyrigg housing project. It is surprising that the member for Castle Hill does not support the Government in its proposed redevelopment of Bonnyrigg because it is an outstanding project. It will deliver a great outcome for the Government and for the people of Bonnyrigg. It will deliver 2,400 homes, including 833 brand new homes for those most in need. It is a joint public-private investment of \$733 million and offers excellent value to New South Wales taxpayers.

The Opposition claims that there has been a cost blow-out since the project was announced in 2004. The project has broadened its scope and now will deliver 2,400 homes. I am proud that the private sector is investing \$365 million in this project, which will provide new public housing for those most in need. The present time frame, which has been mentioned tonight in this Chamber, was determined through close consultation with local residents, who reported that they would prefer a longer period of time to relocate during a staged process. The Iemma Government is best placed to undertake community consultation. We are happy to talk with the community and take on board their concerns. If we need to amend some of our plans to take into account the interests of our community, we are big enough to do that.

What is the Opposition policy on this issue? It offers nothing! The Opposition criticised the Bonnyrigg project, but those in the private sector, and even some of the tenderers who missed out on the project, say that it is an excellent project. New South Wales is leading Australia in the first residential public-private partnership. We will see excellent outcomes for the community. The member for Castle Hill claimed that I spent the bulk of my agreement in principle speech talking about the Federal Government's poor support for public housing. I could speak all day on that matter, but in my 12-page speech only one-quarter of one page referred to Federal Government cuts. I will not spare the Chamber only a quarter of a page; I probably have the equivalent to three pages of notes to help me talk about the Federal Government's cuts to community housing.

The member for Castle Hill spoke also about the level of maintenance for community housing. He should be supporting community housing providers for their excellent maintenance work. He might want to apologise to the community housing sector for implying to this Chamber that the sector cannot perform maintenance on its properties. That just shows how out of touch the Liberal Party is. The member for Castle Hill said nothing positive in his contribution to the bill, which shows that the Liberal Party does not support the community housing sector. The member for Hornsby spoke about the Seniors Advisory Committee and the Lady of the Rosary Social Justice Committee, whose work we certainly applaud, but she claimed also that the member for Drummoyne was hypocritical because certain residents were being evicted by the Department of Housing.

The member for Drummoyne has informed me that nothing could be further from the truth. Those particular residents reside in private accommodation and the property is being sold by the owner. The department has been subsidising the payment of rent for those residents. The member for Hornsby might care to pay tribute to the good work of the department. We certainly cannot tell the private sector when it can sell a house. Opposition members might want to advance communism, but this side of the House certainly does not. The private sector should be able to operate freely and owners should be able to sell their properties when they choose, subject to our tenancy laws.

The member for Tweed spoke about a number of issues, including waiting lists, and said that his constituents were unhappy with Housing NSW. I visited his constituents and they made it clear to me how helpful and supportive Housing NSW staff had been. When I mentioned it in my speech after visiting an entire block of 30 homes and enjoying morning tea with residents there was a big "Hear! Hear!" and cheers for Housing NSW because of its support for the Iemma Government's commitment to social housing.

The member for Manly made some interesting comments, but his contribution was devoid of Opposition policy. This is a lazy Opposition. The member said there is a blurring between community housing and Housing NSW. There is no such blurring; they are two separate bodies. One is run by the Department of Housing and one is run by local community housing associations. The member for Manly also advocated that local councils should be able to tell developers that 50 per cent of their stock must be affordable housing. I did not realise that that was Liberal Party policy. I look forward to presenting that to the marketplace and seeing how it will work in New South Wales. Local councils are already able to have input; they do not need to wait for State Government approval.

In fact, Canada Bay council has insisted that a percentage of certain developments be affordable housing, and the State Government is assisting in that regard. I apologise to the member for Manly for calling Sydney Road "Sydney Street". The Iemma Government's \$42.5 million investment to refurbish the boarding house there demonstrates its commitment to every community in the State. I welcome the generous invitation issued by the member for Wakehurst and his intelligent contribution to tonight's debate. The member for Albury spoke about the 60-year history of the Commonwealth-State Housing Agreement. It was introduced by a great Prime Minister.

Mr Gerard Martin: Ben Chifley.

Mr MATT BROWN: Ben Chifley, 60 years ago, and it has survived many Prime Ministers since, including Robert Menzies, Billy McMahon, John Gorton, Bob Hawke, Gough Whitlam, Paul Keating, and even the current Prime Minister. However, he now wants to put an end to it. He has threatened to remove the Commonwealth component from the equation, which means that \$300 million a year will be cut from the New South Wales housing budget. If members opposite believe there is a housing shortage now, they should think about what will happen if \$300 million is cut from the budget of Housing NSW. There will be an even greater housing shortage because I will be forced to sell thousands of homes.

The Government has been able to maintain the State's social housing stock over the Howard Government's last term in office despite \$1 billion being ripped out of the scheme over the past three agreements. That \$1 billion is the amount ripped out of the New South Wales budget; the figure for the entire country is \$3 billion. It is hypocritical for members opposite to wail about too few homes being available for their constituents. If Housing NSW had had that extra \$1 billion it could have built an extra 5,000 homes in this State. Members opposite keep advocating budget cuts in these areas and then complain about the housing register, the waiting list and the maintenance backlog. They should get real and get with the program.

For the member for Terrigal, the shadow Minister, to say that the Government's support of community housing is privatisation by stealth is a joke. Privatisation by stealth is having Mal Brough cut \$300 million a year out of our budget and hand it to the private sector. For members opposite to contradict their own shadow Minister in that regard demonstrates that the Coalition has no plan or policy. The electorate of New South Wales spoke very sensibly when it returned the Iemma Government to office and ensured that members opposite stayed in Opposition for another four years.

The primary purpose of this bill is to contribute to the development of a sustainable community housing sector that provides good quality social and affordable housing to people on low to moderate incomes and supported accommodation to people with special needs. The bill aims to achieve that through the recognition of community housing in legislation and through the regulation of community housing providers. By focusing regulation on managing risks and facilitating opportunities for community housing providers, the Iemma Government seeks to support the growth of the community housing sector.

A new regulatory framework will protect tenants and government investments and provide confidence to private sector investors and partners. The bill ensures that the community housing sector will grow by enabling community housing providers to leverage private investment into social housing, creating a climate of lender confidence, facilitating the delivery of Government investment in social housing and ensuring that residents, taxpayers and lenders do not suffer as a consequence of organisational failure.

One of my highest priorities as Minister for Housing is to work to enable the community housing sector to grow. I want to have innovative ideas from the sector for affordable housing partnerships and to encourage providers to tender for funding under the Government's Affordable Housing Innovations Fund. The Government has put \$50 million where its mouth is. That money will be released in lots by competitive tender over the next three years. I look forward to announcing the successful providers under debt equity round two, which is valued

at \$6 million, later this year. The bill will enable the Iemma Government to maximise affordable housing in areas of need in New South Wales and to support the commitments made in the State Plan by increasing the housing stock from 13,000 to 30,000 homes over the next 10 years.

To be considered for funding allocations under the Affordable Housing Innovations Fund, proposals must demonstrate a consistent achievement of a high level of organisational performance and the ability to contribute equity, resources and security to the project and to project feasibility and financial viability. The Government is confident that the bill will provide certainty to the private sector to partner with community housing providers to facilitate affordable housing projects.

In the short term, the focus of growth will on be a small number of high-performance community housing providers selected through a competitive process. The member for Heathcote is a passionate advocate of that process. Those providers will commit to leveraging income to deliver more houses. The main benefit of the bill is that it will provide the Government with an effective framework and enable it to manage the risks associated with the more than \$2 billion of public money invested in community housing.

Many people have done a great deal of work on this project. I thank Fiona Townsend from my office, the member for Drummoyne and the caucus committee for their work. I also thank the staff of Housing NSW, especially those in the Office of Community Housing—and particularly Andrew Larkin, the director of strategy, and Clive Morgan, the manager of policy and planning. Of course, I also thank the many community housing providers who have contributed to the process to date, including Shoalhaven, Artarmon, St George, Argyle, Compass and all the other providers who have been involved. The bill has involved a great deal of work and extensive consultation, and I commend it to the House.

Question—That this bill be now agreed to in principle—put and resolved in the affirmative.

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

Bills declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

JOINT SELECT COMMITTEE ON THE ROYAL NORTH SHORE HOSPITAL

Establishment

ACTING-SPEAKER (Mr Thomas George): I report the receipt of the following message from the Legislative Council:

MR SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

1. That a joint select committee be appointed to inquire into and report on the quality of care for patients at the Royal North Shore Hospital, and in particular:
 - (a) clinical management systems at the hospital,
 - (b) the clinical staffing and organisation structures at the hospital,
 - (c) the efficiency, effectiveness and appropriateness of resource allocation and utilisation within the hospital, and in particular the operation of the Emergency Department,
 - (d) the effectiveness of complaints handling and incident management at the hospital, and
 - (e) operational management of Royal North Shore Hospital in general but in particular, the interaction between area and hospital management as it relates to hospital efficiency, effectiveness and quality of care.
2. That the committee consider any strategies or measures in place or proposed for improving quality of care for patients at the hospital which may also benefit New South Wales' public hospitals.

3. That any individual patient complaints identified in the course of the inquiry be referred by the committee to the Health Care Complaints Commission.
4. That notwithstanding anything contained in the standing orders of either House, the committee consists of eight members, as follows:
 - (a) four members of the Legislative Council, of whom:
 - (i) two must be Government members,
 - (ii) one must be an Opposition member, and
 - (iii) Revd Mr Nile,
 - (b) four members of the Legislative Assembly, of whom:
 - (i) two must be Government members,
 - (ii) one must be an Opposition member, and
 - (iii) one must be a crossbench member.
5. That the members be nominated in writing to the Clerk of the Parliaments and the Clerk of the Legislative Assembly by the relevant party leaders and the crossbench members respectively within seven days of this resolution being agreed to by both Houses.
6. That Revd Mr Nile be Chair of the committee, and that the committee elect a Deputy Chair at its first meeting.
7. That, notwithstanding anything in the standing orders of either House, at any meeting of the committee, any four members of the committee will constitute a quorum, provided that the committee meets as a joint committee at all times.
8. A member of either House who is not a member of the committee may take part in the public proceedings of the committee and question witnesses but may not vote, move any motion or be counted for the purpose of any quorum or division.
9. That leave be given to members of either House to appear before and give evidence to the committee.
10. That the Committee report by Friday 14 December 2007.
11. That this House requests the Legislative Assembly to agree to a similar resolution and name the time and place for this first meeting.

Legislative Council
16 October 2007

PETER PRIMROSE
President

Motion by Mr John Aquilina agreed to:

- (1) That this House agrees with the Legislative Council's resolution relating to the appointment of a Joint Select Committee on the Royal North Shore Hospital with the following amendments:
 - (a) Paragraph 4 (a) omit "four members of the Legislative Council," and insert instead "three members of the Legislative Council,";
 - (b) Paragraph 4 (a) (i) omit "two must be Government members," and insert instead "one must be a Government member,";
 - (c) Paragraph 4 (b) omit "four members of the Legislative Assembly," and insert instead "five members of the Legislative Assembly,"; and
 - (d) Paragraph 4 (b) (i) omit "two must be Government members," and insert instead "three must be Government members,".
- (2) That Wednesday 24 October 2007 at 1.05 pm in Room 1136 be fixed as the time and place for the first meeting.
- (3) That a message to be sent informing the Legislative Council of this resolution, and requesting the Council's agreement to the proposed amendments.

PARTNERSHIP AMENDMENT (VENTURE CAPITAL) BILL 2007

Agreement in Principle

Debate resumed from 25 September 2007.

Mr GREG SMITH (Epping) [10.04 p.m.]: The Opposition does not oppose this legislation. The bill amends the Partnership Act 1892 to complement Commonwealth laws to create a new type of tax-exempt venture capital investment vehicle. The bill allows for investors in Australian innovations to receive tax-free returns. This bill is a legislative response from the New South Wales Parliament to the Federal Parliament's Tax Laws Amendment (2007 Measures No. 2) Act 2007, which allows for early stage venture capital limited partnerships, referred to as ESVCLPs, to be recognised in the concessional venture capital tax regime. This regime was implemented under the Venture Capital Act 2002 by the Federal Parliament to encourage foreign investment, develop Australian venture capital and provide equity capital for high-risk ventures.

The Federal Parliament's tax amendments of 2007 have recognised exempt status for a venture capital limited partnership, referred to as a VCLP, an Australian venture capital fund of funds, referred to as an AFOF, and an early stage venture capital limited partnership. The New South Wales Partnership Act 1892 enables an application for registration as an incorporated limited partnership to be made when that entity becomes a VCLP or AFOF, but it does not extend at present to an ESVCLP. Under the terms of the bill, the Partnership Act 1892 will be amended to enable ESVCLPs to be registered as well as incorporated limited partnerships under the Act, and outlines the requirements for such registration to occur.

I know everyone is wondering what an incorporated limited partnership is. It is a body corporate with a legal personality that is separate from that of the partners in it and with perpetual succession. It may have a common seal, and may sue and be sued in its firm name. The Opposition does not oppose this legislation.

Mr FRANK TERENCE (Maitland) [10.06 p.m.]: I support the Partnership Amendment (Venture Capital) Bill 2007 which amends the Partnership Act 1892 to complement changes in Commonwealth laws and create a new type of tax-exempt venture capital investment vehicle. The situation is that, in order to obtain concessional tax treatment under the Commonwealth legislation, certain venture capital limited partnerships must be registered under the Commonwealth Venture Capital Act 2002. That Act, as amended, recognises various types of taxation vehicles including the venture capital limited partnership, the Australian venture capital fund of funds and, consequent upon this bill being passed, the early stage venture capital limited partnership [ESVCLP].

The objects of the bill are to amend the Partnership Act 1892 to enable ESVCLPs and proposed ESVCLPs to be registered as incorporated limited partnerships under the Act and to make consequential amendments. The bill will amend section 53D of the Partnership Act to enable applications to be made for an early stage venture capital limited partnership, or proposed early stage venture capital limited partnership, to be registered as an incorporated limited partnership under that Act. It also amends section 54 of the principal Act to require the statement that is required for an application for registration of an incorporated limited partnership to, firstly, in the case of an application by a partnership or a person or partnerships proposing to be registered under part 2 of the Venture Capital Act 2002, contain a statement showing that it intends to apply, and, secondly, in the case of an application by a partnership that is registered to an ESCVLP under part 2 of the Venture Capital Act 2002, to be accompanied by a copy of a document evidencing its status.

The bill will also amend section 73E of the principal Act to require an incorporated limited partnership that was incorporated on the basis that it intended to be registered as an early stage venture capital limited partnership under part 2 of the Venture Capital Act 2002 to lodge a copy of the document evidencing its status within one month, and also require an incorporated limited partnership whose registration under part 2 of the Commonwealth Venture Capital Act 2002 is revoked to lodge that revocation within seven days of the date of that revocation.

As has been said, in 2002 the Commonwealth Government enacted the Venture Capital Act 2002. The New South Wales Government followed in 2004 by amending the Partnership Act 1892 and forming the concept of an incorporated limited partnership for use as a structure under the Venture Capital Act to encourage long-term economic investment. The bill complements further changes to recent Commonwealth legislation. This new type of tax-exempt venture capital vehicle encourages that investment. Compared to the existing arrangements, the condition for registration will be aimed at encouraging a greater number of smaller investors into early-stage venture capital. For example, the maximum amount of funds that can be committed will be \$100 million, and the investment must be in a business with total assets not exceeding \$50 million immediately prior to the investment.

The New South Wales Government is encouraging investment, creativity, innovation and, in particular, entrepreneurial investment, which encourages the business community to put down money and take risks to

create businesses and jobs. Creating incorporated limited partnerships in 2004 was a clear demonstration of this from the New South Wales Government. The New South Wales Government is committed to allowing venture capital to be invested and located in New South Wales. Eighteen out of 26 limited partnerships registered with the Venture Capital Registration Board are located in New South Wales. This clearly shows that New South Wales is a good place to do business. It shows that investors recognise that New South Wales is committed to encouraging business investment, in particular entrepreneurial investment, and it shows confidence in the New South Wales Government. I commend the bill to the House.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [10.11 p.m.], in reply: I thank the members for Epping and Maitland for their contributions to the debate. The Partnership Amendment (Venture Capital) Bill 2007 will complement recent amendments to Commonwealth taxation laws by providing for the registration of early venture capital limited partnerships in New South Wales. Once registered, such limited partnerships will be able to access tax-free returns. The amendments contained in the bill will ensure that New South Wales remains the leading Australian jurisdiction with respect to local and foreign investment in venture capital. The New South Wales Government is committed to encouraging long-term economic investment in this State. Increasing business investment is a key priority of the Government's State Plan. The amendments in the bill will contribute to economic growth in New South Wales. They will also have a flow-on benefit of helping to reduce the brain drain from Australia. If investors support Australian innovations, our best minds will be more likely to stay here rather than pursue opportunities overseas. I commend the bill to the House.

Question—That this bill be now agreed to in principle—put and resolved in the affirmative.

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

Bill declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

ANTI-DISCRIMINATION AMENDMENT (BREASTFEEDING) BILL 2007

Agreement in Principle

Debate resumed from 26 September 2007.

Mr GREG SMITH (Epping) [10.13 p.m.]: The Opposition does not oppose this bill, which amends the Anti-Discrimination Act to remove any doubt within the Act that discrimination on the ground of breastfeeding is unlawful. At present, it is said, there is ambiguity within the Act in relation to the unlawfulness of discriminatory acts on the ground of breastfeeding. Section 24 of the Act is headed "What constitutes discrimination on the ground of sex." The amendment declares breastfeeding to be a characteristic that pertains generally to women, and by that characteristic any discrimination for that reason will be unlawful. The bill will also ensure that no cases of discrimination can be brought against men for affording a woman special rights to enable her to give birth or to breastfeed. These changes are in force from the commencement of the amendments and do not apply retrospectively.

When speaking to the agreement in principle stage of the bill the Parliamentary Secretary cited the 2003 World Health Organization's and the United Nations' *Global Strategy for Infant and Young Child Feeding*, which outlined the need to provide employment for breastfeeding women. Breastfeeding is widely regarded as providing significant health benefits to infants and improving the relationship between mother and child. The Opposition does not oppose the bill.

Ms ANGELA D'AMORE (Drummoyne) [10.15 p.m.]: I speak in support of the Anti-Discrimination Amendment (Breastfeeding) Bill 2007, which provides for amendments to the Anti-Discrimination Act to remove any doubt that discrimination on the ground of breastfeeding is unlawful. This is an important and timely reform. In 2003 the World Health Organization and UNICEF jointly endorsed the *Global Strategy for Infant and Young Child Feeding*. The strategy advocated, as a global public health recommendation, the exclusive breastfeeding of babies for the first six months of life, followed by breastfeeding with other forms of nutrition until the infant is two years of age. In spite of this recommendation, research shows that less than half

of Australian mothers breastfeed their babies for this minimum six-month period. In 2006, the Human Rights and Equal Opportunity Commission estimated that in Australia:

While around nine in ten women initiate breastfeeding, by 12 weeks this has fallen to 60% and by six months only 48% of babies are receiving some breast milk.

With respect to exclusive breastfeeding, the commission has observed that the statistics are even lower, with recent data showing that only 54 per cent of babies are being breastfed at three months, dropping to 32 per cent at six months. A number of factors may contribute to this. Women are a significant part of the workforce. Many women need to return to work due to financial reasons and career prospects. Traditionally, workplaces have not catered for breastfeeding mothers and I believe some mothers, especially those returning to work, stop breastfeeding due to a fear of discrimination or lack of facilities. It is perhaps for this reason that the World Health Organization's and UNICEF's *Global Strategy for Infant and Young Child Feeding*, which I referred to earlier, also drew attention to the need to provide facilities for women to engage in employment while continuing to breastfeed. This might include adequate maternity leave to establish and maintain breastfeeding and accessible good quality child care. It may also mean that the workplace should provide the time and a clean private area for nursing mothers to breastfeed or express breast milk, along with adequate refrigerated storage facilities.

Prior to being elected as the member for Drummoyne, I worked as an industrial officer for the New South Wales Nurses Association, which has for many years campaigned for a woman's right to be able to safely and privately express breast milk in the workplace. As a result of this work, an express clause in the Public Health System Nurses' and Midwives' (State) Award now provides that employees who are lactating shall be entitled to one paid break of 30 minutes per shift for the purpose of expressing their milk or breastfeeding their child, and the employer shall provide access to suitable facilities for such purpose. One of my proudest achievements as an industrial officer with the association was the work I did with nurses in the private sector to introduce similar lactation provisions into enterprise agreements. Considering that the nursing industry is approximately 93 per cent women, many of them being mothers, this was a major achievement in our industry.

As a result, many nurses in the private sector, like those in the public system, now have the right to the time and the private space to express breast milk. Many public hospitals and other workplaces in New South Wales have work-based child care. This is ideal for mothers who are returning to work who want to continue breastfeeding. As a result of the Howard Government's so-called WorkChoices reforms, which have replaced the Federal award safety net with just five minimum conditions, women in the workplace are now much less likely to be protected by these kinds of lactation provisions, or the ability to negotiate them. This is why we must provide a clear and legal right for women not to be discriminated against on the ground of their need to breastfeed or express milk.

Discrimination on the grounds of a person's sex, or a characteristic that pertains to a person of that sex, is already unlawful under section 24 of the Anti-Discrimination Act. To remove any doubt that this includes a woman's choice to breastfeed, this bill will expressly provide that breastfeeding is a characteristic that pertains to women. In doing so, it will mirror a similar provision in the Act in which pregnancy is specifically cited as a characteristic that pertains to women. The bill also provides that breastfeeding includes the act of expressing milk. As with other forms of sex discrimination, discrimination on the ground of breastfeeding will be rendered unlawful in the areas of employment, State education, goods and services, accommodation and in registered clubs. There are few things in life more natural and beautiful than a woman nursing her newborn child.

Mr Brad Hazzard: How about here? Does it cover here?

Ms ANGELA D'AMORE: Yes, it does. I will get to that in a minute. There are few things more important in an infant's health than being breastfed up to a suitable age. Prohibiting discrimination on the ground of breastfeeding will ensure that women who choose to breastfeed are protected from any discriminatory conduct that may impact on that choice.

I note that the member opposite was referring to whether we are able to breastfeed in this Parliament. I had a child last year. I am one of the fortunate women who had an office and I was able to breastfeed and express for the purpose of feeding my child, whose feeding break was during Question Time. I was very fortunate that I could actually express in my office at Parliament House. I continued to breastfeed until he was 5½ months, which I think is fantastic. It is a provision we should extend to a lot of workplaces.

Mr Adrian Piccoli: I demand the right to do the same.

Ms ANGELA D'AMORE: I think the member would have some problems. He does not have the equipment, but his wife has it. I am sure he will look forward to starting a family.

ACTING-SPEAKER (Mr Thomas George): He has already started.

Ms ANGELA D'AMORE: It is good to see that the men opposite are so supportive of this bill—it is great! It is often a subject that some men are embarrassed about, but it is good to see that they have come on board and support these provisions.

ACTING-SPEAKER (Mr Thomas George): No-one is embarrassed.

Mr Brad Hazzard: Not from the New South Wales Coalition.

Ms ANGELA D'AMORE: That is good to hear. It is good to see that in this workplace we have had many female members who have continued to breastfeed and express milk. This legislation will go a long way to changing the workplace culture where employers can look at the industry best practice to introduce an environment where women can continue to nurse their children and not be discriminated against. It is fantastic that we have industries that already have these provisions—other employers can look at them and introduce them into their workplace. It is something that can be done relatively easily. I commend the bill to the House.

Ms PRU GOWARD (Goulburn) [10.22 p.m.]: For all the reasons that have already been identified, the Opposition supports this amending bill. Breastfeeding is, of course, important for children's health and for maternal health. It is an explicit right of women. However, on the thirtieth anniversary of the Anti-Discrimination Act of New South Wales it is extremely disappointing that this is the best this Government could do to celebrate it. The Federal Government passed amending legislation identical to this in October 2003 and four years later this lazy Government finally gets around to dragging up exactly the same amendment to say that it too is celebrating its anti-discrimination legislation.

I would have thought there were a number of other things this Government could do if it wanted to really celebrate the achievements of anti-discrimination legislation and to enhance it. A good step might have been the development of a family responsibilities discrimination section of the Act, but that would have been too grand a vision for Labor and instead it has reverted to something that the Federal Government introduced four years ago, without the same self-congratulations and celebration of a particular anniversary, but just because it was clearly recognised to be the right thing to do. For the information of members opposite, the Sex Discrimination Act and in this case the Anti-Discrimination Act certainly enable women not to have to give up any of these rights in any workplace negotiations. The Act prevails.

If this Government wanted to promote breastfeeding then there are other things it could have done and that we should talk about as well as removing the anti-discrimination clauses. There could be greater support for lactating mothers in hospital. We could improve the amount of time lactating mothers are entitled to stay in hospital whilst their milk comes in and is established. We could promote the greater provision of lactation consultants to mothers at home when they are struggling in those first early weeks of establishing breastfeeding. We could then extend periods of paid leave for New South Wales public servants—maternity leave—so that they could continue their breastfeeding for as long as possible and we could certainly provide incentives for the private sector as well as the public sector to provide facilities at workplaces so that women could express and safely save their milk until it is time to deliver it to the baby. In other words, if we were really serious about either breastfeeding or anti-discrimination legislation I do not think that it is enough to simply pluck out a bill already passed by the Commonwealth Government—the Howard Government—and say: Wow, isn't this fantastic? This is the thirtieth anniversary of the Act. This just proves how committed we are.

Mr Barry Collier: What about WorkChoices?

Ms PRU GOWARD: Under WorkChoices the discrimination legislation prevails and it makes no difference at all to a woman's right to breastfeed at work. That should be recorded in this House.

Mr Barry Collier: If she's got a job.

Ms PRU GOWARD: She has more jobs than she has ever had because it is possible for her to negotiate flexible arrangements and we now have, as the Minister says, the lowest unemployment rate in 30 years. I commend the bill, like others will before and after me, but I deplore the fact that all the Government

could think of on the thirtieth anniversary of this legislation is to drag up someone else's amendment, someone else's idea, and put it up as if it were the last gasp of this Government—it probably is.

Dr ANDREW McDONALD (Macquarie Fields) [10.25 p.m.]: As usual, I will be brief. As a paediatrician, it gives me great pleasure to speak in favour of this bill. This is an extremely important bill for the children of New South Wales. Having the Parliament of New South Wales make it unlawful to discriminate against a woman on the grounds of breastfeeding sends a strong message to the community from this place about the benefits of breastfeeding. It has been a long time coming. In 1977 I was given a memorable lecture by Dr "Tubby" Davis on the benefits of breastfeeding. He was probably the paediatrician for the member for Manly. The benefits of breastfeeding were well known even at that time. In 2007, we know even more.

As the member for Drummoyne has already spoken, I will not go through all the benefits of breastfeeding again; however, I feel that we could close half the district paediatric inpatient beds in New South Wales if there were a 100 per cent breastfeeding rate and a zero per cent maternal smoking rate. This is because bronchiolitis and gastroenteritis are two of the major causes of inpatient admission, and admission rates for these illnesses are significantly reduced in exclusively breastfed infants. Smoking is associated with reduced breastfeeding rates.

We know that there is a high rate of initiation of breastfeeding, but there is a rapid drop-off in rates in the first six months of life. The causes for this early drop-off are many, but a major one is the lack of a societal culture that encourages breastfeeding, especially in those who need to return to the workplace. Another reason is that the most effective and helpful support persons to a mother who wishes to breastfeed are other mothers who have successfully breastfed. By encouraging mothers to breastfeed, we also empower them to help many people for a long time. Daughters who were breastfed have a higher rate of successful breastfeeding of their own child.

The provision to outlaw discrimination on the grounds of breastfeeding in other areas such as goods and services, accommodation and registered clubs is extremely important. Studies in clubs have shown that the perceived loss of social contact due to the need to breastfeed is a powerful disincentive for some women to breastfeed. This bill will have benefits for many children for many years, and I commend it to the House.

Mrs JUDY HOPWOOD (Hornsby) [10.28 p.m.]: The Anti-Discrimination Amendment (Breastfeeding) Bill 2007 is a bill for an Act to amend the Anti-Discrimination Act 1977 with respect to discrimination on the ground of breastfeeding. The object of the bill is to remove doubt that discrimination on the ground of breastfeeding constitutes unlawful discrimination on the ground of sex. The Anti-Discrimination Act 1977 provides that discrimination on the basis of a characteristic that appertains generally to persons of a particular sex is discrimination on the ground of sex. The bill provides that breastfeeding is a characteristic that appertains generally to women. Discrimination on the ground of sex is unlawful in work, education, provision of goods and services (including in restaurants and cafes), provision of accommodation and in registered clubs.

I breastfed my daughters, who are now 20 and 23 years of age; I fed them for about 18 months each. I am a great proponent of breastfeeding, and obviously I would encourage my daughters to breastfeed their children. I was a very active member of the Nursing Mothers Association in the Hornsby area at the time; indeed, I made many friendships, which I continue today. I note that the Presiding Officers will tomorrow receive formal accreditation from the Australian Breastfeeding Association for Parliament House to be recognised as a breastfeeding-friendly workplace, which is obviously a significant step forward.

Apart from the obvious benefits of breastfeeding for children, which the member for Macquarie Fields has referred to, I would like to point out that breastfeeding also has many benefits for the mother. Research-supported evidence shows that there is a lower incidence of breast cancer in women who breastfeed. Therefore it is significant that October is Breast Cancer Awareness Month and that many organisations are celebrating that and promoting the importance of breast care awareness.

One of those organisations is the McGrath Foundation. Jane and Glenn McGrath established the foundation to raise funds for rural and regional breast care nurses. I had the privilege of visiting the Bowral area to work at the annual Tulip Festival selling merchandise, including pink and white M&Ms. I would encourage members and also the wider community to purchase pink and white M&Ms, as well as a number of other stock items. The initiative is strongly supported by the Berowra Lions Club. I congratulate the club on its wonderful work in relation to this funding initiative and acknowledge that members of the club were willing to go down to Bowral to assist with the sale of items.

Next Sunday, 21 October, a market day will be held in the Berowra marketplace. Funds raised on the day will be used to provide more breast care nurses for rural and regional areas. There are many breast cancer research centres and foundations, including the National Breast Cancer Centre. Many "pink" lunches and breakfasts are also organised as fundraising events, and I encourage all members of the House to attend at least one of them. In conclusion, the Coalition does not oppose the legislation; indeed, we wholeheartedly support it, and we encourage women to breastfeed their babies in the workplace.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [10.33 p.m.], in reply: I thank the members representing the electorates of Epping, Drummoyne, Goulburn, Macquarie Fields and Hornsby for their contributions to this debate. The Anti-Discrimination Amendment (Breastfeeding) Bill removes doubt that discrimination on the grounds of breastfeeding is unlawful sex discrimination. I will return to that matter in a moment. Australian women do not currently breastfeed at rates jointly recommended by the World Health Organisation and the United Nations Children's Fund, or UNICEF. Additionally, there is now considerable evidence to suggest that increasing levels of breastfeeding in the Australian community will have a significant positive impact on the health of the Australian community, and hence on its productivity.

The amendments in the bill will ensure that women who choose to breastfeed are protected from discrimination while going about their daily activities, such as attending work or sitting in a cafe or restaurant. It is therefore timely that tomorrow the Australian Breastfeeding Association will officially present accreditation to this Parliament as a breastfeeding-friendly workplace. This is because the Parliament is now offering its workers lactation breaks, flexible work options, and a private area in which all mothers who work in the building can breastfeed or express and store their breast milk. I am also advised that the Speaker, the Hon. Richard Torbay, will soon put forward amendments to the Legislative Assembly standing orders to clarify that members are permitted to breastfeed in the Chamber.

The bill will further the work done by our predecessors 30 years ago when they originally enacted the Anti-Discrimination Act. That is very important. The Act came into force in 1977. At that time the legislation outlawed discrimination on the grounds of a person's sex. Indeed, section 24 of the New South Wales Anti-Discrimination Act proscribes discrimination on the grounds of sex. Under the provision, discrimination on the grounds of a person's sex, or a characteristic that pertains to a person of that sex, or is generally imputed to a person of that sex, is unlawful. Section 49T of that Act proscribes discrimination on the grounds of a person's responsibilities as a carer. Under that provision, discrimination on the grounds of a person's responsibilities as a carer, or a characteristic that pertains generally to persons who have responsibilities as a carer, or is generally imputed to persons who have responsibilities as a carer, is unlawful.

It could be argued indisputably that breastfeeding is a characteristic that pertains generally to women and that it is therefore unlawful under the sex discrimination provisions of the 1977 Act. Alternatively, it might be argued that discrimination against women on the grounds of breastfeeding is unlawful under the carer responsibilities provisions of the 1977 Act. It could be argued that when the Act was introduced in 1977 discrimination on the grounds of breastfeeding in the workplace was unlawful. The bill clarifies that section of the Act by making it clear that such discrimination is unlawful.

The member for Goulburn, in her usual manner, pointed to the marvellous Commonwealth Government and suggested that the New South Wales Government does not measure up to its standards. However, I make this point: On any reasonable reading of the Act, the New South Wales Government effectively outlawed discrimination against women on the grounds of breastfeeding in the workplace as far back as 1977. The Commonwealth did not legislate to outlaw such discrimination until 1984—seven years later. I hope the member for Goulburn is in her room listening to my speech; she left the Chamber very soon after making her contribution.

I make the point that antidiscrimination legislation was introduced at both the State and Commonwealth levels by Labor governments. It is disgraceful that the member for Goulburn suggests that the New South Wales Government does not measure up to the standards of a government that has brought in WorkChoices legislation, which will mean that a lot of women, regardless of whether they are breastfeeding, will no longer have jobs. The bill enhances the Act by ensuring that women who choose to breastfeed are protected from discrimination. This, in turn, will promote better health and economic outcomes for the State. I commend the bill to the House.

Question—That this bill be now agreed to in principle—put and resolved in the affirmative.

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

Bill declared passed and transmitted to the Legislative Council with a message seeking its concurrence in the bill.

HOUSING AMENDMENT (COMMUNITY HOUSING PROVIDERS) BILL

Personal Explanation

Mrs JUDY HOPWOOD, by leave: I wish to make a personal explanation regarding comments made by the member for Drummoyne and the Minister for Housing in relation to my contribution to the agreement in principle debate on the Housing Amendment (Community Housing Providers) Bill. I reiterate that perhaps the member for Drummoyne misheard what I said in my contribution and the Minister then misrepresented me. I said that a quadriplegic man and his wife were living in a home. I did not indicate that it was community housing. Indeed, it was a private home, which has been privately sold. The couple has sought assistance from the member for Drummoyne to relocate to community housing that would be appropriate to the needs of a quadriplegic.

The House adjourned at 10.39 p.m. until Wednesday 17 October 2007 at 10.00 a.m.
