

# LEGISLATIVE ASSEMBLY

Thursday 6 December 2007

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

**Mr Speaker** read the Prayer and acknowledgement of country.

## CONVEYANCING AMENDMENT (MORTGAGES) BILL 2007

**Bill introduced on motion by Mr Donald Page.**

### Agreement in Principle

**Mr DONALD PAGE** (Ballina) [10.00 a.m.]: I move:

That this bill be now agreed to in principle.

This bill will amend the Conveyancing Act 1919 to impose a higher duty of care than currently exists for mortgagees and chargees in New South Wales with regard to the sale of real estate property. The object of the bill is to amend the Conveyancing Act 1919 to impose a duty on mortgagees and chargees when exercising a power of sale in respect of a mortgaged or charged property to take all reasonable care to ensure that the property is sold for not less than its market value. The intention of the legislation is to increase the duty of care of financiers when they take possession of the assets of a defaulting borrower.

There is a difference between the Federal and State law regarding the duty of care for financiers concerning the disposal of assets when they become mortgagee in possession. In New South Wales case law the only requirement is that a selling mortgagee act with good faith and not wilfully or recklessly. This relatively low duty of care can have the effect of sacrificing the mortgagor's interests when the property is sold. However, under Federal Corporations Law, when exercising a power of sale in respect of property, the selling mortgagee must take all reasonable care to sell the property at not less than its market value or otherwise the best price that is obtainable in view of the circumstances in which the property is being sold. The temptation for financiers in New South Wales is to sell the assets with a view to ensuring their own debt is covered with little regard to any remaining equity held by the borrower.

The history of this legislation goes back to 2000 when I introduced similar legislation to that being introduced today. The New South Wales Government's response to my legislation then was to take it seriously. A detailed discussion paper was issued on my bill and interested parties were invited to comment. Subsequently, the Government approached me with suggested amendments based on feedback from relevant stakeholders. I agreed with the Government's amendments because they strengthened the legislation. I agreed to those amendments in the Legislative Assembly on 19 September 2002. After passing in this Chamber, notice was given to introduce the amended legislation in the Legislative Council. However, the legislation never passed that place because of prorogation of the Parliament for the 2003 election. Even though the legislation had the support of both the Opposition and the Government, it never became law. That is why I have introduced it again in its amended form.

I believe that this legislation is timely because I can foresee many borrowers getting into trouble because of large mortgages and rising interest rates. Their equity must be protected if their property is to be sold up by banks or other financiers. This legislation will give them more protection than they have under New South Wales case law. Common ways for financiers or mortgagees not to fulfil their duty of care include failing to advertise the property at all or failing to advertise for a sufficient period, incorrectly describing the size of the property, failing to pursue prospective buyers interested in purchasing the property at a higher price and generally failing to promote the property to obtain the best possible price.

Queensland and Northern Territory legislation adopts the approach that I am introducing today. Under common law the decision as to the timing of the sale is entirely within a mortgagee's discretion. Mortgagees can choose when to sell the property and it cannot be alleged against them that they would have obtained a higher price had they sold sooner or delayed the sale. This legislation is not intended to change that position. The use of

the words "when it is sold" in proposed subsection (1) after "market value" is intended to make it clear that the mortgagee's duty is to take care to obtain the market value of the land at the time it is sold, whenever that may be.

Proposed section 111A provides that in exercising a power of sale in respect of mortgaged or charged property a mortgagee or chargee must take all reasonable care to sell the land for not less than its market value when it is sold. That is the central principle of the bill. Proposed section 111A also provides that the title of the purchaser is not impeachable on the grounds that the mortgagee or chargee has committed a breach of any duty imposed by this section, but a person damaged by the breach of duty has a remedy in damages against the mortgagee or chargee exercising the power of sale.

Proposed section 111A also states that an agreement or stipulation is void to the extent that it purports to relieve, or might have the effect of relieving, a mortgagee or chargee from a duty imposed by this section. Nothing in proposed section 111A affects the operation of any rule of law relating to the duty of the mortgagee or chargee to account to the mortgagor or charger. Proposed section 111A applies to mortgages and charges whether made before or after the commencement of this section, but only to a sale in the exercise of a power arising upon or in consequence of a default occurring after the commencement in this section. In other words, this legislation is not retrospective.

Finally, proposed subsection (7) makes it clear that this section applies to mortgages and charges under the Real Property Act 1900. In summary, this legislation is designed to increase the duty of care of mortgagees and chargees from merely acting in good faith and not acting wilfully or recklessly to the higher duty of care as prescribed by the Federal Corporations Law. Under this legislation, when exercising a power of sale in respect of mortgaged or charged property, a mortgagee or chargee must take all reasonable care to ensure that the property is sold for not less than its market value. In practice, this will mean that the failure to advertise the property properly or for a sufficient period will mean that the mortgagee's duty of care has not been met.

I thank Mr Peter Jackson from Jackson Smith Solicitors for drawing my attention to the weakness in the New South Wales situation in 2000. He also provided case studies and circumstances in which mortgagors have been disadvantaged by the relatively low duty of care that prevails in New South Wales compared with the Federal jurisdiction, where litigation has often ensued. I thank him for his valued input. I believe that this legislation is morally and legally the correct approach to take in relation to a mortgagee or chargee's duty of care. I also acknowledge former Minister Kim Yeadon's intelligent response to my legislation when it was first introduced. He put out a discussion paper, received community and stakeholder feedback and then suggested amendments to the original bill, which was subsequently passed by this House with the agreement of both the Government and the Opposition. Unfortunately, it was never enacted because of the prorogation of the Parliament in 2003.

This is good legislation, supported in the past by both sides of Parliament. It is important that it be passed because many people have very big mortgages, and a small interest rate rise is potentially catastrophic. If financiers sell up those people, it is incumbent upon those financiers to ensure that they exercise a duty of care in the sale of that property so that the mortgagee's equity interest—which could be substantial—is protected.

An example is a property worth, say, \$1 million with a \$500,000 mortgage. The way the law operates in New South Wales means that the only requirement of the financier is to act in good faith and not wilfully or recklessly. This means, effectively, that provided the financier gets his or her \$500,000, potentially they can sacrifice the equity held by the property owner prior to default. It is important that we protect homeowners. Given the history of this legislation, which was supported by the Government in a slightly amended form, together with strong support from The Nationals and the Liberal Party, I commend this bill to the House and ask members to support it.

**Debate adjourned on motion by Ms Noreen Hay and set down as an order of the day for a future day.**

### **TAFE (FREEZING OF FEES) BILL 2007**

**Bill introduced on motion by Mr Andrew Stoner.**

#### **Agreement in Principle**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [10.10 a.m.]: I move:

That this bill be now agreed to in principle.

TAFE fees are an extremely important issue to the people of New South Wales. As a result of our strong economy our nation faces a serious skills shortage in most industry sectors, certainly in most States. Industry groups repeatedly raise with me their concerns about the skills shortage, and the training of young people to take up available careers and also deliver the skills desired and required by industry as our economy goes forward in leaps and bounds. Therefore, it was quite inexplicable that earlier this year the Minister for Education and Training announced that TAFE fees would be increased by a massive 9 per cent from next year. This followed the introduction of TAFE fees by this Government in 2004. At that time the then Minister for Education and Training, Andrew Refshauge, promised that these fees would be indexed to the consumer price index. Clearly, this year's announcement of a 9 per cent increase next year totally contradicts that commitment.

All citizens of the State should be concerned with what has happened at TAFE since fees were introduced. Statistics show that enrolments and graduate numbers have fallen quite significantly. In 2002 total student enrolments for TAFE New South Wales were 525,865. By 2006 that number had declined to a total enrolment of 500,410—a reduction of more than 25,000 in student numbers at a time when industry demands more trained young people with appropriate qualifications. Clearly the introduction of TAFE fees has impacted on enrolments. In 2002 student graduates numbered 443,008 and increased in 2003 to 405,102. By 2006, the latest available figures, student graduate numbers were down to 412,156—a reduction of around 43,000 TAFE student graduates between 2003 and 2006. That is exactly the opposite of what industry wants at a time when unemployment levels are at near-record lows.

What does the Government do in response to this drain of enrolment and graduation numbers? It increases the fees by 9 per cent! It simply does not make sense, especially when last year the TAFE Futures inquiry found that many students struggled to pay existing fees and many students lived below the poverty line. The inquiry found also that students were dropping out of courses because they could not afford the fees, accommodation and travel. The member for Tweed and the member for Lismore, who are present in the Chamber, know that country students must travel to attend TAFE because, through rationalisation, many TAFE courses are not offered locally. When accommodation, travel and fees are taken into account, it is difficult financially for many of our young people.

Earlier this year, in the heat of the State election campaign, the Premier, Mr Iemma, stated in his election policy entitled "Learn or earn", which was dated 10 March 2007, "We have capped fees for apprentices and trainees no matter what the course." I note the former Minister for Education and Training is in the Chamber and I know she would not have done what the current Minister has done: announce that the Government is going to whack up the fees by a whopping 9 per cent in 2008, which is in direct contradiction to the Premier's election policy "Learn or earn" and to the commitment of the former Minister for Education and Training, Mr Refshauge—not to be confused with the former Minister for Education and Training, Ms Carmel Tebbutt, who did a very good job, especially in relation to Dorrigo High School.

Of course, the proposed fee increase has raised the ire of students and related stakeholders. Increases for the various courses will be as follows: statements and short courses, \$90; Certificates I and II, \$34; Certificate III, \$54; Certificate IV, \$74; diploma, \$98; and advanced diploma, \$118. The cost of an advanced diploma course will be \$1,420 as a result of the 9 per cent increase. Clearly this increase is well in excess of inflation and represents a broken promise to New South Wales TAFE students. The New South Wales Teachers Federation strongly opposes the increases and, in fact, has protested and commenced industrial action, and undertaken a strong campaign opposing the increases. Similarly, the TAFE Teachers Association also is opposed to the increases. The Greens in the other place strongly oppose the fee increases because of the effect on students from low-income families and backgrounds.

One wonders where the Labor Party, with its mantra of social justice, is going these days. It seems that the economic rationalists in the Labor Party are winning the day. It seems an arm wrestle is going on in the New South Wales Labor Party between those economic rationalists—the influence of the Treasurer and Treasury bureaucrats—and others over Labor policy. They are ignoring the needs of those low-income students while at the same time failing to deliver for industry by not putting more graduates through the TAFE system.

I mentioned the decline in the number of enrolments in and graduations from TAFE. The former Federal Coalition Government was moved to supplement the system with Australian technical colleges because of the shortfall in graduate students coming through the system. The Federal Coalition Government was listening to industry and realised that the system is not delivering, but one of the reasons the system is not delivering is the fees. We would not have needed Australian technical colleges if the State Government kept fees to a reasonable level.

The bill will give effect to the Premier's promise in the election campaign in March this year to cap fees for apprentices and trainees no matter what the cost. The bill is a simple one. It freezes TAFE fees at 2007 levels right through to 2011. There is not a lot in the bill to talk about because that is all it does. One page of legal terminology—not a full page at that—simply freezes TAFE fees at 2007 levels. That is what students want, that is what industry would like to see because it will result in more enrolments and more graduations and that is what the TAFE Teachers Association and the Teachers Federation want. I suspect some members of the Labor Party would like to support it as well. I do not wish to make this bill a political point-scoring exercise. I would like as much support as possible from across the board. I have had an indication from the crossbenchers in the other place that they certainly support it. I met with Dr John Kaye last week and he has indicated his support for the bill.

I hope members from all sides of politics will consider this matter on the basis of their consciences. Do they support low-income families and students who want the opportunities provided by a skilled career? If so, their consciences will tell them that they need to support something that will keep TAFE fees at a reasonable level. I look forward to the support of members—Independent, Liberal-Nationals and also Labor—for the bill. There is a challenge here for some members of the Labor Party to take on the Treasurer.

The cost of freezing fees must be clarified. Essentially, it is an opportunity cost because if we do not put up fees by 9 per cent next year—and in accordance with consumer price index increases in each of the subsequent years up to 2011—there will be an opportunity cost, if you like, to the State budget. We have calculated that as being about \$45 million revenue forgone over four years. The Treasurer tells us that the likely budget surplus is in the order of \$300 million to \$400 million for one year. So, is this affordable? You bet it is. Is it an important issue? Absolutely. I am starting to sound like Kevin Rudd, asking myself questions. I must stop it.

**Ms Noreen Hay:** You wish.

**Mr ANDREW STONER:** I do not want to be a nerd, and I do not have a thing for earwax either.

**The SPEAKER:** Order! Christmas felicitations will be given later in the session.

**Mr ANDREW STONER:** I digress. I return to the bill. We are talking about \$45 million in forgone revenue. If the bill is passed we will insist that the promised increase in funding for TAFE equipment, facilities and infrastructure—which was the justification for the increase in fees—be provided. We should support our TAFE teachers. We must have a highly competitive further education system in this State because, like it or not, there is competition in the sector and TAFE must be absolutely competitive. It should be the first choice for our young people who want to skill up and access the many careers available to them. Therefore, our TAFE colleges and our TAFE teachers must be equipped to deliver that competitive training to those young people.

If the Government was going to spend \$45 million in TAFE colleges—which I would support—and that revenue is forgone, obviously the Treasurer would need to find \$45 million over four years, about \$10 million or \$11 million per year, from the budget surpluses he likes to crow about. There is a challenge to the Treasurer. Many Labor members want to support this bill and he will have to find \$11 million a year to ensure TAFE is competitive. Many members on the Government side have objections to Australian technical colleges. Indeed, Mr Rudd, whom we mentioned earlier, has agreed that the program to roll out Australian technical colleges will not continue. I would like to see Mr Rudd put that money into TAFE as well. I would like to see one highly competitive system of technical and further education delivering for our students so they can access careers and deliver for industry.

*[Interruption]*

I have always said this. Why did the member not ask me a question earlier? That is the challenge. I do not care what the delivery mechanism is, and neither does industry. It just wants to see young people skilled up and available for those jobs and careers, and so do young people. They cannot get there if the Government is going to put up fees by 9 per cent. It is outrageous with inflation at 3 per cent. Members on the Government side should stop kowtowing to the Treasurer. I would like to go along to one of their caucus meetings and have it out with him. Members opposite should get a bit of backbone, stand up for themselves and live true to their ideals of social justice and look after those low-income families and low-income students who deserve every opportunity in life.

As members may know—they have not asked me this either—I attended public schools all my life, primary and high school. I accessed university opportunities when fees were not applicable. I am very grateful to the system that gave me that opportunity. But the Treasurer and the economic rationalists within the Department of Education and Training have an agenda to implement a full fee-for-service regime, a user-pays regime, in TAFE. That would be dreadful for those students coming from low-income families or from disadvantaged backgrounds. I commend the bill to the House and look forward to support from all members, including those on the Government side.

**Debate adjourned on motion by Ms Noreen Hay and set down as an order of the day for a future day.**

#### **HEALTH LEGISLATION AMENDMENT BILL 2007**

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

#### **NSW OMBUDSMAN**

#### **Report**

**The Speaker** tabled, pursuant to section 43 of the Community Services (Complaints, Reviews and Monitoring) Act 1993, a report entitled, "Report of Reviewable Deaths in 2006—Volume 2: Child Deaths", dated December 2007.

**Ordered to be printed.**

**Pursuant to standing orders business interrupted.**

#### **GOVERNMENT SCHOOLS (INFRASTRUCTURE REGISTER) BILL 2007**

#### **Agreement in Principle**

**Debate resumed from 29 November 2007.**

**Mr DARYL MAGUIRE** (Wagga Wagga) [10.30 a.m.]: At the outset of debate on the Government Schools (Infrastructure Register) Bill 2007 I congratulate the Leader of The Nationals, Andrew Stoner, on introducing the bill. At many school presentations and on other occasions I acknowledge the great benefits of education. Education is the greatest gift anyone can give a child. It also is the greatest form of encouragement people can be given—whether they are 16, 60 or 80—to maintain their enthusiasm for knowledge and learning. Education leads to opportunities, and opportunities exist to be grasped. Part of the education process is ensuring that suitable infrastructure is provided to deliver educational programs throughout New South Wales.

Recently there has been much talk about the education revolution. Before I came into the Chamber I was listening to a discussion on the radio about the Prime Minister's suggestion that every child should have a computer. My view that computers have not been embraced and promoted enough to schools is no secret. When I visit schools I am appalled by the standard of computer equipment and I am aware that some software links that should have been provided are missing. Schools struggle with budgets to provide decent school and computer infrastructure. A visit to a school provides firsthand knowledge that school computers are outdated models and have been bought in a piecemeal fashion. In my view inadequate focus has been applied to the provision of technological equipment in schools, to ensuring that students have the very best equipment available, and to ensuring that students have information technology support.

Although the Prime Minister has adopted a policy of every student having a computer, nothing has been said about how computers will be maintained and updated. Everyone knows that technology becomes outdated almost as soon as it appears on a retailer's shelves. An initial outlay for the purchase of computers is great, but no thought seems to be given to how the equipment will be upgraded, nor to the support network that will be needed to ensure that the programs are appropriate and that students are given the benefit of reinvestment. While broad policy initiatives are good, to my mind the issue is, and always has been, a clear blueprint for implementation. That goes to the heart of this bill.

This bill relates to directing the Director General of the Department of Education and Training to keep an infrastructure register for each school. To illustrate the point I wish to make I mention one school in

particular in the Wagga Wagga electorate. While I recognise that many schools in my electorate have infrastructure problems ranging from dilapidated buildings that have not been renovated or upgraded to tatty carpets and a generally unsafe environment in which teachers work and in which students are trying to learn, over the past 11 years of the Labor Government in this State it has been very neglectful of school environments. The Government lacks sufficient willpower to take action to address neglected schools and schools that are in desperate need of investment. The Government does not want to know about that.

Once an infrastructure register is established the Government will be obliged to address neglected schools and to update equipment instead of reacting in a knee-jerk fashion whenever a crisis occurs or whenever a headline appears in the electronic and print media. The point about the bill is that infrastructure registers will require the Government to do something about the standard of school infrastructure, and that is why I support the bill. I urge the Leader of The Nationals and my colleagues who will be contributing to debate on this bill to advocate energetically and passionately for Government members to vote in favour of the bill.

Earlier I said I wanted to focus on one school in my electorate. That school, The Rock Central School, was in the media spotlight approximately three months ago. Many members may have noticed an article relating to that school because, tragically, a fire destroyed a classroom. Subsequent events relating to replacement of the classroom were an absolute disgrace. Put simply, The Rock Central School was robbed of a demountable classroom. The excuse for not replacing the classroom was that there were more teaching spaces available at the school than were required. Other transportable classrooms were removed from other schools, and one of those schools was the Willans Hill special school, where a demountable classroom was deemed to be surplus to the school's needs. The Rock Central School was informed that those demountable classrooms were surplus to requirements.

When I drilled down to the reasoning of the Department of Education and Training I found that the rationale was that there were available teaching spaces at The Rock Central School. I visited the school to inspect the so-called available teaching spaces. The department's assessment was based on teachers giving up their class preparation room so that it could be used for teaching. There were computer storage areas that were deemed to be a teaching space. The woodwork room was deemed to be a teaching space in which lessons could be conducted. Of course, the principal of the school was not permitted to speak to me about this issue, but the union representative and representatives of the parents and citizens association certainly did. They said that owing to insufficient classroom space teachers would be forced to conduct classes in hallways and on verandas.

The point I make is that a demountable classroom was removed and taken to Young. That action has divided two communities. The Rock community felt very sorry for the community in Young, and rightly so, because that community had lost a classroom, artworks and the kids' precious projects. The facts of the matter are that at Goulburn transportable school units were available to be taken to Young. But, no, the department, in its wisdom, decided that it would take buildings from The Rock Central School and the Willans Hill special school. Consequently, the students and parents and citizens association members protested. They formed a barricade around the classrooms when workers came to remove the buildings.

There were more police present on that day than I have seen for a long time—burly police officers to ensure that everything went smoothly. However, the only people they were controlling were schoolchildren, mums and babies, who were trying to save their demountable building. Eventually the building was removed and inappropriate headlines appeared in the papers. Considerable debate and discussion have taken place on why buildings from Goulburn could not have been taken to Young as those buildings had already been refurbished. The department removed a 35-year-old demountable, which badly needed refurbishing, from a school that desperately needed the teaching space. Anyone who knows The Rock Central School as I do would understand that it has developed over many years and many of the buildings are antiquated.

The Director General of Education and Training decided to allocate some \$200,000 to The Rock Central School to compensate the school for removing the demountable classroom. The classroom was not worth much money: it needed painting and some carpet but it was valuable to the community. Yet the department paid \$200,000 to try to buy off the school and stop the bad publicity. That is outrageous. I do not object to the school receiving the money but to the department trying to buy off the school and wallpaper over the bad publicity because of a poor decision. Everyone, to a man, woman and child, was against the fact that the Department of Education and Training was bloody-minded in its decision to remove this valuable asset from the school.

The Speaker may have seen the school captain, Ashlea Cook, in the Parliament last week. She was involved in work experience and she has put together these notes for me. She was very involved in the campaign

to save that classroom. These people are good citizens. They value their school and have the same perspective on education as I do. I note that the former Minister for Education and Training, the member for Marrickville, is present in the Chamber. They value the benefits of education. The school captain led the charge, but to no avail. Now \$200,000 is supposedly being invested, but with no start dates. I placed some questions on notice asking when these plans will be approved, who is doing the works and when The Rock Central School can see them.

If the Government had been fair dinkum about school infrastructure the department's website would set out in chronological order the plans, maps and works that are needed so that the department can make informed decisions about when schools need upgrading, identify problems and address those problems systematically. That is the sensible way to approach these matters because I acknowledge that millions and billions of dollars are invested in our schools and we want to maintain that investment professionally. The department has not been professional about the way it manages infrastructure and this bill will help the Government to achieve that aim. I urge any Government member who wants to defend the department's position to step up to the lectern.

The conditions at The Rock Central School cause enormous disruption because teachers are asked to rearrange their entire workplace and sometimes they are required to work in unsafe circumstances. The demands placed on them are contrary to occupational health and safety requirements. Many of these buildings are so antiquated that there is a strong case to put that these teachers are being asked to work in an environment that does not comply with the occupational health and safety laws, and I know that the Labor Party is very big on occupational health and safety.

I turn now to Tumut East Public School. The Federal Government announced that the school would be amalgamated and that two campuses would be joined. That is welcomed. Funding of more than \$3 million has been allocated, but the State Government has failed to react to that announcement. I understand that planning is underway and these matters should be included in an infrastructure register.

I attended a special occasion at the Koorringal Performing Arts Venue. I was pleased to participate, with the Federal Member for Riverina, Kay Hull, and Tony Catanzariti, member of the Legislative Council, in the opening of the venue, which was Federally funded and cost \$3.7 million. That is another example of infrastructure that had been needed for 20-odd years. I declare an interest. The member for Riverina, Kay Hull, and I are both patrons of Koorringal school. When we attended our first patrons meeting the necessity for a new premium performing arts venue was raised. I asked, "What correspondence have you written and whom did you deal with?" Again, this has fallen into a black hole because it was the responsibility of one local department and an infrastructure register has not been established.

The performing arts venue is a credit to everyone involved in its planning and building. However, schools such as Koorringal should receive the necessary infrastructure on a regular basis to avoid the nasty headlines that this Government attracts by its sheer incompetence and bloody-mindedness in not adopting best management practice tools such as an infrastructure register.

**Mr MALCOLM KERR** (Cronulla) [10.45 a.m.]: I congratulate the Leader of The Nationals on introducing the Government Schools (Infrastructure Register) Bill 2007. I congratulate the member for Wagga Wagga on his timely speech on this important issue. The new Federal Government has talked about an education revolution and the provision of computers, and the member for Wagga Wagga outlined what is required in relation to those computers. I suggest to the new Prime Minister, who may find this a revolutionary suggestion, although I do not, that computers will not have much utility unless there is adequate electricity capacity at the schools.

I turn to a number of schools in my electorate. Caringbah North Public School needs to upgrade its electrical system and Cronulla South Public School has a dangerous and inadequate electrical supply. These are schools where that basic facility is not being supplied. Indeed, the Government has totally neglected to provide to a number of schools in my electorate the necessary infrastructure required in any modern public education system. We must invest in our children's future, and the only way to do that is to ensure that schools are resourced adequately and have basic facilities.

The member for Wagga Wagga referred to the important role that public education plays in equipping the next generation with the skills necessary to go into the world and make a substantial contribution to Australia's future. That is possible only if the level of schooling provided meets reasonable standards. The former Federal Government never received adequate recognition for its program of investing in our schools. Several schools in my electorate, such as Burraneer Bay Public School, benefited considerably from Federal

funding. The previous Labor administration certainly made no such investment. Education funding is a State responsibility but because the economy was strong the former Federal Government was able to provide tens of millions—perhaps hundreds of millions—of dollars for education across Australia. That investment has ensured a better future for students in the public education system.

Bruce Baird and I attended a concert at Cronulla High School to celebrate the amount of money the former Federal Government had given the school. That investment was possible only because of the strength of the Australian economy. We must realise that a strong economy is not an end in itself. A strong economy makes possible the provision of education, social security and many other services that are not Federal responsibilities but that the previous Federal Government, which was concerned about Australia's future, chose to fund. It decided to take up the burden that should have been shouldered by every State Government. Because of the GST provided to the States—

**Ms Noreen Hay:** Now you want to talk about the GST.

**Mr MALCOLM KERR:** I am glad the member for Wollongong wants to talk about the GST.

**Ms Noreen Hay:** We couldn't get you to mention the GST before.

**Mr MALCOLM KERR:** I assure the member for Wollongong that there would be no GST if it were not for the former Federal Prime Minister and the former Federal Treasurer. That tax is expanding. Former Labor Premier Bob Carr could not sign the GST document quickly enough. Labor members complain that the distribution of GST revenue is unfair because they believe States such as Queensland are getting more than their share. However, they neglect to mention that the distribution of GST funds is a matter for the Commonwealth Grants Commission, which is supposed to be impartial and objective. They do not mention the fact that if the fraternity of Labor Premiers had agreed the GST revenue could have been redistributed. Did they agree to do that? No, they did not. So much for Labor Party fraternity!

We now have a Labor Prime Minister. Will there be a redistribution of GST revenue? I do not think so. I will let members in on a little secret: the Labor Prime Minister comes from Queensland. Do Government members think he will help them take money from Queensland? If the Government wants to get its hands on some money—I will let it in on a little state secret—look down the road to Kurnell, where it is building a desalination plant costing billions of dollars. The Government is spending money like water in Kurnell. That money could be used to fund the school maintenance backlog across the State. No member—whether he or she comes from Lismore, Marrickville or Murray-Darling—could complain if the money that is being spent on the desalination plant were made available to finance a revolution in education in New South Wales. It would be a real revolution if the State Government were to fund basic facilities for schools. I am sure that members such as the member for Wakehurst have strong and detailed plans about how they would use that money in their electorates.

**Mr Brad Hazzard:** Endeavour Sports High School.

**Mr MALCOLM KERR:** That is not in the electorate of Wakehurst, but Endeavour Sports High School could be a beneficiary of some of those funds if the Government administered state finances properly.

**Mr Thomas George:** You've got no plans whatsoever.

**Mr MALCOLM KERR:** The member for Lismore is right.

**Mr John Williams:** Badly managed.

**Mr MALCOLM KERR:** It is a badly managed State, and who suffers? It is the children. They are suffering because of the Government's neglect and mismanagement. It is an absolute scandal that member after member will speak in this debate about the inadequate funding for basic school maintenance. One would think a security fence is a basic requirement for any public school. The former Premier said he would make it possible for public schools to compete with private schools. There would be sandstone gateways—

**The SPEAKER:** Order! I assure members that the member for Cronulla needs no assistance in his contribution.

**Mr MALCOLM KERR:** I apologise for interrupting the interjections of the member for Wollongong with my speech. If I may be allowed to continue—

**Ms Noreen Hay:** I accept your apology.

**Mr MALCOLM KERR:** I am glad of that. As I was saying, one would think a security fence is a basic requirement for any public school. But the parents and citizens association had to fund the security fence at Burraneer Bay Public School.

**Mr Brad Hazzard:** Shame!

**Mr MALCOLM KERR:** I agree with the member for Wakehurst.

**Ms Carmel Tebbutt:** We invested a fortune in that school.

**Mr MALCOLM KERR:** The parents and citizens association provided the money that the Government should have supplied.

**The SPEAKER:** Order! The member for Wakehurst will cease interjecting.

**Mr MALCOLM KERR:** The Government has failed totally to deliver on public education. The former Premier said that public schools would compete with private schools, that public schools would have sandstone gateways and that there would be great achievements in the socialist utopia of New South Wales. Yet the Government would not even pay for a security fence at Burraneer Bay Public School; the parents had to do that. Laguna Street Public School has an original toilet block and the toilets have original chain-pull cisterns. That block should have been upgraded a long time ago. The member for Baulkham Hills often talks about the toilets at one of the schools in his electorate. But the Government has ignored his pleas. The Government has money to spend on office bearers. I am not sure how many real backbenchers remain in the Government because everyone seems to have an office—every player gets a prize. But the taxpayers pay for those prizes.

**The SPEAKER:** Order! The member for Wakehurst is free to seek the call at the conclusion of the contribution by the member for Cronulla.

**Mr MALCOLM KERR:** Every time a player on the Government side gets a prize a child pays for it. It is totally unsatisfactory. Public schools in my electorate—and I have no doubt across the State—have dedicated teachers and parents, who are raising the level of public education in this State through their hard work. I go to school fetes, as I am sure many members on this side of the House do. At those school fetes I see parents and teachers manning stalls. They are doing that so that once again they can provide basic facilities for public schools. It is no small thing to organise a school fete. I have been to a number of school fetes in the past six months and I have been impressed with the professionalism of the people who run them. That degree of professionalism involves a lot of time. Yet those people are there selling cakes and drinks, the proceeds of which go towards providing the sort of material benefits to the school that should be provided by the Government if it were doing its job properly.

**Mr BRAD HAZZARD** (Wakehurst) [11.00 a.m.]: The Government Schools (Infrastructure Register) Bill 2007 is an extremely important bill for New South Wales schoolchildren and their parents. As the former shadow Minister for Education and Training I travelled the length and breadth of this State and visited many public schools. At the outset I acknowledge, on behalf of both sides of Parliament I am sure, that the teachers in public schools are doing an unbelievable job, often in very trying circumstances. The parents of students in government schools are usually extremely supportive of their children, and do far more than perhaps was originally envisaged parents would have to do to provide infrastructure and maintenance in schools within our public education system.

Three-quarters of a million students attend New South Wales government schools. Each of those students represents our State's future. It is therefore extremely disappointing that at this stage of this tired Labor Government's career, after nearly 13 years, schools are in a far worse state of repair today than they were at the time of the change of government in 1995. At every school I visited as shadow Minister, the parents and citizens association and the principals were consistent in one theme—that is, that since this Government has been in office maintenance and infrastructure issues are far worse.

That goes back to a decision that was made by this Government, which has been acknowledged privately from time to time amongst senior members of Parliament, that the school maintenance issue would be used as a fundraiser for the Government—a fundraiser for its incapacity to manage the financial affairs of this State in areas other than education. Under the former Coalition Government school maintenance was cyclic maintenance. Each school knew that it would be dealt with fairly and equitably. Each school knew that every few years it would get minor maintenance and that every seven years or so it would get major maintenance. Every school community knew that its school buildings would be maintained to a reasonable standard.

The Government stopped that and said, "We are going to do it on a needs basis." The message there was that school maintenance would be based on the needs of an individual school. However, like so many of the Government's efforts, it turned out to be based on what the Government needed—not what the community needed, not what our students needed, not what the parents needed, and not what the teachers needed. The change in the Government's maintenance approach was exacerbated when it effectively stopped all maintenance in schools for a period of just on 2½ years. That was done under the guise of renewing the maintenance contracts. A massive amount of money was effectively taken out of the education system—money that should have been used to maintain infrastructure within our schools.

We all know that if we do not maintain our house it will deteriorate and eventually fall down. That is what has happened in education. Under State Labor our schools, our special places for education across the State, have started to fall down. I have visited schools, stood there with the principals and the presidents of the parents and citizens association, and looked at the cracks in the buildings. They have been told, "We are going to get round to this, but we just don't know when." At one school I visited, which was in the southern suburbs, as the principal and I walked through the library we noted that pieces of panels had fallen off the library walls where white ants had been detected 2½ years earlier. Students had been working in that environment—with white ants, and no panels on the walls—for 2½ years. But the school could not get any response from the Government.

I recall visiting Bowral Public School, a wonderful school with a dedicated principal and staff. It was a memorable visit, because I was escorted around the school by the two school captains, who were 11 or 12 years old. At the end of that escorted visit we met with the principal and senior staff members. I turned to the girl school captain and said, "Can you tell the principal whether there is one thing you would like to change in your school?" I had a fair idea what she was going to say because she had been talking about the various issues as we walked around the school. She went a little red, and she said, "I would love the toilets to be upgraded." At that school none of the students will go to the toilet during the day because the toilet facilities are so bad.

It is appalling that we have reached the stage where students in government schools across New South Wales—possibly our future leaders—are so focused on the negative aspects of their school that they will raise them with a visiting member of Parliament in the presence of their principal. Yet we get this rubbish back from the State Labor Government that it is doing a good job maintaining our schools. The Government has had its eye off the ball for years with regard to maintenance in our schools. The net result is that schools have deteriorated to the point where it is a sad environment in many of our schools. The bill, which will require the Director General of the Department of Education and Training to keep a publicly available register of government school maintenance and capital works, will make a difference.

The Government is deceptive and dishonest. Not only does it lack direction generally—as is evidenced by what is going on in the media at the moment in relation to who will be Premier next week—it also lacks direction in the promises it makes to the community. It breaches the faith that should exist between a government and its people. I cite as an example Wheeler Heights Public School, a school in my electorate. Prior to the last State election the Minister for Education and Training made a clear promise that that school would get a new school hall. The implication of the words that were used, as interpreted by the parents, was that it would happen in the near future. I have asked two questions on notice concerning that school hall. The most recent answer, provided on 7 November 2007, was as follows:

A project to construct a hall at Wheeler Heights Public School has been included in the Government's Better Building Schools Program. The hall will be built within the current term of government.

That is four years! Students who are now in second class will not see that school hall, students who are now in third class will not see it, and students who are now in fourth class will not see it. What we need from this Government is a commitment that it will honour its promises. We also need a public announcement as to when infrastructure and maintenance works will be done in our schools. If the Government embraces families and public school communities, people's faith will return. If the Government does not do that, it has no chance. I would say that at this point the Government has no chance.

[*Business interrupted.*]

### **DISTINGUISHED VISITORS**

**The DEPUTY-SPEAKER:** I welcome to the House the former member for Tweed, Mr Don Beck, together with his beautiful wife and former mayor of Tweed, Mrs Lynne Beck.

### **GOVERNMENT SCHOOLS (INFRASTRUCTURE REGISTER) BILL 2007**

#### **Agreement in Principle**

[*Business resumed.*]

**Mr GEOFF PROVEST** (Tweed) [11.07 a.m.]: I state once again that I am 100 per cent for the Tweed. That is the reason I strongly support the Government Schools (Infrastructure Register) Bill 2007, which was introduced to the House by my colleague the Leader of The Nationals. As members know, the bill seeks to revise the role of the Director General of the Department of Education and Training to keep an infrastructure register in relation to public schools, detailing the status of capital works, building plans and maintenance works, and to publish this information on the Department of Education and Training website. I am a strong believer in public education. All my children attended public schools in the Tweed electorate. As representatives of our electorates it is our duty to do all we can to improve the education experience of our children. This legislation will increase transparency and facilitate better access to information concerning public schools.

I wish to inform members about some of the issues that public schools in my electorate are facing. Kingscliff Public School is in urgent need of a school hall. As one of this Government's priorities is to provide school halls first to those schools that have enrolments of over 500 students, it will be some time until this school gets a hall. The provision of a school hall is vital to Kingscliff Public School. Halls provide obvious benefits not only to school students and staff, but also to the wider community. Kingscliff Public School is also in desperate need of a new toilet block. The current toilets, which are housed in a demountable building, are atrocious and the Kingscliff Public School community has been lobbying for its upgrade for years. Even the former Minister for Education and Training, the Hon. Carmel Tebbutt, who was in the Chamber a short time ago, was taken aback when she inspected the toilet block during her visit to the school. She said it smelt terrible and that something should be done. Many years later, nothing has been done.

Kingscliff Public School is only one school in my electorate that would benefit from this legislation. Tweed River High School is another public school that is in urgent need of government funding. Recently I received a number of letters from the Tweed River High School parent and citizens association and from the New South Wales Teachers Federation outlining safety concerns. These letters reveal that teachers and students have suffered a number of injuries. One student slipped, injured her ankle and required ambulance attention. A teacher's aide slipped in a dangerous toilet block and injured her hands, knees and lower back. This school, which has waited 20 years for a sports and entertainment centre to be built, now has a list of urgent funding requirements that amount to more than \$3 million. Some of the capital works that are required include new fencing—although that has now been provided—driveways, landscaping, playground upgrades, refurbishment of the administration block and the urgent upgrade of toilets, kitchens, textile design rooms and other vocational education facilities.

This legislation will give the parents and citizens association at Tweed River High School and the New South Wales Teachers Federation a greater understanding of where they stand in relation to school infrastructure funding and reveal how long it will take before any facilities are provided. Terranora Public School would also benefit from the passage of this legislation. Some time ago the parents and citizens association at Terranora Public School, through its fundraising efforts, acquired a large amount of money to install air conditioning at the school. However, even though the school had reached its funding goal it had to wait for many months before the Department of Education and Training funded upgrades to the school's electricity substation to support these air-conditioning units. This bill would give Terranora Public School some insight as to when those upgrades would occur. Many other schools in my electorate require upgrades. Pottsville High School needs an infrastructure fund so that it knows in future where it sits in the general scheme of things. I am 100 per cent for the Tweed. I acknowledge the presence in the gallery of Mr Don Beck, a former member for Murwillumbah—a great ally and friend who provided me with guidance when I embarked on my new career in this great Chamber.

**Mr JOHN WILLIAMS** (Murray-Darling) [11.14 a.m.]: The Government Schools (Infrastructure Register) Bill 2007 is all about good management practice. Other members who contributed to debate on this

bill clearly indicated that good management practice does not form part of this Labor Government's management of school resources. The basic principles of asset management—there is no science to it—is the provision of resources after establishing what maintenance is required and which schools should be given priority. Some members said earlier that toilets were leaking into school playgrounds, which is unacceptable. The Government might have its priorities wrong; it might have decided to paint the school rather than fix the toilets, replace them or ensure that they were functional.

A perfect example of the Government getting its priorities wrong is its proposal to privatise electricity. I know that the member for Bathurst is an advocate for such privatisation. The Government wants to sell its assets because it has made no provision for their maintenance. These assets have zero value because they have been run into the ground. They have no sinking fund and they have not been maintained. The Government wants to sell off its assets and privatise them because that is the easy way out. It does not want to put in place good management practices to secure long-term power generation for this State, which is a typical cop-out. Today we have heard how this Government has copped out of its school maintenance responsibility, which is ridiculous.

Recently I attended a "Meet the candidate night" function in my electorate where someone referred to the fact that one high school needed \$750,000 worth of maintenance. As it was my intention to refer to this issue in my contribution to debate on this legislation I wanted to obtain details about the maintenance that was required from the school principal, but she has been gagged and cannot talk about maintenance issues. There is zero transparency in relation to the maintenance of schools in this State. People do not know when it might occur or how it will be carried out. The Government keeps it under covers because the rent has been spent; it does not have the money to carry out this maintenance. The Government keeps giving us spin to make us believe that this maintenance will be carried out one day. This maintenance is required now. Four years is a long time to wait for a change of government before this work can be carried out. We do not want the Government to talk about providing funding; we want it to make available hard assets. The Government promised this funding before the last election but people are frustrated because it is not keeping its promises.

**Mr Gerard Martin:** They are in my electorate.

**Mr JOHN WILLIAMS:** The member for Bathurst is always talking about the marvellous job that this Government is doing in his electorate. Will the member for Bathurst still be praising the Government after it has sold off our electricity generators? I am sure that the people in his electorate will be thrilled to know that he supports that Government proposal.

**Ms Sonia Hornery:** Point of order: Under Standing Order 129 my point of order relates to relevance. We are talking about education and government, not about the privatisation of electricity.

**The DEPUTY-SPEAKER:** Order! The member for Murray-Darling knows that he should keep his remarks relevant to the bill and not stray, as he sometimes does.

**Mr JOHN WILLIAMS:** I am talking about this Government's mismanagement of assets. The former Coalition Government handed over assets that this Government was supposed to manage on behalf of the people of New South Wales, but it has spent those assets. Shires in my electorate have told me that the Government is starting to talk about the privatisation of water and sewerage. It established that the shires have set aside funding for the management of assets, which is exactly what this Government should do. This Government will now take over the management of those assets and spend it.

**Mr Gerard Martin:** Point of order: The member should be brought back to the leave of the bill, which is about the maintenance of schools. For the record, the last time the Coalition was in government it sacked 2,500 schoolteachers.

**The DEPUTY-SPEAKER:** Order! The member for Bathurst will resume his seat. I remind the member for Murray-Darling that the bill is specific. It relates to infrastructure registers for government schools. I ask him to confine his remarks to the bill.

**Mr JOHN WILLIAMS:** The member for Bathurst, once again, gave us a lecture on history. This Government has a very poor record in relation to the maintenance of schools. Government members are ducking and weaving and do not want to address the asset management issue. This legislation is an important tool in the management of school assets. I want to place on the record the promises of this Government so that people in the education area are aware of its agenda. At the moment it is in the lap of the gods as to whether or not those

toilets will be fixed. Schoolchildren are being exposed to most unhygienic conditions because this Government is not maintaining school toilets.

We have seen a deterioration of basic facilities for schoolchildren, which this Government is happy to perpetuate, thus endangering children. There will be an uprising if it continues. Parents have had enough. Parents are running cake stalls and doing whatever they can to try to raise funds to fix what this Government should be fixing. Children are missing out on improved facilities. Parents and citizens associations, which focus on providing basic essentials for children, should not have to maintain school facilities and the children who are going to these schools should not be placed in position where they cannot use the toilets at certain times of day because of the smell. It is an absolute disgrace. This Government should be ashamed of the way in which it has managed these assets.

When I was running my small business I had to comply with occupational health and safety regulations. Inspectors would walk into my premises and tell me what was required. They would say, "You need to make this alteration, you need to remove that and you need to replace this." When I walk into schools I do not see any occupational health and safety inspectors. Children are being exposed to what private enterprise would classify as dangerous situations, which is not good enough. Where are the inspectors who should be establishing what is required in these schools, when it is required and when it will be fixed? That should be an absolute priority for this Government. It must back its promises with cold, hard cash. It does the talk but it cannot do the walk!

**Mr RAY WILLIAMS** (Hawkesbury) [11.21 p.m.]: The electorate of Hawkesbury has some of the most outstanding public schools with exceptional teachers providing quality education on behalf of our children in the north-west of Sydney. Teachers at these schools provide the best education for our young children but, unfortunately, the State Government is neglecting them sadly. Let me give members just one example of this neglect. An article in the *Daily Telegraph* on Monday 17th September this year states:

Two schools, namely Ebenezer Public School and Cattai Public School children, are being forced to drink tank water contaminated with lead. Both Ebenezer and Cattai public schools had their tank water tested almost 5 months ago by the health department and the level of lead in the water tanks at these two schools was found to be three times the acceptable level.

Surprisingly, when the story broke another 36 schools across regional New South Wales that had also been tested by the health department were similarly found to have lead contamination in their water supplies. The schools were then told to give bottled water to their children. Can members imagine schoolchildren and parents being told to bring their own bottled water so that the kids had drinking water throughout the day? Over the next few weeks temperatures are likely to soar to about 40 degrees Celsius, yet children in these schools have been asked to bring in their own bottled water. It sounds like a Third World country but these schools are located only 45 kilometres from the heart of Sydney.

This State Government could not care less about these kids, or about kids at the other 35 schools that all contend they have lead contamination in their water. These children might be bringing in their own drinking water, which in itself is deplorable, but they still have to wash their hands in water that is contaminated with lead. Members would all be aware that children often put their hands into their mouths, so the risk of consuming water that contains lead is quite real. Medical research clearly establishes that children exposed to lead face the serious risk of intellectual impairment. It is outrageous that in 2007 children in Australia are being exposed to lead in this way but, as was pointed out in the story in the *Daily Telegraph*, hundreds of children at 36 schools are at risk of intellectual impairment because of the neglect of this State Government, which will not provide basic requirements such as water for these children.

It is remarkable, but not surprising that Labor members condemn this legislation. The Government hates being brought to account, which is exactly what the bill does. The bill highlights the shameful neglect by this State Government of the children of New South Wales. I commend the Leader of The Nationals for introducing this bill. The *Bible* states, "Suffer the little children to come unto me". The children of my electorate and the children across New South Wales are doing a considerable amount of suffering under this State Government. Children's health is suffering considerably because of a lack of necessary infrastructure and, most importantly, the provision of safe and clean drinking water.

An interesting aspect of this neglect of public schools is evident at Ironbark Ridge Public School at Rouse Hill, a new school in my electorate. In its haste the State Government positioned a brand new school on a site that is being developed in conjunction with Lend Lease. A primary school and eventually a high school will be located within the Rouse Hill Regional Centre, but it is already five years late. The primary school, which has

been built, does not have footpaths or adequate bus services. This Government allowed a school to be built that is deprived of basic, fundamental facilities such as footpaths and buses. With new changes to bus transport the State Government is putting schoolchildren at risk by making them use normal bus routes—another of Mr Costa's cost-cutting measures. Instead of running dedicated school buses, as has been the case in the past, the Government will force little children onto service runs. These buses do not drive into schools and pick up children; they just pick up people at bus stops, so children will be picked up from these bus stops and dropped at the front of a school.

I have spoken about the dangers at Ebenezer Public School and at Cattai Public School, but there is an equally disturbing danger at Maraylya Public School. For over a year the Maraylya Parents and Citizens Association has complained about an old building in the school grounds that is riddled with asbestos. When the parents and citizens association first raised this matter with the Department of Education and Training it was advised that the building should be removed because it presented a risk to children. It was also advised that all necessary precautions should be taken in the removal of asbestos to ensure that it complied with occupational health and safety requirements. The association was advised that the asbestos removal cost would have to be met by the parents and citizens association and the school, which means that local families will have to pick up the cost for the removal of a building riddled with asbestos—a building that presents a significant health risk to children attending Maraylya Public School.

The New South Wales State Government will not provide one cent towards those removal costs, which is a disgrace. The department and the Government recognise the threat to the wellbeing of children, but they will not pay one cent toward the removal of a building that is riddled with asbestos—another aspect of neglect suffered by public schools across the Hawkesbury electorate. Annangrove Public School is another classic example of this Government's total lack of commitment to provide basic needs for schools. I regard classrooms as essential tools in the provision of education for our children. When the number of children enrolled at Annangrove drop by only four this wonderful school will lose its demountable classroom. When I highlighted this issue prior to the last State election, surprise, surprise, the demountable was left intact.

Next year, when the number of schoolchildren drops just slightly, the demountable in question will be removed, which is a total disgrace and an indication of this State Government's neglect of our schools. It will cost many hundreds of thousands of dollars to remove this demountable and to then reinstall it when the numbers increase in a few years time. This will be the fourth time this demountable would have been removed in the past 12 years. Frustration was so great at this school that one of the parents, Mr Dermot O'Sullivan, who is also the president of the Annangrove Progress Association, took the time to drive to Goulburn after being given a tip-off that these demountables were being stored in a paddock at Goulburn. Mr O'Sullivan took photographs of hundreds of demountables just lying around, not being used by the Government.

The Government has taken these demountables away from schools and stored them in that area for no reason other than a drop in the number of schoolchildren. I question why this Government is willing to pay hundreds of thousands of dollars to remove demountable classrooms only to have them reinstalled the following year when the number of children increases. It is a waste of money and a frustration to the school, to parents and to schoolchildren using the demountables to have the rug pulled out from under them. It is also worthwhile noting the funding provided by the former Federal Government for new school facilities. Up to \$150,000 was provided to various schools across my electorate. Former Attorney-General Philip Ruddock and I had the privilege of unveiling many facilities in schools such as Kenthurst Public School and Glenorie Public School. I have spoken to several contractors who do regular maintenance work in public schools across my electorate. They have told me that because of the Treasurer's funding cutbacks only minimal maintenance work will be undertaken over the next few years, which is disgraceful.

One of the saddest aspects is that this neglect is being suffered by many public schools across the State. Teachers, parents and citizens are picking up the bill on behalf of this State Government. Teachers at these schools have been told not to talk to any local members—which is intimidation and bullying and reflects what this State Government is all about. It is all about covering up its mistakes and intimidating teachers and parents at these schools, instead of fixing the many problems that exist. It is a shameful display. I assure all teachers and parents in my electorate that the Liberals and The Nationals will not tolerate this. We will do whatever we can to ensure that this neglect is wiped out and that schools across New South Wales receive the necessary infrastructure.

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

## GOULBURN WATER SUPPLY

### Debate resumed from 29 November 2007.

**Ms KATRINA HODGKINSON** (Burrinjuck) [11.30 a.m.]: I support the motion moved by the member for Goulburn that recognises the difficulties that Goulburn has been placed in because of the extended drought and calls for action by the New South Wales Labor Government. For the first two terms of my time in Parliament, until this year's redistribution of the electoral boundaries, I proudly represented the great inland city of Goulburn. On many occasions in this place I have called for action to address the water supply situation of not only Goulburn but also many other rural towns and villages. Goulburn went on to level 5 water restrictions in October 2004. Much-welcomed winter rains allowed these stringent restrictions to be eased to level 3 in July of this year.

However, for about 2½ years the residents of Goulburn faced strict and severe water restrictions. They were asked to cope with a daily water consumption of just 150 litres per person. It is fair to say that the residents of Goulburn responded well, despite much negative media publicity that Goulburn was a city running out of water. Goulburn remained very much open for business. This is clearly a testament to the will and ability of the residents of Goulburn to achieve what they set their minds to, and it shows their genuine commitment to the ever-changing needs in the local environment. Everyone pulled together. Restaurants served meals on paper plates, beer was pulled into disposable plastic cups and grey water was poured onto well-mulched gardens.

What was the result? In the first week of July 2006 Goulburn used only 5.7 megalitres of water a day. That is significantly less than the five-year average daily consumption of 8.55 megalitres for the same time of the year. That is a great achievement which should be commended by all members of the House. With recent rains the restrictions have been eased but concerns still remain about the long-term viability of Goulburn's water supply. But there is one inescapable fact: Goulburn's long-term water supply is inadequate to meet its growth. A graph of Goulburn's water storage over time shows that the trend is always down. Rain events such as the one earlier this year will raise storage levels but each successive trough is just that little bit lower than before.

The recent rains have brought some breathing space but it is only that—breathing space. This House must heed the call for the State Government to fully fund the emergency pipeline for Goulburn. I note the comments by the member for Cessnock in this place on 29 November about Labor's promise to fund a five-megalitre a day emergency pipeline. That is all well and good, but perhaps we should review some of the other promises made by the Carr and Iemma Labor Governments to the people of Goulburn. What about the 1999 promise to move the headquarters of the Department of Corrective Services to Goulburn? The Carr Labor Government scrapped that promise in March 2002 after it had served its purpose in the 1999 election.

What about the 2003 election promise by Premier Carr to transfer 109 Corrective Services jobs to Goulburn? The full contingent just never quite made it! Let us cast our minds back to 2001 when the Carr Labor Government said that no Goulburn jobs would be lost due to the sale of FreightCorp. Yet the Minister for Transport sneakily ensured that the 135 FreightCorp jobs that existed in Goulburn in 1997 had fallen to only 75 by 2001. But wait for it! Despite the promise, another 53 railway jobs have been lost to Goulburn by 2004. The then health Minister Craig Knowles ripped the Cook-Chill jobs out of the Kenmore kitchens, sending them to Wollongong.

**Ms Sonia Horner:** Point of order: I ask the member to return to the leave of the bill, which is about the Goulburn water supply.

**The DEPUTY-SPEAKER:** Order! The member for Burrinjuck's remarks are within the ambit of the discussion.

**Ms KATRINA HODGKINSON:** Remember the promise by the then Minister for Local Government, Tony Kelly, just before the 2003 election that there would be no forced amalgamations of local government boundaries. That promise was made to the residents of Goulburn City Council and Mulwaree Shire Council. Why should the residents of the forcibly amalgamated Goulburn-Mulwaree shires believe promises made by this State Labor Government? Let us not forget the long delays foisted on the former Woodlawn employees by the Labor Government that stopped them from getting their termination payments for almost five years. The member for Cessnock said that Labor has a plan for an emergency pipeline for Goulburn. The big question is: Can he be believed?

Can anything that a Sydney centric Labor Government says about Goulburn be believed? Going on its track record, it is unlikely in the extreme. As the member for Goulburn said, the former Federal Government's commitment of \$20 million to the project earlier this year has kept the State Government honest. I note with grave concern that Goulburn's water supply was completely ignored by the Rudd Labor election campaign. Now with wall-to-wall Labor governments at the State and Federal levels, the residents of Goulburn must be extremely concerned about the future of their water supply. I call on the House to support the motion moved by the member for Goulburn that calls on the Government to fully fund the pipeline to ensure that Goulburn has a guaranteed minimum supply of water. [*Time expired.*]

**Ms PRU GOWARD** (Goulburn) [11.35 a.m.], in reply: I thank the member for Burrinjuck for her contribution to this debate. As the member formerly representing the city of Goulburn she is fully aware of the difficult circumstances in which the residents of Goulburn have lived for a number of years. Of course, the Opposition opposes the self-congratulatory amendment proposed by the Government. As Labor was hopeful of defeating the Liberal Party and getting up an Independent candidate the Government offered \$20 million, but that is exactly what it offered in 1986. It seems extraordinary that the Government has not allowed for a little inflation over a 20-year period. The Labor Government is extremely fortunate that its offer of \$20 million was matched by the former Federal Coalition Government.

As the member for Burrinjuck observed, that promise was not addressed or matched during the election campaign by the Rudd team. Indeed, no Labor water spokesman came to Goulburn, despite Goulburn being renowned as the city that ran out of water. So disinterested in this perilous situation were Labor members that they came nowhere near Goulburn, and they certainly made no commitments to ensuring that Goulburn is able to enjoy a secure water supply. We now know that the cost of the water pipeline from the Wingecarribee will be at least \$10 million more than has been funded by the State and Federal governments—I might add, that is the outgoing Federal Government. We are still waiting to see if Mr Rudd will confirm the \$20 million commitment by Malcolm Turnbull and the Federal Liberal Government.

In addition, we know that at least \$10 million extra is needed, and there is no commitment from this Government to assist a city with a very low rate base. I think Goulburn has 9,000 ratepayers. As the pipeline will not be paid for by the shire but by the people of Goulburn, between them they must find another \$10 million. One would have thought that, for a Government interested in decentralisation and taking the pressure off Sydney, a further \$10 million would be a modest price to pay to ensure that Goulburn—with its significant infrastructure, housing stock, proximity to the Hume Highway and our major centres—is in a good position to absorb some of the population growth that Sydney is unable to absorb. But there is none of that, and it is a great shame.

It is worth noting that the people of Goulburn managed without this pipeline by using rainwater tank subsidies provided by their local government. More than 1,100 rainwater tanks were installed using the subsidy. That is a tremendous achievement for a town of only 9,000 ratepayers, and at considerable private expense. The State Labor Government had signalled that it wanted to get rid of the rainwater tank subsidy altogether because no-one in Sydney was taking it up. It was only during the election campaign that the Government appreciated that rural and regional New South Wales recognised the importance of the subsidy. Not only did the Government not abolish the subsidy, it extended it to regional areas, and for the first time the people of Goulburn were able to access the State government subsidy. That subsidy, which was a copy of our policy, has freed up funds of the Goulburn Mulwaree Shire Council to be put towards other water management programs.

It is a disgrace that State Labor took so long to recognise that there was a vital need for rainwater tank subsidies in regional New South Wales, particularly in Goulburn where enormous rain events with months of dry weather in between necessitates the need to store every drop of water. It gives me great pleasure to move this motion, which notes that our water supply now is expected to last more than two years. I point out that the estimates are always followed by a question mark. The motion also commends the great people of Goulburn for their heart and stoicism in adhering to level 5 water restrictions and for their commitment to pursuing strategies, such as the purchase of rainwater tanks, despite the lack of support from the State Labor Government. I commend the motion to the House.

**Question—That the amendment be agreed to—put.**

**The House divided.**

**Ayes, 44**

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

**Noes, 37**

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

**Pair**

Ms Burton

Mr Aplin

**Question resolved in the affirmative.****Amendment agreed to.****Question—That the motion as amended be agreed to—put and resolved in the affirmative.****Motion as amended agreed to.****NORTHERN BEACHES INTEGRATED TRANSPORT PLAN****Mr MIKE BAIRD** (Manly) [10.49 a.m.]: I move:

That this House:

- (1) notes the Government's broken promise to the people of Manly in relation to The Spit Bridge and its dishonesty with respect to the past two elections;
- (2) notes the Government's position in relation to this project was flawed from the outset;
- (3) notes that a freedom of information application request lodged on 7 February 2007 on The Spit Bridge remains outstanding today, 91 days later, and not answered prior to the recent State election; and
- (4) calls on the Government to adopt the Opposition's northern beaches integrated transport plan as a priority.

How ironic that today, the last day of Parliament's sittings for the year, the Government tried to sweep this nasty little motion about its broken promises under the carpet. Just like the many dark corner meetings that have been held in relation to The Spit Bridge project, it was hoped it would be buried in the deluge of the last day of sittings. No-one should be surprised, and no-one should expect anything less after what has been seen in relation to the project. This issue strikes at the heart of the integrity of the Iemma Government. At the crux of this issue is when the decision was made to abandon the project. If the Government brazenly abandoned this project before the recent State election, yet pretended to the voters that it was going ahead in the lead-up to the election, how can the public believe any of its announcements? Did the Government deliberately mislead the public in order to win votes?

The answer could be quite simple, or the Premier could be in the House defending himself, or the Minister for Health, who represents the Minister for Roads in this House, could be here defending the Minister for Roads. But they are not here. They are not here because there are too many unanswered questions and many things have been hidden. The Premier and the Minister have lied about the benefits of the project. The Roads and Traffic Authority saw no good reason to go ahead with the widening of The Spit Bridge, yet publicly the Government continued to support it. The Opposition had a lot of trouble obtaining documents under freedom of information legislation, and I will come back to that. Those documents included one from Andrew Hart, the project manager for The Spit Bridge, which stated:

Advice from Fraser Johnson at TMC was that the queuing is caused by standing waves generated by the signals at Parriwi Road, rather than being due to inadequate capacity across Spit Bridge itself ...

When we modelled the widened bridge in a fixed configuration, with 3 lanes in each direction, we found that it provided no benefits for peak-direction traffic (no surprise—it provides no additional lanes, and doesn't address the Parriwi Road problem either ...

That was the advice from the Roads and Traffic Authority. Minister Roozendaal took a different approach. On 19 August 2006 the *Manly Daily* reported Minister Roozendaal as saying:

Certainly people in the Manly area ... who use The Spit Bridge on a daily basis will find it of massive benefit to them.

What advice was the Minister relying on? It certainly was not expert advice, and certainly was not the Roads and Traffic Authority's advice. There was no advice that the project would deliver anything. So what was it all about? On 12 February 2007 as the State election got closer John Laws interviewed the Premier. When John Laws said that most people thought the project was a waste of money, the Premier replied, "No, this is a good thing, we are committed to this project." John Laws then asked, "Is it going ahead?" There was a seven-second deathly silence, but the Premier did not answer. That clearly indicated that on 12 February 2007 the Premier knew that the project was not going ahead. The documents obtained under freedom of information legislation included an email from Michael Tansey dated 6 February, just a few days before the Premier's famous silence. Michael Tansey, who was part of the project management team, wrote to Geoff Fogarty stating:

Geoff,

Here is a copy of the article in Today's Manly Daily. It doesn't contain any "inside" information.

The article referred to the Government being in denial on The Spit Bridge call-off. What inside information was Michael Tansey referring to? What did Michael Tansey and Geoff Fogarty know? They knew that the Government was making a decision to abandon the project. They should come forward and explain that to the people of New South Wales. I am not denigrating the work they are doing for the Roads and Traffic Authority, but they were caught up in the charade by the Labor Government. On those dates they were certainly aware, as was the Premier, that the project was not going ahead.

This is a lazy Government; there was no holistic plan for the whole corridor. The Government went ahead with a simple fix that made it look like it was doing something to solve congestion. The Government thought it could get away with that for \$35 million when it was first announced. As time went by the Government realised that it would cost more than \$35 million, but decided to stick to its plan. It is a damnation that the work was not done. The people of the northern beaches have been told time and again that the project would go ahead. Infrastructure Partnerships Australia said that that corridor is one of the top 40 infrastructure priorities across the country. Yet all we get from the Government is political spin, but no hard work.

The Opposition has started that work, and I will address that later. The member for Balmain and the member for Drummoyne have issues that they should be very concerned about. The Opposition perceives a ground hog day emerging in the Iron Cove Bridge debacle. This week we heard that the Government is hanging

on to its plans to widen the Iron Cove Bridge despite Roads and Traffic Authority advice that that would not ease congestion. On top of that it is predicted that there will be another cost blow-out. The people in the Balmain and Drummoyne electorates should be concerned; they do not know whether the Iron Cove Bridge will be widened. That uncertainty is another example of how this Government works. The people of Balmain and Drummoyne have every right to be concerned about that bridge; I certainly would be concerned.

There has been a long trail of Ministers taking advantage of The Spit Bridge photo opportunities. In August 2002 the then Minister for Roads, Carl Scully, went to the site and announced that the bridge would be widened, a big photo opportunity, and he said that it would be great. In 2003 in Parliament there was a question to Premier Bob Carr, which the member for Pittwater will give details about. Premier Carr said that the bridge widening would go ahead, and that it would be wonderful. In 2005 Premier Bob Carr said that work would begin on the bridge in 2006. In June 2005 the then Minister for Roads, the Hon. Michael Costa, visited the site. He said that \$1 million had been allocated for a widening design contract to the engineering firm Connell Wagner.

Finally, the famous Eric Roozendaal, the current Minister for Roads, visited the site in 2006. He called for tenders and said that work would begin in early 2007—yet another photo opportunity. Then there was the 2007 State election—and off went the project! At the estimates committee hearing on 26 October 2007 Minister Roozendaal shifted, squirmed, looked uneasy, talked to his bureaucrats, and did not know how to answer the question on when the project was cancelled. That is the question that the Opposition would like answered by the member who speaks to this motion on behalf of the Government today: On what date was this project cancelled? It is not a hard question. Just give us the date—unless the Government wants to cover up and continue this charade. And the silence of members opposite confirms what we all know.

The Government cancelled this project before the election. It did not matter which party would win that seat at the 2007 election, the Government had intended to cancel the project. The Minister for Roads, Eric Roozendaal, told the estimates committee that he made the decision—and this is important—to back away from the widening based on a recommendation from the Roads and Traffic Authority. The Minister will not say when that recommendation was received. If the recommendation was received before the State election—and an application under the freedom of information legislation is in place requesting that information—that would be the final confirmation of what we all know: clearly the decision was made before the State election.

What is the Minister hiding? What is his concern? The Minister for Roads is hiding a clear example of deceit. Notwithstanding that the work has not been done, as the charade continued the Government got into difficulty and realised that the project would cost a lot more money than estimated. It did not want to do the work, no-one was supportive of it, the community was against it, but the Independent member wanted it. So the Government decided to stick with that commitment until the election. That is not acceptable. The Government should not have gone to the public with a clear policy platform that it had no intention of delivering.

**Mr Brad Hazzard:** A straight-out lie.

**Mr MIKE BAIRD:** Yes, a straight-out lie, particularly as the Government had a recommendation from the Roads and Traffic Authority recommending that the project should not go ahead, and the Minister had seen that recommendation and made the decision to not go public with it.

There has been a range of cover-ups. A freedom of information request was lodged in February and we were told we would get the information on 26 March—it usually takes 21 days. Call it a coincidence, but the day we were going to receive the information was the day after the State election. Again, this comes back to the integrity of government. If a government holds up freedom of information for electoral benefit, which is what we saw in this case, then integrity goes further than just delivering a promise.

There have been big announcements on The Spit but, ultimately, no solutions. In concluding this debate I will sum up some of the Opposition's ideas that this Government should adopt. It is ironic that in October the Iemma Government announced its plan to build a \$7 billion mega motorway under Sydney, yet with The Spit not only has nothing been done but we have got close to 200 potholes up and down the road, which are dangerous to motorbikes, bicycles and buses, and it is a car park in and out. The onus on the State Government is to solve the problems, do the work and, importantly, show integrity in all it does. But the Government has failed the people of New South Wales, and Manly in particular.

**Mr MICHAEL DALEY** (Maroubra—Parliamentary Secretary) [11.59 p.m.]: This motion would be funny if it had not been moved in a serious place: State Parliament. Let us have a look at paragraph 4 of the

motion of the member for Manly. It says that the Opposition calls on the Government to adopt the Opposition's northern beaches integrated transport plan as a priority. What a joke. This is the mob that admitted on Sydney radio in February that they were going to the election without a transport strategy and without a transport plan. It is an affront to the truth for members of the Opposition to talk about any transport plans. The Opposition's hypocrisy on this is staggering, as usual, even by the Opposition's standards. It is extraordinary that it has the gall to bring such a motion before the House.

Let us be clear on what this motion is about: it is all about grandstanding. We know that in politics you grandstand when you want to cover up a lack of policy. The Opposition is a policy-free zone. If we cast our minds back and examine how the Opposition has conducted itself over its 12 and a bit years in opposition we will see that over a decade ago it lost its ability to develop policy.

**Mr Mike Baird:** Point of order: My point of order is relevance. The interesting point is that the member for Maroubra is not talking about The Spit Bridge, and I wonder why. He has moved away from the subject of the motion because he does not want to speak about it—he knows it did not happen.

**ACTING-SPEAKER (Mr Thomas George):** Order! I thank the member for his point of order.

**Mr MICHAEL DALEY:** The Opposition has called the examination of policy into question in this motion, and that is exactly what I intend to do. If we cast our minds back and examine the conduct of the Opposition we will see that it lost its ability to develop policy over a decade ago. The former Opposition leader, Peter Debnam, could not formulate any policies; John Brogden could not do it; and Kerry Chikarovski could not do it. The last Opposition leader who had any policy grunt was the former member for Willoughby, Peter Collins. And what happened to him? He was axed, dumped and stabbed in the back. That is what that lot does to its leaders, but it is not what we do to ours.

**Mr Brad Hazzard:** Have you read the paper today about Morris?

**Mr MICHAEL DALEY:** It is funny you should say that. If there is to be an examination of any political leadership in this State it should be that of the Leader of the Opposition. To compare the Premier—a person who has the party comprehensively united behind him and who went to the election in March with a wide-ranging plan and a comprehensive raft of policies, which we put to the people of New South Wales and they endorsed us and returned us—to the dog and pony show on the other side of the Chamber that has no policies, led by a leader—

**Mr Brad Hazzard:** Point of order: I just read the motion and I am having trouble seeing anything in it that could possibly lead the member for Maroubra to address the House on leadership issues. It would appear to me to be an opportunity to speak on integrated transport. He should have a look at the motion and speak to it.

**Mr MICHAEL DALEY:** To the point of order: I am speaking to the motion.

**ACTING-SPEAKER (Mr Thomas George):** Order! I ask the member for Maroubra to come back to the leave of the motion.

**Mr MICHAEL DALEY:** The fact is the Leader of the Opposition could not develop policy as a staffer and he cannot do it now, and his example is rubbing off on one of his newer members, the member for Manly. The former Leader the Opposition, the Leader of The Nationals, the Deputy Leader of the Opposition, the member for Manly and the member for Wakehurst are on the public record calling for this project to be abandoned. Having opposed this project one would expect the Opposition to come up with a credible policy alternative but it has not. One would expect a detailed proposal and fully costed concrete measures to address congestion on the northern beaches, but the Opposition offers nothing. The Opposition has done no policy work. It relies on its usual strategy of whining about Government policies but it does nothing to develop a credible alternative.

**Mr Brad Hazzard:** Point of order: I seek leave to table the integrated transport strategy we took to the last election. The member for Maroubra should have the guts to say yes to that. Here it is; look what it says. He is gutless.

**ACTING-SPEAKER (Mr Thomas George):** Order! I ask the member for Maroubra to come back to the leave of the motion.

**Mr MICHAEL DALEY:** I am right on the money. It is no wonder the people of Manly preferred an Independent to represent them for four terms. The Liberal Party has had four terms to come up with an alternative plan and it has not. Former Opposition leader John Brogden proposed a tunnel; then the man who stabbed him in the back, Peter Debnam, backed away from it—just like the desalination project: it was on and off. This is exactly the same thing. The former Opposition leader, Peter Debnam, covered himself in glory on this project by refusing to answer 16 or 17 questions about it at a press conference. With this record the Coalition seeks to cover up its own policy failures by attacking the Government, a government that is engaging in the largest infrastructure projects in the history of this State. But the people of New South Wales have repeatedly shown they will not fall for cheapness.

As the Minister has said publicly on this issue, he made a difficult decision based on the information and advice from experts provided to him. He made the decision at the appropriate time, which was after tenders had been assessed. The member for Manly purports to come from a financial or banking background. Surely he knows you would not make a decision on this until after you have assessed the tenders.

**Mr Mike Baird:** No. You are right.

**Mr MICHAEL DALEY:** That is right, and that is exactly what the Minister did. I am keen for *Hansard* to note that the member for Manly has just agreed that you would not make a decision to proceed with a project like this until after the tenders have been assessed. The member for Manly just said, "You are right." The Minister made that decision in the best interests of the taxpayers of New South Wales. Sensibly, what he did not do, and what the member for Manly and his colleagues are suggesting he should have done, is to provide a running commentary on the tender process on an ongoing basis. Clearly that would have been inappropriate and the Minister did not engage in that. The Government established a Military Road working group to look at integrated transport options for this corridor.

**Mr Mike Baird:** Point of order: The member for Maroubra went right past the key issue, and that was what was the date the Minister decided not to proceed with the project. He is very silent on that.

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

**Mr MICHAEL DALEY:** The Government established a Military Road working group to look at integrated transport options for the corridor. I understand that this group last met on 7 November and will report to the Government by the end of the year. Looking at options for transport in that corridor is a sensible approach but members in this place should see this motion for what it is. A person who does not have the ability to develop policy leads the Opposition, and that inability, together with his political sloth and laziness, is rubbing off on members of his own team. The people of New South Wales will look to the Opposition as the alternative government, as they did in March, and they will ask what policy options it has on the table for them. And eight months after the election—as was the case in March—the Opposition does not have any for New South Wales and it does not have any for the northern beaches. This is all about pretence.

**Mr BRAD HAZZARD** (Wakehurst) [12.09 p.m.]: It must be very hard for a Labor member who probably does not have a clue about the northern beaches to actually speak on this issue—although I note that he was given a written speech and he did his best, and we should acknowledge that. The community of the northern beaches has the right—in fact, the community of Sydney has a right—to see an integrated transport strategy for the northern beaches, to have a workable solution for the transport problems of the northern beaches.

For almost 13 years of this Government, the northern beaches community—notwithstanding the fact that there have been two Independent members in Manly—has been treated as second-rate citizens. Let us cut to the quick here. The promise that was made to widen The Spit Bridge had no basis in logic. I do not intend to breach personal confidences, but having listened to the diatribe from the member for Maroubra—and I know he has to say what he said—the truth is that his own side indicated to me quite some time ago, long before the last two elections, that The Spit Bridge widening would never go ahead. It was simply an empty promise made to look as if the then Independent member for Manly, David Barr, had something he could take to the election, but there was never any intention to deliver it.

What makes that worse is that more than a million dollars was spent on an American company to come here to do the layout along the road frontage on the southern side of The Spit Bridge. The fellows from America who were brought here to do that actually told local businesses that it would never go ahead, that it was a crazy proposal, "We're getting paid, so we're here. We're happy to accept \$1 million from the Labor Government, but

it is not going to go ahead. It makes no sense; it won't produce better outcomes." Do not think for a moment that all the Government's bluster on this issue gives it any credibility. Whatever substance the proposal had was not intended by the Government. That was exposed by the step of dropping the whole project after the last election, once Mr Mike Baird became the member for Manly.

We did take an integrated transport strategy to the last election. We have been crying out on behalf of the northern beaches community for improved ferry services, improved bus services, improved road access, the implementation of flyovers at the corners of Wakehurst Parkway and Warringah Road, and Sydney Road and Burnt Creek bypass. We have done all that and we are going to keep up the fight. As local members of Parliament, irrespective of political persuasion, we will keep the fight up to make sure this Government eventually gives northern beaches residents a fair go.

In the context of integrated transport, one of the most important things we need—we do not have a train line or the services offered in other parts of Sydney—is a good taxi service. We have the Manly Warringah cooperative in our part of the world and, as late as 24 October, I took John Whitehead and John McShane from the cooperative to see the Minister for Transport, and I thank him for that. The Minister, along with other public officials, listened intently to the issues and what he heard was that the Manly Warringah cooperative is now suffering as a result of too few taxis. I received a phone call minutes before I walked into the Chamber today from Doug Evans, a senior person within the cooperative, who expressed to me the horror of this morning's events. People were waiting two hours to two and a half hours to get a taxi out of the northern beaches. What he said was what was said to the Minister on 24 October. He said that going back a few years there were 217 taxis in the cooperative and now there are 153 taxis. It is a problem. I know it is a problem in other parts of Sydney too, in some parts of western Sydney—

**Ms Angela D'Amore:** Especially when it rains.

**Mr BRAD HAZZARD:** Especially when it rains, that is right, but what has been suggested to the Government is that it give some thought to leasing plates at sub-market rates, perhaps 30 plates from the Government to the cooperative, to allow it to provide the services that are needed as part of an integrated transport strategy for the northern beaches. On behalf of the cooperative I again thank the Minister for consideration of the issue. But that was 24 October, it is now 6 December and we have not heard a word. The cooperative is beside itself. One gentleman rang this morning, absolutely beside himself, and spoke to the cooperative. He said he had waited 2½ hours and there were all sorts of sad ramifications as a result. On behalf of the Manly Warringah cooperative I call on the Minister for Transport to get his people within the Ministry of Transport to focus on the issue and to come back with a solution, and preferably accept a proposal to put an extra 30 plates into the northern beaches as part of the integrated transport needs of the northern beaches.

**Mr ROB STOKES** (Pittwater) [12.14 p.m.]: I support the motion of my colleague and friend the member for Manly in relation to The Spit Bridge. Broken promises undermine public confidence in this place. They sadden me because, as an elected representative, a broken promise by any elected representative reflects badly on us all. That is what this motion is all about. This motion notes the Government's broken promise to the people of Manly and also to the people of Pittwater in relation to The Spit Bridge, and its dishonesty with respect to the past two elections. In relation to that part of the motion, I note that page 17-7 of the budget papers for 2006-07 states:

The New South Wales Government has also committed funds to other major road projects within Sydney, including...commencement of the widening of The Spit Bridge (\$11 million in 2006-07).

**Ms Angela D'Amore:** Hear! Hear! I thought you were going to say the Iron Cove Bridge.

**Mr ROB STOKES:** I note that the member for Drummoyne called out "Hear! Hear!" in relation to that promise. I point out to the member for Drummoyne that that never happened. That commitment was broken. An amount of \$59 million was directly promised towards this project but not a bean has been contributed. In fact a bit of money has been wasted on a tender process that was nothing more than a charade. Money was wasted on that process. There were also wasted opportunities. More than a quarter of a million people depend on The Spit Bridge as the traffic artery into the central business district. More than a quarter of a million people are on the wrong side of that bridge, trapped by a bad piece of failing infrastructure. There were wasted opportunities to do something to fix this problem and also to fix the dashed hopes of the northern beaches community.

In relation to the promise on The Spit Bridge widening just after the 2003 election, I draw the attention of members opposite to a statement in *Hansard* that was made by the former Premier, Mr Carr. He said that this

Government has an affordable, responsible and practical plan to widen The Spit Bridge. The promise to widen a drawbridge was neither affordable nor responsible, and it was impractical. Quite simply, the Premier was talking through his hat. The second part of the motion notes that the Government's position in relation to the project was flawed from the outset. I note that the Roads and Traffic Authority has confirmed that the cost of the project would outweigh the benefits. Widening a drawbridge was a bad and misconceived policy. The Opposition and the locals have been telling the Government this for five years, but it refused to listen and kept down this bad path. It made silly promises and then it broke them. We were telling the Government loud and clear for many years but it failed to answer.

The third part of the motion relates to the freedom of information applications or requests that the member for Manly submitted. This is a serious part of the motion because it shows that the Government does not take seriously the freedom of information laws. It failed to meet the deadlines for answering freedom of information requests, and I note that one is still outstanding. It simply failed to tell the people of the northern beaches the true position before the election, when the response to freedom of information requests was due.

The final part of the motion calls on the Government to adopt the northern beaches integrated transport plan as a priority. The member for Maroubra said that there was no policy. I am happy to direct the member for Maroubra to my website where he will find a copy of the integrated transport plan. I note also that the member for Maroubra, when he referred to the plan that he said did not exist, refused to allow us or give us leave to table a copy of our integrated transport plan for the northern beaches. I note that the Government is meeting in secret to consider its future, but quite simply if it adopts our plan it will find that we have an excellent— [*Time expired.*]

**Mr JONATHAN O'DEA** (Davidson) [12.19 p.m.]: I did not expect to have the wonderful opportunity to speak to this motion. However, as usual, this lazy Government does not have any more speakers.

**ACTING-SPEAKER (Mr Thomas George)**: Order! I am sure that if Government members want the opportunity to take part in the debate, that opportunity will be afforded to them.

**Mr JONATHAN O'DEA**: I am delighted to make my twenty-fourth speech in this Parliament as we wind up for the year. When I reflect on the past six months in this place I note that one of the highlights has been my role in the wonderful four-member northern beaches team. I understand the frustration of members opposite, given that they made empty promises and still could not win the northern beaches seats.

**ACTING-SPEAKER (Mr Thomas George)**: Order! Government members will stop agreeing with the member for Davidson.

**Mr JONATHAN O'DEA**: I am delighted to be part of a team which works so effectively for the northern beaches and which has a resolve to hold this pathetic Government to account and to fight for a region of Sydney that deserves better. Members opposite do not give a damn about that region. They try to prop up Independents to keep effective Liberal Party members out of this place.

**ACTING-SPEAKER (Mr Thomas George)**: Order! The member will direct his comments through the Chair.

**Mr JONATHAN O'DEA**: As I said, I have been reflecting on the past six months as we end the parliamentary year. In addition to the wonderful camaraderie between the four members for the northern beaches, the overwhelming impression I have of the past six months is one of a government focused on spin rather than substance, on words without action, on repeated announcements without delivery, on empty promises that leave residents disappointed, and on plans full of puffery. This Government's announcements about transport non-initiatives reinforce that impression. The number of rail projects that have been announced but not delivered is incredible. The Tcard project is indicative of this Government's performance and the public is disillusioned. People I speak to on the northern beaches and elsewhere in my electorate have given up on the Government; they are waiting for a change of government.

**Mr Brad Hazzard**: They want to love you but they can't.

**Mr JONATHAN O'DEA**: As the member for Wakehurst said, the people of the northern beaches gave the Premier another go, but now they have given up on him. Members opposite will be ousted in three years because they are not properly representing the public of New South Wales. I was interested to hear the

member for Maroubra indicate that the working group report would be released this year. To be honest, he has no credibility. We have heard many announcements on transport-related initiatives and empty promises—The Spit Bridge promise is but one—about northern Sydney.

**Mr Rob Stokes:** It is a long list.

**Mr JONATHAN O'DEA:** The member for Pittwater is correct; there is a long list of broken promises. Quite frankly, I do not believe the member for Maroubra. We will see next year whether a proper report was released this year. The northern beaches members' transport plan for our area is comprehensive. It is about public transport delivery, particularly improved bus services. I have raised the issue of buses running from Belrose and received an inadequate response from this Government. I also have raised the issue of park-n-ride facilities. The Government is interested in providing those types of facilities only in its own electorates or where it is politically expedient for it to promise but not always to deliver. If the member for Maroubra would care to read the integrated plan released by the northern beaches members— *[Time expired.]*

**Mr MIKE BAIRD** (Manly) [12.24 p.m.], in reply: While there has been frivolity and some rather ludicrous claims, in particular from the member for Maroubra, the Government's response is disappointing. Casting that aside, I point out that Manly has one of the most clogged stretches of road and denigrated public transport systems not only in New South Wales but probably across the country. We heard Kevin 07 talk about governing for everyone. I would like Morris Iemma and his Government to take those words to heart. They are not governing for the people of the northern beaches; they are not listening; they are not delivering.

**ACTING-SPEAKER (Mr Thomas George):** Order! Government members had the opportunity to take part that in the debate and they did not. I ask them to remain silent.

**Mr MIKE BAIRD:** I am happy to go through the Premier's transport record. This Government has not confirmed when the decision was made to cancel this project. I put on the record today that the Government's silence is damning; it confirms that the decision to cancel The Spit Bridge project was made well before the State election. Members should draw their own conclusions. Members opposite came into this place having made a clear decision that they wanted to serve their community. In doing that they wanted to stand for integrity and the interests of the community they represent. First and foremost, they were not focused on winning at all costs but on doing the right thing. I believe that everyone believes that.

This Government has failed the people of New South Wales. Can we trust any announcement made by this Government? There was a deafening silence from the member for Maroubra. He said that experts should ratify the process. I agree; we must consult experts to come up with a solution to a complex problem. This project was announced five years ago, but that process was never completed. The experts should ratify this process.

**Ms Angela D'Amore:** What about the integrated plan?

**Mr MIKE BAIRD:** I thank the member for Drummoyne for that interjection. I will now go through the integrated transport plan. The Opposition said that any solution should be centred on public transport.

**Ms Angela D'Amore:** That is a nice motherhood statement.

**Mr MIKE BAIRD:** No, it is not. The first step in addressing a clogged road is to change the culture. That means taking cars off the roads. The Opposition's plan proposes the introduction of park-n-ride facilities at Brookvale—fully costed—and at Seaforth, and a proposal for a facility at Warriewood is being examined. One must also consider bikes and integrated ferry timetabling. The Opposition also proposed the introduction of 60 new natural gas buses. They are not replacement buses; they are additional capacity. If the Government were to provide additional capacity and parking, the culture would change. The Opposition also referred to reintroducing the 270 bus services that were cancelled by this Government in the 12 months leading up to the election. How can we get people to use public transport if services are cancelled and there is nowhere for them to park their cars?

We are committed to increasing peak capacity for ferries. We said also we would review the integrated timetable. We have examples of buses leaving five minutes before and five minutes after the ferry timetable—no integration whatsoever. There must be a priority and commitment: we have committed to the plan and costed it. To reduce the key pinch points of Warringah Road, Wakehurst Parkway, Manly Road and Sydney Road

graded separation is required. This basic plan starts with public transport at its core and is deliverable. Les Wielinga is heading the working group and we look forward to his solutions. He should take on board some of these ideas from the integrated transport plan. We are about doing the work. I have had many meetings with the private sector and public transport groups trying to understand some of the most logical solutions to the problem. I visited Brisbane also to see a public transport centric city. Ferries were cancelled two days in four years in that city. They are the sorts of solutions the people of Manly need. We need integrity of government, which this process has shown does not exist. [*Time expired.*]

**Question—That the motion be agreed to—put**

**The House divided.**

**Ayes, 39**

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

**Noes, 47**

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

**Pair**

Mr Aplin

Ms Burton

**Question resolved in the negative.**

**Motion negatived.**

**EPPING RAILWAY STATION UPGRADE**

**Mr GREG SMITH** (Epping) [12.40 p.m.]: I move:

That this House:

- (1) notes that the new Epping railway station has been shown to be badly designed, with the escalators malfunctioning on 7 Mat 2007 and no alternative stairway access to the platforms;

- (2) notes that pedestrians no longer have access from Beecroft Road to Langston Place using the ramp on the older footbridge;
- (3) condemns the Government for its lack of consultation and planning of the new Epping railway station;
- (4) calls upon the Minister for Transport to immediately reopen the old Epping station concourse, and upgrade the new Epping railway station to make it more accessible to the public.

As members are aware some decisions made about changes to this station were made before I was elected. My predecessor, the very popular and able Andrew Tink, certainly pressed on behalf of the citizens of Epping for a proper upgrade of the station, which is an impressive looking building, with glistening new stairs and lifts near it, escalators to the platforms and a nice concourse with plenty of room. Unfortunately, many problems have arisen, particularly for the aged, the frail, the disabled and mothers with prams. Theoretically there should be great improvements because we now have separate escalators to the platforms. The trouble is, when the escalators break down on the city-bound platform, there are no stairs to get to and from the platform.

Epping station is a very busy junction and will become busier with the completion of the Epping to Chatswood link and the proposed north-west rail link if it is ever built. A breakdown in June caused absolute chaos. Epping station had a footbridge that was about 30 years old and a ramp, both of which have been demolished. It now has new stairs and a lift, but no ramp. The Minister for Transport was aware of the problem but paid little attention to the representations made by my predecessor, Mr Tink, by me and by the people of Epping, who signed petitions that I have tabled in this House. In particular, Ms Joan Wilcox of Epping collected more than 300 signatures and is continuing in her fight to improve conditions for elderly people. There are many elderly people in Epping, as there are in other areas, and this Government neglects them. They are also neglected because of the class war practised by the Government—and happy Christmas to members on the Government side.

Many elderly people use motorised wheelchairs, walking frames or sticks. The ramp at Epping station was well used by elderly people to cross from the western side, the Beecroft Road side, to the eastern side. The railway station divides Epping. Different councils control each side—Parramatta on the west and Hornsby on the east. Traffic is busy and the station is a junction for cars as well as trains. The ramp was the only way of crossing from one side of the station to the other. Now the ramp has gone, and elderly people, mothers with children in prams, cyclists who want to take their bikes from one side to the other and people who want to walk their dogs from one side to the other because there is more suitable parkland for dogs on the northern side can no longer cross. They must use the steep stairs. A letter about the hazards experienced by people in Epping appeared in the *Northern District Times* several months ago. In the letter, Jack Spencer McPherson of Epping said:

On Thursday at 5pm, my wife and I—with our fretful baby, large heavy pram and full load of groceries—were stranded on the western side of Beecroft Rd because the station lift had, once again, malfunctioned.

With no lift working, no traffic lights handy to cross Beecroft Rd safely and no pedestrian ramp, we were forced to struggle up the narrow, steep stairs against a tidal wave of home-going train commuters.

In all the millions of dollars "upgrading" the station, couldn't the designer's source a reliable lift? This is not rocket science.

Having a one-hour repair response time from Liftronics to fix the lift is not good enough. Why were these lifts put into service at all, if they are faulty?

Basically, Mr McPherson concluded that traffic lights would be installed about 150 metres away up Blaxland Road. That will not help the elderly. It will not help Mr McPherson, who will stop shopping in Epping and go to Eastwood or Carlingford instead. How often will that happen? How many elderly people will cross Beecroft Road and get knocked over by cars? The lifts have been breaking down regularly, sometimes with people stuck in them. Many older people will not use the lifts. An older gentleman, Archie Campbell, uses a mobile wheelchair and when he comes up from Epping Road—which he cannot do at the moment because the footpath is impassable—he cannot get into the lifts because his mobile wheelchair takes up too much room, it is hard to get it in and other people get annoyed with his being there. So, he has to travel the 150 metres or so up Beecroft Road, across what is supposedly a modernised footpath along the bridge—and it certainly is not—to a set of traffic lights, then come back over Epping Road and onto North Epping.

There is a lack of respect for older people. In the past week I received a letter from Mrs Judith Buckley of Essex Street, which is now being absolutely inundated by chartered buses because the Government cannot get its act together and finish the Epping to Chatswood link. Many buses take hundreds of workers to the Optus and Woolworths headquarters in the Macquarie area. They will not travel along the usual bus routes because

apparently they already handle enough buses, so they come down the quieter, narrow streets that are normally restricted to three-tonne traffic. I gather Hornsby council is considering prosecution action against these people. Ms Buckley is frustrated by the changes.

She says there is not sufficient parking around the place. Epping is being inundated with cars from other areas, because Epping station now attracts many commuters from other areas now. When the Chatswood link opens it will be worse. I note only about 20 or 30 extra parking places are being allocated by the Government to cater for probably the hundreds of cars that will be parked in the suburban streets. Restrictions have been placed on business premises such as Optus, which wants to increase parking spaces in the Macquarie area, so more people will park their cars in the streets near Epping, often across driveways and on footpaths.

The Government does not care about our area. It has built a brand new station. It ignored the wishes of the older people particularly, the handicapped, the disabled and mothers with prams, and demolished the ramp because it did not fit in with modern functions. This Government, which is favouring its areas, is conducting the class war. It will have civil disturbance in this State brought about by the frustration of people who are prejudiced and discriminated against.

**ACTING-SPEAKER (Mr Thomas George):** Order! Members on the Government side will have an opportunity to take part in the debate in due course.

**Mr GREG SMITH:** People in the north-west have to pay full tolls, sometimes on four tollways, as they go into the city. The people of the west get rebates so they pay only the GST. If that is not class discrimination I do not know what is. In our area Ryde Hospital has been downgraded. The Government is now imposing a new ambulance station on top of a childcare centre. The Government does these things to our beautiful garden area of Epping and surrounds because the members of the Government hate people who live in Liberal electorates. The Royal North Shore Hospital has been downgraded because the Government is not prepared to spend money on the people of the north side. They get sick too. Some of them cannot afford to live closer to the city because they spend so much on tolls, so they end up moving west to get the rebate that the Government gives to its voters. The Epping railway station is just another example of prejudice and class war that is inflicted by this Government on the people of this State. In three years the member for Drummoyne, the member for Parramatta and other Government members will be shot out of their seats and replaced by decent Liberal candidates who care about all the people. [*Time expired.*]

**Ms ANGELA D'AMORE (Drummoyne) [12.50 p.m.]:** What an outstanding display by the member for Epping! It was very interesting.

**Ms Tanya Gadiel:** It was elitism.

**Ms ANGELA D'AMORE:** Yes, he is the elitist member of the Chamber. Once again, the member for Epping has made very disappointing and very misleading statements. In contrast to what he has had to say, I point out that the new Epping railway station was carefully designed by award winning architects, Hassell, which is the firm responsible for the design of the Sydney Olympic Park railway station and a number of impressive structures throughout the world. If the member for Epping is so offended by the infrastructure funds that the State Government is allocating to his electorate, perhaps he should tell his constituents that he does not want the infrastructure funding. We will see what his constituents think about that!

The Epping railway station was designed to meet existing and future operational requirements. It was designed in accordance with safety and accessibility standards. The design is sensitive to community concerns. I note that the member for Epping forgot to mention those facts for the record. As part of the design process, a number of stakeholder briefings were undertaken with the Epping Chamber of Commerce, the Epping Civic Trust and the project's community liaison group.

**Mr Alan Ashton:** And Andrew Tink.

**Ms ANGELA D'AMORE:** I pause to note that the former member for Epping, Mr Tink, was a very well-respected and honourable member of this Chamber. It is obvious that the current member for Epping is not following in his footsteps. Because the design was based on a collaborative approach, the significant 1899 heritage building was retained and integrated into the current railway station's design. That is why the statements made by the member for Epping regarding bad design should be rejected. I advise the House that currently the Epping railway station has two operational platforms, platforms 1 and 3. Platform 1 is serviced by

four escalators and by a 27-person-capacity lift. Platform 3 is serviced by two escalators, a set of stairs, and by a 27-person-capacity lift.

Contrary to claims made by the member for Epping, I am advised that during the escalator breakdown in May, access to and from the station platforms was still available via the other five operating escalators, two 27-person-capacity lifts and a set of stairs. The new Epping station aerial concourse is a vast improvement on the station's old aerial concourse and is a demonstration of the Government's commitment to improving public transport services for the people of New South Wales. The member for Epping suggested that pedestrians no longer have access from Beecroft Road to Langston Place by using the ramp on the older footbridge. I point out that the old footbridge and ramps were demolished in June this year because they did not comply with current accessibility standards. After the opening of the new aerial concourse, they no longer provided direct access to Epping station or across the railway line from Beecroft Road to Langston Place.

**Mr Greg Smith:** Absolute nonsense!

**Mr Ray Williams:** Lies!

**Ms ANGELA D'AMORE:** The truth hurts. The new pedestrian footbridge provides an improved east-west connection with covered access to the new station concourse.

**Mr Ray Williams:** She has never been there.

**Ms ANGELA D'AMORE:** Actually, I have been there. I represent an adjoining electorate, and the member for Hawkesbury should not forget that. Lift and stair access to both sides of Beecroft Road is available. In response to community feedback, the Government made a commitment to provide an additional crossing prior to the removal of the older footbridge.

**Mr Ray Williams:** She would not know where it was. She has never been in a train.

**Ms ANGELA D'AMORE:** I am an inner-west girl, my friend. Unlike the member for Hawkesbury, I am well aware of the electorate.

**Mr Ray Williams:** She would not know what it was like.

**Ms ANGELA D'AMORE:** Oh, I do. It is the member for Hawkesbury who does not know.

**ACTING-SPEAKER (Mr Thomas George):** Order! I ask the member for Drummoyne to direct her remarks through the Chair.

**Ms ANGELA D'AMORE:** I advise the House that the Roads and Traffic Authority, in consultation with the Transport Infrastructure Development Corporation, installed a signalised pedestrian crossing across Blaxland Road at Epping Road, which provides pedestrians with a second east-west connection across the railway line as well as safe access from Beecroft Road to Langston Place.

The member for Epping pointed, albeit very badly, to the inadequate consultation and planning of the new Epping railway station. I advise the House that the design of the Epping station was carefully planned and took into account a number of considerations, including operational constraints, and future demand and community concerns. A number of design options were considered for Epping station and, as part of the planning process, there was a review of environmental factors. The member for Willoughby, the member for Hawkesbury and the member of Epping make a cosy group. They are fighting each other in preselections and they knock off previous members.

**Mr Greg Smith:** We at least have preselections.

**Ms ANGELA D'AMORE:** So do we.

**Mr Greg Smith:** You get parachuted in.

**Ms ANGELA D'AMORE:** I will not talk about the previous Liberal candidate for Drummoyne, who was parachuted in and endorsed without any preselection. We will not go there.

**ACTING-SPEAKER (Mr Thomas George):** Order! I ask the member for Drummoyne to confine her remarks to the leave of the motion.

**Ms ANGELA D'AMORE:** I will not talk about the branch stacking exercises in Liberal electorates and how members are shifted around to suit the numbers: instead I will return to the substance of the motion. The plan was placed on public exhibition to provide all stakeholders and members of the public with an opportunity to review project information and make written submissions regarding any aspect of the Epping station upgrade, including its design. A number of stakeholder briefings also were undertaken with the Epping Chamber of Commerce, the Epping Civic Trust, and the project's community liaison group as part of the project's collaborative approach. Upgrading the Epping station will provide a modern and spacious station concourse, significantly improving the ease of passenger movement and amenity.

The member for Epping should acknowledge that he has received infrastructure funding regardless of the fact that he represents a Liberal electorate. He also should acknowledge that the State Government has a commitment to improving infrastructure throughout New South Wales, regardless of the political party that represents the seat. It is extremely important for him to acknowledge that. As I said earlier, if the member for Epping is so offended by the infrastructure funding that the Government is spending on his electorate, he should tell his constituents that he does not want it. Government members would be quite happy to spend that infrastructure funding in their electorates for both Labor and Liberal voting constituents. We are an all-embracing party.

**Ms Tanya Gadiel:** We govern for everyone.

**Ms ANGELA D'AMORE:** The member for Parramatta is correct. We govern for all. We do not make distinctions based on the political party for whom people vote. As long as the majority of people elect us in our respective electorates, we are happy to represent everybody equally. I point out in relation to the call for the Minister to reopen the old Epping station concourse that the new Epping station aerial concourse was opened on 14 April 2007. Since that time the old aerial concourse has been demolished to allow for construction of new platform canopies at the station. The station now has access to all platforms by lifts and escalators as well as wider platforms with increased weather protection. That is very important. The new footbridge also provides covered access to and from the station concourse, with lift and stair access to both sides of Beecroft Road.

The new Epping station aerial concourse is a vast improvement on the old aerial concourse and is a demonstration of the Government's commitment to improving public transport services for the people of New South Wales. While I understand the member for Epping is a new member of the House and needs to become accustomed to the practices of the House, I will make some allowances and guide him through the processes. Government members are happy to work with their colleagues on the Opposition side by pointing out the facts relating to some of the projects in their electorates.

**Mr Ray Williams:** This is what Johnny Watkins wrote for you.

**Ms ANGELA D'AMORE:** No, not at all. Before I deal with some of Epping station's new facilities, I express my disappointment over the member for Epping's continued efforts to mislead members of the community about local transport improvements. Hundreds of men and women have been working toward completion of the new concourse on behalf of more than 15,000 commuters who use Epping station each weekday. It is great that the Government has recognised the number of people who use the station and accordingly has committed infrastructure funding to upgrading the station. Work continues underground on this \$2.29 billion project—one of the biggest public infrastructure projects currently underway in New South Wales. Despite the project being worth \$2.29 billion, the member for Epping has the audacity to criticise it. I find that extremely difficult to stomach.

All we have heard from the new member for Epping are cheap scare tactics aimed fairly and squarely at members of our community who are less mobile than others. That is absolutely appalling. The Epping Chamber of Commerce supported removal of the older footbridge. In 2006 the former member for Epping, who is a most reputable man, also was supportive of removal of the bridge in local media reports. In fact, the former member for Epping was calling for its removal when he was reported on 14 June 2006 in the *Northern District Times* as having said:

I just hope ... we are [not] later told we will be left with the old dog-leg footbridge after all.

I think that comment should be acknowledged. Also on 14 April 2007 the new concourse and pedestrian footbridge were opened as part of the Epping station upgrade. The new pedestrian footbridge provides an improved connection with covered access to the new station concourse.

**Mr Greg Smith:** Of course, the local member was not invited to the opening. Typical Labor rudeness!

**Ms ANGELA D'AMORE:** Obviously the member for Epping did not organise his diary properly. All the facts I have outlined show that this motion is without basis. [*Time expired.*]

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

[*Acting-Speaker (Mr Thomas George) left the chair at 1.00 p.m. The House resumed at 2.15 p.m.*]

#### REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

**Mr MORRIS IEMMA:** In the absence of the Minister for Health, who is at the Australian Health Ministers Conference in Hobart, the Minister for Women, Minister for Science and Medical Research, Minister Assisting the Minister for Health (Cancer), and Minister Assisting the Minister for Climate Change, Environment and Water (Environment) will answer questions on her behalf.

#### QUESTION TIME

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#### DEPARTMENT OF COMMUNITY SERVICES CHILD PROTECTION

**Mr BARRY O'FARRELL:** My question is directed to the Premier. If the Premier shares any of the community's outrage at today's Ombudsman's revelation that the number of children who have died and were known to the Department of Community Services has increased from 31 last year to 46 this year, will he tell the House how many more children have to die before he stops the excuses and establishes a royal commission?

**Mr MORRIS IEMMA:** The Leader of the Opposition ought to take the Ombudsman's advice in relation to a royal commission. I understand from comments drawn to my attention that the Ombudsman quite clearly today indicated that he had full confidence in Justice Wood. He passed comment that Justice Wood had sufficient power to examine any matter that he wished and to make whatever recommendation he wished. In fact, today the Ombudsman endorsed the initiative of having Justice Wood conduct a commission of inquiry. Why is that? Because we are coming to the end of a five-year reform program in the Department of Community Services and the Government is working towards the next five years and, as part of that, identifying where there are gaps in the system so that the next phase of the reform will provide protection and services for children and vulnerable families. As the phase of the reform program comes to an end, perhaps the Leader of the Opposition may wish to reflect on the more than 3,000 children who have been placed into a safer, more protective environment.

**Mr Andrew Fraser:** That doesn't help the ones who died.

**Mr MORRIS IEMMA:** And every single one of them is a tragedy and a terrible loss.

**The SPEAKER:** Order! The member for Murray-Darling will cease interjecting.

**Mr MORRIS IEMMA:** As part of getting to the bottom of why, Justice Wood has been commissioned to assist in the next phase of reform.

**Mr Barry O'Farrell:** You don't need assistance, Morris; you need direction.

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

**Mr Barry O'Farrell:** Stop children dying.

**Mr MORRIS IEMMA:** What you require is perhaps some policy direction in your own show because of your shameful record in this area of going to election after election with nothing to put on the public record as far as child protection and the Department of Community Services.

**The SPEAKER:** Order! The member for Burrinjuck will cease interjecting.

**Mr MORRIS IEMMA:** And seeing it as an area to rip out caseworkers, Department of Community Services officers, to make savings.

**Mr Barry O'Farrell:** Point of order—

[*Interruption*]

**The SPEAKER:** Order! The member for Monaro will cease interjecting.

**Mr Barry O'Farrell:** My point of order relates to Standing Order 129. That is a better history than 496 children dying over the past five years.

**The SPEAKER:** Order! The Leader of the Opposition will resume his seat. There is no point of order. The Premier has the call.

**Mr MORRIS IEMMA:** The Leader of the Opposition reduces it to this level.

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

**Mr Barry O'Farrell:** Think about if it was your child, Morris.

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

**Mr MORRIS IEMMA:** We do. That is why we changed direction.

**The SPEAKER:** Order! I call the Leader of the Opposition to order. I call the member for Epping to order.

**Mr MORRIS IEMMA:** It is precisely for that reason the Government embarked on a five-year \$1.2 billion reform of the Department of Community Services.

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

**Mr MORRIS IEMMA:** The approach of the Leader of the Opposition is to make no commitment to systemic change, no commitment to recruitment of Department of Community Services officers and no commitment to additional resources, and to choose sections of the Ombudsman's report that support his case as the basis for comments about the system. On the other hand, having finished the first five-year reform package, we are working towards the next five years and identifying those areas that require further assistance and those parts of the system where gaps need to be filled. That is our challenge and that is what we will do, using the knowledge, the experience and the skills of eminent people such as Justice Wood.

**The SPEAKER:** Order! The member for South Coast will cease interjecting.

### **HEALTH SYSTEM REFORM**

**Ms NOREEN HAY:** My question is addressed to the Premier. Will the Premier update the House on opportunities to provide Federal-State cooperation in the health system?

**Mr John Williams:** Get the GST money back for a start.

**The SPEAKER:** Order! I call the member for Murray-Darling to order.

**Mr MORRIS IEMMA:** It is amazing how quickly those opposite have signed up to the argument about the GST imbalance. They did not even wait for Kevin Rudd to be sworn in.

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

**Mr MORRIS IEMMA:** They spent 11 years saying, "There's no such thing as an imbalance."

**The SPEAKER:** Order! The Minister for Small Business will cease interjecting.

**Mr MORRIS IEMMA:** I am happy to inform the House about the opportunities for health reform and greater cooperation in health. Today in Hobart the nation's health Ministers gather to start reforming our health system and to start the process of building a truly national health system. Today's ministerial council meeting in Hobart is a historic opportunity to start the reform that is required in our health system. That is something that Tony Abbott chose to ignore in July. When the health Ministers gathered in Canberra in July Tony Abbott said, "Come back and see me after the election". He said, "Let's put the nation's health system on hold; let's leave reform and funding of our hospitals until after we see whether the Howard Government is returned and then I'll wheel out the secret plan to cut more funding from our hospitals."

**Mr Greg Smith:** Fabrication!

**Mr MORRIS IEMMA:** No, not at all.

**The SPEAKER:** Order! I call the member for Epping to order for the second time. He will cease his commentary.

**Mr MORRIS IEMMA:** These are Mr Abbott's own words. He said, "Yes, we've reduced our share of funding to hospitals and the States have increased their share." Mr Abbott made that acknowledgment on national television—and he was very happy to smile while doing so. Today the nation's health Ministers gathered to start the process of national reform. Today they commence work on the first initiative of the Rudd Government: a national health reform commission. After today's meeting the work will start. Mr Rudd has put an extra \$2 billion on the table for our hospitals.

**Mrs Jillian Skinner:** You are going to open more beds, are you?

**Mr MORRIS IEMMA:** Yes, Jillian.

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

**Mr MORRIS IEMMA:** The Deputy Leader of the Opposition can put money on the fact that we will be opening more beds—as we have been doing for the past three years.

**The SPEAKER:** Order! Members will stop calling out.

**Mrs Jillian Skinner:** They're closed for Christmas.

**Mr MORRIS IEMMA:** The Deputy Leader of the Opposition says that some nurses and doctors are taking a holiday over Christmas. That must come as a surprise to her. Health professionals take leave at Christmas; they take leave at Easter. The shadow Minister for Health believes they should not do that.

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

**Mr MORRIS IEMMA:** That is a new way to support our hardworking nurses and doctors.

**Mrs Jillian Skinner:** Point of order—

**The SPEAKER:** Order! Members are entitled to take points of order.

**Mrs Jillian Skinner:** My point of order relates to Standing Order 129, which goes to relevance. Mental health beds are being closed now, not at Christmas.

**The SPEAKER:** Order! There is no point of order. I ask the Minister for Small Business to stop calling out.

[*Interruption*]

**The SPEAKER:** Order! I call the Minister for Small Business to order.

**Mr MORRIS IEMMA:** Yes, there will be more beds. Just a fortnight ago we announced extra beds for our hospital emergency departments. We also announced extra beds in the budget, as we have done for the past three years. At last count the figure was 1,800. My point is that Mr Rudd is starting with the proposition of providing an additional \$2 billion for our hospitals. That is in stark contrast to Tony Abbott. When given an opportunity to do so during the election campaign did Mr Abbott say, "Yes, we'll put more money into hospitals?" No. He said, "Come back and see us after the election." We all know why he said that. He was very satisfied with the trend of the past 11 years, when the Commonwealth share of funding dropped from 50 per cent to 45 per cent and continued to decline. He was very happy to endorse that decline. Not only that, he was very happy to smile and laugh about it.

Mr Abbott was very happy to say, "Come back and see us after the election. Don't give the people an opportunity to vote on the policy positions of both parties but just defer it. Put the nation's health system on hold." Today the process of reform starts; today cooperation starts. We start with \$2 billion. It extends to more aged care places; it extends to the proposition of the super health clinics running parallel with our program of after-hours general practitioner clinics and HealthOne clinics. These are just some of the propositions that are on the table to ensure greater cooperation. Above all, they will ensure more resources for our public hospitals, and more resources to support our hardworking nurses, doctors and other health professionals in delivering better services for the people of New South Wales and Australia.

### CHILD PROTECTION INTERAGENCY COOPERATION

**Mr ANDREW STONER:** My question is directed to the Minister for Community Services. Given that today's Ombudsman's report found that in 20 out of 29 cases where police sent a risk of harm report to the Department of Community Services there was no evidence that this report was ever received, does the Minister acknowledge that the lack of interagency cooperation between departments is costing young children their lives?

**Mr KEVIN GREENE:** Most parents do a great job in the challenging and rewarding role of raising children. But the Ombudsman's report tabled today reminds us that some fail their children terribly. I welcome the report and accept the Ombudsman's recommendations. The 2006 report covers the deaths of 123 children, 114 of whom were known to the department and 31 of whom died as a result of abuse or neglect, or in suspicious circumstances. As the Ombudsman says in his report, in most cases the child's death had no connection to their child protection history. Most died from natural causes: prematurity, sudden infant death syndrome, illness, or congenital conditions. No matter how tragic the content of this report, it is essential in helping us identify problems and strengthening the child protection system.

However, this year's report again identifies domestic violence, substance abuse and mental illness as underlying social problems that frequently lead to children entering the child protection system. The Government's State Plan demonstrates our commitment to addressing these underlying problems, but ultimately they are social problems that we must deal with as a community. Every year the department receives reports relating to about 120,000 individual children. We now have over 12,600 children in out-of-home care. We need to remember that less than five years ago there were about 1,200 caseworkers and only 55 per cent of the most urgent reports were allocated to a caseworker. Now there are more than 1,900 caseworkers, with more to come, and almost 100 per cent of the most urgent reports are allocated to a caseworker.

**The SPEAKER:** Order! The member for Bathurst will cease interjecting.

**Mr Andrew Stoner:** Point of order: I again refer to Standing Order 129, which deals with relevance. It is obvious that the Minister has a document in front of him from which he is reading, probably given to him by a staffer. The document has lots of miscellaneous information and lots of statistics but it does not address the issue of interagency cooperation. I ask the Minister to address that issue. He should put the notes aside and answer the question.

**The SPEAKER:** Order! At this stage there is no point of order. The Minister may continue.

**Mr KEVIN GREENE:** The reality is that Department of Community Services caseworkers help provide a secure, safe environment for thousands of children every year, and the reform of the department is slowly and steadily delivering results.

**The SPEAKER:** Order! The member for Wakehurst will cease interjecting.

**Mr KEVIN GREENE:** The Ombudsman acknowledges that in his work he sees "many examples of good casework, well-protected children and quality decision making". But it is unacceptable that there are cases covered in the Ombudsman's report, some of which have occurred in recent weeks, in which it appears that the system has failed to do everything possible to protect a child. We have to keep improving, and that is why the Wood special commission of inquiry is so important.

**The SPEAKER:** Order! The Leader of The Nationals will cease interjecting.

**Mr KEVIN GREENE:** The Ombudsman highlights on page 12 of his report a number of areas of improvement, and how agencies work together to protect children as a result of his previous recommendations, including the new edition of the Interagency Guidelines for Child Protection Intervention published last year, a review of the joint investigation response teams and their criteria by Police, Health and the Department of Community Services, and the development of agreements between the Department of Community Services, Police, Health, and Education and Training in relation to child protection.

We cannot have a Department of Community Services caseworker in every home. But I have made it clear that we will continue to rebuild the child protection system through the reform program, through putting more caseworkers into the system by reviewing our laws, and through the special commission of inquiry. If people in the community are saddened or angered about the abuse and neglect of children and they want to do something to help I ask them to consider becoming a foster carer. The bigger the pool of dedicated carers, the more safe places we have for children.

### CANCER TREATMENTS

**The SPEAKER:** I call the member for Mount Druitt.

**Mr Andrew Stoner:** Bring him back!

**The SPEAKER:** Order! The House will come to order so we can hear the member for Mount Druitt. His words are usually very wise.

**Mr RICHARD AMERY:** Meanwhile, back on Earth, my question is addressed to the Minister Assisting the Minister for Health (Cancer). Can the Minister update the House on the success the New South Wales Government is having in the fight against cancer?

**Ms VERITY FIRTH:** Today I have released a new report showing that, for the first time on record, the number of cancer deaths in New South Wales has fallen significantly for two consecutive years. Each year the Cancer Institute of New South Wales collects and publishes data on how many cancers are diagnosed in New South Wales and how many cancer deaths there are. This year's Cancer Incidence, Mortality and Prevalence Report, released this morning, is the most extensive ever published. It contains the most up-to-date information about cancer in New South Wales, and includes an in-depth analysis of data collected by the New South Wales Central Cancer Registry.

The report found that there were 163 fewer cancer deaths in New South Wales in 2005 than there were in 2004. This follows a drop on the previous year: in 2004 there were 125 fewer cancer deaths than there were in 2003. The drop in cancer deaths comes despite the fact that as our population ages more cancers are being diagnosed. So while we are diagnosing more cancers, we are managing and treating cancers better, and more people are surviving.

The continuing decrease in the number of cancer deaths, coupled with survival rates that are amongst the best in the world, is extremely encouraging and highlights real progress in tackling this disease. In fact, there are very few places in the world where a person's chances of beating cancer are as high as they are in New South Wales. This disease is no longer the almost certain death sentence it once was. The latest incidence, mortality and prevalence report puts paid to claims that the New South Wales public health system is not delivering the highest quality of care. Everyone involved in the fight against cancer should be proud of this remarkable achievement.

**The SPEAKER:** Order! There is far too much audible conversation in the Chamber. This is a very important matter. The Minister may continue.

**Ms VERITY FIRTH:** This Government has made cancer care and control a priority, and has been working hard to implement our Cancer Plan 2007-10. The plan focuses our efforts on preventing cancer, catching it early, and making treatment more effective. Today's report shows that we are seeing dividends from this work. The wider community has embraced the important messages we have been putting out about cancer. I am sure people have not been able to miss them on television. The wider community has also embraced our important public health messages on prevention—such as the importance of eating properly, kicking the smoking habit, and avoiding unprotected exposure to the sun—and our important messages on attending regular screening so that cancers can be detected early, which greatly increases the chance of survival.

The report contains a number of interesting findings, apart from the numerical drop in the number of cancer deaths. It shows that cancer death rates have fallen by 16 per cent in men and 11 per cent in women over the past 10 years, which means that about 9,000 people are alive today who otherwise would not have been. In males the most significant decline in death rates were in stomach cancer, which declined by 35 per cent; non-Hodgkin's lymphoma, which declined by 25 per cent; head and neck cancer, which declined by 24 per cent; bladder cancer, which declined by 22 per cent; leukaemia, which declined by 21 per cent; and prostate cancer, which declined by 19 per cent. In females over the same period death rates declined in cervical cancer by 47 per cent; non-Hodgkin's lymphoma by 32 per cent; kidney cancer by 29 per cent; stomach cancer by 23 per cent; bowel cancer by 22 per cent; and breast cancer by 18 per cent.

For the first time, this year's report also looked at the prevalence of cancer in our community—how many people living in New South Wales today have ever been diagnosed with a cancer. At the end of 2004 there were more than 221,000 cancer survivors in New South Wales, of which almost two-thirds were accounted for by four cancers: breast cancer, melanoma, prostate cancer and bowel cancer. Altogether, 3.3 per cent of the New South Wales population was living with, or has survived, a cancer diagnosis. The Incidence, Mortality and Prevalence report presents some sobering statistics about the number of new cancer cases expected in the years ahead, namely, a significant rise driven in large part by an ageing population. Cancer is set to become even more common, with the disease likely to affect one in two men and one in three women in their lifetimes. Prostate cancer, in particular, is becoming more common and will affect more men than previously predicted. The lifetime risk of prostate cancer in men is now one in five.

The report also shows that a number of cancers still have very poor survival rates, including lung cancer, oesophageal cancer, brain cancers and mesothelioma. Worryingly, lung cancer has now caught up with breast cancer as the leading cause of cancer deaths among women. While the breast cancer death rates have fallen by 18 per cent in the past 10 years, the death rate for lung cancer has increased by 15 per cent. This reflects the extremely poor prognosis for patients following a diagnosis of lung cancer. While we should celebrate the achievements of the New South Wales health system, the Government recognises that this is no time for complacency. Just this week it has acted to tighten tobacco laws—to ban marketing gimmicks used by tobacco companies to appeal specifically to young people.

The Government will continue to work towards the goals of the New South Wales Cancer Plan—prevention, early detection and high quality treatment services—and, most importantly, it will continue to support the research that is bringing us closer to a cure. In recent years it has invested \$48 million into cancer research, with a further \$97 million being allocated over the next four years. The Government has also committed \$1 million to establish the Clinical Trials Business Centre, to be run by the Cancer Institute, to assist with our goal of 10 per cent of new cancer patients participating in high-quality clinical trials of new treatments. Overall, New South Wales cancer results are good. Fewer people are dying from cancer than in previous years. Today in New South Wales, cancer patients benefit from better drugs and new therapies, and are diagnosed and treated by teams of highly qualified professionals using the latest technology and surgical techniques. Cancer will be the biggest health challenge that we face over coming decades. This report shows we are well positioned for that challenge.

#### **MENINGOCOCCAL VICTIM JEHAN NASSIF**

**Mrs JILLIAN SKINNER:** My question, which involves a serious matter, is directed to the Premier.

**The SPEAKER:** Order! Members on the Government benches will come to order. The Deputy Leader of the Opposition has the call.

**Mrs JILLIAN SKINNER:** Since the Premier said in 2006 that he would not apologise to the family of meningococcal victim Jehan Nassif until inquiries into her death were complete, and since the Coroner today

delivered her findings that there were problems with the treatment Jehan Nassif received in the New South Wales health system, will the Premier now respond to the request of Jehan's family and apologise?

**Mr MORRIS IEMMA:** In response to the second part of the member's question, the answer is: yes, I will do so. It was a very distressing case—

*[Interruption]*

I will answer the first part of the member's question in a moment. In relation to the second part, I take this opportunity, once again, to apologise to the family for this tragedy—a young girl cut down in the prime of her life. I am advised that the former director general of the department also established an independent inquiry comprising Dr Rosemary Lester, Professor Lyn Gilbert—two leading clinicians—and Ms Gail Furness, a leading practising barrister. That team undertook an inquiry that resulted in a number of changes being made to the way in which patients falling into the category of Ms Nassif are dealt with by the Ambulance Service and hospital staff. These changes related, in particular, to information and to the guidelines for treating and caring for patients with meningococcal disease.

I refer to the first part of the member's question and do so simply for the record. In response to the question asked by the shadow Minister for Health, I direct her to an excerpt from an interview conducted with Mr Steve Price on 23 August 2006 at 4.10 p.m. In response to a question about making an apology to the family, I said, "Yes, I am sorry for the death of this young girl". I direct the member to an interview on 24 August 2006—

*[Interruption]*

**Mrs Jillian Skinner:** Point of order: I suspect that the Premier did not hear my question.

**The SPEAKER:** What is your point of order?

**Mrs Jillian Skinner:** My question was: would the Premier respond today to the family's call to him to apologise?

**The SPEAKER:** Order! The Deputy Leader of the Opposition will resume her seat. That is an inappropriate point of order.

**Mr MORRIS IEMMA:** I accept that the Deputy Leader of the Opposition was not listening when I said in response to her question that I would deal with that part of her question that related to an apology today. I indicated that I would make today an unreserved and unequivocal apology for the tragedy and the distressing circumstances of this case—a young girl cut down in her prime. I will not change that position at all. In response to the other part of the member's question that related to comments made last year, for the record and no more—I do not want to make political points—I draw the attention of the shadow Minister for Health to the comments that I made at the time.

**The SPEAKER:** Order! The Deputy Leader of the Opposition should stop interjecting.

**Mr MORRIS IEMMA:** At 9.25 a.m. on Alan Jones' 2GB radio show I said, "Of course I am sorry at the loss of this young girl. I have expressed my sorrow and sympathy to the family." That is what I said at the time and I repeat it today for the benefit of the shadow Minister.

### SUSTAINABLE WATER SUPPLY

**Mr TONY STEWART:** My question is addressed to the Minister for Water Utilities. What is the latest information on the Government's State Plan priority of a secure and sustainable water supply for all users?

**Mr NATHAN REES:** I thank the member for his longstanding interest in the key issue of water. Members in this place are only too well aware that we have a comprehensive plan to guarantee a secure and sustainable drinking water supply for all users in New South Wales. That key priority and commitment of the Iemma Government under its State Plan is being delivered right across the State. The Government's Metropolitan Water Plan secures Sydney's water future by increasing recycling, reducing demand and increasing supply. We have more than 70 stormwater harvesting projects across greater Sydney and a desalination plant

that can provide up to 28 per cent additional supply—Sydney's biggest water infrastructure project since Warragamba Dam, 100 per cent green and tapping into the world's biggest dam, the ocean.

We are delivering Australia's leading recycling programs, four of the biggest in Australia, at BlueScope Steel in the Illawarra, at Rouse Hill, at Rosehill and in Western Sydney, increasing our recycled water supply by 11 per cent in 2015. Our recycled water is for industrial use or for use in our parks and gardens—the sort of water recycling that people accept and can trust. Very different, and a billion dollars more expensive, is the recycling of effluent for drinking water purposes. Members will remember that is what the member for Vacluse took to the electorate in March this year. The Leader of the Opposition is still uncertain whether that remains policy—

**Mr Peter Debnam:** Very popular.

**Mr NATHAN REES:** Regardless, it was a proposition—

**Ms Kristina Keneally:** Yes, it was really popular. We rode right into victory on that.

**The SPEAKER:** Order! The Minister for Ageing and Disability Services will cease interjecting.

**Mr NATHAN REES:** The member for Vacluse said it was popular. I have to hand yesterday's copy of that journal of repute, the *Fairfield City Champion*, and by chance they have vox popped some people out of Fairfield and asked them whether they would drink recycled water. Maritza of Bossely Park said, "I don't think I'll drink it." Nicole of Fairfield West said, "Could never do it. It's really gross." Frank of Fairfield Heights said, "I don't want sewage pumped through our water system; you can't trust it." The member for Vacluse said that this was popular. Let me give the member for Vacluse a tip: that is an error of judgment. In March that proposition was soundly rejected but it seems that the member for Terrigal has not picked up the message. Last Tuesday evening I was on ABC radio where there was a healthy exchange of views and a good range of listeners.

**The SPEAKER:** Order! The member for Lane Cove will stop interjecting.

**Mr NATHAN REES:** We spoke about desalination, water policy and related matters.

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

[*Interruption*]

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

**Mr NATHAN REES:** The balanced ABC offered the member for Terrigal some airtime. When it was put to the member for Terrigal that people would not accept recycling effluent for drinking water purposes he replied:

Recycled water can be used for a wide range of uses, in some cases potable water.

That is drinking water. The member for Terrigal put this issue fairly and squarely back on the agenda of the Leader of the Opposition. He thought that he had taken it out the back and shot it, but it is back—another golden incursion into the rarefied field of policy development. Earlier this year I did a bit of research on my opposite numbers, as one would expect.

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

**Mr NATHAN REES:** I thought it would be worthwhile to trawl the archives and I am glad that I did so. Some members would be aware of the good work done by the Asian Studies Association of Australia and they might be subscribers to its highly regarded journal, *Asian Currents*. In July 2004 that association interviewed the member for Terrigal in a profile piece. *Asian Currents*, a serious journal of international repute, encompasses views and articles on India, which has more than a billion people and an economy of \$4 trillion that is growing at around 10 per cent a year; and China with a population of 1.3 billion people, growing in double figures, and an economy of \$2.5 trillion. Those countries, which are steeped in rich tradition, culture and history, have provided a tremendous boost to Australia—nearly 250,000 Australians of Indian descent and around 600,000 Australians of Chinese descent. Both those countries have a substantial impact on geopolitical

developments in our part of the world. That is the landscape. Bearing that in mind, the member for Terrigal replied to a question on Asian-Australian relations with this little gem:

The great majority of Australians will only develop an ongoing interest in Asia through areas that are of interest to them.

**The SPEAKER:** Order! Members on the Government benches will remain silent.

**Mr Chris Hartcher:** Point of order: My point of order relates to relevance. While I am enormously flattered that interviews of 2004 could be recycled, they are not relevant to the question that was asked of the Minister. He should be directed back to the question.

**The SPEAKER:** Order! I ask the Minister to remain within the leave of the question.

**Mr NATHAN REES:** This goes directly to the quality of the choice that the people of New South Wales made in March.

**The SPEAKER:** Order! The member for Epping should be careful with his interjections.

**Mr NATHAN REES:** The member for Terrigal then said:

... Sport is a significant pathway ... along with movies. For example, Bruce Lee and Asian martial arts have been important vehicles for encouraging the development of Asia-consciousness among many Australians.

That reference to Bruce Lee is champagne stuff! That is the quality of vision that the member for Terrigal brought to the development of water policy in New South Wales. Meanwhile, this Government is simply getting on with the job. I have outlined how Sydney's drinking water supply is set up for the next half century. With regard to the Central Coast, currently it is on level 4 restrictions. Earlier today I met with the mayors of Wyong and Gosford councils who are principled, well-motivated men, and I am certain we can make progress towards better arrangements on the Central Coast. In the Hunter we are building the Tillegra Dam—\$340 million worth of infrastructure, hundreds of jobs and a guarantee of water for the Hunter for the next 50 years and beyond.

The next area of work for the Government is to drought proof drinking water supplies for the two million people that live in rural and regional New South Wales. In August this year I travelled to Inverell and delivered a speech to the Local Government and Shires Association. I put it to that association that the 107 water utilities across rural New South Wales need both assistance and a long-term plan to ensure sustainability. I invited every utility to contact me with ideas and we have received more than 60 submissions. Since then I have also written to every utility asking for comments on the draft terms of reference for an examination of the way in which we deliver drinking water. I have given an undertaking to every council and to Genia McCaffrey and Bruce Miller of the Local Government and Shires Association that local authorities will be consulted every step of the way.

**The SPEAKER:** Order! The member for South Coast will cease interjecting.

**Mr NATHAN REES:** I will report back to the House on progress in due course. The Government is guaranteeing the long-term drinking water supplies of country towns and villages across New South Wales. We have worked closely with councils and we have delivered the \$1 billion Country Towns Water and Sewerage Program—more than \$45 million spent through our drought emergency works and more than 300 water supply and sewerage projects. We will continue these efforts in partnership with local council representatives and their communities.

*[Business interrupted.]*

#### **DISTINGUISHED VISITORS**

**The SPEAKER:** I take the opportunity on behalf of the House to welcome Stephen O'Doherty, the former member for Hornsby. I welcome him back to the New South Wales Parliament.

#### **QUESTION TIME**

*[Business resumed.]*

## ELECTRICITY ASSETS

**Mr MIKE BAIRD:** My question is directed to the Minister for Finance.

**The SPEAKER:** Order! Members will allow the member for Manly to ask his question.

**Mr MIKE BAIRD:** As the Minister for Finance and a half shareholder in the New South Wales Government's electricity assets, does he support the recommendations of the Owen inquiry, or does he support the position of the Left faction of the Australian Labor Party?

**Mr JOHN WATKINS:** I like little Mikey Baird and I think he likes me. I like the questions that he asks in this House. Normally he does so in a better frame of mind, in a better tone and with better humour than the member for Willoughby. The Government has not made a decision about the Owen inquiry. As the Premier has made clear on many occasions, this matter will be considered. When that occurs the matter will be discussed in the Left, as matters normally are. We look forward to the opportunity of doing so.

**Mr MIKE BAIRD:** I ask a supplementary question. If the Minister will not answer that question, can he tell this House when he will make a run at the job of the Premier?

**The SPEAKER:** Order! The member for Manly will resume his seat. I am glad he is smiling because that is not a supplementary question.

## TOURISM

**The SPEAKER:** I call the member for Gosford.

*[Interruption]*

**The SPEAKER:** Order! The member for Monaro should let his colleague state her question.

**Ms MARIE ANDREWS:** My question without notice is to the Minister for Tourism. How is the Government encouraging all Australians to travel in New South Wales?

**Mr MATT BROWN:** I thank the member for her ongoing enthusiasm for tourism matters.

**The SPEAKER:** Order! Members should abide by the standing orders. Let us conclude the last question time of the session in the appropriate manner.

**Mr MATT BROWN:** I think we can all agree that the people of New South Wales are extremely hard workers. Indeed, we put in more days than people in any other State. Research has shown that Australians have accumulated some 70 million days in annual leave, and New South Wales workers account for one-third of that figure at 23 million days. While this benefits the economy in some ways, it does not benefit the economy in other ways. Our research shows that workers are currently hoarding their annual leave to such a degree that they are denying the State's economy of nearly \$1 billion. That money could go towards small business over the summer months or towards creating some 8,000 more jobs. That is why today I encourage everyone to take a break. Have a holiday! Chill out and enjoy what this State has to offer. Taking a holiday is perfect to reconnect with family, unwind and come back an even more productive employee.

It is no surprise why people have not been taking their holidays. It is only now that people feel that they can take a holiday; under the Howard Government's extreme and unfair WorkChoices law people felt that they could not go on holiday without losing their job should they come back. Thank heavens people have thrown out the WorkChoices legislation, along with its leader John Howard. I congratulate them on that. I also congratulate the Leader of the Opposition, who has cottoned on to the fact that WorkChoices is bad news for working families. For the first time the Iemma Government has put a target for tourism in the State Plan: an extra 10 million tourism visitation nights by 2016. If workers took a fraction of those nights we would ensure that we not only meet but also exceed that target well before the deadline.

Many members of the business community agree: Ken Morrison of the Property Council of Australia; the Chief Executive of the New South Wales Business Chamber, Kevin McDonald; Christopher Brown from the Tourism Transport Forum; and the excellent representative and leader of the Sydney Chamber of Commerce,

the Hon. Patricia Forsythe, who has commended the New South Wales Government's increased focus on promoting Sydney as a tourist destination. If anyone needs any ideas they should visit the website, [www.visitnsw.com](http://www.visitnsw.com), and see the 10,000-odd products there. I congratulate all hardworking people in Australia. I wish them a safe and happy Christmas break and good investment in this State.

### DUBBO POLICE RESOURCES

**Mrs DAWN FARDELL:** My question is addressed to the Minister for Police. Current local demand requires urgent additional resources in the Lachlan Local Area Command. What assurances can the Minister give in relation to an additional seven general duty officers in Parkes and five more in Forbes?

**Mr DAVID CAMPBELL:** Members might want to know—it is a while since I told them—that New South Wales has an authorised strength of 15,206 police officers, and we added 750 this year. It will be of interest to members that since the Coalition was last in government, police numbers in regional and rural New South Wales have risen by 1,500, which is an increase of more than 40 per cent. This year seven additional police officers have been allocated to the Lachlan Local Area Command, which has a current authorised strength of 78; as of October this year it had an actual strength of 87, so it is overstrength by nine police officers. I am confident that the Lachlan Local Area Commander will be tasking those police to competently and professionally police the local community.

**The SPEAKER:** Order! The member for Lismore will cease interjecting. I call the member for Clarence to order. I call the member for Hawkesbury to order.

**Mr DAVID CAMPBELL:** The member for Dubbo will be interested in the figures from the Bureau of Crime Statistics and Research for the Dubbo local government area for the past two years. In the area of sexual assault, the crime rate is down by 55.4 per cent; the category of break and enter from a dwelling, down 22.4 per cent; break and enter from a non-dwelling, down 42.7 per cent; motor vehicle theft, down 44 per cent; steal from motor vehicle, down 55.8 per cent; steal from person, down 26.3 per cent; and malicious damage to property, down 17.4 per cent. In the Forbes local government area, the statistics show that rates in each of those crime categories have been stable over the past two years. That is a result of the hard work of police on the ground and as a result of the fact that the Lachlan Local Area Command is overstrength for the time being. That is a reflection of the allocation of additional police throughout New South Wales.

### WESTERN SYDNEY HOUSING

**Mr NINOS KHOSHABA:** My question is addressed to the Minister for Planning, Minister for Redfern Waterloo, and Minister for the Arts. What is the latest information on the Government's plans to provide new recreation and housing opportunities in Western Sydney?

**Mr FRANK SARTOR:** Given the enormous amount of work that this Government has done on housing affordability this year, it is only fitting that the last question relate to housing and yet another initiative, another goal kicked by this Government. Members opposite do not care about housing affordability.

**The SPEAKER:** Order! Opposition members will cease interjecting.

**Mr FRANK SARTOR:** Today I am pleased to advise the House that the Bungarribee precinct concept plan will be on exhibition until 15 February. This significant project in Western Sydney comprises two major components. One is a recreation precinct that is part of the Western Sydney Parklands, which will include a sports zone with five new soccer fields, picnic shelters, a tourist information centre, conference facilities, and wetlands—which act as a natural stormwater filter—agricultural activities, market gardens and so on. A significant component is a residential precinct, including a 700-lot housing development at Doonside adjacent to the parklands. Of the 75 hectares, 55 will be developed to provide housing for about 2,000 people, incorporating water-sensitive urban design. The area is designed to maximise walking and cycling the network of parks adjacent to the parklands to promote a healthy lifestyle. The member for Vaucluse looks sad. He has had such a great year. This is a great project that includes enhancing one section of the Western Sydney Parklands. Remember that Western Sydney Parklands—

**Mr Brad Hazzard:** Point of order: I simply cannot hear. I apologise but did the Minister just say he has not brought one house to the market as a result of this process?

**The SPEAKER:** Order! The member for Wakehurst will resume his seat. He rightly says that it is hard to hear. There is too much audible conversation in the Chamber.

**Mr FRANK SARTOR:** This is an important project for Western Sydney. We look forward to public comment, and we can go forward into the new year to keep providing more releases and more housing for people in Sydney. As the year draws to a close I want to thank you, Mr Speaker, for your good work in the Chair and I want to thank all my colleagues. I particularly want to thank the Opposition for its tremendous support for the Planning portfolio. To my knowledge, I have not received one question from the Opposition all year. I cannot recall the last question the Leader of the Opposition has asked of me. I look forward to constructive interchange again next year. I wish everyone a very Merry Christmas and a happy New Year.

**The SPEAKER:** Order! Members of the Opposition will cease interjecting and allow the Minister for Planning to wish them well.

**Question time concluded.**

### HANSARD DOCUMENT INCORPORATION

**The SPEAKER:** Order! During discussion on a matter of public importance on 14 November 2007 the member for Tamworth sought leave of the Chair to incorporate a document from the Victorian Government Solicitor's Office into the *Hansard* record. The document had already been laid upon the table for the information of members by the member for Port Macquarie earlier in the discussion. The Acting-Speaker, Mr Wayne Merton, in denying leave for the incorporation of the document, said that he would raise with me the matter of the incorporation of a legal opinion in *Hansard*.

A number of factors need to be considered in relation to whether a document should be incorporated in *Hansard* or whether it is sufficient for it to be laid on the table for the information of members. These factors include the costs to the Parliament of having the material incorporated and whether the material is already publicly available. Members are reminded that leave is not readily granted by the Chair for documents to be incorporated in *Hansard*. The reasoning behind this principle is that in most cases it is sufficient for members to quote from documents, after identifying them, thereby making their contents part of the parliamentary record. The type of material that may be considered for incorporation is usually limited to material that cannot readily be explained such as sketches or graphs.

The document in question was a discussion paper on the WorkChoices decision in the High Court which is publicly available on the Victorian Government Solicitor's Office website. While this paper is not a legal opinion and it would be unusual for legal opinions, particularly Crown opinions, which are generally confidential, to be incorporated in *Hansard* legal opinions can, however, be laid on the table for the information of members. Accordingly, I agree that the request to incorporate the document in *Hansard* should have been denied.

### ANSWERS TO QUESTIONS

**Ms Katrina Hodgkinson:** Point of order: My point of order relates to Standing Order 131 (5) as to the answering of questions by Ministers during question time. On 29 November the Minister for Health was asked a question about Yass Hospital and the treatment of a lady at that hospital. The Minister committed to seek further information and report back to the House in the near future. As this is the last question time this year, I am concerned that the Minister has not reported back to the House on this matter. The Minister is not present in the Chamber. As I said, this is the last question time for the year. I ask for the information that was promised to the Opposition in answer to the question.

**The SPEAKER:** Order! That is not a point of order. However, I understand the concern raised by the member for Burrinjuck. She has made her view well known, and the matter will be referred to the Minister for Health today.

### PETITIONS

#### CountryLink Pensioner Booking Fee

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

### **South Coast Rail Services**

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

### **Hawkesbury River Railway Station Access**

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

### **Public Library Funding**

Petitions requesting increased funding for public libraries, received from **Mr Andrew Constance**, **Mrs Shelley Hancock** and **Mr John Williams**.

### **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**.

### **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**.

### **Lismore Base Hospital**

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

### **Coffs Harbour Community Caseload Midwifery Pregnancy Care Program**

Petition requesting funding for a community caseload midwifery pregnancy care program at Coffs Harbour, received from **Mr Andrew Fraser**.

### **Shoalhaven Mental Health Services**

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

### **Nambucca Policing**

Petition requesting a permanent 24-hour police station at Nambucca, received from **Mr Andrew Stoner**.

### **Licence Laws for Older Drivers**

Petitions asking for an inquiry into licence laws for older drivers and the implementation of a suitable licensing system for senior citizens, received from **Mr Greg Aplin**, **Mrs Shelley Hancock** and **Mr John Turner**.

### **Rural School Bus Safety**

Petition requesting the provision of seats and seatbelts for all students on rural school buses travelling in speed zones of 80 kilometres per hour or higher, received from **Mrs Shelley Hancock**.

### **Tomerong Traffic Arrangements**

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

### **Pet Shops**

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

### **Animals (Regulation of Sale) Bill 2007**

Petition supporting the right of pet shops to sell pets and opposing the Animals (Regulation of Sale) Bill 2007, received from **Mr Paul McLeay**.

### **Shoalhaven River Water Extraction**

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

### **Kurnell Desalination Plant**

Petition opposing the construction of a desalination plant at Kurnell and requesting the promotion of wastewater recycling and stormwater harvesting to supplement Sydney's water supply, received from **Mr Malcolm Kerr**.

## **PRINTING OF PAPERS**

### **Motion, by leave, by Mr John Aquilina agreed to:**

That the following papers be printed:

Report of the Natural Resources Commission for the year ended 30 June 2007  
 Report of the Ombudsman entitled "Review of Emergency Powers to Prevent or Control Disorder", dated September 2007  
 Report of the Ministry for Police for the year ended 30 June 2007  
 Report of the New South Wales Crime Commission for the year ended 30 June 2007  
 Report of the Building Insurers Guarantee Corporation and the Fair Trading Administration Corporation for the year ended 30 June 2007  
 Report of the Motor Vehicle Repair Industry Authority for the year ended 30 June 2007  
 Report of the Department of Aboriginal Affairs for the year ended 30 June 2007 (Volumes One and Two)  
 Report of the Department of Local Government for the year ended 30 June 2007  
 Report of the Botanic Gardens Trust for the year ended 30 June 2007  
 Report of the Lord Howe Island Board for the year ended 30 June 2007  
 Report of the Murray-Darling Basin Commission for the year ended 30 June 2007  
 Report of the Zoological Parks Board of New South Wales for the year ended 30 June 2007  
 Report of the Animal Research Review Panel for the year ended 30 June 2006  
 Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June 2007  
 Report of the State Property Authority for the period ended 30 June 2007  
 Report of the Sydney Cricket and Sports Ground Trust for the year ended 28 February 2007  
 Report of the New South Wales Casino Control Authority for the year ended 30 June 2007  
 Report of New South Wales Lotteries Corporation for the year ended 30 June 2007  
 Report of WSN Environmental Solutions for the year ended 30 June 2007  
 Report of the New South Wales Dams Safety Committee for the year ended 30 June 2007  
 Report of the New South Wales Police Force for the year ended 30 June 2007  
 Report of the Department of Ageing, Disability and Home Care for the year ended 30 June 2007  
 Report of the Guardianship Tribunal for the year ended 30 June 2007  
 Report of Housing New South Wales for the year ended 30 June 2007  
 Report of the Rental Bond Board for the year ended 30 June 2007  
 Report of the Sydney Catchment Authority for the year ended 30 June 2007  
 Report of the Department of Lands for the year ended 30 June 2007  
 Report of the Cancer Institute New South Wales for the year ended 30 June 2007  
 Report of the Aboriginal Housing Office for the year ended 30 June 2007  
 Report of the Greyhound and Harness Racing Regulatory Authority for the year ended 30 June 2007  
 Report of the Liquor Administration Board for the year ended 30 June 2007  
 Report of the Parramatta Park Trust for the year ended 30 June 2007  
 Report of the Responsible Gambling Fund Trustees for the year ended 30 June 2007  
 Report of the Sydney 2009 World Masters Games Organising Committee for the year ended 30 June 2007  
 Report of the Wollongong Sportsground Trust for the year ended 30 June 2007  
 Report of the Teacher Housing Authority for the year ended 30 June 2007

Report of the New South Wales Board of Vocational Education and Training for the year ended 30 June 2007  
 Report of the New South Wales Vocational Education and Training Accreditation Board for the year ended 30 June 2007  
 Report of the Building and Construction Industry Long Service Payments Corporation for the year ended 30 June 2007  
 Report of the Sporting Injuries Committee for the year ended 30 June 2007  
 Report of the New South Wales Institute of Teachers for the year ended 30 June 2007  
 Report of the Festival Development Corporation for the year ended 30 June 2007  
 Report of the Board of Studies and the Office of the Board of Studies for the year ended 30 June 2007  
 Report of the Election Funding Authority for the year ended 30 June 2007  
 Report of the New South Wales Electoral Commission for the year ended 30 June 2007  
 Report of the New South Wales Electoral Commissioner on the 2007 State Election  
 Report of the Health Foundation for the year ended 30 June 2007  
 Report of the Health Care Complaints Commission for the year ended 30 June 2007  
 Report of the New South Wales Medical Board for the year ended 30 June 2007  
 Report of the New South Wales Chiropractors Registration Board for the year ended 30 June 2007  
 Report of the New South Wales Dental Technicians Registration Board for the year ended 30 June 2007  
 Report of the New South Wales Nurses and Midwives Board for the year ended 30 June 2007  
 Report of the New South Wales Optical Dispensers Licensing Board for the year ended 30 June 2007  
 Report of the New South Wales Optometrists Registration Board for the year ended 30 June 2007  
 Report of the New South Wales Osteopaths Registration Board for the year ended 30 June 2007  
 Report of the New South Wales Physiotherapists Registration Board for the year ended 30 June 2007  
 Report of the New South Wales Podiatrists Registration Board for the year ended 30 June 2007  
 Report of the New South Wales Psychologists Registration Board for the year ended 30 June 2007  
 Report of the State Parole Authority of New South Wales for 2006  
 Report of the Serious Offenders Review Council for 2006  
 Report of the Department of Corrective Services for the year ended 30 June 2007  
 Report of the Attorney General's Department for the year ended 30 June 2007  
 Report of Legal Aid New South Wales for the year ended 30 June 2007  
 Report of the Public Trustee for the year ended 30 June 2007  
 Report of the Anti-Discrimination Board of New South Wales for the year ended 30 June 2007  
 Report of the Statutory Audit Report of the Legal Profession Admission Board for the year ended 30 June 2007  
 Report of the Nature Conservation Trust of New South Wales for the year ended 30 June 2007  
 Report of the New South Wales Environmental Trust for the year ended 30 June 2007  
 Report of the Department of Community Services for the year ended 30 June 2007  
 Report of the New South Wales Fires Brigades for the year ended 30 June 2007  
 Report of the New South Wales State Emergency Service for the year ended 30 June 2007  
 Report of the New South Wales Rural Fire Service for the year ended 30 June 2007  
 Report of the Consumer, Trader and Tenancy Tribunal for the year ended 30 June 2007  
 Report of the Mine Subsidence Board for the year ended 30 June 2007  
 Report of the Community Justice Centres for the year ended 30 June 2007  
 Report of the Protective Commissioner and Public Guardian for the year ended 30 June 2007  
 Report of the Administrative Decisions Tribunal New South Wales for the year ended 30 June 2007  
 Report of the Law and Justice Foundation of New South Wales for the year ended 30 June 2007  
 Report of the Department of Premier and Cabinet for the year ended 30 June 2007  
 Annual Report and Determination of the Parliamentary Remuneration Tribunal on additional entitlements for members of the Parliament of New South Wales, dated 30 August 2007  
 Report of the New South Wales Institute Psychiatry for the year ended 30 June 2007  
 Report of the Department of Health for the year ended 30 June 2007 (Volumes 1 and 2)  
 Report of the Rice Marketing Board for the year ended 30 June 2007

## DEPARTMENT OF THE LEGISLATIVE ASSEMBLY

### PARLIAMENTARY JOINT SERVICES

#### Motion, by leave, by Mr John Aquilina agreed to:

That if the House is not sitting the reports of the Department of the Legislative Assembly and the Parliamentary Joint Services for the year ended 30 June 2007 be received by the Speaker and printed with the authority of the House.

### SESSIONAL ORDERS

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [3.17 p.m.], by leave: I move:

That the following sessional orders be now adopted to come into effect from Tuesday 26 February 2008:

#### ELECTION OF SPEAKER AND PARTICIPATION IN PROCEEDINGS

That, during the current session, unless otherwise ordered, Standing Order 9 shall be read as follows:

9. (1) The Speaker shall be elected on the first sitting day of a new Parliament or whenever the office becomes vacant.
- (2) Following election the Speaker, when not presiding, in accordance with section 31 of the Constitution Act 1902, is not precluded from participating in debate or discussion or from voting on any question.

**ABSENCE OF THE SPEAKER**

That, during the current session, unless otherwise ordered, Standing Order 15 shall be read as follows:

15. (1) In the absence of the Speaker on a day when the House is sitting the Clerk shall inform the House and the Deputy Speaker shall perform the duties of the Speaker until the Speaker resumes the Chair.
- (2) In the absence of both the Speaker and the Deputy Speaker on a day when the House is sitting the Assistant Speaker shall perform the duties of the Speaker.
- (3) In the absence of the Speaker, Deputy Speaker and Assistant Speaker on a day when the House is sitting, a Temporary Speaker shall perform the duties of the Speaker.

**ABSENCE OF THE SPEAKER, DEPUTY SPEAKER, ASSISTANT SPEAKER AND TEMPORARY SPEAKERS**

That, during the current session, unless otherwise ordered, Standing Order 18 shall be read as follows:

18. If the Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers are all absent on a day when the House is sitting, the Clerk shall inform the House which shall, upon motion without notice, before any further business is conducted, proceed to the election of an Acting Speaker and:
  - (1) The Clerk shall preside for the election of an Acting Speaker in the same manner as for the election of Deputy Speaker.
  - (2) The Members present, if a quorum, may elect an Acting Speaker who shall perform the duties of the Speaker.
  - (3) If the House does not proceed to an election the matter shall stand adjourned until the next sitting day or if a sitting day has not been set, a date set by the Government, when the election of an Acting Speaker, if still necessary, shall take precedence of all other business.

**DAILY PUBLICATION OF HOUSE PAPERS**

That, during the current session, unless otherwise ordered, Standing Order 31 shall be read as follows:

31. The Clerk shall, after each sitting day, publish:
  - (1) The Votes and Proceedings.
  - (2) A Business Paper containing Notices of Motions and Orders of the Day.
  - (3) A Questions and Answers Paper.
  - (4) During any adjournment of the House for two weeks or more a Questions and Answers Paper will be published from time to time containing answers received.

**TIMING OF BELLS**

That, during the current session, unless otherwise ordered, Standing Order 35 shall be read as follows:

35. The timing of bells is as follows:

Tuesdays (Government Business Day – First sitting day of the week)  
Bells are rung at 12.45 p.m. 12.56 p.m. 12.58 p.m. 2.00 p.m. and at 2.13 p.m.

Wednesdays, Thursdays and Fridays  
Bells are rung at 9.45 a.m. 9.56 a.m. and at 9.58 a.m.

After lunch  
Bells are rung at 2.00 p.m. and at 2.13 p.m.

Division  
First bell 10 seconds, pause 10 seconds; second bell 10 seconds, pause 10 seconds; third bell 20 seconds. The doors are locked 4 minutes after the bells are first rung.

Quorum  
One long continuous bell (for up to four minutes until a quorum is present in the Chamber).

House adjournment  
Two short bells.

One long bell  
A continuous bell rung at the discretion of the Chair.

**ADJOURNMENT AND NEXT MEETING**

That, during the current session, unless otherwise ordered, Standing Order 46 shall be read as follows:

46. Unless otherwise ordered, the House shall be adjourned without motion moved at 7.00 p.m. on Tuesday and Wednesday, at 6.00 p.m. on Thursday and after the conclusion of Private Members' Statements on Friday.

**ROUTINE OF BUSINESS**

That, during the current session, unless otherwise ordered, Standing Order 97 shall be read as follows:

97. The House shall conduct its business in the following routine:

Tuesdays

1. At 1.00 p.m. (Speaker takes Chair)
2. General Business Notices of Motions and Private Members' Statements
3. At 2.15 p.m. (Speaker resumes Chair)
4. Ministerial Statements
5. Notices of Motions (Government Business, Bills, Business with Precedence)
6. Notices of Motions to be Accorded Priority
7. Question Time
8. Ministerial Statements
9. Papers
10. Committee Reports – Tabling
11. Petitions
12. Announcement of Matter of Public Importance
13. Placing or Disposal of Business
14. Motion Accorded Priority
15. Matter of Public Importance
16. Business with Precedence
17. At 4.30 p.m. Business before the House is interrupted for Government Business.
18. Any interrupted business lapses except when the House is considering Business with Precedence which will stand as an order of the day for tomorrow.
19. At 7.00 p.m. Adjournment. Any interrupted item of business shall stand as an order of the day for tomorrow.

Other Government Business Days (not Fridays)

1. At 10.00 a.m. (Speaker takes Chair)
2. General Business Notices of Motions and Private Members' Statements
3. Government Business concluding at 1.30 p.m. Any interrupted business shall stand as an order of the day for a later time.
4. At 2.15 p.m. (Speaker resumes Chair)
5. Ministerial Statements
6. Notices of Motions (Government Business, Bills, Business with Precedence and notices to be the subject of a motion to re-order later in the sitting)
7. Notices of Motions to be Accorded Priority
8. Question Time
9. Ministerial Statements
10. Papers
11. Committee Reports – Tabling
12. Petitions
13. Announcement of Matter of Public Importance
14. Re-ordering of General Business Orders of the Day (for Bills) and General Business (Notices of Motions)
15. Placing or Disposal of Business
16. Motion Accorded Priority
17. Matter of Public Importance
18. Business with Precedence
19. At 4.30 p.m. Business before the House is interrupted for Government Business.
20. Any interrupted business lapses except when the House is considering Business with Precedence which will stand as an order of the day for tomorrow.
21. At 7.00 p.m. Adjournment. Any interrupted item of business shall stand as an order of the day for tomorrow.

General Business Days

1. At 10.00 a.m. (Speaker takes Chair)
2. General Business Notices of Motions
3. General Business Notices of Motions for Bills (concluding not later than 10.30 a.m.)
4. Any interrupted item of business shall stand as an order of the day for tomorrow with precedence of other General Business Notices of Motions for Bills.

5. General Business Orders of the Day for Bills (concluding not later than 11.30 a.m.)  
Any interrupted business shall stand as an order of the day for a later time with precedence of other General Business Orders of the Day for Bills.  
General Business Notices of Motions or Orders of the Day (not being Bills) concluding at 1.00 p.m.  
Any interrupted business shall stand as an order of the day for tomorrow with precedence of other General Business (not for Bills) concluding at 1.30 p.m.
6. At 2.15 p.m. (Speaker resumes the Chair)
7. Ministerial Statements
8. Notices of Motions (Government Business, Bills, Business with Precedence)
9. Question Time
10. Ministerial Statements
11. Papers
12. Committee Reports – Tabling
13. Petitions
14. Placing or Disposal of Business
15. Business with Precedence
16. Government Business
17. At 4.15 p.m. Private Members' Statements. Any interrupted item of business shall stand as an order of the day for tomorrow.
18. 6.00 p.m. Adjournment. Any interrupted item of business shall lapse.

#### FRIDAY SITTINGS

That, during the current session, unless otherwise ordered, Standing Order 98 shall be read as follows:

98. On any Friday upon which the House sits, whether as a continuation of the sitting of the previous day or as a separate sitting day:
  - (1) Government Business shall have precedence of all other business in the Routine of Business.
  - (2) No quorums shall be called and any divisions called shall be deferred, set down as orders of the day for the next sitting day and determined after Question Time.
  - (3) At 1.00 p.m. Consideration of committee reports presented or the next item of business shall be called. Any interrupted item of business shall stand as an order of the day for tomorrow.
  - (4) At 1.30 p.m. Private Members' Statements, after which the House shall adjourn without motion until the next sitting day. Any interrupted item of business shall stand as an order of the day for tomorrow.

#### PROGRAM FOR GENERAL BUSINESS DAYS

That, during the current session, unless otherwise ordered, Standing Order 101 shall be read as follows:

101. The procedure for establishing the program for General Business Days is as follows:
  - (1) On the sitting day preceding a General Business Day, Members shall advise the Clerk in writing by 12.00 noon which General Business Notices of Motions for Bills, Orders of the Day for Bills, or Notices of Motions (not for Bills) standing in their name on the Business Paper are to be postponed. Party Whips may also advise the Clerk in writing of which items of General Business standing in the name of the Members of their party are to be postponed.
  - (2) The first ten notices on the Business Paper not advised to be postponed by 12.00 noon on the day preceding a General Business Day, will be deemed to be proceeding. Any General Business Order of the day for Bills or Notice of Motion re-ordered by the House to have precedence in accordance with Standing Orders 97 and 106 will retain such precedence.
  - (3) On a General Business Day, a Member may, without debate:
    - (a) withdraw or postpone any notice of motion standing in their name on the Business Paper for that day.
    - (b) postpone or, on motion, discharge an Order of the day standing in their name on the Business Paper for that day.
    - (c) discharge an Order of the day for a Bill on motion, without debate or amendment, "**That the Order of the day be discharged**", followed by a motion moved forthwith, without debate or amendment "**That the Bill be withdrawn**".

#### GENERAL BUSINESS NOTICES OF MOTIONS AND PRIVATE MEMBERS' STATEMENTS

That, during the current session, unless otherwise ordered, Standing Order 108 shall be read as follows:

108. The procedure for General Business Notices of Motions and Private Members' Statements is as follows:
  - (1) At the commencement of the sittings on Tuesday and Wednesday, Private Members' Statements will follow the giving of General Business Notices of Motions.
  - (2)
    - (a) At 4.15 p.m. on Thursday and at 1.30 p.m. on Friday, the business before the House shall be interrupted for the taking of Private Members' Statements.
    - (b) The interrupted business shall stand as an Order of the day for tomorrow.

- (c) If at the time of interruption:
- (i) A division is in progress – the division shall be completed and any further questions put to conclude the matter and the result announced.
  - (ii) Proceedings under the "guillotine" are in progress, the proceedings shall be completed.
- (3) The Speaker shall propose the question "**That Private Members' Statements be noted**"
  - (4) Up to 16 Members may speak for up to 5 minutes each and replies by Ministers shall be limited to 2 minutes each.
  - (5) Private Members' Statements may be taken between items of business with the leave of the House for a specified period or a specified number of Members or until certain business is to be conducted as notified by the Minister in charge of the House at that time.
  - (6) A division on any question or quorum call shall not be permitted during Private Members' Statements.
  - (7) At the conclusion of Private Members' Statements on Thursday and Friday the House shall adjourn without motion moved until the next sitting day.

#### CONSIDERATION OF MOTIONS ACCORDED PRIORITY

That, during the current session, unless otherwise ordered, Standing Order 109 shall be read as follows:

109. The procedure for the consideration of motions accorded priority shall be as follows:

- (1) Prior to Question Time on Tuesday and Wednesday the Speaker shall ask if there are any written notices of motions to be accorded priority over the other business of the House.
- (2) No more than two notices shall be accepted at any one sitting of the House.
- (3) The notices shall be set down for consideration later in the sitting in accordance with the routine of business.
- (4)
  - (a) The Members giving the notices shall each be permitted to make statements of up to 5 minutes as to why their notice should be accorded priority.
  - (b) At the conclusion of the 5 minute statements the Speaker shall put the question on the first notice "**That the motion of the Member for ... be accorded priority**".
  - (c) If this motion is carried the Member may proceed.
  - (d) If the motion is not carried the question "**That the motion of the Member for ...be accorded priority**" is then put on the next motion.
- (5) When the motion for priority is determined and the motion is moved, the following time limits shall apply:
 

Mover	-	10 minutes
Member next speaking	-	10 minutes
Other Members (limited the three)	-	5 minutes
Reply	-	5 minutes

#### MATTERS OF PUBLIC IMPORTANCE

That, during the current session, unless otherwise ordered, Standing Order 110 shall be read as follows:

110. The procedure for matters of public importance is as follows:

- (1) The matter, which must be definite, shall be handed in writing to the Speaker no later than 12.00 noon on days when the House discusses a Matter of Public Importance and immediately published.
- (2) The Speaker, in the event that more than one matter is submitted, shall determine which matter is of the greatest public importance.
- (3) At least 30 minutes prior to the time for Question Time -
  - (d) the Premier, the Leader of the Opposition, the responsible Minister in the House, Members submitting matters and the Independent Members shall be informed in writing by the Speaker of the matter determined by the Speaker to be discussed.
  - (e) the Speaker, by placing a notice on notice boards, shall inform Members of the matter.
- (4) If the Speaker decides that any matter proposed is in order it shall be announced to the House by the Speaker.
- (5) As provided in the routine of business the Speaker shall call the Member concerned to proceed with the matter. The matter cannot be amended.
- (6) The following time limit shall apply:
 

Member submitting the matter	15 minutes
Member next speaking	15 minutes
Four other Members	5 minutes
Member concluding the discussion	10 minutes
- (7) Where a motion accorded priority has been considered by the House then any Matter of Public Importance listed for discussion that day shall be limited in duration to the following speaking times:
 

Mover	10 minutes
Member next speaking	10 minutes
One other Member	5 minutes
Reply	5 minutes
- (8) At the conclusion of the discussion no question shall be put.
- (9) There shall be no dissent from the ruling of the Speaker in relation to the operation of this Standing Order.

#### NO CONFIDENCE IN GOVERNMENT

That, during the current session, unless otherwise ordered, Standing Order 111 shall be read as follows:

111. The procedure for motions of no confidence in the Government is as follows:

- (1) A notice of motion must be given.

- (2) If a motion is given under section 24B(2) of the Constitution Act 1902, it shall take precedence of all other business on a sitting day that is not less than 3 clear days after the notice has been given.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) Debate on such motion shall not be adjourned and the sitting of the House shall continue until the question is determined.
- (6) The following time limits apply to this debate:
 

Mover	unspecified
Party Leader	unspecified
Any other Member	30 minutes
Premier in response	45 minutes
Reply	45 minutes
- (7) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (8) The motion "That the question be now put" (closure) cannot be moved until at least 8 Members (inclusive of the mover and Party Leader(s)) have spoken to the original question before the House. The effect of the closure being agreed to does not preclude the response of the Premier.
- (9) During the currency of the debate the Speaker shall leave the Chair at the time for adjournment each day and the sitting shall resume at 10.00 a.m. on each successive business day until the matter is determined.
- (10) When the question is determined the Speaker shall adjourn the House without motion moved until the next sitting day.

#### **NO CONFIDENCE IN MINISTER**

That, during the current session, unless otherwise ordered, Standing Order 112 shall be read as follows:

112. The procedure for a motion of no confidence in a Minister is as follows:

- (1) A notice of motion must be given.
- (2) Such notice shall take place of and be called upon in the place of the Matter of Public Importance in the routine of business at the next sitting day on which such matters are considered.
- (3) On any day when such notices are set down, the House cannot consider Matters of Public Importance.
- (4) The motion may not be postponed or amended.
- (5) The motion may be withdrawn with the leave of the House.
- (6) Debate will be as follows:
 

Mover	unspecified
Minister named	unspecified
Any other Member	20 minutes
Response by Minister	- 30 minutes
Mover in reply	30 minutes
- (7) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (8) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the Mover and Minister named) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response by the Minister named.

#### **NO CONFIDENCE IN SPEAKER**

That, during the current session, unless otherwise ordered, Standing Order 113 shall be read as follows:

113. The procedure for a motion of no confidence in the Speaker is as follows:

- (1) A notice of motion must be given.
- (2) Such notice shall take place of and be called upon in the place of the Matter of Public Importance in the routine of business at the next sitting day on which such matters are considered.
- (3) On any day when such notices are set down, the House cannot consider Matters of Public Importance.
- (4) The motion may not be postponed or amended.
- (5) The motion may be withdrawn with the leave of the House.
- (6) Debate will be as follows:
 

Mover	unspecified
Member leading the debate in opposition to the motion	unspecified
Any other Member	20 minutes
Response by Member leading the debate in opposition to the motion	30 minutes
Mover in reply	30 minutes
- (7) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).

- (8) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member leading the debate in opposition to the motion) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response by the Member leading the debate in opposition to the motion.

#### CENSURE OF MEMBER

That, during the current session, unless otherwise ordered, Standing Order 114 shall be read as follows:

114. The procedure for a motion of censure of a Member is as follows:

- (1) A notice of motion must be given.
- (2) Such notice shall take the place of and be called upon in the place of the Matter of Public Importance in the routine of business on the same sitting day at which the notice was given, except on Thursday when the notice shall be called on at the next sitting Tuesday in place of the Matter of Public Importance in the routine of business.
- (3) Debate will be as follows:
 

Mover	15 minutes
Member named	15 minutes
Four other Members	5 minutes
Response by Member	10 minutes
Mover in reply	10 minutes
- (4) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (5) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the Mover and Member named) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member named.

#### CENSURE OF SPEAKER

That, during the current session, unless otherwise ordered, Standing Order 115 shall be read as follows:

115. The procedure for a motion of censure of a Member is as follows:

- (1) A notice of motion must be given.
- (2) Such notice shall take the place of and be called upon in the place of the Matter of Public Importance on the same sitting day at which the notice was given, except on Thursday when the notice shall be called on at the next sitting Tuesday in the place of the Matter of Public Importance in the routine of business.
- (3) Debate will be as follows:
 

Mover	15 minutes
Member leading the debate in opposition to the motion	15 minutes
Four other Members	5 minutes
Response by Member leading the debate in opposition to the motion	10 minutes
Mover in reply	10 minutes
- (4) The following motions cannot be moved:
  - That the Member be now heard.
  - That the Member be not further heard.
  - That the question be not now put (previous question).
- (5) The motion "That the question be now put" (closure) cannot be moved until at least 4 Members (inclusive of the Mover and Member leading the debate in opposition to the motion) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member leading the debate in opposition to the motion.

#### WRITTEN QUESTIONS

That, during the current session, unless otherwise ordered, Standing Order 132 shall be read as follows:

132. The procedure for written questions is as follows:

- (1) Questions shall be handed to one of the Clerks at the Table or lodged in the Procedure Office by 12.00 noon.
- (2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:
  - (a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.
  - (b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.
- (3) The number of questions able to be lodged accumulative over one sitting week are:
  - (a) Members – three questions per sitting day
  - (b) Leader of the Opposition – four questions per sitting day.

- (4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. On sitting days answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day's paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and lodged in hard copy and also electronically.
- (5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.
- (6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain with such procedure continuing until a written answer is submitted.

#### NOTICES OF MOTIONS

That, during the current session, unless otherwise ordered, Standing Order 133 shall be read as follows:

133.

- (1) A notice of motion for:
  - (a) A bill;
  - (b) Government Business;
  - (c) No confidence in the Government, Minister or Speaker, or censure of Member or Speaker;
  - (d) Business with Precedence, (SO 118) with the exception of votes of thanks or condolence; and
  - (e) A General Notice to be the subject of a motion for re-ordering
 must be given verbally at the time prescribed in the routine of business and show the date for moving the motion.

#### SPEAKER'S CASTING VOTE

That, during the current session, unless otherwise ordered, Standing Order 184 shall be read as follows:

184. In the event of an equality of votes, the Member presiding shall give a casting vote and any reasons given may be recorded in the Votes and Proceedings.

#### PROCEDURE AFTER NAMING

That, during the current session, unless otherwise ordered, Standing Order 251 shall be read as follows:

251. If the Member has been named:
  - (1) The Speaker shall forthwith propose the question "That the Member for ... be suspended from the service of the House"
  - (2) There shall be no amendment, adjournment or debate allowed on this motion. However, the Member named may make an explanation limited to 5 minutes.

#### TABLING IN THE HOUSE AND DEBATE

That, during the current session, unless otherwise ordered, Standing Order 306 shall be read as follows:

306.

- (1) The report and associated documents of any committee (not being a legislation committee) shall be presented at the time provided in the routine of business, or at any other time with the leave of the House.
- (2) The Member presenting the report may move "**That the document be printed**". This question shall be decided without debate or amendment.
- (3) Reports from committees shall stand in the order in which they are presented (or reported by the Clerk when received during an adjournment) as orders of the day "**That the House take note of the Report**".
- (4) Such orders of the day may be considered between 1.00 p.m. and 1.30 p.m. on Fridays. Any interrupted item of business shall stand as an order of the day for tomorrow.
- (5) When the order of the day is called on and not proceeded with, consideration of the report shall be postponed until the next Friday sitting when reports are considered. If the order of the day is called on at that subsequent sitting and is not proceeded with, the question shall be put.
- (6) If a committee has more than one report on the Business Paper the Chair or Member who tabled the report may move a motion without notice, amendment or debate to facilitate the consideration of two or more of the committee's reports together.
- (7) The Member tabling the report may speak for up to 10 minutes and any other Member may speak for up to 5 minutes to the question "**That the House take note of the Report**" with the question being put after 30 minutes. No reply is permitted.
- (8) Orders of the day not commenced or not completed 12 months from the date of tabling shall lapse.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [3.17 p.m.]: Some discussion has taken place about changes to the sessional orders. The new sessional orders that I have seen potentially will be used to implement what has become known as the family friendly hours. The Opposition does not agree with a number of the proposed changes to the sessional orders. For example, we do not agree with the proposal that debate on motions to be

accorded priority will not take place on Thursdays. We do not support members of the Opposition and Government backbenchers being denied the opportunity to raise and debate issues of priority. That is a denial of a right of members of Parliament on both sides of the House.

The Opposition is also concerned about an issue when the House sits on Fridays. It has always been the Liberals-Nationals position, I am sure supported by the crossbenchers, that we should have question time on Friday. When Parliament sits we want question time. The Government introduced Friday sittings so that it did not look as lazy as it is. The Government listed Fridays so it could say it was sitting 55 or 60 days a year. In fact, this year the House has had question time on 36 days. Question time is the key time for Parliament. It is the opportunity for Opposition members to ask Government members questions about the way they handle their portfolios.

**The SPEAKER:** Order! The member for Manly will cease interjecting.

**Mr ADRIAN PICCOLI:** Question time is also an opportunity for Government backbenchers to ask those tough questions of their own Government members about how they handle their portfolios. I shall move a number of amendments to the proposed sessional orders that have been introduced today. First, I refer to Standing Order 98, Question Time on Fridays. I move:

That proposed sessional order "Friday Sittings" be amended by leaving out paragraph (2) and adding after paragraph (4):

(5) At 2.15 p.m. Question Time be conducted.

By way of explanation, proposed Standing Order 98 (2) states:

No quorums or divisions on Fridays.

On election to Parliament, we on this side of the House are paid our salaries to appear in Parliament to debate legislation. If the Government has run out of Government business, there is plenty of private members' business on the notice paper to be dealt with. The Opposition wants quorums and divisions on Fridays. The Opposition believes that on Fridays there needs to be a question time for the reasons I have given. My second amendment relates to relevance. Everyone knows about the standing order that relates to relevance, Standing Order 129. I believe that even a couple of members on the Government side now understand what that standing order means. My amendment relates to Standing Order 129 and adds the word "directly" prior to the word "relevant", so that Minister's answers must be directly relevant to the question. I move:

That Standing Order 129 be amended by inserting the word "directly" immediately prior to the word "relevant".

As a result of this amendment, Minister's answers will have to be directly relevant to the question. That is a terrific idea, a terrific amendment, but I cannot take credit for it. Members would be shocked to know whose suggestion it was. It was actually Paul Whelan's suggestion—he is a former member for Strathfield—and it was fully supported by the member for Riverstone, John Aquilina. The vast resources of the Opposition—the seven staff members—have trawled through *Hansard*. They do terrific work—

**Ms Linda Burney:** Who are they?

**Mr ADRIAN PICCOLI:** I advise the Minister for Fair Trading that there are seven of them, as opposed to her multimillion dollar hoard—the 33 or 36 of them—that sit outside the Chamber during question time. Our hardworking Opposition staff have trawled through *Hansard* and this is what they found: On 13 October 1994 Mr John Aquilina, the member for Riverstone, referring to the standing order applying to relevance—at that time Standing Order 78—said:

It is absurd that the word "relevant" in Standing Order 78 has absolutely no consequence upon the requirement for a Minister to keep his answer strictly relevant to the question asked. My colleague the honourable member for Ashfield has sought to add the word "directly" before the word "relevant" to give the Speaker greater guidance in terms of relevancy.

I cannot say that the member for Riverstone has said much of interest in the nine months since the State election; he has not said much to excite us on the Opposition benches. We know he is upset at not being the Speaker. He has been sacked from every position he ever held in Parliament. But this is the one time that we will agree wholeheartedly with the member for Riverstone. It is 13 years later, but his campaign can finally come to fruition today, to add the word "directly"—

**The SPEAKER:** Order! I will interrupt the member for Murrumbidgee, although I am loath to do so because his contribution is very entertaining. The proposed sessional orders do not include any change to Standing Order 129, which the member for Murrumbidgee referred to. However, the first part of the amendment relates to question time on Friday and the proposed sessional orders relate to Friday sittings. I ask the member for Murrumbidgee to confine his comments to the proposed sessional orders that are contained in the document. A list is available, and Standing Order 129 is not on the agenda.

**Mr Barry O'Farrell:** Point of order: As all members opposite know, because of the way in which the branches operate, when a member seeks to amend a motion words can be deleted and a member can seek to insert additional provisions. That is what we do every day when debating priority motions. We seek to add additional clauses to motions.

**The SPEAKER:** But the amendment has to be relevant to a motion before the House.

**Mr Barry O'Farrell:** Yes, Mr Speaker, but—

**The SPEAKER:** Order! I am responding to the point of order. The motion lists all of the standing orders that will be amended; it is similar to a bill. Standing Order 129 is not on the agenda. There are other processes available to amend standing orders that are not listed on the document.

**Mr Barry O'Farrell:** The member for Murrumbidgee is seeking to introduce a new sessional order into that document, in the same way that the House occasionally seeks to introduce new clauses into legislation.

**The SPEAKER:** Order! If members wish to avail themselves of other processes to introduce changes to standing orders that are not listed in the document, I would be happy to receive any such motion.

**Mr ADRIAN PICCOLI:** Mr Speaker, can I add a sessional order?

**The SPEAKER:** Let me hear what you have to say.

**Mr ADRIAN PICCOLI:** I seek to add a sessional order that reads:

An answer shall be directly relevant to the question asked.

My amendment is that we add a sessional order, whatever number it will be as the last sessional order in the standing orders.

**The SPEAKER:** Order! I have been advised that the motion is out of order because the amendment is not directly relevant to the motion before the House. I do not believe members want to debate dozens of amendments that are not proposed in the motion.

**Mr ADRIAN PICCOLI:** The sessional orders we have do not relate only to the family friendly hours that you, Mr Speaker, have discussed previously with Government members and Opposition members. The sessional orders that the Government is seeking to introduce today are much broader than just family friendly hours. They relate to plenty of other things, including the election of Speaker and participation in proceedings, absence of the Speaker, daily publications of House papers, timing of bells. They do not all relate to changes in family friendly hours. None are relevant to each other. I do not see how an amendment along the lines that I am proposing is somehow less relevant than in any other standing orders. Mr Speaker, you are receiving terrible advice here on the last day. Members are entitled to vote down my proposed amendment.

**The SPEAKER:** Order! I do not know how many sessional orders are listed for discussion; it could be about 20. I am happy to receive amendments relating to those matters and to listen to discussion about them. I will rule anything else out of order. If the member for Murrumbidgee wants to use another process, which he is entitled to do under the standing orders, I will allow that. However, what he proposes to do is not appropriate at this time. The member will address the proposed sessional orders.

**Mr ADRIAN PICCOLI:** The sessional orders refer to changes in proceedings in the House, including question time. On the first day that this House sat there was much talk and there was subsequently much discussion in the media about the need for answers to be relevant. Mr Speaker, you took that up as a personal challenge; that you would make this House much more accountable and much more relevant. The Government is trying, and that was reinforced by Mr Speaker's ruling, to deny the public of New South Wales the right to

answers in question time. The Leader of the House supported these changes in 1994. I have never seen an amendment such as this ruled out of order. All I am proposing to do is exactly what Mr Speaker and others said on the very first day this House would be done, and as has been widely reported in the media.

The fact that this amendment will not be allowed is doing the Government's business of denying the Opposition, the crossbenchers and the public of New South Wales the right to get some answers in this House. The way Government members respond to questions is a complete joke. The Leader of the House knew about it in 1994 and tried to do something about it; we were trying to do something about it—and he supported it—and now we are being denied that opportunity. This House will continue to be a joke unless that change is made.

**Mr Michael Daley:** Point of order: I draw the attention of the member for Murrumbidgee to Standing Order No. 95, which provides a very clear process for dissenting from the ruling of a Speaker. You have made your ruling and the member for Murrumbidgee is clearly continuing to canvass your ruling. He is transgressing Standing Order No. 95.

**The SPEAKER:** Order! I have ruled in relation to this matter. If the member for Murrumbidgee wishes to move an amendment by way of substantive motion or notice of motion to any of the sessional orders not listed in the document, there are processes available to him to do that and I will happily accept any such amendment. However, we cannot do that here today. That is not a political proposition; it is the process I have been advised should be followed. I ask the member for Murrumbidgee to confine his remarks to the proposed sessional orders, and there are many of them to choose from.

**Mr ADRIAN PICCOLI:** I move the following amendment:

That proposed sessional order "Routine of Business" be amended by adding after item 14 under "General Business Days" the following:

15. Motion Accorded Priority.

That amendment relates to the proposed ridiculous changes to the parliamentary schedule. We on the Opposition side support business hours and parliamentary sitting hours that are much more in line with community expectations and standards, business community standards and the standards of all the hardworking people in our electorates. It is absurd that on some days this House sits until 1.00 a.m. and the upper House until 3.00 a.m., but what we do not accept is a denial of our rights and the opportunity to speak in this House on matters that the Government does not want to hear about. Question time is a joke and now the Government is trying to deny the Opposition the opportunity on a Thursday to raise issues that should be accorded priority. That is why we do not support the changes.

**The SPEAKER:** What is the specific section within that that you are seeking to amend?

**Mr ADRIAN PICCOLI:** Standing Order 97.

**The SPEAKER:** What are you seeking to say?

**Mr ADRIAN PICCOLI:** That on General Business days motions accorded priority be included. I apologise that these amendments were handwritten in the space of 10 minutes or so. Because of the disrespect of the Government—particularly the Leader of the House—which lacks any sense of etiquette or politeness, the Opposition was given a wad of sessional orders to consider about two-thirds of the way into question time. Mr Speaker, I know the Whips have had discussions with you about changes to the family-friendly hours, but they were the only changes proposed. One of the other changes is that in the absence of the Speaker, the Deputy-Speaker, Assistant-Speakers and Acting-Speakers, the Clerks should take over the role of Speaker. Why are all these people being paid all this money? The Speaker and the Deputy-Speaker are paid additional money for their roles. Two Assistant-Speakers were appointed earlier this year with additional salaries. What are they doing if they are all going to be absent and one of the Clerks is going to have to step in and take over the duties of the Speaker?

That is what the Government has done with these sessional orders. If I sound unhappy about it and unhappy with your ruling, that is largely to do with it. Do not tell me the Government just drafted this motion and had the opportunity to present it to the Opposition only at three o'clock in the afternoon. The Government probably had it for a few hours and gave it to us at the last minute. I apologise to you and to the Clerks for the handwritten amendments I propose but if this Parliament could return to a sense of proper decorum, etiquette

and politeness—the sorts of things that would make the general public feel proud of the New South Wales Parliament—I would be more than happy with that. But while the Labor Party is in government and while the member for Riverstone is the Leader of the House—he has got a terrible record in his time in Parliament of being a complete grub. If grubs were cows the Government could open a dairy on that side of the House.

**Mr John Aquilina:** Point of order—

**Mr ADRIAN PICCOLI:** I am pleased to have completed my contribution.

**Mr John Aquilina:** I take offence to the honourable member's statement and I ask him to withdraw it.

**The SPEAKER:** Order! I ask the member for Murrumbidgee to withdraw that statement.

**Mr ADRIAN PICCOLI:** I withdraw it.

**The SPEAKER:** Order! The easiest way to deal with this is to take the two amendments that have been proposed to the sessional orders and simply put the question—

**Mr Barry O'Farrell:** Are you stopping debate?

**The SPEAKER:** Order! I am not stopping debate. I will accept the two amendments moved by the member for Murrumbidgee and simply put the question on those amendments. I will hear one or two contributions, but I do not think we should be here debating this matter all night. Some debate on this matter is appropriate.

**Mr Chris Hartcher:** Point of order: This is a notice of motion; you cannot close off debate.

**The SPEAKER:** There are amendments.

**Mr Chris Hartcher:** It is a notice of motion before the House. There is a general debate upon the subject. The question is as moved by the Leader of the House and the member for Murrumbidgee has moved amendments, and there is now a general debate.

**The SPEAKER:** That is what I am saying. I will now call for further contributions.

**Mr ALAN ASHTON** (East Hills) [3.36 p.m.]: I just want to make one comment. In the case of the absence of the Speaker, the shadow Leader of the House said that the Clerk would run the House. I point out that Standing Order No. 18 says:

Absence of Speaker, Deputy Speaker and Assistant Speaker during session

If the Speaker, Deputy Speaker and Assistant Speaker are all absent when the House is sitting, the Clerk shall inform the House, which shall, upon motion without notice, before any further business is conducted, proceed to the election of an Acting Speaker and:

- (1) The Clerk shall preside for the election of an Acting Speaker ...

There is no intention for the Clerk to run the House.

**The SPEAKER:** Order! That is a valid point. The Clerk, as is standard in many organisations and parliaments, assumes the Chair when a ballot is conducted.

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [3.37 p.m.]: Mr Speaker, you launched a book a month ago. I note that the two sections relating to sessional orders disagree with the ruling that was given in relation to the member for Murrumbidgee. We need to understand the history of what are described as family-friendly hours, but let us be blunt about it: the only reason this has come about is because the Parliament has been subjected to the same sorts of budget cuts as has the rest of the New South Wales public sector. Mr Speaker, you have found a way to try to work within the budget handed to you by Treasurer Costa. The Premier immediately released that proposal to the media as so-called family-friendly hours coming into the Parliament. That needs to be said upfront because these proposals are as far from family-friendly as the existing sittings of Parliament. We should go to the heart of this matter. When the Premier announced the proposal he

did not announce we were going to have family-friendly hours; he announced we were going to have a committee.

Once again, the Premier is incapable of making a decision, even on small things that relate to the running of this House. He is unable to make a decision and, as a result, you have worked with Whips and managers of Opposition business and Government business and all those things to try to get a set of proposals together. As you know, Mr Speaker, you have been stymied every step of the way in relation to those negotiations. You have done your best—you have put together a compromise proposal and, like most compromises, it is neither fish nor fowl. As a result, we have got an unsatisfactory set of proposals and we are having an unsatisfactory debate. I say to the member for Sydney that this would not have occurred under the Parliament in which she had the balance of power.

Just so that everyone knows how bad that statement is, I inform the House that I was never in support of the member for Sydney and her cohorts having the balance of power. However, in relation to this matter the member for Sydney would not have allowed this to go forward because it lacks any sense of accountability that is meant to be at the heart of this process. We have had 28 Premiers of New South Wales and, for all but two of them, whenever Parliament sat there was a question time, but under Bob Carr and Morris Iemma we now have Friday sittings, what I describe as batting average sittings—the sitting days you have simply to get up the number of days you are supposed to sit.

The Premier was on radio this morning telling untruths to Mike and Fitz. He said there are 63 sitting days next year. The reality is that there will be only 48 sitting days next year on which there will be question time, 48 sitting days that are understood to be parliamentary sitting days by the people who framed the Federal Constitution and the State Constitution. We have had 35 sitting days this year on which there have been question times. The *Daily Telegraph* got it wrong today because it assumed that our first sitting day, a Tuesday in May, had a question time. That, of course, was the ceremonial day. We have had Friday sittings after Friday sittings with no question time—sittings that have not added to the accountability of this place. They are a joke. On four of those days we sat for less than two hours. On six days we sat for less than three hours. It is like scheduling a day for a test match and telling the bowlers they cannot take on the batsmen. It is nonsense, it is absurd, and it is all about protecting this embarrassing Government from its appalling record when it comes to the running of this place.

Not only can the Government not get legislation into this place at the start of a session, but at the end of a session this democratic institution resembles a sausage factory. Bills are pushed through at such a pace that, like those sausages, no one has any idea what they contain. The only certainty is that next week we will come back and face amendment bill after amendment bill to clean up the mess created by the way in which legislation has been rammed through this place in the dying days of this session. People outside the Chamber do not understand that when it comes to question time—a process that is fundamental—the State Opposition gets five questions on the first sitting Tuesday, five on the first sitting Wednesday and four on the first sitting Thursday; then in the next week it gets five on the second Tuesday, four on the second Wednesday and four on the second Thursday.

This is a State Government so scared of accountability, so scared of an Opposition on which it tries to pour scorn day in and day out, that it will not allow us to have question time on a Friday. It should be a matter that is fundamental to the operation of this place. What is it that the Government is trying to hide that it will not have question time on a Friday? The member for Heffron would happily welcome question time on Fridays. It would give her an opportunity to stake her claim for the premiership of New South Wales. It would answer the question for the New South Wales Right of the Labor Party. Do we really have to put up with a Lefty as Premier? The member for Heffron does not fear question time because she is so much better than Reba Meagher, Frank Sartor and the others. But those opposite fear it because Morris Iemma does not like the process.

I have no doubt that the motions moved by the member for Murrumbidgee should be supported by all members of this House. They simply seek to allow on future Thursdays what currently happens, which is for an urgency motion to continue. It might also have been widened to include a matter of public importance, but we know that on most Thursdays we do not get to the matters of public importance. It should be supported to allow the addition of question time to sitting Fridays. If that is not going to happen, the Leader of the House—and perhaps the Minister and anyone else—should get up here and explain why Parliament should not have question time on a day when it sits.

What you know, Mr Speaker, and what the public should know is that the process the Premier started was to deliver what he described as family friendly hours to the Parliament of New South Wales. Once again it is not about the wider family; it is about the Labor family. It is about looking after the Labor Party, not looking after the public interest. What we know is that the so-called family friendly hours being promoted less than six weeks ago by the Premier will apply to this House, but there is no agreement yet for the other House. In fact, as I understand it, senior Ministers in the other House are quite distressed that they might have to travel on Sydney streets during peak hour, as the rest of the commuters across Sydney do. Mr Speaker, you know for a fact that so far there is no guarantee that these changes will deliver the budget cuts that you are being forced to meet because there is no agreement from members of the upper House at this stage that they will adapt their hours, and if there is no agreement by the upper House we really do have a dog's breakfast because Hansard will have to continue to attend, all the other parliamentary staff will have to be here, and the so called savings that you are trying to find because the pressure is put upon you by Michael Costa simply will not be found.

This is another dog's breakfast of the State Government's making, born out of the incapacity of our Premier to ever make a decision. Have a committee, and when you have a committee, stack it with people who are opposed to the proposal you want to have. Use that to mask another attempt to deny this Chamber its democratic right to question the Government during question time, to debate priority motions, to draw attention to this Government's failures—and frankly there are not enough days for us to do that—and to introduce a standing order that will finally enable Ministers opposite, of whichever party, to answer questions relevantly. We continue to see, from the Minister for Community Services at the bottom of the tree all the way up to the Deputy Premier, Ministers who cannot answer a question without reading every word. It does not matter whether the question comes from the Government side or from our side.

There is no relevance, and that is why we need to support the amendments moved by the member for Murrumbidgee, why we need to remember where these proposals were born, why we need to support you in your efforts to stand up to the Treasurer of New South Wales in what he is trying to do to the Parliament. I noticed, Mr Speaker, that in your letter to the Premier about these hours you made the point about the Opposition's rejection of the absence of question time on Friday. Your letter made the point about our concern about the loss of the priority motion on a Thursday. I have no doubt that you wanted to write in that letter also that you supported the idea of a standing or sessional order that included relevance when it came to answering questions. Can I congratulate the Whips of the Coalition for trying to deal with this matter in a rational way in a very irrational committee put together by a Premier who cannot make decisions, a Premier who always looks for excuses to run away from problems—

**Mr Gerard Martin:** Boring repetition—sit down.

**Mr BARRY O'FARRELL:** And it is no different here, Bundy, on this issue, than it was—

**Mr Gerard Martin:** Boring repetition.

**Mr BARRY O'FARRELL:** The member for Bathurst—and I will not use the language used by the member for Murrumbidgee—is the most ignorant man in this Chamber.

**The SPEAKER:** Order! The member for Bathurst will cease interjecting.

**Mr BARRY O'FARRELL:** His ignorance spreads like a blanket across this Chamber with barely a hole in it and it is about time that he shut up.

**Mr Gerard Martin:** Boring repetition. Fat and useless.

**Mr BARRY O'FARRELL:** I acknowledge that interjection, that "fat and useless" interjection by the stupid member opposite.

**The SPEAKER:** Order! I ask members to calm down. I ask the member for Sydney to make her contribution.

**Ms CLOVER MOORE (Sydney) [3.48 p.m.]:** I want to make a contribution to this debate because I want to comment on the way the Parliament is being run in this term. I would like to congratulate both the Government and the Opposition in supporting the election of an Independent Speaker. Every other way this Parliament is being run I am really very concerned about. I would like to remind members that if the

Government does not treat members of Parliament with respect in terms of being able to represent their constituents, if the Government treats members of Parliament with contempt, the Government is treating the constituents of those members with contempt.

I believe that is what we are seeing in this Parliament. I have been an Independent member for a remarkable 20 years. At one stage the then member for South Coast, the then member for Manly and I held the balance of power. We radically reformed the processes of this place for the benefit of the people of New South Wales and members of this Parliament. It is because of that reform process that we have the urgency debate—which is now called the priority debate—10 questions during question time or 45 minutes of questions, estimate committees, legislation committees and, for the first time, the Parliament adjourning at 10.30 p.m. rather than sitting ridiculous hours all through the night. We also ensured that members were given the program on Fridays.

Most people in New South Wales would think that the Parliament is run like a business and that members know what is happening and that they can plan their lives and prepare worthwhile contributions to the development of legislation and the welfare of the people of New South Wales. Most sitting days we are lucky if we get the program by the time the House sits. Prior to the reform charter, ordinary legislation had to lie on the table for five days and, if it was significant legislation, for 28 days. A legislation committee would be established, there would be debate, discussion with specialists in the relevant topic and constituents would be consulted. I admire the contribution made last night by the member for Epping on legislation that has great ramifications for the people of New South Wales in terms of extending powers that were introduced on a temporary basis after the Cronulla riots. The Minister introduced the legislation and it was on the table for less than five minutes before the debate commenced. And that is significant legislation.

I am appalled about the way this Parliament is being run. A reading of today's newspapers would not suggest that State Parliament is sitting or that any of this significant legislation is being rushed through. Our constituents will eventually find out what has gone through this House—as limited as that has been this year compared with previous years. I am appalled about the way the Parliament is being run, that we do not get programs, that we do not know what is happening and that the timetable keeps changing. We plan our lives, work and contributions, but there is no opportunity to participate in the intelligent way that our constituents expect. The fact that this motion has been moved now is typical of the sloppy management of this Parliament. I am very disappointed and I hope the situation improves next year. This is the worst performance I have seen in 20 years.

**Mr ANDREW FRASER** (Coffs Harbour—Deputy Leader of The Nationals) [3.54 p.m.]: I draw the attention of the House to Standing Order 364, which states:

The House may from time to time adopt sessional orders which shall have effect for the duration of the session, unless otherwise ordered.

In the 17 years that I have been a member of the place the convention has always been that the Standing Orders and Procedure Committee meets to discuss the standing orders. The Leader of the Opposition, the member for Myall Lakes and I were members of that Standing Orders and Procedure Committee a long time ago. Paul Whelan convened a meeting of the committee in the Speaker's dining room one evening, but it was interrupted and was never reconvened. We knew the standing orders needed to be upgraded and we were called together prior to this session and were handed the new standing orders. Funnily, the standing orders that we have now adopted—which the member for Myall Lakes, the Leader of the Opposition and I tried to amend, especially in relation to truthful answers—

**Mr Barry O'Farrell:** They objected to that one, too.

**Mr ANDREW FRASER:** Yes, that amendment was rejected. The Leader of the Opposition wanted some truth in Ministers' answers in this place. We were told that it was question time and not answer time. We are all used to that now; we ask questions but do not get answers. The committee was given an opportunity to examine the new standing orders presented to it. However, they were written by the member for Liverpool and they were not open for discussion or debate. That committee is a committee of this House and it should decide in a bipartisan manner how this House should be run. The committee was not given the opportunity to add to or comment on the new standing orders. As I said, when we did try to amend them to require truthful answers from Ministers, the Government rejected our amendment.

Today we were given a set of standing orders that we all assumed had come from the Standing Orders and Procedure Committee. However, I checked the situation with our Whip. I was told that the current

committee members are the member for Myall Lakes, the member for Wagga Wagga and the member for Lismore. The only discussion they have had about the standing orders was with you, Mr Speaker, not as members of the Standing Orders and Procedure Committee but as representatives of their respective parties, and the discussion was about the so-called family friendly hours. The proposed sessional orders, which amend the standing orders, as put to us today have not been seen by the Coalition's appointed representatives. We were given these sessional orders halfway through question time so that we could make an informed decision. When the member for Murrumbidgee and shadow Leader of the House had a quick look at them—

**Mr Adrian Piccoli:** They are sessional orders.

**Mr ANDREW FRASER:** Yes, they are sessional orders, but they amend the standing orders. The member for Murrumbidgee had to hand write an amendment and he was advised by the Clerks that an amendment to particular standing orders within the sessional orders would not be accepted. Is this House and are the sessional orders the property of the members or of an elite group? I wonder whether you, Mr Speaker, are a member of any group that formulated these sessional orders. Are the standing orders the property of members or the Leader of the House and the Government?

We have limited access to democracy and equity in this Chamber. That opportunity is provided by the Standing Orders and Procedure Committee, which is delegated by us as party members on both sides of the House to address the standing orders. If a standing or sessional order needs to be amended—as has been done today, the last sitting day until the end of February—those amendments must be scrutinised by that committee. It is patently obvious that these sessional orders have been thrust upon us today without reference to that committee. Mr Speaker, I strongly disagree with the advice given to you by the Clerk today. Since Labor assumed power in this State the Opposition has rarely been consulted about the standing and sessional orders.

The Opposition has presented a considered amendment. The House should vote on this amendment because the motion deals with the election of the Speaker and participation in proceedings; the absence of the Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers; daily publication of House papers; timing of bells; adjournment and next morning; routine of business; Friday sittings; program for general business days; general business notices of motions and private members' statements; consideration of motions accorded priority; matters of public importance; no confidence in the Government; no confidence in a Minister; no confidence in the Speaker; censure of a member; censure of the Speaker; written questions; notices of motions; the Speaker's casting vote; the procedure after naming; and tabling in the House and debate.

Surely this document should at least have been given to each member or to the nominated representatives on the Standing Orders and Procedure Committee so that we could consider it in its entirety. It may have typing mistakes. The last document of this type contained a large number of mistakes and a great deal of work had to be done by the Clerks between the first and last drafts. We have no assurance that what we are being asked to adopt today is in an acceptable form. If that is so, in the interests of democracy and of each and every member, as the member for Sydney said, so that we can represent our constituents properly and fairly, this document should be left on the table so that we can discuss it as members of our respective committees, as individuals, as parties and as a Coalition.

**Mrs Jillian Skinner:** And with our constituents.

**Mr ANDREW FRASER:** As the Deputy Leader of the Opposition said, we can discuss it with our constituents if need be, and come back to this place in February next year for an informed debate. We each need hellishly more than 20 minutes to go through each change, compare it to the existing standing order and make a decision. That is what the Standing Orders and Procedure Committee was designed to do. We knew we did not have the numbers on the committee. I am sure that way back in 1994 when the member for Riverstone moved the amendment relating to the relevance of answers to questions he understood that maybe Labor did not have the numbers. We need the opportunity to consider these changes in the knowledge that the committee has discussed them fully. It is beyond me how these sessional orders could be adopted today by this House without allowing us full scrutiny.

**Mr Jonathan O'Dea:** Outrageous.

**Mr ANDREW FRASER:** It is outrageous. How we could adopt these changes is beyond me. I guarantee that not every member on the other side of the House has seen them. I am sure crossbench members have not seen them. Maybe the member for Liverpool, the Minister for Local Government, has seen them

because he stuck his nose in when he was not a member of the committee and rewrote a lot of them. I am still suspicious of some of the changes he made.

**Mr Paul Lynch:** You are not capable of reading them, are you?

**Mr ANDREW FRASER:** Well, not capable of giving them full consideration today.

**The SPEAKER:** Order! The member for Coffs Harbour will make his contribution through the Chair.

**Mr ANDREW FRASER:** I am not capable of giving them full consideration in the time frame we have been allowed today. I do not believe that most members even realised that the changes had been tabled until the motion was put after question time. We were waiting for the moving of a motion to be accorded priority. This motion to change the sessional orders was not on today's agenda. Developing changes to sessional orders in a star chamber is not what democracy is about. It is undemocratic for the Clerks to advise that a standing order cannot be amended when this motion proposes to amend 16 or 17 standing orders. The Clerk of the Legislative Assembly, Mr Grove, has erred considerably by not informing the Coalition and the crossbench of these proposed amendments prior to them being laid on the table of this House. For him not to do so shows that he is not a Clerk of the Parliament, he is a Clerk of the Government. That is not the way the Westminster system has operated. We should have confidence in being able to seek advice from the Clerk. Yet when we seek to move an amendment we are informed by the Clerks that we cannot move amendments to these sessional or standing orders or any other standing orders from the 385 we already have.

**Mr Michael Daley:** That is a cowardly attack.

**Mr ANDREW FRASER:** It is not a cowardly attack. I will say it outside this place. The cowardice in this place is the Government's.

**The SPEAKER:** Order! I will ask the member not to reflect on the Clerk.

**Mr ANDREW FRASER:** The cowardice in this place is that of the Government that has devised these changes.

**Mr Tony Stewart:** Point of order. I ask that the member for Coffs Harbour withdraw his comments that the Clerk is working for the Government because they are derogatory and unparliamentary. I ask that he withdraw his remarks.

**The SPEAKER:** Order! The member for Bankstown has asked that those comments be withdrawn.

**Mr ANDREW FRASER:** I withdraw them. I have had 17 years of good relationship with the Clerk. I am dismayed that these changes have come before the House on the advice of the Clerks without reference to the Coalition or the crossbench. In the past we always have had the opportunity as part of the Standing Orders and Procedure Committee to discuss privately and separately with the Clerks and seek advice. I am disappointed today that this motion to change the sessional orders is before us and that when we tried to amend them Mr Speaker is advised by the Clerks that we cannot move such an amendment.

This is an important issue that we need to discuss. It is not fair to members that the Government is going to push these changes to the sessional orders through today, which will be adopted at the next sitting of this House—not today because the House will rise today. We should have the opportunity to discuss the changes in committee and individually with the Clerk and the Presiding Officer of this House prior to them being adopted. I suggest that debate on the motion be withdrawn until we can consider the changes fully.

*[Business interrupted.]*

## BUSINESS OF THE HOUSE

### Suspension of Standing Orders: Order of Business

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.05 p.m.]: I move:

That standing orders be suspended to permit the conclusion of the current item of business and the moving of a motion for the sittings in 2008 prior to General Business Notices of Motion (General Notices) and private members' statements.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [4.05 p.m.]: I have warned the House time and again about the Government's failure to manage this House. These sessional orders should have been introduced earlier today to give crossbench and Opposition members, even Government members, the opportunity to consider them. As the member for Coffs Harbour said, errors may have been picked up during consultation on the proposed changes and all we wanted was a few hours to consider them. Three-quarters of the way through question time the Government dumps this motion on this House and only a handful of members of Parliament have had a chance to look at it. The Government wonders why we all want to speak on it.

These proposed changes will affect our parliamentary lives next year. The Government cannot expect to ram this motion through at the last minute on perhaps the last sitting day of the Parliament this year to enable these changes to come into effect on the first day of the next parliamentary sittings. The Government cannot expect us to be happy about that. Of course the member for Coffs Harbour and other members want to say a few words about it. Perhaps even the member for Liverpool, the Minister for Local Government, who rewrote and introduced the standing orders under which this Parliament has operated this year, might want to say a few words because the sessional orders have been substantially changed from those he introduced.

It is important that all members have an opportunity to speak to the motion. To suggest suddenly that there should be debate at 4.10 p.m. because the member for Riverstone is in a hurry is a denial again of the rights of members of Parliament. The member for Port Macquarie also is concerned about these proposed changes to the sessional orders. Mr Speaker, you too should be concerned about the proposed changes because they go beyond the scope of the family friendly hours about which you have spoken. Other proposed changes to procedures include those relating to censure of members. The standing orders will be changed so that after a censure motion is introduced debate on that motion will be adjourned to the following day. That is a substantial change to the standing orders and beyond the scope of what you, Mr Speaker, have discussed with the Whips and representatives of the Opposition and crossbenches. The suspension of standing orders are wide-ranging and they have been changed. The member for Terrigal might show you, Mr Speaker, the change in the sessional orders with respect to censure motions.

**The SPEAKER:** Order! The member for Murrumbidgee will continue his contribution.

**Mr ADRIAN PICCOLI:** This motion is a last-gasp approach rushed through at the last minute of Parliament just before private members' statements commence at 4.15 p.m. It is an absolute travesty for the Leader of House to now introduce the gag.

**Mr Barry O'Farrell:** It is not the gag.

**Mr ADRIAN PICCOLI:** I apologise. I withdraw that. It is a travesty for the Leader of the House to move this motion proposing changes to sessional orders and deny members the opportunity to speak to it. Sessional orders are important for the process of Parliament and each member should have an opportunity to speak to the motion.

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.09 p.m.]: I tried to follow the contribution of the member for Murrumbidgee but, as is quite often the case when he speaks about the standing orders, he has it all wrong.

**The SPEAKER:** Order! The member for Terrigal will remain silent.

**Mr JOHN AQUILINA:** He seems to think that I have moved to suspend standing orders in order to gag debate or to bring about a vote on the motion that was before the House at the time I moved suspension. Obviously, the aim of this motion is to allow that debate to continue beyond 4.15 p.m. and to allow any member who wants to speak to the motion to do so. Every argument advanced by the member in his contribution is incorrect.

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

**Motion agreed to.**

### SESSIONAL ORDERS

[*Business resumed.*]

**Mr CHRIS HARTCHER** (Terrigal) [4.11 p.m.]: I was a member of this House in the halcyon days from 1991 to 1995, when the member for Sydney—when she was the member for Bligh—and the members who

represented the electorates of Manly and South Coast at the time held the balance of power. One of the reasons for the introduction of the Charter of Reform was to reintroduce Friday sittings, which were abandoned by the Labor Party when it was elected to government in 1995. The Labor caucus insisted that Friday sittings be abandoned because its members did not want to attend Parliament on Fridays. So much for their commitment to work! The amendments proposed to the sessional relating to Friday sittings are significant in that they seek to rule out any calls for quorums or divisions, not as a result of a motion to suspend standing orders to allow that to happen but as a result of a permanent sessional order.

Mr Speaker, I invite you to take legal advice about whether this proposed sessional order will be in breach of the Constitution of the State, which cannot be overruled by sessional order and which requires a quorum of 20 members to be present for the House to transact its business. If there is no way that one can determine whether a quorum is present, how can one say that the relevant section of the Constitution is being complied with. I invite you to obtain legal advice about that matter because it has constitutional significance. I am sure the Clerks will be only too happy to advise you and draw your attention to the appropriate section of the Constitution. The sessional orders of this Parliament cannot overrule the State Constitution. The member for Sydney will remember the great Paul Whelan—a wonderful man. When issues such as this were raised he would always say, "Take it to the Supreme Court." It may well be that this proposed order, which will have effect for the entire session—that is until 2011—should be taken to the Supreme Court.

The Government does not want to force its members to come in on a Friday. If there is no requirement that a quorum be established or that a division take place, Labor members of Parliament can claim that Parliament is sitting but they need not attend unless they wish to speak to government business or private members' motions being debated on that day. This is simply a case of keeping up statistics to satisfy the public relations agenda of the Government and to con the people of New South Wales into believing that Parliament is sitting when it is not. I invite you to take that legal advice, Mr Speaker, because it is a matter of significance that will not go away. And I do not believe that my parliamentary colleagues will happily see it go away.

I draw the attention of the House also to the proposed change to the procedure for no confidence motions. Recently a censure motion was moved very effectively by the member for North Shore against the Minister for Health—the only censure motion to be moved in this House since the resumption of sittings in 2007. With these proposed changes to sessional orders the Government has tried, cleverly, to change the way that no confidence motions and censure motions against Ministers are handled. There will be no change to the procedure relating to the censure of members, because the Government may wish to move censure against any one of us and will want to do so immediately. So, debate on a motion to censure a member will still take place on the day the motion is moved, in place of debate on matters of public importance, but debate on censure or no confidence motions against Ministers or the Speaker will take place the day after the motions are moved. The Government is giving itself a luxury that it is not offering to members of the Opposition or the crossbench.

My apologies to the member for Epping, who was censured in a sudden and peremptory way by a partisan, party vote for party political purposes. He did not have on that occasion—nor does anyone on this side of the House at any time—the prerogative to defer the matters for a day to allow him to prepare his defence. He was subjected to, as this sessional order will subject us all, a sudden move by the Government. However, if someone wants to censure or move a motion of no confidence in the Government, it will not have to respond until the following day. These are not changes to achieve family friendly hours; they are part of the Government's standard package to protect itself.

Whilst I am on the subject of so-called family friendly hours, for members who do not live in metropolitan Sydney the proposed hours will not be family friendly. There is no way that a member who lives outside the Sydney metropolitan area can go home at 7 o'clock on Tuesday and Wednesday nights. That simply is not possible. Is the member for Port Macquarie expected to catch a plane home at 8 o'clock or 9 o'clock at night? Are flights available at that time? No, they are not. These changes have nothing to do with making the House family friendly, because the House does not consist solely of metropolitan Sydney members, and it never has. The House represents New South Wales. But the changes have everything to do with the State Government trying to cut the budget of New South Wales Parliament. The Government would like to reduce the budget of New South Wales Parliament to zero if it thought it could get away with it.

Mr Speaker, when you were first elected I described you as the fig leaf of democracy behind which this Government would masquerade, and that is exactly what it is doing now. The Government, in pursuit of the concept of family friendly hours—a concept that you, and I am sure every member, would support—is simply trying to cut the budget. Metropolitan members are the only members who can enjoy family friendly hours. The

Government is trying to cut the budget because the Legislative Council has not yet signed up to this so-called package. This is not a proposal for family friendly hours; it is a public relations spin by the Premier to justify cutting the budget.

So we will have a sessional order relating to quorums that will be in violation of the State Constitution, and that will invite a challenge in the Supreme Court of New South Wales. The change to the procedure for motions of no confidence in and censure of Ministers will change the whole concept of parliamentary responsibility, because if the House does not have confidence in a Minister, it should be able to deal with that matter immediately and not have it postponed. Similarly, if the House does not have confidence in the Speaker, that matter should not be postponed for a day leaving the Speaker to preside over a House that wishes to debate the issue of his continued confidence. The only time that a censure motion against a member can be debated immediately is when the member to whom the motion relates is a member of the Opposition or a member of the crossbench.

Two factors—restriction of quorums and restriction of no-confidence and censure motions—show the so-called family friendly hours package for what it is: self-defence of a government on its last legs. If ever there was a historical match for this Government, it is the Cain Government in Victoria. When the Cain-Kirner Government was falling apart at every level, Labor in Victoria simply moved motion after motion to protect itself. But nothing could save it from the fact that at every level it was falling apart, just as the current New South Wales Government is falling apart in health, roads, law and order and, tragically so, in child protection. The Minister for Finance does not even know when he signs off on a \$3.6 billion deficit. Can members believe that a Minister could sign off on a \$3.6 billion loss and not even know that? The Minister announced a \$4.6 billion blow-out in his rail pathway program and claimed that as an achievement for the Government of New South Wales. Perhaps he thinks a \$3.6 billion loss, a \$4.6 billion blow-out and other losses totalling \$10.2 billion are a cheap old day! The State's Minister for Finance cannot even answer a question on the transport deficit.

Let me examine the proposal before the House. The Leader the House presents changes to sessional orders in the late afternoon of the last full sitting day of the House in 2007. So much for consultation with members, so much for deliberation upon the proposal and so much for the Standing Orders and Procedure Committee. The Standing Orders and Procedure Committee is supposed to deliberate on these matters, but it has not done so. I will not take up more time of the House because other members wish to speak in this debate, but of the three matters to which I have referred, the fundamental point relates to quorums. I ask the Speaker to respond to my question relating to obtaining advice on the legality of a contravention of the New South Wales Constitution in respect of the calling for quorums.

**Mr PAUL LYNCH** (Liverpool—Minister for Local Government, Minister for Aboriginal Affairs, and Minister Assisting the Minister for Health (Mental Health)) [4.21 p.m.]: My contribution to this debate will relate specifically to the topic of quorums. The contribution made by the member for Terrigal was very interesting though, regrettably, wholly wrong. The argument he advanced is that the prohibition on calling a quorum in some way breaches the State's Constitution and that the prohibition on calling a quorum is being sought to be introduced by resolution of the House. As I have said, his argument is wholly wrong primarily because the prohibition on calling a quorum already exists. I refer the House to standing orders that effectively provide for a quorum to be called once only a day. If his argument is extended to its logical conclusion, from the moment that a call for a quorum is made, the House is in breach of the Constitution for the rest of the day. On that basis, it seems to me that his argument is completely and wholly wrong.

**The SPEAKER:** Order! The member for Terrigal has had his opportunity to speak. The Minister for Local Government should be heard in silence.

**Mr PAUL LYNCH:** If the member for Terrigal had the slightest competence as a lawyer, he would understand that the first thing he should do is read the relevant documents. The core of the argument he advanced relating to quorums was that the proposed sessional orders ban calls for a quorum on Fridays and that that terrible proposal will breach the State's Constitution. As I have said, he should read the documents. A limitation on calling for a quorum is already part of the standing orders. It will not be introduced by a resolution to amend sessional orders. It would help during debates on such matters if the member for Terrigal read the rules before he started carrying on. The resolution that the member for Terrigal claims will introduce a ban on calling for a quorum will do no such thing. A limitation on calling for a quorum on Fridays already exists. He should read the relevant standing order, which has been in operation for a year.

**Mr MALCOLM KERR** (Cronulla) [4.23 p.m.]: What an extraordinary performance by the Minister for Police.

**Mr Paul Lynch:** Extraordinary because, unlike the member for Cronulla, I know I am not the Minister for Police!

**Mr MALCOLM KERR:** I stand corrected—the Minister for Local Government—but I am not sure a quorum was present to hear what he has said. It is interesting that he referred to logic. I am afraid that when it comes to the Government and its legislation, logic is a very uncertain guide. The Government has managed to resist guidance by logic for its entire term in office. The motion to amend sessional orders has been moved by a member of a government that does not believe in the Westminster system, but rather the Axminster system. That style has been evident ever since the Government was elected. The Government does not believe in any form of parliamentary accountability.

The Leader of the Opposition mentioned that the Premier when he was interviewed on the Mike Carlton show said that the House sits for 63 days. That figure includes Friday sittings when there is no question time, no motions for urgent consideration, no real accountability, no calls for quorums and no divisions. The House sits on Fridays simply to keep up the batting average, so to speak, and to ensure that Friday sittings are counted in the statistics as sitting days of the House. I will deal with the management of the Parliament and some serious questions asked by the member for Sydney. I also will discuss the role of the Standing Orders and Procedure Committee and the way in which the proposal for amending sessional orders was brought to the attention of members of the House.

A matter referred to on page six of the proposed sessional orders will affect the rights of all members of this House and the accountability of Parliament. The member for Sydney made a serious allegation relating to the management of the House. She said she has been unable to obtain a daily program for the House until late in the day. She said that the daily program has not been available when the House commences to sit. I ask the Leader of the House to advise members during his reply of the time he has stipulated by which the daily program will be available for all members of the House. Is his objective to ensure that the daily program is available before the House commences to sit? What requirement has he set for availability of the daily program to ensure that members of the House are given notice of what will take place during a sitting day? I would have thought that adequate notice of the proceedings of the House is a basic right of every member. It would be outrageous if the House commenced proceedings without members being given adequate notice of the program. Members are entitled to know the Government's agenda.

**Mrs Judy Hopwood:** Every sitting day.

**Mr MALCOLM KERR:** As has been said, it is of fundamental importance that members know the Government's agenda every sitting day. This is a very serious matter. The member for Sydney mentioned legislation giving police permanent powers that initially were temporary powers following the Cronulla disturbances. That legislation affects the liberty of subjects of the State. That should have been a matter of concern for every member of the House. Were the members of the House, and by extension the people of New South Wales, given adequate consideration in relation to the exercise of powers that could affect personal liberty? The police powers provide for ordinary citizens being searched without police having any suspicion. In other words, the House has given its imprimatur to citizens being searched without police having reasonable cause. A citizen who is searched by the exercise of those powers will have no recourse, no matter how unreasonable the search is. That is only one aspect of legislation that did not entirely follow recommendations made by the Ombudsman.

**Mr Geoff Corrigan:** Point of order: The member for Cronulla had an opportunity to comment on those bills last night, and he did so. I ask you to direct him to return to the leave of the motion before the House.

**Mr Malcolm Kerr:** To the point of order—

**The SPEAKER:** Order! I suggest that if the member for Cronulla confines his remarks to the leave of the motion, everybody will be happy.

**Mr Malcolm Kerr:** May I speak to the point of order?

**The SPEAKER:** What is your point in relation to the point of order?

**Mr Malcolm Kerr:** My point is that these matters were referred to by the member for Sydney without anybody taking objection. I am entitled to respond to matters that have been referred to during debate. That is all I seek to do.

**The SPEAKER:** Order! That is consistent with the ruling.

**Mr John Aquilina:** To the point of order: The issues raised by the member for Sydney, on which the member for Cronulla was commenting, relate to the procedures and processes of the Parliament, not the specific substance of the matters being debated by the House. The member for Cronulla is seeking to revive the debate. He had the opportunity to do that when we dealt with the legislation. If he did not seek to participate at that time, that is his problem, not ours.

**Mr Malcolm Kerr:** Further to the point of order: The member for Sydney spoke about procedures and the opportunity for members to have notice of bills that will be considered. She referred to a particular bill and I am seeking to respond to what she said. I am not going any further than responding.

**The SPEAKER:** Order! I have ruled that the member is entitled to continue his contribution within the leave of the question, and he may proceed.

**Mr MALCOLM KERR:** As I was saying, the member for Sydney raised very important matters about that bill that went to the heart of civil rights in this State. The people of New South Wales, through their representatives, were not given the opportunity to fully consider those matters or to seek advice and counsel from the various people and organisations that would be affected. It is germane to this debate because this will further restrict the rights of members to raise matters that affect their constituents. Therefore, the rights and privileges of the people of New South Wales will be substantially reduced because of the Government's actions.

I have referred to programs and the consideration of legislation. The Government is not going to change the way that it dumps legislation on the House without the opportunity for due process and appropriate consideration. The member for Sydney is entitled to an answer about the availability of the program. These matters affect every member of this House, not merely the Opposition or the Government. That affects every member in his or her individual capacity as a member. I was unaware of the proposed sessional orders until the Leader of the House started talking about them. That is an outrage. This is a fairly substantial document, and it is a scandal that it was not made available to each and every member of this House before the Leader of the House spoke. It was only during the course of this debate that the document was made available.

The House has a Standing Orders and Procedure Committee. I am reminded of a story about a very large courthouse in a faraway place called the Palace of Justice. The country was under a dictatorship and somebody said that there was a lot of palace but not much justice. In the same way we have a standing committee that is simply a façade. What is the objective of the Standing Orders and Procedure Committee? It never seems to meet or consider the rights and privileges of members of this House. The sessional orders have not gone before the committee so what is the objective of that committee? Perhaps the Leader of the House will tell the House how often the committee has met, what business it transacts and what are his plans for that committee. Is he ever going to consult that committee? Many people believe we are seeing the results of sloppiness. It is not sloppiness. This is a deliberate, calculated act to ensure that accountability in this House is further restricted. I refer to page 6 of the document. Under the heading "General Business Days" we see:

9. Question Time
10. Ministerial Statements
11. Papers
12. Committee Reports—Tabling
13. Petitions
14. Placing or Disposal of Business.

What does not appear there is "Motion Accorded Priority". This means that on Thursdays we will not have the opportunity to debate those motions. The member for Sydney referred to a hung Parliament and suggested that everyone was in agreement. I did not see any evidence of that in the debate. The Speaker is entitled to take part in that debate, although not from the chair. That is a further restriction on debate on Thursdays, and that is an important matter. It was something that the member for Sydney—

**Ms Clover Moore:** We put that in at the request of Paul Whelan so that non-government members could raise a matter of importance in priority time.

**The SPEAKER:** Order! The member for Cronulla will continue.

**Mr MALCOLM KERR:** I take it that the member for Sydney is still in favour of having that on a Thursday.

**Ms Clover Moore:** Absolutely.

**Mr MALCOLM KERR:** And so say all of us. The House has been treated with total and utter contempt, but it is not simply sloppiness; it is calculated and it is sinister.

**Mrs JILLIAN SKINNER** (North Shore—Deputy Leader of the Opposition) [4.36 p.m.]: My colleagues have made the points that I would have made, but I will highlight a couple of others. I speak on behalf of my constituents; I am elected to this place to represent them. Most people outside of this House have no idea how little opportunity we have to raise their concerns. It embarrasses me to have to explain to them, "I cannot raise this in Parliament because I do not have the chance." We can ask questions—in a very limited fashion. The Ministers do not answer those questions, but we do have the opportunity to raise them. We can put our motions on the agenda but there is very little opportunity to have them debated. With these proposed sessional orders, the erosion of openness, accountability and, consequently, public confidence in what we do in this place will continue.

One of the measures used by my constituents—and I know the member for Sydney uses this effectively—is petitions. People go to a lot of trouble to organise petitions and perhaps get thousands of names. They think that the petition will have standing, that somehow it will be read out in Parliament and their concerns will be noted by the Government. They think that Ministers will act upon them. They are being misled. I am embarrassed to tell them that is not the case. I always say to them now, "If you are drawing up a petition, make sure you send it to a member of the Opposition or crossbench to ensure that we know what your concerns are, because I tell you this: Government members could not care less."

We now have the ridiculous situation where the Clerk gets up in this place and talks about petitions received by certain members on certain matters—end of story. I wish my constituents could line the gallery every day to see the farce that this place has become. Government members who try to defend the proposed sessional orders should hang their heads in shame. The idea that we sit in this place and call it family friendly is absolutely absurd. It is also absurd that the House will sit on a Friday with no chance of a quorum or a division being called and no question time. The denial of the opportunity to debate motions accorded priority on Thursday is an erosion of the right of the people—not members of Parliament—to have matters important to them considered and discussed in this place. I speak in this debate not just as a frustrated member of Parliament but because I am outraged on behalf of my constituents.

**Ms GLADYS BEREJIKLIAN** (Willoughby) [4.39 p.m.]: Like my Coalition colleagues, I am absolutely appalled at the process that the Government has embarked upon today—even more so because it has been introduced under the veil of family friendly hours. If the Labor Party is sincere about the proposed sessional orders why did it not air all the issues before? Why is it happy to debate publicly the family friendly hours proposals yet not ancillary issues, such as the loss of the ability to debate motions accorded priority on Thursday and the reduced accountability of Ministers and the Executive?

**Mr John Aquilina:** That's not true!

**Ms GLADYS BEREJIKLIAN:** It is. Why have those issues not been aired? I challenge the Leader of the House to explain why he did not advise Opposition members of the additional issues. Except for the family friendly hours proposals, we have had no notice of the changes. If the Leader of the House is serious about increasing accountability and fairness in this place he will leave this document on the table over the summer break to allow all members to consider it properly. The Leader of the House is showing contempt not only for all members in this place but also for our constituents. While other parliaments around the country are increasing their accountability, the New South Wales Parliament is going backwards. That is appalling. If we had been given notice of the Government's intention to broaden the changes to the sessional orders—apart from the family friendly hours proposals—we all would have made contributions—

**Mr John Aquilina:** We're not broadening anything.

**Ms GLADYS BEREJIKLIAN:** You are. With respect to the Parliamentary Secretary at the table, the member for Wollongong, I find it galling that Ministers cannot even be in the Chamber during debates on

legislation related to their portfolios. Is the Government serious about increasing accountability? What is the obligation of Ministers if it is not to be accountable to Parliament and to the people of New South Wales? If the Government were serious about ensuring accountability it would clean up the sessional orders, not act in this manner. It is the Government at its worst and it is the Leader of the House at his worst. I am appalled at this process and by the contempt that the Government has shown for all members of Parliament outside the Cabinet. Ministers will be able to say and do what they like in this place. The rest of us will struggle every day Parliament sits to find the appropriate time to raise constituency issues and to respond to legislation, of which the Government often does not give us adequate notice.

The Government put these proposed sessional orders on the table and gave the Opposition notice of its intentions only halfway through question time on perhaps the final sitting day of this session. That is below low. I cannot think of the appropriate words to use to describe the Government's actions. I feel that my individual rights as a member have been impugned. I implore the Leader of the House to lay the document on the table over the summer break to allow each member to consider them adequately and to suggest amendments as required.

**Mr ROBERT OAKESHOTT** (Port Macquarie) [4.42 p.m.]: I begin by declaring that I am a member of the committee that considered the family friendly hours proposal. All members who were involved in that process acted in good faith. Everyone took off their party political hats, came to the table with clean hands and worked with the interests of the Parliament and democracy in mind. I acknowledge your role, Mr Speaker, as an independent Speaker and the difficulties you face in light of significant budget cuts. In case anyone has any doubts, I confirm the impartiality of the Speaker and his role. He acts in good faith and with clean hands in trying to run the Parliament on a restricted budget.

Having said that, like those members who have already expressed concerns, I am appalled that the proposed sessional orders document has been dropped on us in the final hours of perhaps the last parliamentary sitting day of the year. I am not necessarily concerned with the family friendly hours as outlined in the document. There has been general agreement in regard to those changes. When I first read the document about half an hour ago I did not have too many concerns with it. However, after I read it a second and a third time and had some conversations with colleagues I recognised that it contains some quite substantial sleeper issues that will affect the workings of this Parliament.

**Mr John Aquilina:** What are they? Which ones?

**Mr ROBERT OAKESHOTT:** I will get to that. The Executive will be showing contempt for the Parliament—and, by logical extension, for its members and the people we represent—if it does not allow us more time to consider the substantial changes to the workings of the people's Parliament. *Questions and Answers* is vital to our private members' business. But it appears from the document that was given to us half an hour ago that the paper will no longer be produced every day but released from time to time. What does that mean? Quorums can no longer be called during private members' statements. That is a substantial change to the workings of the Parliament. A weekly paper outlining the parliamentary program would give members the chance to plan our busy lives. But there is no chance of that. Changes can be made at any time. When the Government loses the plot—whether it is due to laziness, programming failure or a lack of issues—private members' business can be brought on. These issues need and deserve discussion.

I reiterate the point raised by the member for Cronulla, the member for Willoughby and the member for Sydney about the workings of Parliament in its final session of the year. Time and time again Executive power is used against the Parliament and members are denied the chance to deal with the issues before us. One example is the legislation about police powers and civil rights that was debated last night. This is yet another example of Executive abuse of power, and there were too many similar examples during the past session. This is an issue not only for crossbench and Opposition members but for every Government backbencher.

The Executive is wielding power over the Parliament. If Government members give a damn about their constituents and the role of Parliament they will fight the Executive on this issue and stop it from wielding authority—for whatever reason—over the Parliament. Our role is to scrutinise documents issued by the Executive. We have been given half an hour to consider substantial changes to the rules of this place. It is like changing the rules of a test match in the last hour of the final session on the fifth day. These changes are outrageous, and I will support anyone in this place—whether they are Government backbenchers, Opposition members or crossbenchers—who stands up for the Parliament and takes on the Executive over its continued abuse of authority.

**Mr MICHAEL RICHARDSON** (Castle Hill) [4.48 p.m.]: When I came into this place 14 years ago I did not think I would see the Parliament neutered in the way it has been neutered today. I was proud to represent my community of The Hills—as it was known then—in this place and to put my constituents' views on many occasions and in many forms. New sessional orders have been introduced today without consultation. The sessional orders committee has not considered them and they have not been discussed with the Opposition or the Independents. The Government is neutering the parliamentary process under the smokescreen of introducing family-friendly hours.

I do not think anyone has had a chance to analyse what effect family-friendly hours will have on debate in this House. I estimate that currently, if we sit until a reasonable time at night, we are able to debate matters for around 30 hours a week. The proposed family-friendly hours will cut that debating time by five hours a week, to 25 hours. That is five hours in which members of this place will not have the opportunity to raise matters of concern to their constituents, to make private members' statements, to debate matters of concern to the people of New South Wales and to hold the Government accountable—five hours that people would expect us to work.

We know that the community is outraged about the paucity of days on which the Parliament sits. The Leader of the Opposition made the point that next year the Parliament will sit for around 60 days but that only 49 of those days will be full sitting days. Around 11 of those 60 days will be Fridays. Under the proposed sessional orders they will be Clayton's sitting days—indeed, as they are now. On Fridays we do not have a question time very often. We have the farcical situation where we simply come into the Chamber, give about 10 private members' statements, and then we all go home. That is supposed to be a sitting day. It counts as a sitting day, but in fact it is not a sitting day if we are talking about the Government being held accountable, if we are talking about members being able to debate matters that are of genuine concern to the people of New South Wales.

The member for Terrigal made the point that family-friendly hours are a farce because many members of this place who represent electorates outside Sydney cannot fly home, have a meal with their families and then fly back in the morning for the 10 o'clock start. That simply will not happen. So it is family-friendly hours for the select few in the Sydney-centric Government and those of us who are fortunate to live close enough to the Parliament to be able to go home. The proposed sessional orders are not about family-friendly hours. They are designed to save money. The Government has used the smokescreen of the family-friendly hours not just to save money but also to reduce the Government's accountability.

Earlier the Speaker ruled that we could not discuss question time and the way in which the Government answers questions. However, as part of my contribution to this debate I refer to the way in which questions are answered. I have been privileged to go to the House of Commons and sit in on Prime Minister's question time. In the House of Commons the Prime Minister, who was Tony Blair at the time, would answer 30 or 40 questions over a period of 45 minutes. The questions were from his side as well as from the Opposition. Indeed, some of the most difficult questions came from the Labor Party and not necessarily from the Conservatives. The Prime Minister answered the questions succinctly, courteously and, most important, relevantly. If we are talking about changing the way in which the House does business then that is a matter that seriously needs to be addressed because our current system simply is not working.

It is understandable that there is a lot of anger on this side of the House about the way in which the proposed sessional orders are being bulldozed through the House. We believe that they should lie on the table of the House so that members can consider them during the summer recess. When the House resumes and members are in a clear state of mind, we will be able to discuss and debate the proposed sessional orders properly, and get some real accountability into this House.

**Mr JOHN TURNER** (Myall Lakes) [4.54 p.m.]: My colleagues have outlined in detail our various concerns about the proposed sessional orders, and I share their concerns. I place on record that I am a member of the Standing Orders and Procedure Committee. I will give the House a little history lesson. The standing orders committee first met in 1996, in the Speaker's chambers. At the conclusion of that meeting the arrogance we are now seeing from the Government was displayed by the then Labor Party Whip, Bill Beckroge. As we were arguing about the sessional orders, he said words a little more colourful than I will use. Basically he said, "We're in Government, you're in Opposition. You get what we give you." That arrogance has continued wholeheartedly in the way the proposed sessional orders have been introduced.

During the 1996 meeting of the standing orders committee the division bells rang and we came into the Chamber to vote. The committee reconvened in September 2006. In other words, that committee meeting

resumed 10 years later. That was the first standing orders committee of this Government and it had a 10-year adjournment. That is slightly better than what we are seeing today, because at least the committee did meet. We were told again, "These are the standing orders. Like them or lump them." Ironically, a person who was not a member of the standing orders committee wrote them. Mr Lynch gave us the standing orders and we were told, "Here are the standing orders." I do not know why the Government would not put Mr Lynch on the standing orders committee if he wrote the standing orders. That is a matter the Government may wish to inform us about.

Members of the standing orders committee did not even get the opportunity to be insulted in that way again before having the proposed standing orders thrust upon us. The Government simply threw the proposed standing orders on the table in this Chamber. It was the height of arrogance. Government members are heading down the hill of arrogance. We know what happens to an arrogant government: it is out. It is the height of arrogance for the Government to impose these sessional orders upon the House. I implore members to look at the noticeboard outside the Chamber. On that noticeboard are details of a committee called the Standing Orders and Procedure Committee. All the names of committee members are listed. The Government has not only insulted our side of the House by not holding meetings of that committee but also a number of Labor Party members who are on that standing orders committee who did not even get the chance to be part of the committee's deliberations about these matters.

The Executive Government is insulting not only our side of the House but also its own members by not even calling a meeting of the standing orders committee to allow Government members on that committee to discuss these matters. Government members stand condemned for their arrogance, and they will be judged by that arrogance. My colleagues have set out more than adequately the insult the Government has heaped upon not only members of this House but also the people of New South Wales, and it will be judged by that arrogance. The Government cannot continue to get away with this type of action without the ramifications coming home to roost.

As has been said, the Leader of the House has a chip on his shoulder because a deal was done to make an Independent member the Speaker. The Leader of the House is now trying to ram through new sessional orders, simply to appease his bosses who put him in that privileged position, which had no privileges attached to it until the deal was done. The Government stands condemned for its arrogance. I would like to know when the standing orders committee would meet so that we can debate these sessional orders—which will already have been imposed upon us. It is not good enough to go over the top of committees elected by this Parliament and throw these things on the table with 10 or 15 minutes to go in the parliamentary cycle. It is wrong. The Government will suffer from its arrogance at the hands of the people.

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [4.57 p.m.], in reply: I have listened intently to the debate and the issues that have been raised by various members. I have been here longer than anyone else in the Chamber and I have a very thorough and detailed knowledge, understanding and good memory of the history of what happens in this House. Members opposite have feigned indignation over the proposed sessional orders—which are really quite minor in so far as the standing orders of the House—and given us their own version of the history of what happens in the House. Some members opposite have claimed to know the history of this place in relation to matters that occurred when they were not even in this House. They have also referred to issues about which they have no knowledge whatsoever, or they deliberately change, disguise or totally alter the whole historical record of what has happened in this House.

First I will address some of the issues raised by the Leader of the Opposition, who feigns indignation every time we debate sessional orders of the House. Not only was the Leader of the Opposition given the proposed sessional orders; he was also given a summary of the major matters dealt with in them. The Opposition has made a great deal about how members' rights have been impinged in this matter, and it is nonsense. For example, the issues raised by the member for Willoughby are not even relevant to what is being debated today. The Leader of the Opposition, the member for Sydney and others made claims in relation to how ministerial responsibility has been abrogated. The sessional orders do not take away members' rights to question Ministers.

**The SPEAKER:** Order! The member for Willoughby was given an opportunity to speak.

**Mr JOHN AQUILINA:** This motion does not in any way alter the existing circumstances. The Leader of the Opposition and the member for Murrumbidgee may have wanted to widen debate to deal with other issues, but the Speaker clearly explained to them the other forms and modes by which that can be done. That is not related to this matter. The first thing the Opposition should do is to learn how to debate matters according to the standing orders.

**Mr Barry O'Farrell:** Point of order: I take the Leader of the House to sessional orders he moved relating to the censure of members and speakers. Will he explain how they are the same as the ones that currently apply? The proposed sessional orders push back the censure motion a whole day. If that is not a substantive change, what is it? Why is it being done? The Leader of the House is doing it so that his Ministers avoid media scrutiny—

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

**Mr JOHN AQUILINA:** The Leader of the Opposition has been a member of the House for a long time. He knows that since 1994 the standing orders have provided that when a motion of no confidence is to be moved in a Minister or the Speaker that it is done by way of notice of motion to be debated the next day. Very often the Government brings it on on the same day, but that is the current situation, and that has been the case for 13 years.

**Mr Chris Hartcher:** Point of order: The Leader of the House is misleading the House. The standing orders provide that a censure motion of a Minister or the Speaker take the place of a matter of public importance. At the very least he should tell the truth.

**Mr JOHN AQUILINA:** That issue was not raised. The suggestion is that the Government is moving censure of a Minister or the Speaker to another day so that the Government or the Minister has more time to debate it. That suggestion misrepresents precisely what is provided in the standing orders. I always enjoy the contributions of the member for Sydney because she makes relevant points, but on this occasion I regret to say that she is wrong. There has not been a single sitting day of this session when the daily program has not been available prior to the sitting of the House. It has not happened. The daily program has always been available prior to and on the same day as the sitting of the House, as has been the case for the 26 years that I have been in this place.

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

**Mr JOHN AQUILINA:** The member for Sydney also referred to the way in which legislation is debated in this House. I challenge her, any member of the Opposition or any Independent to name one single bill that has been guillotined during this session of Parliament. There has not been one single bill—quite the reverse. On occasion the Government has had to adjourn the House at 8.30 p.m. or 8.45 p.m. because no members of the Opposition were available to speak on legislation. Yes, the Government has introduced a lot of legislation, but at no time has any Opposition member or any Independent been denied the opportunity to debate legislation. At no time has the Government applied the gag to a member speaking on legislation. Indeed, at times I would have welcomed more contributions from the Opposition while the Government was waiting for legislation from the upper House. Quite frankly, the whole scenario presented by the Opposition that the Government has some clandestine plan to deny members' rights is totally fictitious and wrong.

**Mr Ray Williams:** Point of order: My point of order is relevance. The Leader of the House said the Government has never gagged a member of the Opposition from speaking. Only two short weeks ago, I was gagged when I sought an extension of time. His statement was an incorrect.

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

**Mr JOHN AQUILINA:** That is a prime example of members of the Opposition misrepresenting the facts. The member for Hawkesbury misrepresents the facts all the time. I said that the Government has never gagged a member when speaking on legislation.

**The SPEAKER:** Order! The member for Hawkesbury will stop calling out. The member for Bathurst will stop calling out.

**Mr JOHN AQUILINA:** That is not quite the same as gagging a person, which is what happened to the member for Hawkesbury, who makes stupid and irrelevant contributions in this Chamber. The member for Hawkesbury regularly misrepresents the facts, is often off the point and out of order, and often ignores the comments of the Speaker, which is why he was gagged on those occasions.

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

**Mr JOHN AQUILINA:** On another occasion member for Hawkesbury was denied an extension of time. The Opposition is trying to misrepresent the issue. This Government does not gag members speaking on legislation.

**Mr Anthony Roberts:** Point of order: The member is misleading the House. In fact, only last week members were gagged from speaking on legislation introduced by the member for Willoughby and by me.

**The SPEAKER:** Order! There is no point of order. I ask the member for Lane Cove to resume his seat.

**Mr JOHN AQUILINA:** The member for Hawkesbury claimed he was gagged. In fact, he applied for an extension of time, which he was denied. That has happened time and again. The Opposition misrepresents and misconstrues the facts. I do not want to talk at length about the way in which this debate has been twisted and thwarted by the Opposition in a complete misrepresentation of the facts. These sessional orders are relatively simple.

**Mr Daryl Maguire:** Point of order: The Leader of the House is misleading the Parliament. I categorically state that the daily program has not been available on occasions in this House, and *Hansard* will support that. I am offended by the suggestion that no members of the Opposition were present to take part in debate.

**The SPEAKER:** Order! The member for Wagga Wagga will resume his seat. I will not hear any further members who claim they have points of order unless those points of order have some basis.

**Mr JOHN AQUILINA:** The point of order taken by the member for Wagga Wagga is another example of their blinkered vision of the way this House works and how, in many cases, matters are misconstrued and misrepresented. The daily program has been available to every member before the House sits. The Government has never gagged legislation. I challenge the member for Hawkesbury, who claims that a denial of an extension of time is somehow gagging debate, to give me an example. Debate has never been gagged, nor have members, who at times warranted being gagged. The sessional orders provide that on Tuesdays the House will sit from 1.00 p.m. to 7.00 p.m. with an automatic adjournment. How many people in the community would argue that 7.00 p.m. is a reasonable time for day's end as far as a proper workload is concerned?

On Wednesdays the Parliament sits from 10.00 a.m. to 7.00 p.m. with automatic adjournment. On Thursday's the Parliaments sits from 10.00 a.m. to 6.00 p.m. with automatic adjournment. The issue that has been raised by members opposite in relation to priority motions on Thursdays is acknowledged. If we are going to have family-friendly hours, and we are going to be finishing at 7.00 p.m. and 6.00 p.m. on a Thursday instead of finishing at 10.30 p.m., 11.00 p.m. or 1.00 a.m. then something has to give. That is one issue. The Opposition would have us believe that suddenly all of the rights of members that have been sacrosanct in this place over the last 151 years been taken away. That is absolute nonsense and a misconstruction of the situation.

What we have here is a relatively straightforward issue about introducing sensible times for the operation of the Parliament, ensuring that the time for debate of legislation is not truncated and ensuring that we are able to give appropriate notice of legislation to enable people sufficient time to research legislation before it is debated. It is about ensuring that people get home to their families at an appropriate hour. One would think that 7.00 p.m. is late enough to do so. I totally refute the claims that have made by members opposite that this is somehow a wholesale attack on members' rights. It is absolute nonsense. It is an absolute untruth. The rights of members are not diminished in any way.

The Deputy Leader of the Opposition made a bleeding-heart presentation claiming that she does not have time to raise matters on behalf of her constituents. What nonsense! The Deputy Leader of the Opposition has plenty of opportunity by way of notices of motions. How many notices of motions does she have on the business paper? Where are they? The member has the opportunity to make private members' statements. How many times during private member's statements has she placed issues before the Parliament? There is plenty of opportunity. The fact that some members choose not to use it is no reason for them to complain that they do not have the opportunity to do so. It is their choice. What we are doing here is bringing in sensible sitting times and we are making a minor change to the standing orders. If members want to raise the other issues they have indicated there are ways in which to do so.

We have never had question time on a Friday as far as I am aware. Even in the so-called halcyon days when the Independents were part of a majority government and were responsible for changing standing orders—

many of those standing orders still apply in this Parliament today—there was no question time on Fridays. The Opposition is falsely trying to make out that the Government is denying them question time because we are not introducing it as something new to the Parliament. We are not taking anything away that currently exists in relation to questions on Friday; it is an issue that the Opposition wants to introduce. But it is an additional matter. The Government is not, as has been claimed, taking away, reducing or denying ministerial responsibility as far as the Parliament is concerned. It can be shown that all of the issues raised by the Opposition are either incorrect or a misrepresentation of what is before the Parliament. For those reasons I ask the House to support the sessional orders. The Government does not support the proposed amendments.

**Mr Greg Smith:** Point of order: Mr Speaker, before you put the question I wish to put a constitutional argument to you as to why you should not take a vote on this matter because it is ultra vires the Parliament.

**The SPEAKER:** Order! The debate has concluded.

**Mr Greg Smith:** To allow something that is ultra vires the House, in section 32 of the Constitution—

**The SPEAKER:** Order! The Leader of the House has spoken in reply and I intend to put the question. I ask the member for Epping to resume his seat.

**Mr Greg Smith:** I just ask you—

**The SPEAKER:** Order! I am happy for the member for Epping to take up these matters with the Clerk as soon as practicable as he wishes to do so, but I ask him to resume his seat.

**Question—That the amendments be agreed to—put.**

**The House divided.**

**Ayes, 38**

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

**Noes, 47**

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

**Pair**

Mr Cansdell

Ms Burton

**Question resolved in the negative.****Amendments negatived.****Question—That the motion be agreed to—put.****The House divided.****Ayes, 47**

Mr Amery	Mr Gibson	Mrs Paluzzano
Ms Andrews	Mr Greene Mr Harris	Mr Pearce
Mr Aquilina	Ms Hay	Mrs Perry
Ms Beamer	Mr Hickey	Mr Rees
Mr Borger	Ms Hornery	Mr Shearan
Mr Brown	Ms Judge	Mr Stewart
Ms Burney	Ms Keneally	Ms Tebbutt
Mr Campbell	Mr Khoshaba	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 Megarrity	Mr Ashton
Ms Gadiel	Mr Morris	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 Constance	Mr Merton	Mr Souris
Mr Debnam	Ms Moore	Mr Stokes
Mr Draper	Mr Oakeshott	Mr Stoner
Mrs Fardell	Mr O'Dea	Mr J. H. Turner
Mr Fraser	Mr O'Farrell	Mr R. W. Turner
Ms Goward	Mr Page	Mr R. C. Williams
Mrs Hancock	Mr Piccoli	<i>Tellers,</i>
Mr Hartcher	Mr Piper	Mr George
Mr Hazzard	Mr Provest	Mr Maguire

**Pair**

Ms Burton

Mr Cansdell

**Question resolved in the affirmative.****Motion agreed to.****SESSIONAL ORDERS****Privilege**

**Mr GREG SMITH** (Epping) [5.28 p.m.]: I wish to raise a matter of privilege. Part of the motion just carried by this House appears to be in breach of section 32 of the Constitution of New South Wales.

**The SPEAKER:** Order! The member is entitled to raise a matter of privilege.

**Mr GREG SMITH:** First, I refer to new Sessional Order 98 (2), Friday sittings, which states:

No quorums shall be called and any divisions—

**Mr Paul Lynch:** The provision has been there 12 months, you dill.

**Mr GREG SMITH:** Notwithstanding how long it has been in the standing orders, section 32 (1) of the Constitution Act states:

The presence of at least twenty Members of the Legislative Assembly—

**The SPEAKER:** Order! The Minister for Local Government will cease interjecting. As I said, the member is entitled to raise this point of privilege. However, to avoid lengthy delays I ask him to table the information with the Clerks, and I will seek advice.

**Mr GREG SMITH:** I wish to put this on the record. Section 32 (1) of the New South Wales Constitution, which is the document that governs the Parliament, states:

The presence of at least twenty Members of the Legislative Assembly, exclusive of the Member presiding, shall be necessary to constitute a meeting of the said Assembly for the dispatch of business.

The standing orders and the recently passed proposed sessional orders state that no quorum shall be called. That is ultra vires of section 32 (1) of the Constitution. How else can we establish whether there is a quorum?

**The SPEAKER:** Order! The member for Epping has provided enough information. He may provide further information, if he wishes, to the Clerks and we will take that under advice.

**Mr GREG SMITH:** In the case of *Egan v Willis*, 1998 73 Australian Law Journal Reports 751, it was said on a different question of privilege that the decisions of the House and the Parliament on privilege are justiciable.

**The SPEAKER:** Order! I will seek further information.

### SPECIAL ADJOURNMENT

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [5.31 p.m.]: I move:

That unless otherwise ordered, the House at its rising on Friday 7 December 2007 adjourn until Tuesday 26 February 2008, and that the House meet during the 2008 budget and spring sittings on the following days:

Budget Sittings: February 26, 27, 28; March 4, 5, 6, 7; April 1, 2, 3, 4, 8, 9, 10, 11; May 6, 7, 8, 9, 13, 14, 15, 16; June 3, 4, 5, 6, 17, 18, 19, 20, 24, 25, 26, 27.

Spring Sittings: September 23, 24, 25; October 21, 22, 23, 24, 28, 29, 30, 31; November 11, 12, 13, 14, 25, 26, 27, 28; December 2, 3, 4, 5, 9, 10, 11, 12.

**Mr ADRIAN PICCOLI** (Murrumbidgee) [5.31 p.m.]: The suspension motion moved by the Leader of the House at about 4.00 p.m. related to debate on the new sessional orders and sitting times for 2008; it did not relate to a special adjournment that would ensure the Parliament would not sit next week. I was given no notice of this motion. When the House rises today the Leader of the House wants to adjourn until 26 February next year. The suspension of standing orders allowed the Leader of the House to move a motion relating to next year's sittings; it did not allow him to move a special adjournment motion. A couple of weeks ago the Speaker ruled that at 4.15 p.m. private members' statements would be taken, at which time quorums and divisions would not be called. Given that it is past 4.15 p.m., and based on that ruling, all other business lapses. Therefore, according to the parliamentary timetable that was moved by the Government and supported by the Opposition, Parliament will sit tomorrow at 10.00 a.m. and next Tuesday at 2.15 p.m. when we will have question time.

**The SPEAKER:** Order! I am advised that pursuant to Standing Order 34 the Leader of the House is entitled to move a special adjournment motion at any time.

**Mr ADRIAN PICCOLI:** I refer to the standing order that relates to private members' statements. Given that we voted on the motion to suspend standing orders, and it being past 4.15 p.m., all other business has

lapsed. The House will now deal with notices of motion for general business and private members' statements, during which time divisions cannot be called.

**The SPEAKER:** Order! I have ruled on that.

**Mr ADRIAN PICCOLI:** I received advice from the Clerks at about 4.15 p.m. that divisions cannot be called during private members' statements. The motion proposed by the Leader of the House will result in a division being called because we oppose skipping next week. The Government is trying to avoid scrutiny. I rely on the fearless advice of the Clerks.

**Mr John Aquilina:** Point of order: A great deal of this Parliament's time is wasted because the member for Murrumbidgee cannot get it right. He does not understand the standing orders, he does not understand the sessional orders and he does not understand how Parliament works. I moved a motion to suspend standing orders, which was carried by the Parliament, to move a motion relating to the times of the Parliament. That is exactly what I am doing. I moved a motion to enable the House to rise tomorrow on 7 December 2007 and to come back on 26 February next year. The motion also refers to the specific days that Parliament will sit next year. That is totally in order. That is precisely the substance of the motion I gave prior to 4.15 p.m. to enable this matter to be dealt with. That is what we are debating now. The Government cannot be held responsible because the shadow Leader of the House does not know how Parliament works.

**Mr Adrian Piccoli:** To the point of order: The motion moved by the Leader of the House at approximately 4.00 p.m. related to the sitting hours for 2008. It did not relate to this motion, which proposes amendments to the timetable for 2007, including tomorrow and next week. If the Leader of the House wants to amend the sittings for 2007, he should move a separate motion—which we will oppose. As divisions cannot be called during private members' statements, this motion will lapse. We will be sitting tomorrow and have question time on Tuesday.

**The SPEAKER:** Order! I have ruled on this matter. The advice I have received is that the effect of carrying the motion is that the House does not sit next week.

**Mr CHRIS HARTCHER** (Terrigal) [5.36 p.m.]: The Leader of the House said he is not responsible if the Opposition does not understand certain matters. He is responsible for his relationship with the Premier of the State. The Premier said on radio this morning that the House was sitting a certain number of days in 2007. He included next week in the list of days that Parliament would sit. The Premier of this State told the public this morning on radio the number of days we will sit. Now at 5.30 p.m. the Leader of the House says that the Premier is a liar. We do not believe the Premier is a liar. The member for Riverstone might disregard the Premier's undertaking to the people of New South Wales but we will uphold the Premier's pledge to the people of New South Wales. We will not undermine the Premier.

The Government is pretending that Parliament will sit a certain number of days and a certain number of questions will be allowed. What the Premier says on radio and tells the *Daily Telegraph* on behalf of the Government is not what the Leader of the House says in Parliament. If there were ever an opportunity for the Premier to be undermined, this is it. One wonders about the agenda of the Leader of the House. Is it an agenda to undermine the Premier so that Watkins rules? The ongoing agenda at work here is that Emma must go. The man who presides over the most incompetent Government this Parliament has seen for many decades is being undermined by his own side. The member for Bathurst is trying to interrupt debate because he does not want to hear what is really going on. Today's caucus meeting had to be cancelled. Caucus was supposed to meet today but the meeting was cancelled because members were going to vote against the Premier.

**Mr Steve Whan:** Point of order: My point of order relates to relevance. I have no idea what this is all about. These mad ramblings certainly are not relevant to the procedural motion before the House. I ask you to draw him back to the motion.

**The SPEAKER:** Order! I ask the member for Terrigal to speak to the motion.

**Mr CHRIS HARTCHER:** It is relevant.

**Mr Steve Whan:** No, it is the ramblings of a crazy man.

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

**Mr CHRIS HARTCHER:** It is relevant because this is the list published by the Government, and this is the list that the Premier spoke about this morning on radio. The point I am making is that the House is now

being asked to countermand what the Premier promised the people of this State. One has to ask: Why would the Labor Party want to undermine its Premier? Why would it want to do that? He has become an embarrassment to them all and they all want to see him go. Caucus was going to vote against him today because the Minister for Small Business does not have the numbers to back him any more. The Minister put him there, and the Minister will take him out.

When the Minister for Small Business and the Hon. Eddie Obeid get the numbers they are organising to take out Premier Iemma because he is falling by the wayside. The day that the Deputy Premier, John Watkins, puts up his right hand and says, "I will join the right wing", he will become the Premier of New South Wales. Every member of the Government has been gathering in the corridors and asking how long Premier Morris Iemma will last, how long they can keep him and how long they want him. Will the Premier lead Government members over the cliff or not? Look at the guilty faces of Government members! But that does not apply to the Minister for Juvenile Justice—she is loyal.

**Mrs Barbara Perry:** Point of order: There is nothing more obvious than for me to take a point of order relating to relevance. This will be the last point of order relating to relevance to be taken this year.

**The SPEAKER:** Order! I uphold the point of order.

[Time expired.]

**Mr JOHN AQUILINA** (Riverstone—Leader of the House) [5.43 p.m.], in reply: There is not much to reply to, because nothing much was said by the Opposition that was relevant to the motion. I take this opportunity to thank the member for Terrigal for his theatrical performance. We all enjoyed it. On behalf of the Government I thank the member for Terrigal.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 47**

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

**Noes, 37**

Mr Aplin	Mrs Hopwood	Mr Roberts
Mr Baird	Mr Humphries	Mrs Skinner
Mr Baumann	Mr Kerr	Mr Smith
Ms Berejikian	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
Mr Fraser	Mr O'Farrell	Mr R. W. Turner
Ms Goward	Mr Page	Mr R. C. Williams
Mrs Hancock	Mr Piccoli	<i>Tellers,</i>
Mr Hartcher	Mr Piper	Mr George
Mr Hazzard	Mr Provest	Mr Maguire
Ms Hodgkinson	Mr Richardson	

**Pair**

Ms Burton

Mr Cansdell

**Question resolved in the affirmative.****Motion agreed to.****BUSINESS OF THE HOUSE****Notices of Motions****General Business Notices of Motions (General Notices) given.****PRIVATE MEMBERS' STATEMENTS****SOUTH MAROUBRA VILLAGE GREEN ART SHOW**

**Mr MICHAEL DALEY** (Maroubra—Parliamentary Secretary) [5.54 p.m.]: Tonight I inform the House about an event I opened on Friday 9 November and held that weekend: the South Maroubra Village Green Art Show. The art show has been held annually since 1999. I begin by congratulating the people who put this show together. First, I thank Marilyn Jeffries and the Walsh brothers from Walsh's Village Pharmacy at South Maroubra—Richard Walsh, AO, and Phillip Walsh, AO. The art show started in 1999 with the idea of helping many of the artists in the eastern suburbs display their work. Richard and Phillip Walsh are the sponsors of the event and they allowed Marilyn Jeffries to put it together. Over the past few years the show has seen remarkable growth.

In 1999, 37 artists displayed 106 paintings, and it was a great show then. This year the number of entrants had grown to 350 and the number of paintings displayed had grown to 700. We have seen a terrific growth in this event and it is held in a great part of my electorate. The art show has a wonderful community atmosphere. This year it started off with a cocktail party and opening on the Friday night and the community came out over the weekend to view the paintings. Tony Rafty, who is a great caricaturist, judged the paintings, and the show culminated with the award of prizes on Sunday afternoon. Last year her Excellency the Governor of New South Wales, Marie Bashir, opened the event, and another year it was opened by Bob Carr, Peter Garrett and a whole list of luminaries. So it was my very great pleasure to open the event this year.

I thank the staff of Walsh's Village Pharmacy and also some of the other supporters: Reinhardt Skrandies from Kim's Framing Gallery of Matraville, who donates a prize which goes towards framing; Curtains R Us at Kingsford, who donates the hooks to hang the paintings; Drinx Queensland, who always donates wine and this year also donated a 2007 National Rugby League football signed by Steve Mortimer—Turvey himself; and Kurt Koepl, who is one of the local artists, donates some of his paintings. I had to laugh a few years ago when I saw Kurt walking around showing off his artwork with his wife, Lyn, by his side. I recognised them and they recognised me and we worked out that I had been their paperboy as a 13-year-old in 1978, and here I was opening the art show. It was great to see them again. I also thank Scott Hughes butchery at South Maroubra and Walsh's Beauty Clinic.

A committee also helps to put the event together. Heinz Erin, who works for Walsh's Village Pharmacy, is terrific in his organisation. In the past few years an increasing number of young people and children have participated in the art show. As a result, the children's section has been expanded and this year there were about 250 children's paintings on display. I congratulate Walsh's Village Pharmacy not only on putting on this art show but also on holding other events such as the Maroubra Chamber of Commerce Oktoberfest, the fun run and the Christmas carols that will be held in a few weeks at the South Maroubra Village Green. The Walsh brothers have really helped the community in South Maroubra get together. I congratulate them for all their efforts over the years, but particularly in respect of this event. I should also mention Helen Zerefos, who sang at the event—she has a terrific voice and has been a legend in the entertainment industry for many years. It was great to have her there. I congratulate all the artists and all the people from my community, young and old, who came along to support this event. I cannot wait for it to be held again next year.

## NORTH COAST AREA HEALTH SERVICE BUDGET

**Mr DONALD PAGE** (Ballina) [5.59 p.m.]: I bring to the attention of the House a situation in the Northern Rivers where one of my constituents, Steven Taylor of Mullumbimby, has chronic lymphocytic leukaemia and is being denied treatment at Lismore Base Hospital. Mr Taylor contacted my office to notify me of this situation as he previously received treatment in late 2006 at Lismore Base Hospital Cancer Clinic. The treatment prescribed then was six doses of a chemotherapy drug named Fludarabine. Mr Taylor experienced great results with the drug in 2006 and required only four doses, at which time the treatment was stopped and he went into remission for 12 months.

Unfortunately, Mr Taylor's condition has again deteriorated to the point where his specialist doctor has recommended that he undergo further treatment with the same drug. The drug is recommended by the doctor due to previous successful treatment and subsequent remission. However, when the haematology specialist made the application for treatment to the North Coast Area Health Service his application was denied. The North Coast Area Health Service is not required to give a reason for denial, but it is pretty obvious that the reason is because its budget does not allow treatment with this drug. Indeed, another constituent, Jeanette Kennedy of Ballina, who is also diagnosed with the same type of leukaemia, has been told the same thing. I am told that there are several other cancer patients in the Northern Rivers area who are in the same position.

The incredible thing is that treatment with this drug is available for these patients at other hospitals in this State, including Sydney, and hospitals in Brisbane as well. Indeed, if these patients are required to travel to Sydney or Brisbane for treatment, the cost of their transport and accommodation is heavily subsidised by the New South Wales taxpayer. So here we have a situation where a regional health service—in this case North Coast Area Health Service—cannot afford to enable treatment with Fludarabine, but a metropolitan hospital can provide exactly the same treatment. It is simply untenable that a patient in a regional area is not able to access treatment at a major regional hospital such as Lismore Base Hospital when this treatment is available to patients in Sydney or Brisbane hospitals. It is not as though Lismore Base Hospital Cancer Clinic cannot provide the treatment—it has in the recent past. It cannot be because the North Coast Area health Service budget cannot afford to pay for the drugs.

It is totally unacceptable that a patient's ability to access treatment is a function of where they live. What makes this situation even more incredible is that my constituents can access treatment with Fludarabine in Sydney and Brisbane, and that their costs for travelling to Sydney or Brisbane and their accommodation whilst receiving treatment in these cities is heavily subsidised by the New South Wales taxpayer. This is a ridiculous situation because it is expensive for the taxpayer and is extremely inconvenient for the patient, who is already suffering leukaemia, to have to travel to Sydney or Brisbane for treatment. This increased inconvenience and stress placed on cancer patients is unnecessary. I repeat: These patients were previously able to be treated at Lismore Base Hospital, but now they cannot be because of budgetary constraints.

In August this year it was revealed that the State Labor Government planned to underfund the North Coast Area Health Service by \$58 million over the 2007-08 year. The North Coast Area Health Service is entitled to 7.6 per cent of the total health budget, which is equivalent to \$739 million. However, the New South Wales Government has allocated only \$681 million, leaving a shortfall of \$58 million. My constituents are now experiencing the effects of this funding cut by having treatment for life-threatening illnesses, such as leukaemia, unavailable to them locally. The North Coast has the fastest growing population of any area in the State, yet the State Labor Government is cutting funding to essential services such as health. When one considers that much of the population growth is in the retirement age group, this situation is even more disastrous.

I have previously raised in the House the long overdue radiotherapy unit at Lismore Base Hospital. The situation I have highlighted here is just another example of how the people of the Northern Rivers are suffering as a result of inadequate health services, especially for cancer treatment. The Northern Rivers region is a low-income area. The ratio of public patients to private patients in this area is approximately 65 per cent public and 35 per cent private. In this region in excess of 1,700 people are diagnosed with cancer each year, and that number is growing. Adequate cancer treatment facilities are a basic necessity that should not be denied to any community in New South Wales, and certainly not in a community with the level of demand experienced in the Northern Rivers.

The personal distress caused to individual patients from the State Labor Government's failure to properly fund the North Coast Area Health Service is exemplified by the cases of leukaemia patients, Steven Taylor of Mullumbimby and Jeanette Kennedy of Ballina, and others like them. These patients should be able to

be treated at Lismore Base Hospital with the drug Fludarabine as they have in the past. They should not have to travel all the way to Sydney or Brisbane to access treatment with this drug. It is much more inconvenient for these patients to travel rather than be treated close to home and family support networks. It is also much less expensive for the New South Wales taxpayers for them to be treated locally. I call on the Minister for Health to address the availability of anti-cancer drugs, such as Fludarabine, as a matter of urgency. I also ask her to address the problem causing this situation—namely, the underfunding of the North Coast Area Health Service.

#### **FEDERAL MEMBER FOR EDEN-MONARO MIKE KELLY**

**Mr STEVE WHAN** (Monaro—Parliamentary Secretary) [6.04 p.m.]: This year has been a positive year because of the election of two Labor governments. I look forward to working for the people of Monaro with the new Federal member for Eden-Monaro, Mike Kelly. For the past four years as State Labor member for Monaro I have managed to deliver a lot for the electorate with the cooperation of former Premier Bob Carr and Premier Morris Iemma. For example, the new Queanbeyan hospital will be finished in the middle of next year, the new Bombala hospital is almost complete, the Monaro Highway has been improved and Jindabyne has a new school.

Imagine how much more the people of Monaro will benefit if I can work as a team with the new Federal Labor representative, Mike Kelly. He and I have already had discussions on a number of areas and we are looking forward to achieving for the people of our area. Just imagine how much more efficient we can make the Queanbeyan hospital work when Mike Kelly delivers on his commitment to a general practice clinic, which will take the load off our emergency services. Finally we have a Federal Government that is willing to help overcome the overcrowding of public hospitals.

The trade schools commitments made by Mike Kelly will help to extend the terrific work being done by our local high schools. His commitment to funding part of the Kings Highway, which runs through the Australian Capital Territory and into Queanbeyan, will go well with Labor's commitment in the last State election to further upgrade the Kings Highway. Mike Kelly has already announced a joint program with me to upgrade Braidwood sewerage scheme. Finally, in the last Federal election campaign both the Labor and Liberal parties committed to putting some money into returning flows to the Snowy River, something that the State Labor Government had already committed \$150 million to.

Mike Kelly's commitment to sporting facilities dovetails well with the commitments State Labor makes through the great work of Graham West, our sports Minister, and the programs that he administers. Mike Kelly has committed to improvements for the Jindabyne playing fields, Cooma pool and Queanbeyan Whites Rugby Union facilities. Mike Kelly and I will work on the building of a new school in Jerrabomberra over the next few years when we resolve the planning issues and approvals for the Tralee development. We will also work on new sports facilities for that area. One of the really important areas for our local constituents is the duplication of Lanyon Drive. The commitment Mike Kelly made during the election campaign will enable us to work cooperatively to complete the project as a single project managed by one agency rather than as a three-part, stop-start project managed by two different. We will deliver that duplicated road for the people of Jerrabomberra and Queanbeyan much quicker than it would have been delivered before.

I welcome Mike Kelly's election to Federal Parliament. I look forward to working with him. I am confident that the people of Monaro and the people of rural New South Wales generally will see results from the partnership between the two Labor governments. Finally, I wish Gary Nairn, the former member for Eden-Monaro, well. Despite the fact that he and I clashed on policy and we obviously had differing views on how to achieve things, we always got on quite well. I wish him all the best for the future. I look forward to working with the Federal Labor Government in coming years.

#### **CARINGBAH OVERHEAD RAIL BRIDGE**

**Mr MALCOLM KERR** (Cronulla) [6.09 p.m.]: I refer to an important matter in my electorate. As members would be aware, a new overhead rail bridge is being constructed at Gannons Road, Caringbah, as part of the duplication of the Cronulla railway line. However, the new bridge will not provide for any improvement in traffic flow in Gannons Road with the existing narrowed road widths and reduced lane capacity to remain. The Government should take advantage of this construction to improve the traffic flow on Gannons Road.

Gannons Road between the Kingsway and Captain Cook Drive is classified as a regional road in the road network forming a main regional link between two State roads. This section of Gannons road is an

important link in that it provides a bypass of the Caringbah Shopping Centre, forms a necessary connection between State roads, and provides access to visitors travelling to and from the Cronulla beaches, which is a major recreational area. Members can imagine the additional flow now that the summer is upon us. This part of the road provides the main regional link between the suburban population centres of Woolooware, Caringbah and Cronulla and Captain Cook and Tom Uglys bridges. On this section of Gannons road, traffic signals are provided at the intersection of Kingsway and Gannons Road and Denman Avenue and Gannons Road, with a roundabout provided at the northern end—that is, at Captain Cook Drive and Gannons Road.

Gannons Road is 12.8 metres wide, and the width is reduced considerably to 9.2 metres under the Cronulla railway line just south of Denman Avenue. Gannons Road then widens to 14.6 metres between the overbridge and Kingsway. Gannons Road provides a mid-block, two-lane flow in each direction with adjacent kerbside parking permitted. For the most part, the lane capacity is significantly reduced under the railway overbridge to three narrow lanes with only one southbound lane. Considerable delays occur during peak periods because of the lack of capacity under the overbridge with only one southbound lane feeding into a three-lane configuration at Kingsway. Those problematic traffic conditions have been observed and noted by the council and the general public.

The solution to the present delay and the extensive queuing problem is the upgrading of the existing bridge structure to permit a minimum of four lanes under the bridge with standard footpaths providing a total bridge span of 20 metres. The underneath of the existing bridge structure is some 10.4 metres, comprising 300-millimetre and 900-millimetre footpath areas and lanes 2.8 metres and 3.6 metres wide. These widths are unacceptable and present a potential safety concern for pedestrians.

The Minister has a great deal of knowledge about Denman Avenue, having failed to honour an undertaking he made to the residents about a noise barrier. That is no way to behave if he wants to be the Premier. The upgrade should happen as part of the rail duplication project, otherwise delays and congestion will continue forever. Some additional expense will be incurred, but overall construction costs would be minimised because the upgrade would be part of the overall duplication. The Government should seize this opportunity. The duplication was promised prior to the election before last and it should have been completed some years ago. The Government has an opportunity to improve public safety, to ensure smoother traffic flows and to prevent loss of life.

### **JUSTICE PRECINCT OFFICES, PARRAMATTA**

**Ms TANYA GADIEL** (Parramatta—Parliamentary Secretary) [6.14 p.m.]: As a local member of Parliament, the words I love to hear are "on budget" and "ahead of schedule". I could not be happier speaking in the Chamber today about the opening of the Justice Precinct offices in Parramatta. We expected this building to be finished next year, but Multiplex beat the deadline by six months, delivering an early Christmas present to the Attorney General's Department and the people of Western Sydney.

The opening of the Justice Precinct offices will mean different things to different people. To staff at the Attorney General's Department it will mean a brighter, more comfortable workplace in an environment that encourages teamwork. Environmentalists will applaud the building's green credentials, while architects will marvel at the breathtaking design of the meeting rooms that hang above the bamboo in the atrium. I am impressed by all of these features, but I bring to the attention of the House today the jobs and services that will be offered to the community.

It is no secret that Parramatta is booming, and I am pleased to say that the increase in its population is coinciding with business growth and a rise in employment opportunities. Government departments and private enterprises are queuing up to establish operations in Parramatta. In recent times we have seen the New South Wales Police Force set up its headquarters in Parramatta and Sydney Water will soon do the same. If Multiplex delivers as it has in the past, those projects will be on time and on budget.

We are celebrating the arrival of the Attorney General's Department today. What impact will the department's move to Parramatta have on the local community? More than 950 people will work in this building. Each of them will need to eat, be clothed and be entertained after hours. Parramatta's newsagents, coffee shops, drycleaners and hairdressers will notice a spike in trade. In fact, it would take a couple of hours to list all the local businesses that will benefit from the opening of Justice Precinct Offices. I anticipate that a number of these businesses will need to hire additional staff as demand for their services increases.

Like any organisation, the Attorney General's Department will experience some staff turnover, and that will create further employment opportunities for locals. Parramatta already boasts the third largest legal precinct in Australia and the opening of this building and the soon-to-be-completed Sydney West Trial courts will provide a further boost to the Western Sydney legal profession. Some Western Sydney residents may not be aware of the wide range of services that the Attorney General's Department is bringing to our doorstep. The Registry of Births, Deaths and Marriages is about to open its second Sydney office on the ground floor of the building. Pretty soon, couples will tie the knot in the custom-built marriage room or the picturesque marriage garden beside the Parramatta River. The registry is already taking bookings for weddings in the New Year and a large number of couples are expected to exchange vows on Valentines Day.

The new building houses a number of other valuable services, including the offices of the Protective Commissioner and the Public Guardian, who promote the rights of people with disabilities and manage the finances of people who do not have the capacity to look after their own affairs. Victims Services also has a shopfront, from which it provides counselling and compensation for victims of crime. There are also shopfronts for Legal Aid and Community Justice Centres. As members are aware, Community Justice Centres provide mediation to people involved in civil disputes. I am told that they achieve resolution in more than 80 per cent of cases. That means relatively minor matters, like neighbourhood disputes over fences, do not end up in court.

I welcome the arrival of all these important services and extend a warm welcome to all the Attorney General's Department staff who are working in Parramatta for the first time. When they get a chance, they might take a stroll by the river, have a picnic in Parramatta Park, take in a show at the Riverside Theatre or, if they are a sports nut, head to Parramatta Stadium to watch the mighty Eels. I know that 2008 will be huge for the residents of Parramatta, with a champion team and a champion coach in Michael Hagan. There has never been a better time to work and play in Parramatta.

I take this opportunity to record my great appreciation of the work done by the Hansard staff, who make us read so much better than we sound. I also thank Brian and Paul in the dining room, Elaine Schofield, the Information Technology Service, Russell Grove, the Speaker and the security staff.

**Ms LINDA BURNEY** (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [6.198 p.m.]: I congratulate the member for Parramatta on sharing that fantastic news with members. The member and I came into this House on the same day in 2003. I have listened to her on many occasions in private members' time speaking with genuine pride in and affection for Parramatta. I went to Parramatta a week ago and I noticed that it is now an amazing alive, cosmopolitan city. Of course, the Parramatta River is an astounding example of how very polluted waterways can be repaired and regenerated. Since becoming the electorate's representative in March 2003 the member for Parramatta has fought really hard for infrastructure, and the justice precinct is another example of her efforts. Parramatta not only excels as the centre of Sydney but also as one of the best places in Sydney.

### ELECTORAL ROLL ALLEGATIONS

**Mr ANDREW CONSTANCE** (Bega) [6.19 p.m.]: I seek answers to a number of questions regarding electoral enrolment irregularities, which concern Bega residents in the Federal Eden-Monaro electorate. Late last week the report into the State election was released and it has prompted me to put on the record a number of concerns I have in relation to the electoral roll for my region prior to the State election. Earlier this year I approached the Australian Electoral Commission regarding my concern about the electoral roll that had been brought to my attention by a member of the Australian Labor Party in February this year. Roll rorting, no matter where it is perpetrated, will always undermine the integrity of our electoral system. In a marginal seat, roll rorting could sway the outcome of an election.

In my region, I was surprised to learn that there has been an organised attempt to rort the roll. It involves a former candidate for Labor preselection, Graeme Shannon, who sought to represent towns in the Bega electorate. Mr Shannon is an Australian Labor Party member who lives in Gundaroo, in the Federal seat of Hume, and was President of the Yass Valley branch of the Australian Labor Party. He ran, unsuccessfully, against Alby Schultz at the 2004 Federal election. Then in September 2006 he appeared on the electoral roll as residing at 3/21 O'Hanlon Road, Queanbeyan, and did for a number of months. Graeme Shannon is on the record as having written a letter to the editor of the *Queanbeyan Age* on 27 October 2006 listing his address as "Queanbeyan". That is all very well, except for the fact that Graeme Shannon was still living with his wife and children in Gundaroo.

Moreover, the minutes of the Gundaroo Community Association show him as an office-bearer of the association who attended meetings in August and November and sent apologies for the October meeting. So what of Mr Shannon's electoral enrolment at 3/21 O'Hanlon street? This is where it gets very interesting. The address 3/21 O'Hanlon Street is also that of Steven Curren. Who is Steve Curren? He is an electorate staffer employed by the Labor member for Monaro, Steve Whan. Is this coincidence? No! Labor is up to its neck in this rort. We also know that another nervous Labor Party member told Graeme Shannon that he was breaking the law and should get off the roll. He did so immediately.

Ironically, that Labor Party member had to travel out to Gundaroo to deliver the message to Graeme Shannon, because he sure was not living in Queanbeyan. This was roll rorting at its worst and most blatant. This was a deliberate attempt to stack a safe Labor voter onto the roll in the marginal electorate of Monaro at the State election and Eden-Monaro at the Federal level—a Labor voter that has never, ever lived in the electorate. But this was not just some loose cannon. This rort could not have been done without the active complicity of Steve Whan and his staffer.

Mr Whan knew of this rort given his blatant support of Graeme Shannon for Labor Party preselection and the benefit he received electorally as a result. Given the cover-up I am calling on the Premier to now act. He should stand Mr Whan aside pending an investigation into this systematic abuse of the electoral roll, which underpins the sanctity of our democratic system. Roll rorting does happen, and the corrupt Labor Party is a serial offender at rorting electoral rolls. I am outlining one instance of electoral roll rorting, of which the corrupt Labor Party is a serial offender. The question is how many other similar situations are there in light of what is happening. The member for Monaro knew full well what was going on in relation to Graeme Shannon's electoral enrolment and I bring this to the attention of the House in an endeavour to get this matter resolved.

**Ms Lylea McMahon:** Point of order. This is the time for private members' statements and the member actually is attacking the member for Monaro, which should be done by way of a substantive motion.

**ASSISTANT-SPEAKER (Ms Alison Megarity):** Order! The member for Bega said at the commencement of his private member's statement that constituents had raised these matters with him, or words to that effect. He has strayed slightly and is venturing towards making an attack on another member, which should be done only by way of substantive motion. I uphold the point of order and I ask him to confine his remarks to the general concerns raised with him by his constituency.

**Mr ANDREW CONSTANCE:** I will adhere to that ruling, but I point out that stemming from this type of behaviour some important questions arise about the electoral roll for the State seat of Monaro and the Federal electorate of Eden-Monaro. I have not put this issue on the record lightly. Mr Whan has some answers to provide because a member of the Australian Labor Party provided the information to me. I have forwarded these concerns, quite rightly, to the Australian Electoral Commission and would hope the matter is addressed. I do not see this particularly becoming an issue for the member for Monaro and his staff member. I would hope that the Australian Labor Party Federal vice-president elect, who is sitting in the Chamber, investigates this issue and addresses it appropriately. It is just not on. Certainly whilst political ambitions are clearly in play amongst other Australian Labor Party members in bringing this information forward to me in this way, I had no choice but to approach the Australian Electoral Commission about it.

### WARILLA PRIDE

**Ms LYLEA McMAHON (Shellharbour)** [6.24 p.m.]: On 19 November I attended the annual meeting of Warilla Pride, which is a grassroots organisation that seeks to involve people in the community. It is a community-led and community-focused organisation. I acknowledge the membership of Warilla Pride: John Hambly, principal of Warilla High School; Cassandra Kanitz, a youth worker in the area; Krystle Marsh, a student at Warilla High School and winner of the Illawarra Youth Volunteers Award; Martin Millgate, an employee at Shellharbour City Council; Lloyd Ollerenshaw, a pastor of the Baptist Church; Bob Pastor, a teacher at Warilla High School; Brian Pember, from the Baptist Church; Chantel Pickett; Annie Ryan; and Sandra Cugalji. Other members of Warilla Pride who, unfortunately, could not be there on the night were my colleague Matt Brown, Ross Coleman, Diane Cranson, Mark Hedges, councillor Tim Hore and Jane Robinson.

Warilla Pride was formed a number of years ago and has three main strategic thrusts: focusing on economic development to increase prosperity for the Warilla area, focusing on the built and natural environment within the Warilla area, and helping to bring about a socially cohesive community. Over the past few years Warilla Pride has taken on a number of government-funded projects. The first project was the Safer Warilla

Community, which was funded by the New South Wales Government. As part of this two-year project Warilla Pride effectively lobbied for funds to construct a community centre to service the Warilla community, hold regular community forums and develop a community newsletter. The group is undertaking these ongoing matters.

The second project was the Warilla Youth Connect, which was a federally funded project. Warilla Youth Connect initially was a one-year pilot project providing a broad range of services to students and families in the Warilla and Lake Illawarra area for students at risk of being expelled or suspended from school. This group helped to put those families and students in touch with support services. Warilla Youth Connect, supported by numerous stakeholders that provided counselling, support, mentoring, activities and other services, assisted more than 200 students. The majority of participants achieved a positive result and returned to continue their schooling. The local community and Warilla Pride applauded this project. Unfortunately, the previous Liberal Federal Government did not see fit to continue funding for this project and Warilla Pride has been unable to continue the good work. The local Baptist Church has picked up the ball and tried to keep it going. I look forward to this project receiving a better level of support from the new Federal Labor Government because the project certainly has been well received.

I commend Pastor Brian Pember and Lloyd Ollerenshaw for stepping in to assist where possible in keeping this excellent project going. The final project headed up by Warilla Pride is the construction of a community website—[www.Warilla.nsw.au](http://www.Warilla.nsw.au). The purpose of creating the website is to provide a broad range of information about services and facilities within the Warilla community. Warilla Pride has established a steering committee to help set up the website and to involve representatives, including young people in the community. I thank also the Warilla Hotel and the Warilla Bowling and Recreation Club for their ongoing support and provision of facilities and venues for use by Warilla Pride and many community groups that seek to hold meetings.

#### **JIGGI HALL CENTENARY**

#### **GOOLMANGAR HALL CENTENARY**

#### **GOOLMANGAR PUBLIC SCHOOL 125TH ANNIVERSARY**

**Mr THOMAS GEORGE** (Lismore) [6.29 p.m.]: Tonight I draw attention to three significant events that have taken place in my electorate recently. The Jiggi Hall Centenary was celebrated on Sunday 14 October. It was a great ceremony and I pay tribute to its coordinator, Stephen Nelson, and every member of the Jiggi Hall Centenary Committee. Jiggi Hall is a classic country hall, and celebrated its 100 years as the epicentre of daily life from Friday 12 October to Sunday 14 October. Similar school of arts halls were built throughout rural Australia in the nineteenth century, and the official opening of the Jiggi Public Hall, as it was originally named, took place on 16 October 1907. Land and timber for the hall were donated. The wood used in the construction was sawn free of charge and transported to the site by bullock team at no cost by local farmers and tradesmen. That is the way they used to do it in those days.

Leading off the centenary celebrations was a magnificent performance by the Jiggi Public School choir, taught by Coral Rose. Those who attended then heard a welcome to country and a talk on indigenous life by John Roberts senior, who grew up in the area. He explained the history of the area and told some great stories about it. It was a magnificent welcome to country. The mayor of Lismore, Merv King, and his wife, Bernice, also attended. They spoke about their involvement in the area as well. I had the opportunity to say a few words, and I was very pleased to be accompanied by my partner, Deb. Greg Schiebel, the son of the late Bert Schiebel, with whom I did a lot of business in my prior employment as a stock and station agent, provided the keynote address as a descendant of the Goolmangar residents.

On Sunday 28 October I attended the 125th anniversary of the Goolmangar Public School. Bear in mind that earlier in the year the Goolmangar Hall celebrated its 100th anniversary. These buildings are within 30 kilometres of each other. It is a great credit to the community that it has dedicated and protected the history of the region. It is to its further credit that the local school is celebrating its 125th anniversary and is still going strong. The day began with a musical performance by the children of the Goolmangar Public School, and it was magnificent. Everyone enjoyed the performance, which contained themes that virtually spanned 125 years. The welcome address was given by Sally Ann Jones, the parents and citizens association president. I pay tribute to Sally Ann because of her generous contribution to the Goolmangar Public School in one way or another over the past 15 years.

The relieving director of the New South Wales Department of Education and Training, John Lynch, also attended. I had the honour of unveiling a plaque at the school. Georgina Jones represented the Landcare project launch. Don Sams, the principal of the school, compiled a lovely book on the history of the school and he dedicated it to the school that day. The school's youngest and the oldest students cut the celebratory cake. The oldest former student there that day was Bill Graham. Also present were Jenny Sommerville, who wrote a book on the history of the hall at Goolmangar; Bruce Shearman and his family; and Robbie Graham, his wife, Shirley, and his sisters, who accompanied Mr and Mrs Graham. It was a great day. Kathy, who put together the musical item, did a great job. Such events maintain the history of our region, and I pay tribute to everyone involved in them.

### **CAMPSIE POLICE STATION OPENING**

**Ms LINDA BURNEY** (Canterbury—Minister for Fair Trading, Minister for Youth, and Minister for Volunteering) [6.34 p.m.]: On 22 September 2006 I was present for the turning of the first sod on the site that was to accommodate the new Campsie police station. Also present that day was our very new Premier, Morris Iemma, the then Minister for Police, Carl Scully, as well as a number of Canterbury councillors, including Fadwa Kebbe. We were all involved in turning the first sod. It was a most exciting time—the old Campsie police station was almost uninhabitable. I am not sure how the police of the Campsie command worked in that building for so long. The cost of the new police station was around \$10 million—a great infrastructure commitment by this Government to the people of the Canterbury electorate and, more broadly, the officers of the Campsie command.

The old police station, which was located at 58-68 Campsie Street Campsie, was demolished. Construction commenced on a new state-of-the-art facility, providing a place for 199 general duties police, detectives, highway patrol, target action group, youth liaison offices, and licensing, intelligence and crime management officers. Police were transferred to Riverwood, Kingsgrove and Hurstville police stations while the demolition took place and the new police station was built on the same site. The official opening took place on Tuesday 27 November, signalling a new era for police in the Campsie local area command. Officiating was the Premier, Morris Iemma, with the Minister for Police, David Campbell, and the new Commissioner of Police, Andrew Scipione, in attendance. It was a fantastic event.

Many people from the Canterbury-Campsie area were present, including Mayor Robert Furolo, a number of Canterbury councillors, many leaders from the community and the wonderful Police Band. The ceremony was held outdoors in the car park, and although it was a rainy day, nothing was taken away from the occasion. The construction took just over a year, an incredible effort. The station is equipped with the latest technology for fingerprint analysis, dedicated DNA gene research rooms and high-tech interview rooms.

I was so pleased that the retired Campsie commander, John Richardson, attended the opening. John holds a very special place in the hearts of people in the Campsie command, the Canterbury electorate and local government area. It was wonderful that John returned in his civvies for the opening of the new police station. The new superintendent, Jeff Loy, said at the ceremony that the new building is important for everyone in Campsie, bringing officers and the community together again to build upon the strong partnership that has been developed.

There has been a spectacular fall in crime rates in the Campsie command, as I know there has also been in the Bankstown command. These areas are often portrayed in the media as high-crime areas and as dreadful places with dreadful people. Nothing could be further from the truth. They are wonderful places with wonderful people and extraordinarily dedicated police officers and people who work in the Police Force. It made me very proud to be the local member at the opening of the new Campsie police station.

### **PARRAMATTA RIVERCAT AND RAIL SERVICES**

**Mr MICHAEL RICHARDSON** (Castle Hill) [6.39 p.m.]: I support the member for Parramatta, Tanya Gadiel, in her efforts to save the Parramatta RiverCat, although I hope those efforts are a bit more effective than her bold assertion two years ago that she would "dig the tunnel herself" if Labor failed to build the Parramatta-Epping rail link! Both public transport services were initiatives of the Fahey Government, and both have been scrapped, or are likely to be scrapped by this Government following continuing service downgrades. The people of Parramatta must be wondering whether voting for Labor for the past 16 years has been such a good idea.

I well remember Brian Langton criticising then Minister for Transport, Bruce Baird, about the RiverCat. The fact is the Coalition opened it when Langton said it could not be done. It has been operating for the past 14 years, significantly increasing the number of visitors to Parramatta as well as providing a wonderful experience for tourists and others travelling to Sydney. The RiverCats began as a commuter service but slowly have been downgraded to tourist status, with the first ferry not leaving Parramatta now until 10.00 a.m. That could scarcely be construed as a commuter service. Now Bret Walker, SC, and his Special Commission of Inquiry into Sydney Ferries recommend the scrapping of the service west of Rydalmere. The very same suggestion has been made in Government circles about the Carlingford rail line, which has lost more than 15 per cent of its passengers since the Government cut the number of direct trains to the city to one a day. Not surprisingly, rail commuters have voted with their feet. Many now are using cars or taking the bus to Epping station.

Contrast that with the "if you build it, they will come" strategy of the Government in relation to the North West Transitway. The Government squandered \$500 million to cut travel time from Rouse Hill to Parramatta, according to the Minister for Transport, from 70 minutes to 50 minutes. Commuters do not think that is the fantastic deal the Minister seems to believe it is. A fraction of the money spent on the T-way could make the Parramatta RiverCat service a very valuable contributor to Sydney's public transport network—rather than making it the mad relation who must be kept in a private wing of the house, away from prying eyes.

My constituents always have been big users of the RiverCat service, not for commuting but for a great day out. They can take a ferry into town, get there by midday, have lunch and visit a museum or the Art Gallery, and catch the 4.00 p.m. ferry back to Parramatta. I have spoken to any number of people who have taken interstate and overseas visitors on the RiverCat. It is a shorter car trip to Parramatta than to Windsor, and the water trip is a wonderful experience. The Parramatta Chamber of Commerce is extremely concerned about the RiverCat service, as well it might be. It says the cancelled services, changed timetables resulting in decreased services, fare increases, lack of vision and focus, and zero effective product placement, or promotion have combined to reduce the service's viability. It calls for a consolidated, focused approach to the service's management and long-term viability.

The chamber points out that there has been no genuine attempt by the Government to market the service to tourists or to make Parramatta a tourist destination. That is despite the recent promise of the Federal member for Parramatta, Julie Owens, to spend \$500,000 of taxpayers' money to boost Parramatta's tourism economy. The chamber says it can find no information on this pioneering new tourism strategy and believes a detailed strategy does not exist. Certainly, the retention of the RiverCat should be an integral part of that strategy. I concede that Ms Owens has called on the New South Wales Government not to scrap the Parramatta ferry service—a call I wholeheartedly endorse.

Issues raised by the Walker report in relation to the RiverCats include dredging the river, the use of the service predominantly by tourists, high maintenance costs, and lower patronage. All these issues could be addressed without having to scrap the service. Yes, there are issues relating to the dredging of the river and the wash created by the RiverCats. The chamber recommends using a lower-impact vessel. The service being used primarily by tourists was inevitable, given the times at which the ferries operate. Passenger numbers are lower than they should be because the service is not marketed. The chamber also points out that there is no tourist-friendly connecting transport at Parramatta wharf to link the ferry with major points of interest in the city, such as Old Government House, Parramatta Park, Elizabeth Farm and the Church Street eateries. It adds that there is no tourist-friendly greeting at the wharf, no tourist information booth, no tour sales people, no heritage actors dressed in period costumes—just a decrepit brochure stand with droopy weather-affected paper flyers.

Tourists cannot buy a fares package from Circular Quay that includes RiverCat plus Olympic Park and Parramatta. Equally, there are no packages sold to tourists in Sydney hotels. That reminds me of my first visit to Hong Kong in the mid-1970s when I visited Lantau Island—then described as an outlying island but today the site of the main airport—by ferry. My Chinese hosts described my trip as a great adventure. The reason they said that was I had to find out about it by myself. The Hong Kong authorities were silent on the matter, and so it is with the trip up the Parramatta River. It is a trip that tourists in Sydney for a week or more would flock to, were it properly promoted. Instead the Government has neglected the service and almost wilfully chased people away from it. As a result, the prediction of failure has become a self-fulfilling prophecy.

Bret Walker says that scrapping the service from Rydalmere to Parramatta will save \$4.1 million a year, but scrapping just any public transport service in Sydney would save money. However, in this case, the

Parramatta Chamber of Commerce has identified the key problems facing the service and the solutions to those problems. Abolishing the service not only is a cop-out but also is the logical conclusion of all the attacks mounted against it by Brian Langton and others before it was established. This service can work—and it would not take a lot of effort to make it work.

### YOUNG WRITERS COMPETITION TranSCRIBE

**Mrs BARBARA PERRY** (Auburn—Minister for Juvenile Justice, Minister for Western Sydney, and Minister Assisting the Premier on Citizenship) [6.44 p.m.]: I share with the House a very heart-warming experience I had last week. On Friday 30 November I attended the awards ceremony for the 2007 Young Writers competition, TranScribe, at Lachlan's Old Government House in Parramatta. TranScribe engages young people to creatively express thoughts, feelings and experiences about issues that affect them. This year's competition tackled some important issues in our community—mental health, multiculturalism, social justice and disadvantage. People of all ages and backgrounds face these issues, so it rings true that, irrespective of age; we all have a valid perspective on the effects of these issues, as well as an opportunity to learn from each other and work together to overcome them.

As Minister Assisting the Premier on Citizenship, I was moved by the articulate expression and message of hope of the young writers. The variety of stories emphasises the diversity of backgrounds and life experiences of people living in Australia. Young people know better than anyone of the pressures, anxieties and challenges growing up as a young person in today's world. Highlighted in this competition through numerous submissions was mental health. On average, one in five Australians will experience depression at some point in their lifetime. It is great that this competition can bring mental health into our schools and into our conversations.

All of the young people recognised have an extraordinary ability to express themselves and to tell a story. These indeed are very important stories that need to be heard. All of the works draw our attention to real life issues, struggles and fears. Within each of them are important messages that we can all learn from—the need for greater awareness of the wellbeing of our neighbours and friends and the need to support young people to actively work toward building a more compassionate and harmonious community. They also call on us to reflect on our own values and to ask ourselves: What does despair feel like? Are my friends, family or neighbours coping? And: What can I do? It is important that we work together as a community to address these issues.

I thank the Western Sydney Area Health Service, the Transcultural Mental Health Centre, the Schizophrenia Fellowship of New South Wales and the Mental Illness Education Australia, which is now the Blackdog Institute, for their coordination of the competition and for their commitment to young people, mental health and building stronger communities. I applaud the magnificent support of participating schools, their teachers and the students' parents. Most importantly, I congratulate the students on their wonderful achievement. In the 12- to 15-year category awards were presented to Peter Romanos from the Parramatta Marist High School, who was awarded first place; Katherine Nguyen from the Trinity Catholic College, Regents Park; Akshath Kale from the Parramatta Marist High School; Siobhan Curran from the Presbyterian Ladies College, Sydney; and Ethan Dean and Penelope Ryan from the Presbyterian Ladies College, Sydney.

In the 16 to 18 category awards were presented to Russell D'Cunha from St Dominic's College Kingswood, who was awarded first place; Jayson Jeganathan from the Parramatta Marist High School; Melanie Layugan from the Mount Carmel High School; Rowena Penafield from Bethany College, Hurstville; and Steffi Khonasti from Macarthur Girls High School. They have shared their message, which inspires hope. I would like to share with the House the following excerpt from the work *From Where I Stand on Newfound Soil* by 17-year-old Russell D'Cunha of St Dominic's at Kingswood. Russell wrote:

No matter how small you are, or what you might go through in your life, the power of the human spirit buried within us all always bring us out on top.

That excerpt demonstrates the immense talent and wisdom of those young writers as well as the resilience and dignity that has enabled so many people in our community to overcome their personal hardships. What is certain is that young people have a voice. They are keen to contribute to all aspects of community. It is important that we give them the platform and support to be heard.

### BARWON WOMAN OF THE YEAR 2008 CANDIDATE AILEEN BELL

**Mr KEVIN HUMPHRIES** (Barwon) [6.48 p.m.]: Coonabarabran local, Aileen Bell, is the first to admit that she lives in the best place in Australia—an unassuming rural town that is blessed with picturesque

national parks and a high-quality public education system, and that hosts world-class performances. While her fellow locals unanimously agree, they are also quick to attribute part of Coonabarabran's success to Mrs Bell's passion and dedication to her community. Her contributions will now inspire people statewide because Mrs Bell has been successfully nominated as the Barwon candidate for the 2008 New South Wales Woman of the Year Award. Merryn Spencer, a colleague of Mrs Bell at Orana Arts Incorporated, nominated Mrs Bell and admitted that the more she spoke to people in the community, the more she was convinced that Mrs Bell was the one to nominate for the award.

Mrs Spencer said that Aileen has a multitude of experience in contributing to the community on a number of levels, not just locally but also State and federally. She said that Aileen wears a myriad of hats within the local community and that her voluntary roles as Orana Arts chairperson and representative of the Regional Arts New South Wales Board of Directors, producer of local Skywatch Concerts, founder of the Festival of the Stars and producer of the acclaimed Crooked Mountain Concert at Warrumbungle National Park made her a standout in the community. She developed the now signature event, the unique open-air Crooked Mountain Concert, which has really brought the town alive. While Mrs Bell said that she was proud of her achievements within Coonabarabran, her motivation was simple. She said:

I don't think we need to work to a deficit model in rural communities, we need to keep reminding young people that they are not disadvantaged by living in the community—there are so many amazing opportunities out here, you just have to make them yourself, they don't always come to you.

Growing up, Mrs Bells came from a musical family and always had a strong appreciation for the arts and performance, which flourished in Coonabarabran even then. However, as she got older her cultural services had waned, inspiring her to reconstruct the defunct Coonabarabran Arts Council, leading to the development of Orana Arts Incorporated, which now provides jobs and opportunities to all sectors of the community. She said:

I just looked at other communities and thought, "Why aren't we doing this in Coonabarabran. I knew we could do it and I knew we could do it better."

Although she could not pinpoint a career highlight, she said the growing success of the Crooked Mountain Concert, first held in 2003 and which attracted 2,400 this year, left her euphoric. She stated:

The success of the event really profiled Coonabarabran and the National Park and exposed performers and visitors who had never been to a local National Park before.

While securing headline act Kate Ceberano was also a high, she was most proud of the concert's effect on the local economy. She said:

There were motels booked out and bus loads of people coming into the town and I just thought, if each of those buses fuels up in town then that's fantastic—it really is the little things that count.

I'm also extremely proud of my community. It's great to see everyone come together and work together as a whole rather than in factions. It makes me so glad this is where I live.

The local State education system is also close Aileen's heart, having been involved with the Australian Council of State School Organisations. She was also vice-president of the Federation of School Community Organisations, the New South Wales Parents and Citizens Association and a regional consultant for the Disadvantaged Schools Program. Her accolades include the New South Wales director general's award for contributing to education, recognising 25 years of support of public education. Yet again, Aileen is modest about her inspiration to become involved in educational courses. She stated:

I was just a mother with school aged students.

I'd help at the canteen and covering school books and anything to help the school.

I started attending Mother's Club meetings and while our school was strong, others were suffering and I started attending conferences and it opened my mind to what was happening in the system.

Aileen found a passion in promoting the early years of school. She said:

I really think you can start early and make a difference in a child's life. Education is a vehicle to help change social inequalities. Kids can move forward through education and take their place in society.

I am extremely proud of the work that Aileen has done in her community. It is women like her that keep our Barwon communities alive. I am always inspired by the wonderful work done by individuals within our

communities and certainly Aileen Bell is a true inspiration. People like Aileen will ensure our regional communities continue to offer the best lifestyles in Australia. Nine finalists and the winner of the 2008 New South Wales Woman of the Year Award, recognising 100 years of active women in paid and unpaid work, will be announced on International Women's Day on 6 March next year. All the best, Aileen.

## **JOB COMPACTS**

### **NURA GILI: INDIGENOUS YOUTH ACCESS TO UNIVERSITY EDUCATION**

**Dr ANDREW McDONALD** (Macquarie Fields) [6.53 p.m.]: I speak about two exciting new initiatives for the Aboriginal population of my electorate of Macquarie Fields. Job compacts are a way to boost Aboriginal employment and, in particular, encourage young school-leavers to get into jobs and training before they enter a cycle of poverty by exclusion through unemployment. I have watched many of these kids grow up and know they have the potential and talent to achieve enormous things if given the chance. Job compacts are written agreements that identify how industry groups, chambers of commerce, the New South Wales Government, local government agencies and Aboriginal organisations can work together to increase the employment of Aboriginal people locally, and hence promote equity and justice for all. By encouraging these organisations to come together, we can help overcome some of the barriers restricting Aboriginal people from accessing employment opportunities.

Job compacts are much more than an exercise in goodwill. They are about boosting real job opportunities for Aboriginal people in local areas, and providing a future for them and their children. Job compact agreements sign up participating employers, service providers and Aboriginal community organisations to reflect their commitment to boost the employment of Aboriginal people in the private sector. Work is already well advanced in Tamworth and Redfern-Waterloo, where these projects have proven successful as a means of promoting employment. Work has now commenced in the Illawarra, Eastern Sydney, Blacktown-Mt Druitt, Campbelltown-Macarthur and Tweed Heads areas.

In my own area, Yarn'n Employment, Training and Consulting Services is an Aboriginal-owned and operated private company. Yarn'n has expertise in working with the private sector on Aboriginal employment issues. Yarn'n is assisting the Department of Aboriginal Affairs to develop a number of job compacts, including one in the Campbelltown-Macarthur area. It was granted \$150,000 this financial year by the Iemma Labor Government, proof of the Government's commitment to the promotion of social justice and economic equity.

So far their consultations with stakeholders in the Macarthur area have revealed employment opportunities for Aboriginal people in the retail area that will be pursued in the job compact. In addition, Yarn'n is talking with large corporations in the banking, equine, retail and childcare sectors, amongst others, to seek job opportunities in the job compact locations including Macarthur. All of these job compacts will be established by 30 June 2008. To support the delivery of job compacts the Department of Aboriginal Affairs provided grants totalling over \$200,000 last financial year.

Another exciting project for Aboriginal children at schools in my electorate is Nura Gili, a program run by the University of New South Wales. It aims to help young indigenous youth to access university education. The program has three main arms. The first is short winter courses of two to three days for middle school students. These courses give students the opportunity to visit the University of New South Wales and they are held during the July term break. Then there are pre-program courses, which are short, one-week to two-week courses held in December. They are designed for students who will attend university the following year. It gives them an opportunity to gain some early credits and to undertake orientation at university before the large numbers begin the following year. There is also an enabling skills program, which involves 12-month courses to enable students to enter their chosen faculty the following year. Most of these programs will be running by 2009.

The University of New South Wales currently has 150 indigenous students, and plans are to increase that number to 500 over the next few years. All students take the same subjects and are judged identically to other students in their course. There are about 20 in medicine, including seven in year one. The success rate to graduation is about the same as for non-indigenous students. The University of New South Wales is aiming to engage stakeholders, especially the education department and individual school principals, to find suitable indigenous students. I have written to every member of Parliament about this project and I urge those who have indigenous students in their electorates to publicise these programs to their school principals.

**Mr Peter Draper:** It's already done.

**Dr ANDREW McDONALD:** Thank you. The Iemma Labor Government is committed to helping Aboriginal people into the workforce, and we will be there for them in the future.

**Mr PAUL LYNCH** (Liverpool—Minister for Local Government, Minister for Aboriginal Affairs, and Minister Assisting the Minister for Health (Mental Health)) [6.58 p.m.]: I congratulate the member for Macquarie Fields on raising this significant issue. I note in passing that he and I visited Tharawal Medical Service a couple of weeks ago, a service that does very good work and in which he has been integrally involved. He is right to point to the significance of education and employment for indigenous communities. Certainly the rate of unemployment for the Aboriginal community is something like three times that of the non-indigenous community. Several months ago when I was at Mehi Crescent in Moree I met a very impressive Aboriginal man called Alex Gillon, who said, "You know, Paul, if you give someone a job and a roof over their head, the rest of it is probably going to be all right."

There was a fair degree of good sense in what Alex Gillon said. Certainly in that context what the member for Macquarie Fields has raised is critical. It is also important in the sense that one-third of the indigenous community in this country lives in New South Wales. There is a perception in some parts of the country that Aboriginal people do not live in this State, that they are confined to northern parts of Australia. That is clearly wrong. The departed Federal Government had 85 per cent of its Aboriginal-specific funding going outside of New South Wales, notwithstanding that we have 30 per cent of the population. It is initiatives such as those referred to by the member for Macquarie Fields that are critical in addressing the issues that the Aboriginal community faces. Once again I congratulate him on raising these issues.

### GOVERNOR MACQUARIE TOWER BULLYING ALLEGATIONS

**Mr CHRIS HARTCHER** (Terrigal) [7.00 p.m.]: Tonight I articulate the concerns expressed by some constituents on the Central Coast about bullying in their place of employment. Five of them are residents of the Central Coast and one of them has contacted me by letter. He wrote to say that the New South Wales Police Force had employed him as a special constable. Until March 2007 he worked at Governor Macquarie Tower, the office of the Premier of New South Wales and Government Ministers, and is currently working at the Sydney Police Centre. While he worked at Governor Macquarie Tower 11 officers made complaints about harassment and bullying by the senior constables in charge.

Governor Macquarie Tower is the office of the Premier of New South Wales and Government Ministers. New South Wales Police Force special constables provide security and there is a memorandum of understanding between the Premier's Department and the New South Wales Police Force to provide that security. There are 23 special constables and two senior constables, and five of the special constables live on the Central Coast. Over the past two years there has been a number of allegations about bullying and harassment at Governor Macquarie Tower, which have been aired on a Channel 7 television program. In October 2006 as a result of alleged bullying by one senior constable an officer took stress leave. Because of this all officers at Governor Macquarie Tower were asked to submit a statement about bullying, harassment and corruption at Governor Macquarie Tower. Eleven officers submitted statements of complaint about a senior constable, and since that time nine of the 11 have been transferred to other posts. The senior constable involved made offensive remarks about the five officers from the Central Coast, whom she described as, expletive deleted, from the Central Coast.

After the first complaints in October 2006 the commander and sergeant of the security management unit conducted an investigation. The results of this investigation were sent to the New South Wales police professional standards section for recommendation. The professional standards section recommended that the two senior constables be transferred. One took three months leave but returned to work at Governor Macquarie Tower and the other remained. The Premier's Department rejected the recommendation to remove both officers. In July 2007 a company called Koneck was employed to interview officers in relation to complaints regarding Governor Macquarie Tower. The report recommended that the two senior constables be removed. In October 2007 Chief Superintendent Dean told the Premier's Department that he needed to remove the two constables. But the Premier's Department also rejected this recommendation. As a result we have the ongoing problem of the officers involved—nine of whom, as I said, have since been transferred to other areas.

The New South Wales Police Force has a rotation policy that should prevent corruption, bullying and harassment in the workplace. It has tried on several occasions to implement this policy but has been blocked on each occasion by the Premier's Department. As a consequence there was an investigation, and the Koneck report cost some \$11,000. On Thursday 18 October one of the senior constables was shown on a television news report

being interviewed by Robert Ovadia from Channel 7. She was asked four questions about all the problems at Governor Macquarie Tower, and she denied making the comment attributed to her. A report about the incident appeared in the *Daily Telegraph* on Friday 19 October. The Independent Commission Against Corruption was advised on 2 October that the New South Wales Premier's Department was, according to the complaint, guilty of wrongdoing in that it was continually stopping New South Wales police from removing the two officers. The Independent Commission Against Corruption was also advised that the rosters at Governor Macquarie Tower were corrupt. The reference number of the complaint is Z07/1502. The Independent Commission Against Corruption was also advised of inappropriate behaviour.

The concerns of the Central Coast officers are that their complaints are not being investigated, that they have not been afforded proper protection under the law and that the two senior constables still occupy their positions. The senior constables involved are Senior Constable Jenkins and Senior Constable Walker. I ask that these matters be investigated. I believe the complaints are serious as they relate to the operation of the special security unit at Governor Macquarie Tower. Any allegation of bullying in the workplace is serious and people are entitled to protection. To have five officers from the Central Coast described in the way that I have mentioned is discrimination against people who commute long distances from the Central Coast to Sydney each day. These are serious matters involving Senior Constable Jenkins and Senior Constable Walker.

### TAMWORTH ELECTORATE VOLUNTEERS

**Mr PETER DRAPER** (Tamworth) [7.05 p.m.]: I recently addressed the House about the need for our society to improve levels of respect and responsibility in order to help combat antisocial conduct. I have had many encouraging comments from members of the community, including the following response from the Gunnedah branch of Grey Power Association Incorporated. It is a typical example of the responses I received, and states:

Dear Peter, On reading your media release of 19th November 2007, the members of Grey Power Association Inc Gunnedah heartily agree with the sentiments you expressed. It is a worry to older people in our community the way the majority of offenders are not held responsible for their actions. The victim is the one left to pay the expenses of any damage be it monetary or physical. No thought seems to be given to the victim in any way. Thank you for keeping us informed on this issue and congratulations on your support of older people.

Joy Pearson, Secretary, signed the letter. As I pointed out previously to the House, underlying social issues are often the cause of antisocial behaviour, and they must be addressed. I take this opportunity to detail some of the voluntary work undertaken in our community that is helping to address this important issue. In September this year I was delighted to be able to present a Premier's Community Service award to Annette Marshall for her many years of volunteer contribution to the local community. Most of Annette's activities revolve around the Coledale Community Centre, which is a very important piece of social infrastructure. The centre provides resources and services for indigenous and non-indigenous members of the local community, and Annette ensures the programs are focused on meeting their needs.

Annette is Secretary of the Coledale Residents Association, President of the Northern Regional Social Tenants Council and a mentor on the Coledale Youth Centre Crime Prevention Program. Additionally, she organises social functions including youth discos, fundraisers for charity and the annual Christmas carols. One of Annette's most important roles is Supervisor of the Coledale Breakfast Club, which provides a healthy breakfast for primary age children before school. If it were not for her drive and enthusiasm many of these kids would go to school with an empty stomach, and that is not a good way to start the day's activities. It is a pointer to some of the social issues we need to face that the Coledale Breakfast Club is only one of a number of organisations in our district that provides breakfast for kids before school.

But breakfast for kids is not the only sustenance that many battling families require. The ladies from the Cornerstone Church saw a need to provide meals for families on Tuesday nights—the night before pension day. Seven volunteers from the church started providing three-course meals for families who might otherwise miss out. Although the program is called the Cornerstone Church Soup Kitchen, the meals are generally a soup, choice of main meals and dessert. Diners enjoy decorated tables, clean tablecloths and cutlery individually wrapped in napkins. The first of these events was held on 7 August 2007 and, through word of mouth, attendance grew quickly from 55 people on that night to more than 100 people, including at least 60 children, by 28 August. Expansion has continued to the point where some 200 people are now taking advantage of the program, necessitating an increased number of sittings to meet demand. The people using this service are mainly women and their children, and elderly and disadvantaged people from the community, including some with disabilities or mental health issues.

When first established, the Cornerstone Church Soup Kitchen had no regular funding and the seven volunteers who started the service bought the ingredients for meals with their own money. They also provided the cookware and serving utensils. Obviously with the increasing demand it was not long before the volunteers were finding it extremely difficult to fund the program from their own pockets. The service was much needed but money was becoming a serious problem if they were to continue in the long term. Following some positive media coverage highlighting the enormous contribution this service had made to Coledale, the broader Tamworth community thankfully embraced the service and stepped forward to offer assistance. I strongly commend Chris Sheppard, the chief executive officer of Joblink Plus Tamworth, and his organisation for making a sizeable contribution to ensure that this wonderful service has a strong long-term future. Many individuals have also come on board to offer assistance. The Birrelee Multipurpose Aboriginal Children's Service has been a wonderful help to the facility. A local gentleman, who wants to remain unnamed, provided many cooking utensils, including boilers, and the Coledale Community Centre supplies the venue. Cornerstone volunteer Susanne Bissett told my office:

... there is nothing better than knowing that the children would otherwise have gone to bed hungry and that we are making a real difference.

Since its formation five years ago the Cornerstone Church has been doing a bread run with bread donated by Brumby's Bakery. It also provides lunchtime meals to needy people. About 35 people use the service regularly. The Cornerstone congregation should be congratulated on their social conscience. As we prepare for the Christmas season we should remember that for many people this is a sad time and a lonely time on top of a hard year. I thank the many volunteers who have helped the socially disadvantaged throughout the year, and I hope that the New South Wales Government can assist with funding for programs such as those that I have mentioned tonight.

#### **ALLAN ARKINS TRIBUTE**

**Mr DAVID HARRIS** (Wyang) [7.10 p.m.]: I acknowledge the career of Allan Arkins, a passionate, inspiring educational leader who has had a positive influence on school communities for over 37 years and who will retire at the end of this school year as Principal of Gorokan High School. In his retirement Allan leaves a legacy to public education. His dedication and significant achievements throughout his career cannot go unmentioned, and I am pleased to take this opportunity to give him much-deserved public recognition.

Allan grew up in Sydney and attained a Bachelor of Arts degree at Sydney University and later a Masters Post Graduate Degree in Educational Administration at the University of New England. Allan's teaching career took him to Yeoval Central School, near Wellington, in western New South Wales, back in 1970; to Boorowa Central School, Gulgong High School and the Royal Australian Airports School at Butterworth, on Penang Island, as Head Teacher English/History; to Erina High School; then to Umina High School as Deputy Principal; and, in 1995, to Gorokan High School as Principal.

Allan's passion was to provide quality education to students in small rural schools. His vision for all students to have a stimulating learning environment drove him to create ingenious solutions to the long-term problems often faced by those in our more remote communities. Allan has always believed strongly in the community's capacity for improvement, and he works hard to achieve this through our most valuable resource—our children. Wherever he has taught he has focussed on innovation, and has worked closely with all staff and personnel to develop beneficial projects promoting quality outcomes.

No matter where Allan went he believed he could make his school "the best of all". This belief no doubt stemmed from Allan's underlying belief that we all have unlimited potential and that, given the right environment and encouragement, we can reach great heights. Allan has been Principal at Gorokan for 11 years, and he has worked tirelessly to promote an effective and caring learning environment for the 1,100 students now enrolled at the school. Under his leadership Gorokan High School developed an outstanding reputation as a progressive educational institution with a strong base of community support. The school has always had a tradition of academic, sporting and cultural achievement, and with Allan's support and encouragement it has become a high school of distinction in the Central Coast area.

In particular, Gorokan High School has consistently achieved outstanding Higher School Certificate results, with many students achieving band 6 results and university admission index scores in the nineties. The school has had a number of students placed in the top 10 in the State in a variety of courses: chemistry, mathematics, legal studies, geography, music, advanced English and history. In 2003 a Gorokan High School student scored a perfect 100 per cent for extension 2 English, placing him equal first in New South Wales.

Allan's vision and encouragement of students and teachers is the key to such achievement. His frequent comment to students that "Anything is possible if you try" has certainly been proven. A particular success that Allan cherishes is the 2004 achievement of student Jody Lilir, whose university admission index score was above all those achieved by students at the selective Gosford High School and all other Central Coast private schools.

Allan has always been totally committed to improving the educational outcomes of Aboriginal students. Significant improvements have been achieved in the academic results gained by Aboriginal students at the school. These admirable results—which have helped to place Gorokan High School on the map, so to speak—can be attributed to a number of innovations implemented at Gorokan High School. They include community consultations, and active involvement and participation by parents. Perhaps most notably, however, the results can be attributed to a greater sensitivity and respect towards the Aboriginal students on the part of all school faculties brought about by a greater level of understanding of the Aboriginal education policy.

Allan's style of leadership, which values cooperation and teamwork, has been instrumental in bringing about these changes—changes for the better—and raising the bar. Allan's determination and his strong commitment to the concept of equity were also demonstrated through the establishment at the school of a class for students with intellectual disabilities. Gorokan High School's wind orchestra has been recognised internationally for its performances. The 57-member wind orchestra was invited to perform at the 1999 International Festival of School Orchestras and Bands. The orchestra was chosen to make the final performance, for which it received the festival's only standing ovation. Allan Arkins' commitment to the school orchestra has been a significant factor in its success.

When one considers the qualities of a great leader it is easy to see why his peers have classified Allan as a great leader. Allan is a man of vision, able to make decisions. He has been willing to take risks, but at the same time he is able to motivate others to follow their dreams and reach their potential. He cares deeply about his staff and students, and has been described as fiercely loyal and generous. Allan has great communication skills and is able to relate to people from all walks of life, which are vital skills for a principal of a school in this day and age. When I became principal of Gwandalan Public School Allan was able to mentor me through some very difficult times. I am sure members will join me in acknowledging Allan Arkins, congratulating him on an inspiring career, and thanking him for his outstanding contributions to public education over the past 37 years.

### **LANE COVE TUNNEL FILTRATION**

**Mr ANTHONY ROBERTS** (Lane Cove) [7.15 p.m.]: Filtration of the Lane Cove Tunnel is incredibly important to my constituents and the constituents of the electorates of Willoughby and Ryde. It is important to acknowledge three key groups and a number of individuals who have seen the dangers of the poisons being emitted from these unfiltered tunnels into our community: The Residents Against Polluting Stacks, Mums And Dads Against Stacks, and the Lane Cove Tunnel Action Group. I pay tribute to their wisdom, fortitude, support and sheer stubbornness in fighting a bureaucracy and a Government that refuses to acknowledge the scientific evidence and truth relating to these deadly particulates.

I acknowledge and pay tribute to Elizabeth Court, Dani Finch, Alex Burke, Peter Meckey, Karin Madden, Anne McElduss and Shahrin Leontaru, Dr Ray Kearney, OAM, Elma Kearney, Mark Curran, Giselle Mawer, and their teams, for fighting for and believing in a healthy environment and future for not just this generation but for future generations not yet here to fight for themselves. You are some of the most remarkable individuals I have had the pleasure to work with and call friends.

During this ongoing battle it has been reassuring to know that at least some people have heeded the scientific evidence and the calls from our community. I acknowledge my parliamentary colleagues in the New South Wales State Parliament—in particular, Barry O'Farrell, Peter Debnam, Andrew Stoner, Gladys Berejiklian and Michael Richardson—with whose help tunnel filtration in Sydney became a key platform in Coalition policy. John Howard and Joe Hockey also acknowledged the dangers to our community from unfiltered tunnels and recently doubled to \$20 million the Federal Coalition's offer towards the cost of filtering the Lane Cove Tunnel—which is approximately half the amount required—meeting a commitment by the New South Wales Labor Government that if the Federal Government furnished half the amount they would supply the other half and install filtration.

It is now in the hands of the Federal Labor Government to match that \$20 million. The Federal money is on the table, courtesy of John Howard and Joe Hockey; they have kept their side of the deal. Now let us see if

State Labor is prepared to keep its side of the bargain. The Roads and Traffic Authority's and the State Labor Government's investigation of tunnel filtration has been subject to widespread criticisms with respect to their scientific probity and evaluations. Filtration and the health of our community are too important to ignore or to be treated in an off-handed manner. I continue to urge the Government to follow world's best practice by filtering the Lane Cove Tunnel—indeed, all tunnels in metropolitan Sydney—not just because it is the right thing to do scientifically, but for the sake of our children, our families and our communities, and their health and wellbeing. Mark my words: What we are dealing with here is the "new asbestos" that will haunt this Government and any members who oppose this filtration for decades to come.

As this is one of the final sitting days for the year I extend my best wishes to all members of the House and their families. I thank all the Parliamentary staff, who serve the Parliament so well. I also thank the Attendants and the Clerks. I particularly thank the Hansard staff, who do a wonderful job under difficult circumstances at times. It is appreciated. I wish everyone a very safe, happy and holy Christmas.

### RAIL INTERURBAN JOURNEY TIMES

**Mr GREG PIPER** (Lake Macquarie) [7.20 p.m.]: I bring to the House's attention the concerns of Lake Macquarie residents about rail journey times between the Lower Hunter and Sydney. With increasing numbers of people commuting from the Lower Hunter and the escalating cost of petrol, more people see rail travel as an option worth considering. There is increasing awareness that people need to take personal action on climate change. There is, however, a problem with journey times providing a disincentive. In 1937 a trip on the Newcastle Flyer took two hours and 26 minutes—eight minutes faster than today's journey. In its day, the Flyer was a visionary scheme. It is disappointing and sad that the rail service has slid into decline and by this important measure fails to deliver a service that is better than what it was 70 years ago.

Many people in Lake Macquarie have told me they find the journey times disappointing and frustrating. With CityRail's fastest journey offering an average speed of barely over 60 kilometres an hour, it is understandable that many people find the use of a private motor vehicle a much more viable option for their needs. Interurban journey times are important to the general public and should be more important to CityRail and the Government. The 2006 survey of CityRail customers rated a number of parameters for service along a five-point scale ranging from not important to very important. Results showed that 85 per cent of the survey population regarded journey times as being important or very important but only 46 per cent described performance on journey times as being good or very good on a similar scale. That illustrates a perception that performance on journey times does not match expectations.

That and previous surveys sampled rail users from the only Central Coast, the Blue Mountains, Wollongong, Southern Highlands and the central business district. No opinions were sought from residents of Lake Macquarie and other Hunter electorates. No doubt these people, faced with longer travel times, would perceive journey times as being more important and judge the quality of service more harshly. This lack of consultation with Hunter rail users should be remedied. I know that Lake Macquarie residents are dissatisfied with journey times. I also have confidence that there will be reasonable opportunities to reduce these times to what they were 70 years ago. Options could include improving the condition of tracks, improving routes so that slow points are eliminated, reducing dwell times at some stations, resolving line conflicts with rail freight and improving rolling stock. I do not claim the expertise to offer a definite solution, but I have confidence that one exists.

As disappointing as it is that service has declined, I think it is worse that there is no current vision comparable to that which gave us better time performance with steam trains so long ago. To travel by train 340 kilometres from London to Paris takes some 2 hours 15 minutes, with an average speed of over 150 kilometres per hour. In contrast, the fastest the 160-kilometre trip by train from Newcastle to Sydney can be delivered is 2 hours 34 minutes—an average speed of 62 kilometres an hour. The measurable decline in the vision for and delivery of rail services has featured in recent media items. Linton Besser wrote in the *Sydney Morning Herald* on 21 July this year that in 2006 there were 5 million fewer passenger movements than in 1955. It was also reported that a number of new rail projects had been dumped, including a fast rail service to the Lower Hunter.

The Newcastle *Herald* yesterday reported that the Government is failing to deliver on its rail promises to both industry and commuters. The report cited Mr Tim Fischer, a director of Asia Pacific Transport Freightlink, as praising the Government's rail proposals, but criticising the lack of delivery. The report also quoted Mr Fischer as saying that rail transport should be re-branded as the most greenhouse-friendly transport

because of its capacity to reduce carbon emissions below those of road transport. That is particularly true for moving freight. It seems time that some real vision returned to the provision of a modern, first world rail system that will attract users, reducing the demand on the road network and in so doing reduce road-associated trauma, and deliver long-term environmental and economic benefits. Perhaps a VFT, very fast train, cannot be delivered—but an RFT, a reasonably fast train, should not be beyond the resources of a state such as New South Wales.

I thank members of the House and staff for their camaraderie and graciousness in accepting me as a new member of the House this year. I wish them and their families all the best for Christmas and the New Year. I look forward to seeing them all in the New Year.

### **PORT MACQUARIE MARINE RESCUE SERVICES**

**Mr ROBERT OAKESHOTT** (Port Macquarie) [7.25 p.m.], by leave: I refer to the long overdue plan to merge marine rescue services on the coast—the two most relevant to the Port Macquarie electorate being the sea rescue service and the coastal patrol. An attempt is being made to merge them into a third body, which is strongly supported in the Port Macquarie electorate. I raise this matter because a critical part of the carrot and stick philosophy that goes with the merger is for more money and support. I hope that promises being made to volunteers are turned into a reality.

I emphasise that money and resources go hand and hand with any structural reform that takes place for the benefit of everyone who lives on the coast and uses the waters of the coast. The Port Macquarie State Emergency Service [SES] is building a new facility, largely through the local council, at Town Beach. However, the fit-out will cost approximately \$80,000 to \$90,000, which is a big ask for a local volunteer organisation. Certainly assistance through the marine rescue authority would be supported. Some small fundraising is being undertaken. However, any assistance given by the Government would be greatly appreciated.

The Port Macquarie SES is frustrated because it has been trying to obtain a category 2 accreditation for a proposed new rigid hulled inflatable boat, which is a type of rescue vessel that continually gets unanimous support at a local and regional level, yet it gets knocked back by the Volunteer Marine Rescue Council because it considers there is no specific knowledge of the conditions in the Port Macquarie area. The SES is frustrated by the rejection of the application when those familiar with the area agree and unanimously support the application. That is a small but important example of a benefit that can come from structural reform, that is, improvements in both resources for things like fit-outs as well as better communication with the supply of resources.

Harrington has a very active coast patrol in the Greater Taree City Council area that goes back to the days when Chris Bowen was working for Minister Scully, who visited and argued a very good case to government to get support for a brand new coastal patrol office compared with the existing office, which was a caravan at the back of a service station that had absolutely no visual sighting of the water. Thanks to people such as Chris, a substantial grant was obtained from the State Government—the Commonwealth Government was also involved—to build a fantastic facility, but it has no boat. Last year a coronial inquiry was conducted into a death off the waters at Crowdy Head, which is serviced by the Harrington coastal patrol. The coroner made a strong reference to the fact that private vessels had to be used as part of a volunteer coastal patrol service. The Coroner remarked on the inadequacy of that service and said that consideration by government should be given to improve the available resources, and for the coastal patrol to have access to a boat. I hope those three examples benefit from what will be, hopefully, good structural reform over the new few years, which I strongly support. I hope governments support local services with money and resources.

**Private members' statements noted.**

**The House adjourned at 7.30 p.m. until Friday 7 December 2007 at 10.00 a.m.**

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