

LEGISLATIVE ASSEMBLY

Friday 12 March 2010

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

The Speaker read the Prayer and acknowledgement of country.

CRIMES AMENDMENT (POLICE PURSUITS) BILL 2010

Message received from the Legislative Council returning the bill with an amendment.

Consideration of Legislative Council's amendment set down as an order of the day for a later hour.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

PETITIONS

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Hornsby Kuring-Gai Hospital

Petition requesting the rebuilding of the Hornsby Kuring-Gai Hospital, received from **Mrs Judy Hopwood**.

Wagga Wagga Base Hospital

Petition requesting funding for and the commencement of construction of a new Wagga Wagga Base Hospital in this parliamentary term, received from **Mr Daryl Maguire**.

Tumut Renal Dialysis Service

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

Tumut Hospital and Batlow Multiple Purpose Service

Petition asking that vital equipment be provided immediately to both Tumut Hospital and Batlow Multiple Purpose Service, received from **Mr Daryl Maguire**.

Wagga Wagga Respite Services

Petition requesting funding for a second respite house and the provision of adequate access to the existing respite premises in the Wagga Wagga electorate, received from **Mr Daryl Maguire**.

Hawkesbury River Railway Station Access

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

Bus Service 311

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

TAFE Employee Negotiations

Petition requesting fair negotiations with TAFE teachers, received from **Mrs Judy Hopwood**.

National Parks Tourism Developments

Petition opposing the construction of tourism developments in national parks, received from **Ms Clover Moore**.

Game and Feral Animal Control Amendment Bill 2009

Petition opposing the Game and Feral Animal Control Amendment Bill 2009 in its entirety, received from **Ms Clover Moore**.

Adoption Laws

Petition opposing any adoption law changes that take away the right of adopted children to be raised by a mother and a father, received from **Mr Kevin Greene**.

Berowra Police Station

Petition opposing the closure of Berowra Police Station and requesting an increase in the number of officers to man the station, received from **Mrs Judy Hopwood**.

Pet Shops

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

Department of Housing Narooma Project

Petition opposing the Department of Housing proposed project on the Princes Highway Narooma and requesting consultation for future housing projects, received from **Mr Andrew Constance**.

Public Housing

Petition requesting that no inner city public housing stock be sold and that funding for public housing maintenance be increased, received from **Ms Clover Moore**.

Cowan Sewerage

Petition requesting that Cowan households be connected to a mains sewer service, received from **Mrs Judy Hopwood**.

BUSINESS OF THE HOUSE**Business Lapsed**

General Business Notices of Motions (General Notices) Nos 650 to 658 lapsed pursuant to Standing Order 105 (3).

CARERS RECOGNITION BILL 2010

Bill introduced on motion by Mr Andrew Constance.

Agreement in Principle

Mr ANDREW CONSTANCE (Bega) [10.04 a.m.]: I move:

That this bill be now agreed to in principle.

We can test the heart of society by looking at the response of government to community needs and the recognition of carers. For too long in New South Wales we have failed in that duty. We have failed to recognise

those who contribute in ways that we can only imagine. For this reason I have introduced the Carers Recognition Bill 2010. I do so on behalf of the 750,000 carers in New South Wales. During my time as shadow Minister for Disability Services I have seen carers commit to their loved ones in ways that would amaze the rest of society. They give of their time, their finances, their social existence and their own health to look after and care for their loved ones. It is high time that the New South Wales Parliament recognised carers in the same way that other Australian and international jurisdictions have. We must do better than we have in the past.

For too long, we have failed to recognise many of the challenges that exist in a carer's relationship. For too long, carers have fought hard to obtain services for their loved ones without any acknowledgment or recognition of the support they need from the wider community and government. The glue that holds family carers together is the heart-stopping love they have for the person they provide care for. Their love is intangible but it defines their humanity in a unique way. I see people who love so much that someone else's needs always take priority over their own. In our jobs as members of Parliament we see that every day. Carers wear their humanity in ways that most of us cannot comprehend. If we have not walked in their shoes we will never truly understand that raw love and care that guides a person to give up so much in order to assist another.

I hope that the legislation before the House receives bipartisan support. I hope that Government members—members of the Australian Labor Party—will join the Coalition and support this legislation. We cannot turn our backs on carers in New South Wales. It is for that reason that I want to ensure that this bill is passed. I call on every member of the Government to consider this legislation carefully and in a bipartisan way. With the passage of this bill we can take the first step forward in recognising the roles and responsibilities of carers in New South Wales. I am joined today in the House by the shadow Minister for healthy lifestyles, mental health, and aboriginal affairs. Together we are working our way around the State to promote this legislation and to engage with carers on it. It may not be a perfect bill but it is an important start. Through our consultation process we have learnt of the strong desire of carers for the enactment of this legislation.

Over many years we have heard about the individual stories and, all too often, the pain and suffering associated with providing their love, care and support. All too often we have heard about carers fighting for services for their loved ones. But we do not hear all too often about the impact that the caring role has on the individual carer. I note that the State has a carers plan. In the past politicians have promised so much. For that reason I hope this legislation goes one step further in two ways: first, by enacting a carers charter; and, secondly, by enacting a ministerial advisory council for carers. I will speak about that further in a moment.

I will refer to a number of stories that have been brought to my attention, because I think it is important to put into context why and how this proposed legislation came to be before the House. I recognise all carers who have lobbied hard for the State Government to introduce this legislation. I particularly acknowledge Carers NSW for the role it has played, as the peak organisation for carers in New South Wales, in bringing this legislation to the table this morning. This is not my bill; this is a bill for carers in this State. It is a carers' bill. It is important that we acknowledge that key point in a bipartisan way. There are thousands upon thousands of stories about care in New South Wales. I will touch on a couple of them because I think it is important to do so. One carer's story is as follows:

Nineteen years ago my son Alex was a happy, healthy, normal two-year-old. My life changed forever the day his preschool called telling me he had a high temperature. I went immediately to the school to get him and take him home. His temperature was 39.7 degrees. I stripped him, gave him Panadol and ran a cool bath. As I lowered him into the water, he started to convulse. Quickly I wrapped him in a towel and ran across the road to Balmain Hospital. Thirty-five minutes later four doctors had been unable to get a cannula into his vein and he was still in the grip of the seizure.

Eventually the seizure stopped of its own accord and we went to the children's hospital at Camperdown. Here the seizures started again and continued. The many tests performed were inconclusive. After two weeks in hospital they retested Alex's spinal fluid which showed he was suffering from viral meningitis.

As a result of this illness, Alex is severely intellectually disabled and suffers from uncontrollable epilepsy. From that fateful day, sixteen years ago, the lives of four people have irreversibly changed. I don't know what our lives would have been like had this not happened but I do know they would have held more joy and less stress.

We all have dreams - mine died during the year following Alex's first seizure, when I realized that he was never going to get better. Hope dies slowly. It took my husband longer to accept Alex's condition as he had less contact with him and with the doctors.

I have devoted my life to the care of Alex to the detriment of my family, especially my other son Peter who suffered in his early years from my neglect. I feel guilty about this, but I don't know what I could have done differently. My relationship with my husband is very difficult because in order to keep going I have shut down all aspects of my life except the essential. I know he misses the happy, optimistic person I used to be, a person with a sense of humour. I have become a machine who every now and then breaks down and cries.

I don't know how long I can continue to live my life like this, but I know it is not long as there are cracks appearing in the walls of my will. Every day I cry more often and I have become completely antisocial. I fear these are signs of a deep depression, a depression caused by a lack of hope that my future might be different.

My day begins with that adrenaline pump and muscle clench I always feel when I hear Alex first stir in the morning. Perhaps you can imagine a 6-foot 100-kg three-year-old going through that terrible time when they want your constant attention, except Alex isn't a toddler you can pick up and put down somewhere safe while you take a break or catch your breath.

The things most people take for granted like taking a shower, talking to a friend on the phone or simply doing the housework I cannot do without first making sure that Alex is entertained or someone else is caring for him. My subconscious is always focused on Alex no matter what I am doing. That kind of constant vigilance is exhausting.

This is my story. But I am just one of many parents or carers in the same or similar situation in NSW.

Last year Alex had a stroke and now needs a wheelchair when going on outings and needs physical assistance to get around the home. I need help. My son is now twenty-one years old. He is big and strong and severely disabled. He needs constant attention. I cannot look after him on my own!

Disability can touch any one of us without warning, and compassion is one of the many human traits that separate us from the animals. My son, my family and I need your compassion.

I am sure Maree will not mind me reading that into *Hansard*. She continues:

Alex is now 24 and little has changed. Every day I fight to get the support I need to care for Alex and it falls on deaf ears. My son has been reassessed for services 4 times in the past three years. Every assessment is the same, Alex is regressing, I cannot continue the level of care needed for Alex and he is assessed as being of the highest need. Instead of giving the support to us that Alex has been assessed as needing, ADHC just orders another assessment of Alex in order to put off helping us.

If Alex was in care he would have one on one care 24 hours per day because his needs are so high. The NSW government expect that I, a middle aged woman can continue to provide the supports of 4 shifts of workers all by myself.

I still cry every night and brace myself to get through each day.

I wonder how much longer I can cope.

I put in an FOI for my files. I had been told that Alex was on the high priority list for accommodation. Reading the file, Alex is not even on the priority list. ADHC have been lying to me for years.

I am often distraught. The Australian people think caring is by choice. My body said years ago that I cannot go on and no-one is listening to me. There is no choice here, my pleas are ignored. I am not caring for someone at the climax of their life. I am caring for someone so that they can live their life.

I am not caring for someone I have an adult relationship with. Nor is the care I give Alex time limited. He is not ill with the likely hood of recovery. He is not terminal. This care is not short term, it is not a blip on my life. It is my life. There is no acknowledgement of the difference, anywhere.

I repeat that sentence, "There is no acknowledgement of the difference, anywhere." She continues:

It seems that all care is placed in the same basket as having the same burden on the carer. That is the greatest of the lies portrayed about carers. My days are relentlessly the same.

I am a prisoner of my love for Alex and the NSW government is my gaoler. This government just do not give a damn. I think this government believes that while I have breath in my body they can ignore my pain. I simply do not know what to do. Please help me as I cannot go on, I am exhausted and in pain. I am totally demoralized. Am I being selfish for wanting some peace of mind and quality to my life?

All of my friends are now carers who care for their adult children with no support. Over the years the others have just melted away and they exist in the periphery of my mind like a dream. I, along with Alex have been placed in the too hard basket. Where I go, Alex also has to go, he cannot be left alone. Not even for a second. My body supports Alex. If I move away from him he stumbles. He has fallen through plate glass, down stairs, even straight through interior doors.

Lack of help has relegated my life to the NSW dust bin. I am a non person. I am now only one thing as far as my government is concerned. I am the person they fight with to ensure they don't have to spend money on assisting Alex.

Unfortunately, Alex's story is all too commonplace in this State. We have an obligation today to pass this bill, not only because it is the right thing to do but because it is the humane, decent and honourable thing that we can do to start to improve the quality of life for the State's 750,000 carers.

As I said, there are many stories. Bureaucrats and policymakers fail to understand that families have always provided the majority of support for the most vulnerable in our community. However, all too often it is becoming impossible to continue to do so. Today is historic because this legislation is the first step in what I hope are many to address this injustice. I feel very sorry for what has transpired under this Government,

particularly given the legislation that other jurisdictions have enacted. We cannot continue to believe that carers will fulfil the roles that society and government should fulfil and not offer support. There are countless heart-rending stories, including in the mental health area, which the member for Barwon will address in his contribution to the debate. We must do what is right and do it in a bipartisan way. I make no apologies for my passionate pursuit of Government support for this legislation. It is time that the State had this legislation.

As I said, the bill seeks to enact a New South Wales carers' charter to recognise the contribution made to society by persons who care for other persons who have a disability or a mental or chronic illness or who are frail. The aim of the charter is to enable carers to achieve their maximum potential as members of the community. It will also require New South Wales Government agencies to take action to reflect the principles of the charter when providing services that affect carers and to establish a ministerial advisory council for carers. The objects of the bill are to recognise the valuable contribution of carers to our society and to the people they care for, and to recognise the benefits, including the social and economic benefits, provided by carers to the community. The figures that have been provided to me by Carers New South Wales indicate that carers contribute in the order of \$10 billion in unpaid care. The national figure is about \$30 billion.

We all want to keep families together and we also recognise that the Government is there to provide a safety net. However, all too often carers must provide that safety net themselves. The bill is also designed to ensure the provision of services necessary to enable carers to achieve their maximum potential as members of the community and to provide for carers' assessment of their interests, needs and choices to be considered in decision making about the provision of services that impact on their role. The bill is also designed to identify and address the specific needs of families with children and younger people who are carers and to deliver culturally appropriate services for Aboriginal and Torres Strait Islander carers, and carers from culturally and linguistically diverse backgrounds.

For the purposes of the bill, a person is a carer if the person is an individual who provides ongoing care or assistance to any of the following: A person in the target group as referred to in section 5 (1) of the Disability Services Act 1993; a person with mental illness or chronic illness and a person who because of frailty requires assistance to carry out everyday tasks. For the purposes of the bill, a person is not a carer if he or she provides ongoing care or assistance as part of a designated service or under a contract of service, or if he or she provides the ongoing care or assistance as a volunteer with a volunteer organisation or charity, or only because the person is a spouse of a person to whom ongoing care or assistance is being provided or is in a de facto relationship with the person or is a parent or guardian of that person. That is within the meaning of the Property Relations Act 1984.

The bill has two key functions: first, to introduce a carers' charter; and, secondly, to establish a ministerial advisory council for carers. I will put the objectives of the proposed carers' charter on the record because it is important that it is in *Hansard* so that anyone reading this debate will be fully aware of it. The charter provides: first, that a carer must be treated with respect and dignity; secondly, that carers must be recognised as having their own unique and individual needs; thirdly, that carers' health and wellbeing is to be given due consideration; fourthly—and this is an important aspect of the carers' charter—that carers' needs are to undergo assessment with the aim to provide timely and appropriate support and assistance; and, fifthly, that the views and knowledge that carers have in regard to the individual needs of the persons they care for must be recognised and included in the assessment, planning, delivery and review of services that impact on them in their role as carers.

In addition, the community, service providers and government should respect the relationship between carers and the persons they care for. The diversity of carers' individual needs should be identified and acknowledged, taking into consideration cultural differences, age, disability, religion, socioeconomic status, gender identification and place of residence. The responsibilities of children and young people as carers should be minimised. Remote and rurally based carers face additional difficulties caused by isolation that should be given due consideration in service delivery. New South Wales government agencies must also ensure that programs and services provided to carers are responsive, timely, coordinated, innovative, flexible and appropriate. Complaints made by carers about services that impact on them and the persons they care for must be given due attention and consideration. Services provided to Aboriginal and Torres Strait Islander carers and carers from culturally and linguistically diverse backgrounds must be culturally relevant and information must be provided to carers on their rights when dealing with government agencies.

With the charter in place, under this legislation there will be an obligation on New South Wales government agencies to take reasonable steps to ensure that officers, employees and agents of the agencies have

an awareness and understanding of the charter and that the agency must take action to reflect the principles of the charter when providing services that affect carers. A New South Wales government agency must consult with the advisory council and other such bodies representing carers as the agency considers appropriate when making strategic policy or planning decisions relevant to carers. This is an important aspect of the legislation, because for too long agencies—including NSW Health and the Department of Human Services—have not taken that need into consideration when they have developed public policy.

I make one clear point about the proposed ministerial advisory council for carers: The majority of the membership of the council will be carers. That is an important point. It will not have a membership comprising political appointees—that is, people the Government knows will say what it wants to hear. It will hear directly from the carers. The advisory council will have a direct channel to the key decision makers in government—that is, the Ministers responsible for carers. The council will be co-chaired by the Ministers responsible. The responsible Ministers will be at the meetings and will have to take on board the advice of the advisory council. It is important that the advisory council look closely at the charter and at what is required in carers' assessments into the future so that we can ensure we have a much better system to assist carers.

ACTING-SPEAKER (Mr Thomas George): Order! I remind the member for Bega that pursuant to the standing orders this debate will be interrupted at 10.30 a.m. to allow the House to consider Government business.

Mr ANDREW CONSTANCE: I seek leave to conclude my speech prior to the commencement of Government business.

Leave granted.

I thank the Leader of the House for granting leave. I recognise there are many carers in the gallery today who have obviously had to change their plans to be here, so I thank the member. The advisory council will have the following functions: to work to advance the interests of carers and promote compliance by New South Wales Government agencies within this Act; to make recommendations to the Minister on fostering compliance by New South Wales government agencies within this Act; to provide general advice to the Minister on matters relating to carers; and to carry out such other functions relating to carers as may be directed by the Minister. Any recommendation given to the Minister may be given either at the request of the Minister or without any such request. The advisory council must also, as soon as practical after the beginning of each year or on any other occasion requested by the Minister, prepare a report for the Minister outlining the performance by New South Wales government agencies of their obligations under this Act and the compliance or non-compliance of government agencies within this Act.

I hope that gives a brief overview of what the legislation hopes to achieve. It is important, as I said earlier and will keep saying, for the legislation to have bipartisan support. There is no doubt that carers in New South Wales have not been recognised by government, and it is time for that to change. As I indicated before, New South Wales has 748,000 carers. That is, one in 10 of us are carers. Of those, 149,700 are primary carers, and 12.4 per cent of the New South Wales indigenous population are carers. It is important to recognise that many carers suffer in silence. They suffer social isolation. They cannot have the types of relationships that the rest of us do. Laraine Toms best summed it up to me yesterday from Carers New South Wales when she said to me, "Carers are denied what the rest of us are taking for granted." No truer statement can be given of the situation carers face in New South Wales.

The financial disadvantage carers face is also important to be acknowledged in this debate. Caring responsibilities adversely affect carers' financial situations—drops in income, no superannuation and the ability to accumulate savings. Some interesting Australian Bureau of Statistics figures are also important to note: 44 per cent of all carers of workforce age are not in the labour force, compared with 34 per cent of the total population; the gross household weekly income of 41 per cent of all carers is less than \$453, compared with 28 per cent of the general population. It is also important to acknowledge the additional costs associated with caring—everything from medical through to transport—that have a direct impact on carers financially. The average income for carers is more than 25 per cent lower than it is for non-carers, and it is estimated that carers lose earnings in excess of \$4.9 billion per year.

It is also important to acknowledge that with the ageing of the community—all too often I argue with the Government that we must have a plan for demographic ageing in New South Wales—we also have ageing carers in our community who, all too often, have to make the difficult decision about their own future and the

future of their loved ones. I will never ever forget many instances people have found themselves in when dealing with government agencies because of their age and the challenges before them. We cannot continue to allow a situation in New South Wales where you have to declare your loved one homeless to get the services that are required for the person you are responsible for. Therein lies one of the greatest injustices in this State, and we all—every member of the community and every member of this House—have an obligation to rectify the situation. With the ageing of the community we see the ageing of carers and, as we all know, with the ageing of the community at the current rate and with the projections for the years ahead we are going to see increasingly more people falling through the cracks unless we act now, which is my greatest fear.

Carers New South Wales provided me with some information in relation to the Deakin national survey of carers health and wellbeing. It is important to note this information. Findings of the survey showed that carers have the lowest levels of wellbeing of any Australian group. More than half reported some level of depression, with one-third found to be severely or extremely depressed. More than one-third of carers are experiencing severe or extreme stress. Caring does not get any easier with time and caring compounds the effects of other factors that lead to reduced wellbeing. The survey also found any level of consistent, daily, immediate caring responsibility is sufficient to severely damage wellbeing. Wellbeing decreases as the number of hours spent caring increases. The presence of a person in the household who requires care severely compromises the wellbeing of other family members, whether they have primary carer responsibility or not.

The findings of such research are obviously very telling. I expect the Government, should this bill pass, to make the advisory council look very closely at some of this research and start to devise the necessary strategies to address some of the survey findings. One of the key things about this legislation that is very important relates to assessment. Again, information provided to me by Carers New South Wales referred to the United States model of carer assessment. In the United States, carer assessment refers to a systemic process of gathering information that describes a caring situation and identifies the particular problems, needs, resources and strengths of the family carer.

It approaches issues from the carer's perspective and culture. It focuses on what assistance the carer may need and the outcomes the family member wants for support. It seeks to maintain the carer's own health and wellbeing. Some government agencies have an ad hoc process with respect to a carer's assessment. One of the key agenda items for the ministerial advisory council will be to examine the carer's assessment, the process around a carer's assessment, the content of it, the form it should take, and how it should be tailored based on the caring context and service setting program. That important initial step must occur. It was essential to include the assessment in the bill otherwise the Government would not have the requisite focus and attention to better support carers into the future, which has been included in the carer's charter. I hope that the Government will promptly examine those aspects associated with the carer's assessment.

In conclusion, I reiterate that I am happy for the Government to step up to the plate and join the Liberal-Nationals in supporting the bill. The Government has three courses of action open to it: it can oppose the bill, it can support the bill or it can introduce its own legislation. If the bill passes this Chamber I am confident that it will pass in the upper House without the Government's support. I hope the Ministers who have responsibility for carers under their portfolios consider this bill carefully over the next week. At that time the Government may then give an indication of who will take responsibility for the bill, because I am not sure the Government has worked that out yet.

It is extremely important to carers that the bill is passed because if not it will be an enormous injustice to carers around the State. I acknowledge the contribution of carers who, for many years, have fought for the introduction of this bill. It is my privilege to have done so on behalf of the Liberal-Nationals and in my capacity as the member for Bega. I acknowledge all carers but particularly Carers New South Wales. I pay tribute to Laraine Toms and Elena Katrakis for the enormous work they have done in preparing briefs, doorknocking and lobbying government over many years. Their efforts behind the scenes over many years should be acknowledged.

I hope this bill will give some hope to carers, who get on with their work, day in and day out. I hope they understand that this is but a first step. In my capacity as the shadow Minister for Disability Services and Ageing, I am well aware of the frustration and degree of cynicism that exists in politicians and their response to issues that directly impact on the loved ones of carers and on them. I hope that this bill provides some beacon of hope towards correcting the injustice in the future. This bill is about humanity; it is about human dignity and human rights. I hope that the Parliament today, in a bipartisan way, will take that first step to rectify the injustice.

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

ACTING-SPEAKER (Mr Thomas George): Order! It being after 10.30 a.m., the House will now proceed to Government business.

CRIMES AMENDMENT (POLICE PURSUITS) BILL 2010

Consideration in Detail

Consideration of the Legislative Council amendment.

Schedule of the amendment referred to in the Legislative Council's message of 11 March 2010

No. 1 Page 3, schedule 1 (proposed section 51B (1) (a)), line 6. Omit "knows". Insert instead "knows, ought reasonably to know or has reasonable grounds to suspect".

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [10.45 a.m.], on behalf of Ms Carmel Tebbutt: I move:

That the House agree to the Legislative Council amendment.

As I understand it, the amendment by the upper House is significantly different from what was being proposed in the Legislative Assembly during the agreement in principle debate. It is now in a format, following extensive consultation and consideration by the Government and all other parties, that the Government is happy to accept. For that reason the Government is now able to accept the amendment in the Legislative Assembly, as I have moved.

Mr GREG SMITH (Epping) [10.46 a.m.]: The Liberal-Nationals are pleased to support the amended bill. The original bill required that prosecutors prove that drivers knew they were the subject of police pursuits and knew the police wanted them to stop. We criticised that terminology, based on the views of the New South Wales Police Association and our analysis that it created too high a bar for the prosecution to regularly satisfy in these cases. Many arguments were put forward to the contrary. In another place the Attorney General and his advisers took a more reasonable approach, continuing in the spirit of bipartisanship shown since the terrible tragedy of Skye Sassine and her family. There had been other deaths and injuries over the year.

It was agreed that the bill should be amended to include an offence that was enforceable and that was the best possible alternative. The original wording "the driver of a vehicle who knows that police officers are in pursuit of the vehicle and that the driver is required to stop the vehicle" and various other elements have been deleted and "that the driver knows, ought reasonably to know or has reasonable grounds to suspect" has been inserted instead. That has been done with the agreement of the Liberal-Nationals and some upper House crossbench members, excluding the Greens.

It is sometimes nice when we can actually get down to not playing politics over something that is really for the benefit of society. I think this is an occasion when that has been achieved. Opposition members were enraged by comments made yesterday by the Minister for Police in this place—which he subsequently withdrew in part—that we are opposed to the police, that we are police bashers. With respect to this legislation, and indeed all legislation, the Opposition regards the interests of the police as well as those of the community as paramount. The interests of the police and the community almost always coexist. We are here to support the police. The reason the Opposition might occasionally seek to amend a piece of legislation that extends police powers is that we are also supporting the community and from time to time there is debate in the community about civil liberties being taken away.

The wording "ought reasonably to know" is already referred to in section 52AB of the Crimes Act 1900 in relation to the offence of failing to stop and assist after a vehicle impact causing death or grievous bodily harm. The wording "the person knows, or ought reasonably to know" appears several times in the elements set out in the provisions relating to that offence. The expression "ought reasonably to know" introduces the concept of an objective standard, that a reasonable person with the same knowledge as the driver would know that he or she was being pursued. If a specious excuse is given the jury is entitled to conclude that it does not have to be proved that the driver knew, but merely that he ought reasonably to have known.

That provision is extended even further by the words "or has reasonable grounds to suspect". That is an expression that is well known in law, particularly in relation to the issue of search warrants and the standard that has to be met by police in order to satisfy a magistrate to issue a warrant. Again we are looking at the concept of reasonableness. In other words, the man on the Clapham omnibus would say, "That is what I am sure happened"—not the events in the half-baked excuse put up by the person charged. Of course, to "suspect" is a lesser standard than to "know".

Such a standard is appropriate in this type of legislation, which deals with leaving the scene of an accident and failing to assist. With regard to the provision dealing with dangerous driving causing death or grievous bodily harm, there has been a shift towards the reasonable person's view rather than the individual accused: the Crown in dangerous driving cases now does not have to prove that the driver intended to drive dangerously. Rather, if a reasonable person thought in all the circumstances that he was driving dangerously that element of the offence is satisfied. We commend the efforts of our colleague in the upper House the Hon. Michael Gallacher, the shadow Minister for Police. We acknowledge the cooperation of the Attorney General and his staff, and the cooperation of the Police Force and the Police Association, and commend them for bringing together a good amendment that will very adequately cover the situations we are talking about and have a strong deterrent effect.

Mr FRANK TERENCEZINI (Maitland) [10.54 a.m.]: I share the main sentiments expressed by the shadow Attorney General and member for Epping with regard to the outcome of this amendment bill. This amendment to the Crimes Act is good for the police and for the community. The outcome that has been achieved with regard to the bill shows that proper negotiations can be fruitful, which is a good outcome. It is important to note, however, that the amendment is a far cry from the original amendment that was spoken about in this House, which reversed the onus. That presented quite a number of problems, as the member for Epping would no doubt be aware, and as I am aware and as any lawyer would be aware. That was probably not the way to go.

The amendment incorporates fundamental inherent principles of the criminal law, as the member for Epping knows, and it is spelled out in words—although the case law in common law would also take those matters into account, as the member for Epping knows. Even with the offence in writing in the Act, the Crown will still be required to prove the matter beyond reasonable doubt. But it is spelled out in the legislation that in all the circumstances when assessed in a case the knowledge can be imputed to the defendant, that in all the circumstances he ought to have known that he was being pursued. In that respect we are happy with the legislation. Again I share the sentiment expressed by the member for Epping and shadow Attorney General that this is a good result for the community.

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

Motion agreed to.

Legislative Council amendment agreed to.

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

ACTING-SPEAKER (Mr Thomas George): Government business having concluded, the House will now proceed to committee reports.

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 17 of 2009

Question—That the House take note of the report—proposed.

Mr ALLAN SHEARAN (Londonderry) [10.56 a.m.]: I am pleased to speak on Legislation Review Digest Report No. 17, dated 1 December 2009 and tabled in session last year. This digest examined three bills: the Criminal Assets Recovery Amendment Bill 2009, which has since been passed on 24 November 2009 and assented to on 26 November 2009; the Election Funding and Disclosures Amendment (Property Developers Prohibition) Bill 2009, which has since been passed on 3 December 2009 and assented to on 14 December 2009; and the Industrial Relations (Commonwealth Powers) Bill 2009, which has since been passed on 1 December 2009 and assented to on 14 December 2009.

Some of the issues of concern raised in this digest related to the Criminal Assets Recovery Amendment Bill. The committee held concerns regarding retrospectivity and the personal right to property. The committee also held concerns with respect to the retrospective removal of the right to compensation. Procedural fairness and non-reviewable decisions were other issues of concern arising from this amendment legislation. In respect of the Election Funding and Disclosures Amendment (Property Developers Prohibition) legislation, the committee noted that this may have the effect of excluding close associates of developers from political functions which may not be directly associated with the developers' interests, therefore affecting their rights of association. However, the committee believed that this effect must be balanced with the public interest and referred the matter to Parliament.

Last year was a busy and productive year for the committee. I take this opportunity in the new year of 2010 to express my gratitude to all the current and former members of the committee who have served or are at present serving on this committee. Unfortunately, in the end of year business I did not have the opportunity to thank the committee members and staff. Needless to say, the digests provided to the Parliament each week would not be possible without the commitment of these dedicated people. I refer to Paul Pearce, MP, the member for Coogee and deputy chair; Amanda Fazio, MLC; Robert Furolo, MP, the member for Lakemba; Sylvia Hale, MLC; Judy Hopwood, MP, the member for Hornsby; Robyn Parker, MLC; and Russell Turner, MP, the member for Orange.

I also extend my thanks to the very professional committee staff, including Catherine Watson, the committee manager; Carrie Chan, senior committee officer; Kathryn Simon, senior committee officer; Leon Last, committee officer; and Millie Yeoh, assistant committee officer. Again, I express my thanks to these special people. I know that the standards set last year will continue and that every opportunity is taken to explore new ways in which members can be suitably informed about potential undue trespasses on personal rights and liberties during their consideration of bills.

Mrs JUDY HOPWOOD (Hornsby) [11.00 a.m.]: I make a brief contribution to the report of the Legislation Review Committee entitled "Legislation Review Digest No. 17 of 2009", dated 1 December 2009. I echo the thanks of the chair to all committee members, the committee manager and committee officers for their tireless work. The year 2009 was a very busy one for the Legislation Review Committee, with 139 bills being reported on. That resulted in a massive amount of work, in addition to the consideration of regulations and correspondence. I look forward to 2010 being equally rewarding.

ACTING-SPEAKER (Mr Thomas George): Order! I endorse the comments of the member for Londonderry and the member for Hornsby. I am sure I speak for all members in acknowledging the efforts of the Legislation Review Committee. The comments and advice given by the committee are greatly appreciated by all members.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

JOINT STANDING COMMITTEE ON ROAD SAFETY

Report: Report on Pedestrian Safety (Ministerial Reference)

Question—That the House take note of the report—proposed.

Mr GEOFF CORRIGAN (Camden) [11.01 a.m.]: Report No. 3/54 entitled "Report on Pedestrian Safety (Ministerial Reference)" was tabled in December last year. This is the third major report of the Staysafe committee in the current Parliament, following reports on Young Driver Safety in November 2008 and Railway Level Crossing Safety in June 2009. In May last year the committee was asked by the then Minister for Roads, Mr Michael Daley, to respond to the dramatic increase in pedestrian fatalities by conducting a speedy inquiry, to take priority over other scheduled commitments.

Traditionally the Staysafe committee has been, and still remains, a bipartisan committee and to my knowledge it has never submitted a minority report. Government and Opposition members work together because we share one aim—that is, to improve the safety of New South Wales pedestrians and road users. I take this opportunity to thank all committee members—Mrs Dawn Fardell, member for Dubbo; Mr David Harris, member for Wyong; Ms Noreen Hay, member for Wollongong; Mr Daryl Maguire, member for Wagga Wagga;

Dr Andrew McDonald, member for Macquarie Fields; Mr George Souris, member for Upper Hunter; Mr Robert Brown, MLC; Mr Richard Colless, MLC; and Mr Ian West, MLC, and deputy chair—for their conscientious contributions and hard work in producing this report.

I also thank the staff of the Staysafe committee: Russell Keith, committee manager; Bjarne Nordin, senior committee officer; Eve Gallagher, research officer; Alex Steffen, committee officer; and Mohini Mehta, assistant committee officer. The hard work of parliamentary staff is not always recognised and people from outside of this place might consider them to be just public servants, but they are not. Committee staff perform a vital role in the production of these reports and do a fantastic job.

Last year, there were more than 60 pedestrian fatalities on New South Wales roads. This was 15 more than the figure for the same period in the previous year and was a significant departure from the downward trend in the previous five years. It also sharply contrasts with the 2008 figures, which represent the lowest recorded number of fatalities since 1945. This upward trend is continuing, with an increase of 20 pedestrian fatalities in the 12-month period to 9 March 2010. This report looks at the adequacy of data collection and makes recommendations for increased collaboration between the Roads and Traffic Authority, NSW Health and the NSW Police Force to develop a more comprehensive database. This includes improving definitions of injury severity and improving data access, reliability and timeliness.

The committee has made many recommendations in its reports about data collection, which may seem strange, but it is hard to undertake an analysis and make sensible recommendations without adequate data. Almost every major research group that has made a contribution to a committee hearing has commented on the need for an improved database. In looking at pedestrian risk profiles, the committee recommends the development of a range of measures to increase awareness of and for vulnerable groups. This includes a pedestrian safety-training program for early childhood centres and primary schools, increased emphasis on pedestrian safety for secondary school students, and targeted general public education campaigns about Australian road rules. Elderly pedestrians are also a high-risk group and the committee makes recommendations to re-engineer roads to provide safer access and to use crossing technology to better effect. This includes increased use of scrambled crossings, pedestrian zones and giving pedestrians greater opportunities to cross roads, particularly in high pedestrian activity areas. I recently noted in a report that the main users of roads in the Sydney central business district are pedestrians, not cars or buses.

A major recommendation in the report concerns the deployment of random covert speed cameras. The committee has received overwhelming evidence to support such a strategy. When covert cameras were introduced in Victoria in 2002, there was an immediate drop in pedestrian fatalities from a high of 81 in 2001 to a low of 41 in 2003. It is often said that covert speed cameras are simply fine gatherers—they are not. Covert speed cameras play a vital part in road safety and should be re-introduced. There is also major concern about the increasing use of mobile and electronic devices by both pedestrians and drivers. The committee recommends that public education and media campaigns be commissioned to highlight the inherent dangers this poses and the importance of being aware of distractions and their impact on road safety. Only last week, whilst I was waiting to cross Macquarie Street at a pedestrian crossing, I observed a young lady running out of Sydney Hospital. This young lady had earphones in her ears and was about to run onto the road without noticing the traffic.

As I have said in the foreword to this report, we are all pedestrians at some time and we rely on others using the road network to share responsibility for our collective safety. This means that while pedestrians have an obligation to obey the rules of the road, and to act responsibly, it is also incumbent on vehicle drivers, motorcyclists and others to recognise the vulnerability of pedestrians, particularly those that are young or elderly, and act accordingly. Within the road hierarchy, motor vehicles tend to dominate. The committee would like to challenge this status quo and has stressed the need for engineers and planners to give greater weight to pedestrian safety in the design of the road system. Experience in other jurisdictions can inform us how to better cater for pedestrians within the road network, and the committee supports the continuous sharing of knowledge across jurisdictions to improve safety standards.

The committee received 30 submissions, conducted a public hearing and an inspection to gather evidence from a range of government and non-government agencies, researchers, road safety practitioners and individuals. With the exception of one individual, I would like to thank all those who shared their knowledge and experiences with the committee and who contributed to the evidence contained in this report. I commend the report to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [11.09 a.m.]: I echo the words of the chair of the committee in saying this is a good committee on which to serve. To my knowledge a Staysafe committee report has never

been delivered in this place that was not unanimous. This committee is about delivering best outcomes for the road users and pedestrians of this great State. This was the third report of the Staysafe committee in the current parliament. The reference was given by the then Minister for Roads after the tragic increase in pedestrian fatalities. Last year there were more than 60 such fatalities and, sadly, I understand this is trending upwards. There have been 20 fatalities in the 12-month period to 9 March 2010.

The chair has referred to the recommendations of the committee. Firstly, it can be said that covert cameras are revenue raisers but I think it is a question of their location and purpose. Often motorists do not understand why a camera is located in a specific position. The Roads and Traffic Authority, or the bureaucrats, have a formula. However, I do not believe they explain it properly. Perhaps the engineering of the road structure has changed and the camera is not moved to a place where it is needed or more appropriate. Such issues reinforce in my mind the need to constantly revisit the location and functionality of cameras and to place them where they will do the most good. This should be an ongoing policy.

Motor vehicles are lethal weapons. In the wrong hands death and destruction occur. Everyone has a responsibility—pedestrians and motorists. Whilst this report touched on personal responsibility, as the chairman said, people do silly things, unintentionally and without thinking, and accidents occur. But the responsibility is on all of us. Before crossing a road, pedestrians should look right, then left, then right again. Some of these messages have got lost in time. Basic fundamentals in road safety are not being taught to our little ones. Without criticising any group in particular, as our country grows and our numbers swell we have to get these messages across to new Australians who join our shores. We have to reinforce road safety measures.

Through the enhancing road safety education program we must ensure that these messages get through to our new citizens so that they understand, for example, the rules and regulations surrounding pedestrian crossings. As a motorist I often see pedestrians step onto a pedestrian crossing without looking right or left and mothers pushing a pram onto a crossing without thinking. I understand that people are busy and preoccupied with many issues in their lives. Members on both sides of the House would identify with that. But when it comes to crossing the road one mistake can mean death, and it occurs far too often.

The misuse of electronic devices is not being policed properly. About 170,000 people were issued with infringement notices for using mobile phones while driving. But it is still occurring. As we drive to work and home we see hundreds of people using mobile phones, putting other motorists and pedestrians at risk. When will it end? If people persist with this unsafe behaviour, technologies may have to be introduced in motor vehicles to shut off mobile phones when the engine is running. P-plate holders should probably know the road rules better than experienced licence holders, who can become rusty on the rules of road use. P-plate holders should know the rules book backwards.

Yet every day we see P-plate drivers with a mobile phone to their ear trying to negotiate traffic or travelling on an open road. They know they are breaking the law, yet this offence is not being policed properly. Until more fines are imposed or more police are on our streets enforcing the law, sadly the incidence of road fatalities will continue to occur. The use by pedestrians and joggers of Walkmans has resulted in an increase in pedestrian fatalities. Recently I saw a motorist on a freeway wearing a set of headphones. For what purpose I do not know. It seemed to be a music player of some description. According to the rules of road, that is illegal. People have to understand that they have a personal responsibility to observe the rules of the road.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [11.14 a.m.]: At the time of this ministerial referral to the Staysafe committee, the preliminary road toll stood at 163, an increase of 40 over the corresponding period in 2008—every one a tragedy. A significant proportion of this increase is related to pedestrians. This upward trend is continuing, with an increase of 20 pedestrian fatalities for the 12 months to 9 March 2010. The number of pedestrian fatalities has increased by 16.5 per cent nationally for the 12 months ending September 2009. But there is considerable variation between the jurisdictions. Despite the rise in pedestrian fatalities in New South Wales, at this stage it is not possible to determine the statistical significance of these recent increases when compared to long-term casualty trends. The graph on page 28 of the report shows that most of the accidents occur in the evening and that the high-risk groups are in the age groups 0 to 16, 17 to 29, and 60 plus. Each of these groups has its own risk factors and each will need to be addressed separately.

In many crashes the role of speed remains a significant concern. The Roads and Traffic Authority provides evidence that speed is the most significant contributor to casualties in all crash categories and contributed to 32 per cent of fatal crashes in 2007. Provisional data for 2008 increases this figure to 39 per cent

and preliminary statistics for the first half of 2009 cites the figure of 46 per cent for speed in relation to fatalities. That is the context in which the committee received overwhelming evidence to support the strategy of random, covert speed cameras. When covert cameras were introduced in Victoria in 2002 there was an immediate drop in pedestrian fatalities from a high of 81 in 2001 to 41 in 2003. We have an opportunity to reduce the road toll by 40 per cent if speeding were abolished. That translates to 200 people alive today, if motorists only kept to the speed limit.

The Auditor-General noted that the 40 kilometres per hour speed limit in school zones also is often exceeded. However, pedestrian fatalities in school zones are rare—about two in the past 10 years, neither of which seems to have been related to speeding. That is encouraging. However, an estimated 60 significant injuries do occur in New South Wales every year out of the 2,000 injuries to school-aged children. The Auditor-General has recommended that the Roads and Traffic Authority should determine and publish how many of the mobile speed cameras promised in 2006 have been acquired for school zones and how often they have been deployed. There is also a major concern about pedestrian safety, especially with the use of mobile and electronic devices by both pedestrians and drivers. Today when I caught the train everyone had an iPod. They were about to enter the city traffic in a world of their own. Fortunately, the mornings seem to be a low-risk time.

There is a persistent view that road designers do not take adequate account of pedestrians, who are not treated as equal partners when accessing the road network. The lack of recognition of pedestrian needs is demonstrated by issues such as short crossing times in metropolitan settings and gaps in pedestrian infrastructure, that is, lack of adequate ramps, footpaths that are often poorly maintained and road refuges. Street lighting and inadequate crossing technology options also need to be investigated. I want to highlight recommendation 18, which relates to the investigation of countdown timers. The committee had a vigorous and close debate on the introduction of a 40 kilometre per hour limit in the Sydney CBD, which I supported. The committee chair's casting vote was needed to resolve the impasse, which he did so very wisely.

I want to comment in particular on the contribution of Mr Harold Scruby. Unlike most of the other presentations, his written submission was perfunctory. Neither his verbal nor his written submission added anything unique or original before the committee. There was no original research. I note that I do share many of his views. His verbal presentation was a deliberate and vexatious abuse of parliamentary privilege. These were not the benign ramblings of a lovable Uncle Arthur but a deliberate attempt by an intelligent man to abuse the protection of parliamentary privilege to verbal those with whom he had issues, and to use up the allocated time by speaking so as not to allow us to question him. If anyone disagrees with me, I refer to his submission and the transcript of evidence.

This deliberate and vexatious misuse of privilege should not be allowed to occur again. I strongly urge all future Staysafe inquiries—in fact, any parliamentary inquiry—to think very carefully before requesting him to appear in person. Others are more deserving of the chance to speak in person. I will not repeat or refer to this speech outside this place as litigation is likely to ensue. I thank all those who shared their knowledge and experience with the committee and who contributed to the evidence contained in this report.

Mrs JUDY HOPWOOD (Hornsby) [11.19 a.m.]: I will make a brief contribution to the report of the Joint Standing Committee on Road Safety entitled, "Report on Pedestrian Safety (Ministerial Reference)", report No. 3/54, dated December 2009. I commend the work of the Joint Standing Committee on Road Safety. The committee has done many, many years of very solid work in the area of road safety, and many, many safety mechanisms have been instigated following the committee's recommendations. I will refer to road safety issues in my electorate, particularly school flashing lights, to which the member for Macquarie Fields referred also. The electorate of Hornsby has no flashing lights, although it is proposed to install one set outside Galston High School. This is a serious safety issue and I have written to the Minister for Roads regarding some areas that I consider have a higher priority for the installation of flashing lights.

I have raised on many occasions the issue of pedestrian safety on Galston Road, Galston, adjacent to the shopping centre. I have grave concerns that this area has been ignored by the Roads and Traffic Authority, and I call on the Minister for Transport and Roads, and the Roads and Traffic Authority, to consider declaring it a pedestrian high activity area and imposing a 40-kilometre-per-hour zone from the intersection of Arcadia Road and Galston Road to Mid Dural Road and Galston Road. The area, particularly at school departure and arrival times at 9 o'clock in the morning and 3 o'clock in the afternoon, is a hive of activity for parents, children and shoppers, and is extremely dangerous. Berowra and Waitara have high activity area zones, and I am advised that they are working extremely well.

The other area I wish to highlight is the intersection of George Street and Linda Street in Hornsby, adjacent to an Officeworks business and a bowling alley. I have raised this issue a number of times recently, both in the local media and through written representations, and I have spoken to many interested groups. I am very concerned about pedestrian safety at this intersection, particularly the safety of disabled people. Although a representation was made to the Roads and Traffic Authority, the installation of traffic lights at the intersection has been ruled out. Therefore, it is left to the council to install—following much cost shifting—a secondary safety mechanism. Ron Crompton, the manager of the disabled bowling team in Hornsby, the Rockets, recently raised this issue following the opening of the Officeworks business and the consequent increase in the number of vehicles entering and exiting the car park.

We are obviously pleased to have an Officeworks in the area, but it has made the intersection much busier. I fail to understand why the Roads and Traffic Authority claims that, according to statistics, the volume of traffic does not warrant the installation of traffic lights. Members of the Rockets team have to cross the road at the intersection, as do children. Some of the disabled people are sight impaired and some have diminished awareness, particularly spatial awareness, so they cross the road slowly. I call on the Roads and Traffic Authority to reconsider its decision and to classify the intersection as extremely high priority for the installation of traffic lights to make it safer for our disabled bowlers, our children and other pedestrians. At present, people who cross the road take their lives in their hands.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

STANDING COMMITTEE ON NATURAL RESOURCE MANAGEMENT (CLIMATE CHANGE)

Report: Return of the Ark: The Adequacy of Management Strategies to Address the Impacts of Climate Change on Biodiversity

Question—That the House take note of the report—proposed.

Mrs KARYN PALUZZANO (Penrith—Parliamentary Secretary) [11.24 a.m.]: It is with great pleasure that I speak to the report of the Standing Committee on Natural Resource Management (Climate Change) entitled, "Return of the Ark: The Adequacy of Management Strategies to Address the Impacts of Climate Change on Biodiversity". One of the key messages the committee heard during the inquiry was that a new approach is needed urgently if we are to conserve biodiversity from the impacts of climate change. Traditional methods of conserving biodiversity have delivered some incredibly successful results. However, they have not prevented the degradation of biodiversity under current climatic conditions and are even less likely to prevent further loss of biodiversity as a result of climate change.

It was not the intention of the committee to propose the specific details of a new approach, as the committee recognised that this required substantial scientific and community consultation. The committee recommended that the Department of Environment, Climate Change and Water urgently commence such consultation to articulate appropriate goals, objectives and priorities for biodiversity conservation. Within the report, the committee outlined a number of principles that should underpin biodiversity management. In particular, the committee noted that there is considerable uncertainty surrounding the specific details and magnitude of climate change impacts and how species and ecosystems will respond. This means that natural resource managers will need to ensure their management plans are robust and flexible enough to respond to a range of possible changes.

The committee believes an adaptive management framework provides a sound basis for developing plans for the effective management of biodiversity under climate change. Additionally, there is a need to identify and overcome barriers to the effective implementation of adaptive management. In particular, the committee recommended that all natural resource management agency staff involved in preparing and implementing biodiversity management plans be provided with training and support in adaptive management. The committee recognised the importance of maximising the capacity of natural resource management agencies to better manage biodiversity. This will require better alignment of agency goals and improved coordination of programs. The committee also highlighted the importance of regionally based on-the-ground staff who can work alongside local landholders to encourage improved biodiversity management practices.

The committee also noted the importance of natural resource management agencies communicating with the community. There is scope for improvement in agency communication and extension programs. The

committee recommended that all natural resource management agencies increase their extension efforts to maximise implementation of biodiversity conservation programs. During the inquiry the committee heard that one of the key strategies for protecting biodiversity under climate change would be to increase the resilience of ecosystems. This would be particularly important across national parks. Therefore, the committee recommended that improved measures be put in place to minimise other impacts on national parks. This will better enable ecosystems either to remain unaffected by change or to recover quickly after change.

In the course of the inquiry the committee travelled to the Bredbo and Bega regions of New South Wales to learn about the incentives, obligations and outcomes of different biodiversity conservation programs on private properties. The committee visited Scottsdale Reserve and a local landholder near Bredbo to inspect rehabilitation and revegetation projects that were being undertaken as part of the Kosciuszko to Coast project. The Kosciuszko to Coast project is part of the broader Great Eastern Ranges initiative that aims to re-establish a network of habitats along the Great Escarpment.

The Kosciuszko to Coast project offers local landholders a range of incentive programs such as stewardship payments, conservation agreements, incentive funding for conservation works and field training. During the trip the committee also visited a dairy farm in the Bega region and saw the corridor revegetation and upgrade of the effluent management system that was undertaken through the Bega Dairy Partnerships Program, a joint program of the Southern Rivers Catchment Management Authority and Bega Cheese. These organisations work cooperatively with farmers and provide incentives to improve the environmental sustainability of dairy operations. I take this opportunity to show my appreciation for the work undertaken by the previous chairs, Mr David Harris and Ms Noreen Hay, and my fellow members on the committee. I express my appreciation to the committee secretariat for its efforts. I commend the report to the House.

Question—That the House take note of the report—put and resolved in the affirmative.

Report noted.

COMMITTEE ON CHILDREN AND YOUNG PEOPLE

Report: Kids 9-14 Years

Question—That the House take note of the report—proposed.

Pursuant to standing orders debate postponed and set down as an order of the day for a future day.

LEGISLATION REVIEW COMMITTEE

Report: Legislation Review Digest No. 1 of 2010

Report: Legislation Review Digest No. 2 of 2010

Motion by Mr Allan Shearan agreed to:

That, in accordance with Standing Order 306 (5), the reports of the Legislation Review Committee, being Orders of the Day (Committee Reports) Nos 5 and 6, be considered together.

Question—That the House take note of the reports—proposed.

Mr ALLAN SHEARAN (Londonderry) [11.31 a.m.]: I am pleased to speak on "Legislation Review Digest No. 1 of 2010", dated 22 February 2010, and also on "Legislation Review Digest Report No. 2 of 2010", dated 8 March 2010, both of which were tabled out of session. "Legislation Review Digest No. 1 of 2010" examined five bills in total: the Building and Construction Industry Long Service Payments Amendment Bill 2009, the Gas Supply Amendment Bill 2009, the Housing Amendment (Community Housing Providers) Bill 2009, the James Hardie Former Subsidiaries (Winding Up and Administration) Amendment Bill 2009—which was passed by both Houses on 2 December 2009 and assented to on 14 December 2009—and the Sydney Olympic Park Authority Amendment Bill 2009. With regard to the Sydney Olympic Park Authority Amendment Bill 2009, the committee referred schedule 1, item [7] and schedule 2 to Parliament for consideration as to whether they trespassed unduly on personal rights and liberties in relation to the emission of noise as part of a person's use or enjoyment of land.

The digest also examined four regulations: the Children's Services Amendment (Fees) Regulation 2009; the Criminal Procedure Amendment (Local Court Process Reforms) Regulation 2010; the Retirement Villages Regulation 2009; and the Tow Truck Industry Amendment (Maximum Fees) Regulation 2009. The committee noted that the reasons for the fees provided by the Children's Services Amendment (Fees) Regulation 2009 and the Tow Truck Industry Amendment (Maximum Fees) Regulation 2009 were reasonable and found that they required no further action. However, with regard to the Criminal Procedure Amendment (Local Court Process Reforms) Regulation 2010, the committee resolved to write to the Attorney General to seek further clarification and advice concerning the service of fact sheets in lieu of briefs of evidence. The committee expressed concerns that this regulation may trespass unduly on individual rights and liberties, particularly the right to a fair trial and procedural fairness. The committee also resolved to write to the Minister for Fair Trading concerning the Retirement Villages Regulation 2009 seeking further clarification and advice regarding any potential undue trespasses on individual rights and liberties and the impact of the regulation on business.

I now refer to "Legislation Review Digest No. 2 of 2010". This digest examines eight bills in total: the Casino Control Amendment Bill 2010, the Credit (Commonwealth Powers) Bill 2010, the Crimes Amendment (Police Pursuits) Bill 2010, the Crimes (Administration of Sentences) Amendment Bill 2010, the National Gas (New South Wales) Amendment (Short Term Trading Market) Bill 2010, the National Parks and Wildlife Amendment Bill 2010, the State Senate Bill 2010, and the Workers Compensation Amendment (Commission Members) Bill 2010. With regard to the Credit (Commonwealth Powers) Bill 2010, the committee appreciates that the proposed Act will form part of the new national credit protection regime being established under Commonwealth law, and that the States and Territories have decided to make a text-based adoption with a limited amendment power to ensure that power is transferred to regulate and amend only the national consumer credit protection legislation as passed by the Commonwealth Parliament.

This bill seeks to transfer regulatory responsibility for credit and finance broking from the State to the Commonwealth. However, given that the Senate Standing Committee for the Scrutiny of Bills raised concerns regarding the national legislation, report No. 2 reports the committee's consideration of the above bill, including writing to the Minister for Fair Trading to seek advice on some of these concerns, such as strict liability offences in the Commonwealth legislation; Henry VIII provisions in the Commonwealth legislation, which allow amendment of an Act by a regulation; and matters that should be regarded by Parliament in the context of implications arising from the bill's adoption of the Commonwealth legislation.

Concerns regarding strict liability were also raised in relation to the National Parks and Wildlife Amendment Bill 2010. Other issues of concern relating to this bill, which were referred to Parliament for consideration, include retrospectivity, inappropriate delegation of legislative power such as definitions, which should be regarded by Parliament, and ill-defined and wide powers. Excessive punishment was discussed in relation to the Crimes Amendment (Police Pursuits) Bill 2010. The committee shared the view that driving a vehicle recklessly or dangerously to escape pursuit by a police officer is a serious offence. Notwithstanding that, it was noted that the penalties proposed might be regarded as disproportionate to the gravity of the offence. The committee was conscious of the public interest in this matter and acknowledged that the prevention of police pursuits is an issue of public safety. However, it also highlighted the fact that no damage, injuries or deaths are required for a prison sentence to be imposed, and highlighted the bill's potential effects on young drivers and first offenders. Accordingly, the committee referred this to Parliament for consideration as to whether the penalties may be regarded as excessive.

In relation to the Casino Control Amendment Bill 2010, the issues of removal of criminal liability and personal physical integrity were identified, including what the relevant standard and onus of proof could be with regard to "good faith" under clause 28, which provides that no criminal liability is incurred by a person for any act done, or omitted to be done, in the removal of an excluded person from the casino where it is done in good faith. The committee resolved to write to the Minister and the Attorney General to seek advice on this matter. The issue of the exclusion of merits review was also referred to Parliament for consideration.

I thank all the members who have made contributions in this Chamber to the take-note debates on digest reports during the past year. Although members are of different political persuasions, we are generally in agreement in the production of our reports. We also value the contributions of other members in take-note debates. I trust that over the past year the digest reports were of assistance to members, and I look forward to participating in their production in the future. Hopefully the digests will continue to help inform members when debating bills by identifying any potential undue trespasses on personal rights and liberties.

Mrs JUDY HOPWOOD (Hornsby) [11.39 a.m.]: I will make a brief contribution to this debate on the Legislation Review Committee reports entitled "Legislation Review Digest No. 1 of 2010", dated 22 February 2010, and "Legislation Review Digest No. 2 of 2010", dated 8 March 2010. I make particular reference to the Housing Amendment (Community Housing Providers) Bill 2009, which is dealt with in "Legislation Review Digest No. 1". The consideration of legislation demonstrates the important role of the Legislation Review Committee.

In my electorate, community housing is at the forefront of the economic stimulus package funding, which has resulted in the purchase of a block of land and a proposal to build 66 units in College Crescent Hornsby. The Hornsby Homelessness Task Force, a group of very committed people who have been meeting since about June 2008, see this as a massive step forward. Any legislation that enables the tightening up and maximising of community housing is extremely important. The Hornsby Homelessness Task Force has made a tremendous contribution. At our last meeting we elected Maggie Farago, who has experience with Garigal Housing, with the Salvation Army, with Mission Australia and with Centrecare, as our chair.

We are moving forward in leaps and bounds, in concert with many stakeholders, including Hornsby Shire Council. As I said, Mission Australia has a representative along with St Vincent de Paul and the Salvation Army. The Dish is a project of St John's Uniting Church at Wahroonga and Turrumurra. We have made contributions to the regional planning workshop that was recently held—Maggie Farago attended that—and we made a submission to the Sydney coastal committee, which is where Hornsby fits in. That is an important contribution to reducing, if not ending, homelessness in the Hornsby area.

I will now refer to the Legislation Review Digest No. 2 and speak about the Crimes Amendment (Police Pursuits) Bill 2010. Before making any comments relating to the legislation I express my sincere condolences to the family of Skye Sassine. Nothing could be worse than losing a baby under any circumstances, let alone as a result of an accident related to a high-speed chase. I commend the bipartisan nature in which debate on this legislation has ensued. The amendment that was introduced this morning and agreed to is very welcome indeed. I place on the record my support for police generally and my support for my local police who work extremely hard, often under very difficult circumstances with limited resources.

We on this side of the House are very aware of the work of our police and we try to work alongside police officers in trying to solve some of the most difficult crimes. Again I alert the House to the auction of the Berowra police station. It does not help community relationships with police officers when their visibility is much reduced. The Legislation Review Committee has made a valuable contribution, which has been well described by our Chair, and I commend these digests to the House.

Question—That the House take note of the reports—put and resolved in the affirmative.

Reports noted.

The DEPUTY-SPEAKER: Order! Debate on committee reports having concluded, the House will now proceed to private members' statements.

PRIVATE MEMBERS' STATEMENTS

GUMLY GUMLY HALFWAY HOUSE

Mr DARYL MAGUIRE (Wagga Wagga) [11.43 a.m.]: I raised in this House some time ago the heavy-handed action of the Department of Corrective Services when it chose to relocate without warning its office from Gurwood Street to Peter Street, which is less than 150 metres from a public school. At that time the department gave no warning to anyone. It made a phone call to the local council to inform the council that it was doing that. When I raised the matter with the local police superintendent it was news to him that the department was moving and everyone I spoke to was uninformed about this action. I made various inquiries and put questions on notice to the Minister. Ultimately that resulted in the department putting in a development application, as any other citizen or business would have to. There are serious issues relating to this relocation. One of those is the lack of consultation with the community on which it was about to impose this parole service.

The same thing has happened again. Just a few weeks ago the department in its wisdom decided to create a halfway house for prisoners at the Allonville Motel, Gumly Gumly. A development application was

loded without consultation. No-one in the immediate district was spoken to about this. On being notified of the development application the community got together and within two days more than 100 people attended a public meeting. They were concerned with the location of the Allonville Motel, which is between Forest Hill and Wagga Wagga. It has no surrounding community and lacks regular transport. No health and welfare facilities are available and no sporting facilities are available. I understand it was said at a public meeting that the facility was chosen because it is appropriate. I suggest it is not appropriate and it has been chosen because it was there, not because it fits the needs of the prisoners.

I am told also that not only male prisoners from Junee and elsewhere will be accommodated there, but also women prisoners from Emu Plains will be able to use the facility. We do not have a women's jail. We have the prison at Junee, which is about 30 minutes to the east. There are a lot of problems with this proposal. It has not been thought through properly. That was quite evident when a representative from Corrective Services attended that public meeting at my invitation. A series of questions was put to Ms Downes, and the answers received were far from convincing. It is intended to house up to 30 parolees in this complex. When public transport was raised, the suggestion was that they will have to catch the school bus that travels from Forest Hill to Wagga Wagga. Parents are up in arms about this. Parents are concerned, and rightly so. I said to the bus company that if this development goes ahead, if it is approved under government legislation, which, according to some opinions, council cannot refuse, the bus should not pick up passengers other than school students and the company would have to look at putting on a separate service. Indeed, Ms Downes also said that that would have to occur, such was the concern about that issue.

There is a Clayton's curfew, meaning it is a curfew but not a curfew. There is a policy of no drugs or alcohol but no screening of visitors. There are no security or room checks, and only personal assurances that sexual offenders are not eligible for accommodation. There are also other issues of mental illness, access to appropriate medical treatment, and so on, as well as job markets and the need for released prisoners to mix with the community. I always understood that rehabilitation was about giving prisoners the opportunity to make amends and integrate with the community. This facility is located outside all communities. Accommodation around it is sparse—farmhouses, et cetera—but it is in the wrong place because it was the only place available. It does not suit the needs. I believe the availability of the motel encouraged the authorities to make this inappropriate decision, and I call on the Minister to reverse it.

SYLVANIA WATERS TRAFFIC STUDY

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [11.48 a.m.]: Members will recall Sutherland Shire Council's shameful backflip on its earlier decision to consider a reopening of Sylvania Waters to through traffic at the Box Road and Port Hacking Road intersection. The proposal had the strong support of Miranda police and Highway Patrol officers, who are constantly booking offenders at the intersection, and of community members who have serious concerns about road safety at that intersection. Yet, despite a previous traffic committee recommendation, despite having responsibility for Box Road and despite collecting \$3 million annually in parking fines, our council refused to spend even one cent on a traffic study. Our elected council simply refused to consult the shire community and generated unfounded fears about the return to the 1970s rat runs through the area.

Following my personal representations to the Minister, the Roads and Traffic Authority [RTA] carried out a thorough assessment of the likely traffic impacts of reopening the intersection to through traffic. The RTA undertook extensive community consultation and produced a report on the proposal. What does the report show? It shows that 84 per cent of the 683 residents and businesses that responded to the RTA survey favour the reopening; that, on average, one vehicle crosses the intersection illegally every 4.3 minutes in the morning peak and every 5.6 minutes in the evening peak; that police and the New South Wales Fire Brigades favour the reopening; and that, unlike in the 1970s, many traffic-generating facilities now exist in Sylvania Waters. The report also identified measures that Sutherland council could implement to mitigate any negative impacts and improve traffic flow in the area.

In December last year the Minister sent the Roads and Traffic Authority report to the council for comment. After three months in bureaucratic limbo the council advises that it will consider the report at its meeting on 22 March. In the meantime motorists continually break the law, frustrated motorists from west of the shire are travelling kilometres out of their way to reach Sylvania Waters, and there have been many near misses at the intersection. One near miss was reported in the *St George and Sutherland Shire Leader* of 2 March. In the article Jannali resident Gwen Nay said, "I believe I could have been killed." In her support to change the intersection she said:

"What this intersection needs is a token death."

Let us hope that does not happen. Residents and I fear that will be the result if council continues to sit on its hands and does nothing. Do we need a fatality or serious injury for this recalcitrant council to improve road safety at this dangerous intersection? Shire mayor, councillor Lorraine Kelly, must show the same leadership on this issue as she is demonstrating currently on the proposed infrastructure levy. Councillor McCallum, chair of the traffic committee, now has the opportunity to show that he is a true independent, despite distributing the same pamphlets as the Liberals. I respect councillor McCallum, but he must stop responding to residents' emails about the intersection with ridiculous comments like, "The RTA survey is flooded [sic] because Barry Collier wrote to his constituents and encouraged them to respond to the RTA survey" or "people from Jannali and Bonnet Bay have little to do with the intersection" when he lives at Bonnet Bay and has attended the same soccer functions as I have at Doltone House in Sylvania Waters.

It is important that councillor McCallum and councillors Buttigieg and Hargrave from C Ward understand that they do not represent only the residents of Sylvania Waters. Half of their constituents reside west of Port Hacking Road and are affected by traffic events at that intersection. Whatever label they give themselves this week, councillors Johns, Shreiber, Gibbons, Simpson and Redmond should direct their minds to this important road safety issue and not be swayed by the views of prominent Liberal pre-selectors who live in Sylvania Waters. Councillor Mark Buttigieg could at least return calls and respond to emails from C Ward constituents on this issue. I trust that shire watch councillors, the deputy mayor and councillor Blight will also exercise their independent judgement, as I am sure will A Ward councillor Reverend George Capsis. This intersection issue affects the whole community, not just the residents of Sylvania Waters, and it will test the metal fibre of our councillors. As I have said many times, the shire does not begin, nor does it end, at Sylvania Waters. I remind councillors of the immortal words of Edmund Burke to the electors of Bristol in 1774:

Your representative owes you not just his industry, but his judgement; and he betrays you, instead of serving you, if he sacrifices his judgement to your opinion.

In considering the proposed Roads and Traffic Authority report and the proposal to reopen Sylvania Waters to through traffic to remedy a dangerous traffic situation, let us hope those councillors show some political backbone and heed Edmund Burke's words.

Mr MATTHEW MORRIS (Charlestown—Parliamentary Secretary) [11.53 a.m.]: I congratulate the member for Miranda on bringing this matter to the attention of the House. We all appreciate the range of traffic issues within our respective electorates. Clearly, the presentation of the member for Miranda demonstrates that something needs to be done. The community and its local member are frustrated that its council is not taking a proactive step to deal with the traffic issues, particularly at the specific intersection identified. With the support of emergency services and the recognition of the range of traffic safety issues we can only support the call by the member for Miranda for council to take action in the public interest to get the problem sorted out at that intersection.

BOVINE JOHNE'S DISEASE

Ms KATRINA HODGKINSON (Burrinjuck) [11.54 a.m.]: I have spoken in this place on many occasions about the way ovine Johne's disease was handled so disastrously by the State Labor Government. I would have hoped that the Government had learned its lesson, but a situation has developed among beef breeders in and around the electorate of Burrinjuck that shows again that the State Labor Government just does not understand the livestock industry. I refer to the Government's handling of reports of possible bovine Johne's disease infections. This is the second occasion I have had to raise the mishandling of bovine Johne's disease cases. I have been approached by two highly respected veterinarians, Dr Peter Gibbs formerly from Yass Veterinary Hospital and Dr Rob Churchill from Crookwell Veterinary Hospital. They have spoken to me about the way this disease is being handled and also about what can be described as the rude and aggressive actions of an officer.

Before I go further I congratulate Yass Veterinary Hospital on becoming the only practice in Australia to be twice recognised with an industry award for excellence in customer service. The hospital will receive the Practice of Excellence Award during the Australian Veterinary Association Annual Conference in Brisbane this May. The Principal of Yass Veterinary Hospital, Dr Stuart Williams, said that this award serves as fitting recognition of the major contribution of his former business partner, Dr Peter Gibbs, to the practice and the community. I am sure all members present will join with me in congratulating Yass Veterinary Hospital on this outstanding achievement.

I return to the subject at hand and the particular incident, which involves a Murray Grey herd at Yass. In 1998 a bull in the particular herd was confirmed to have bovine Johne's disease. The herd status was assessed

by the Department of Agriculture and found to be bovine Johne's disease free and was returned to the bovine Johne's disease Market Assurance Program at the highest status of MN3. In 2003 one or more animals on the same property again were identified as being infected with bovine Johne's disease, but the then Department of Primary Industries decided to reassess the herd as bovine Johne's disease free and again returned it to the Market Assurance Program at MN3 status. In 2007 one or more animals on this property again was identified as being infected with bovine Johne's disease. This time the herd was quarantined.

However, it was not until March 2009 that the department notified other Murray Grey herd owners that they might have purchased infected cattle from this particular property up to nine years ago. As a result of this incompetence many of the innocent parties who purchased the affected stock in good faith, trusting the Market Assurance Program, have now learned that their herds are in quarantine. They can sell their stock only for slaughter and are unable to trade. These farmers are under a great deal of stress. Facing trade restrictions, with no disease confirmed and after much testing they are unable to clear their herds from quarantine. The inequity is further compounded as many beef herds have never undergone testing and the buying and selling of these untested herds is carried on freely.

The incompetent disease management and poor decision-making for the past 11 years by the department now known as the Department of Industry and Investment has had a devastating impact on many producers. I have raised the concerns of Dr Gibbs, Dr Churchill and some farmers in questions I have placed on notice and also in representations to the Minister. The uniform response I have received is that the Government will admit to no error or the possibility that its testing regime or the Market Assurance Program is anything less than adequate. I have been informed also of at least one incident when an 80-year-old lady was so significantly intimidated by the actions and rude behaviour of livestock inspectors that she suffered what can only be described as an anxiety attack lasting several minutes. Two other people present at the time witnessed this incident.

Despite providing statements to Minister Kelly, he responded that the officer concerned had been cleared of any wrongdoing. However, the major problem remains the enzyme-linked immunosorbent assay [ELISA] test for bovine Johne's disease. In response to a question I placed on notice the Minister admitted that the ELISA test has sensitivity of no more than 30 per cent on an individual basis. He further stated that in a herd of more than 155 head the test provides a 76 per cent confidence result that it would detect an infected animal if at least 2 per cent of the adults in that herd were affected. He then said the test is less sensitive in small herds and is not used as an individual animal test. However, I have correspondence stating that the ELISA test has been used on some herds with fewer than 55 head.

I know that you, Mr Acting-Speaker, have taken an interest in this issue in the interests of your electorate of Lismore. This situation is of grave concern to the industry, particularly given recent moves by the Federal Government to allow beef imports from countries known to have had bovine spongiform encephalopathy outbreaks. Currently, the Federal Government has backed down from this proposal. Let us hope it does not revisit it in the future. With the risk of imported diseases entering Australia increasing, surely it is more important that the Department of Industry and Investment is on its toes regarding disease management. The Minister must first accept that his regime is flawed and then seek to actively correct it before the system faces the challenge of a more dangerous disease.

TELOPEA REDEVELOPMENT

Ms TANYA GADIEL (Parramatta) [11.59 a.m.]: Today I draw to the attention of the House the urban renewal proposal of Housing NSW for Telopea in the electorate of Parramatta. The Government has identified the social housing estate of Telopea as unsuitable to meet its current and anticipated needs. The bulk of the existing properties are between 30 years and 50 years old. Some properties were built consistent with 1960s public housing planning and design. They are a combination of bedsits and two-bedroom and three-bedroom walk-ups that are unsuited to the elderly and the disabled. Therefore, Housing NSW has undertaken to provide major investment in the area through an urban renewal project.

The Telopea urban renewal project is a \$600 million proposal to renew the Telopea estate to encourage a greater social mix of private and social housing dwellings. Whilst the three high-rise buildings will be retained, most of the existing dwellings will be rebuilt and the overall social housing allocation in the area will be increased to approximately 600 properties. At the same time an additional 1,400 dwellings will bolster private housing in the area to meet regional demand and build stronger communities in the area. The first stage

of this development will focus on improving the existing social housing stock with new medium- and high-density properties. These new properties will be in the form of adaptable housing, that is, they will be wheelchair accessible and infinitely better suited to the needs of the elderly and those with disabilities.

There is no question that the updated housing will substantially improve the quality of life for Telopea social housing residents. Also, I have had talks with Housing NSW about developing a local allocation strategy to ensure that the appropriate mix of people live in the area. As the local member, I am particularly pleased about the benefits that this project will bring for businesses in the area and the boost it will potentially provide to enrolment numbers at Telopea Public School. That is why it is so important that Housing NSW gets this right. We need more young families in the area.

I note that some in the Parramatta region have raised concerns about the proposal and made a number of irresponsible and untrue claims about it, including the shadow Minister for Planning, Mr Hazzard, when he visited a few weeks ago. I met with Housing NSW officials late last year to discuss the concerns that had already been raised. The plan, as it stands, is consistent with the proposed draft Parramatta City Council local environmental plan that was endorsed on 23 March last year. Housing NSW has been working with council to ensure that the plan is consistent with its long-term vision. It will also assist Parramatta City Council in meeting its housing targets in the Sydney Metropolitan Strategy.

Further, Housing NSW will continue to work with council to address the provision of public benefit, services and infrastructure in its concept application that I understand has been submitted to the Department of Planning. With respect to concerns about the time frame, residents can be assured that this is not a straight out demolish and rebuild job. Current residents will not be thrown out onto the street. They will be relocated whilst the new dwellings are built. It is a gradual plan, with a 15-year time frame, designed to limit the impact on residents, improve social housing available in the region and lift the area's sense of community. Existing tenants are currently in discussion with the Housing NSW client service team and will be given priority when being relocated.

Finally, on the question of consultation, Housing NSW has been very active in engaging with residents and the community to gauge their views and ensure that the plan addresses their concerns. Consultation sessions were held late last year for residents directly affected and the local community and were just the first of many. The Minister for Housing and I met also with some concerned residents and businesspeople. We resolved that a committee be established so that the issues can be worked through and raised directly with the Government. Consultation will be key to the development and implementation of the project. Local residents can feel confident that their voices will be heard. I will closely follow this project as it evolves and encourage anyone with concerns to raise them directly with me so that I can ensure that they are aired and dealt with. [*Time expired*].

Mr MATTHEW MORRIS (Charlestown—Parliamentary Secretary) [12.04 p.m.]: I congratulate the member for Parramatta on raising this matter. All members would realise that significant housing work is being undertaken across the State, which is good news for many reasons. Today we heard about the program of works for Telopea. It is pleasing to hear about the replacement of old stock and removal of properties that no longer reflect people's needs. The upgrade at Telopea is providing improved facilities for people and achieving a better mix of social and private housing. This allows other support services, such as schools, to grow and that too is refreshing.

We hear many good news stories about housing projects around the State and I am pleased that the member for Parramatta has taken the initiative to engage Housing NSW in the process because that is important in all these projects. It is paramount to get the right mix of people and provide the right style and form of housing to reflect people's needs. I congratulate the member for Parramatta and wish her well in her endeavours. I urge her to keep up the good work in her dealings with Housing NSW.

KU-RING-GAI PLANNING

Mr JONATHAN O'DEA (Davidson) [12.06 p.m.]: I last spoke in this place on 27 November 2009 about matters relating to overdevelopment in my local area. As indicated then, the fight continues against the unreasonable intervention by this Labor Government in Ku-ring-gai Council planning issues, resulting in enormous pressure on ageing infrastructure, the environment and the heritage of the Ku-ring-gai area. The people of the Ku-ring-gai area overwhelmingly expect a more balanced approach to development in the area and for the New South Wales Government to honour the 10,000 new dwellings target agreed pursuant to the

Metropolitan Strategy. In good faith I have estimated the number of dwellings built, approved or allowed for at about 14,000, which is 40 per cent above the agreed target, after allowing for appropriate take-up rates. Some people have estimated much larger dwelling numbers.

Despite numerous petitions, protests, printed submissions and personal appeals regarding the draft town centres local environmental plan, the Government-appointed planning panel and the State Government have not listened properly. However, as previously mentioned in this place, the then Minister for Planning finally agreed to calls for an independent report on the numbers and methodology used. An organisation called Treadstone was appointed to conduct it. However, rather than the completed Treadstone report providing clarity and certainty for the future, it increased concern and uncertainty. While acknowledging that more than 5,000 new dwellings had been approved since 2004, it erroneously suggests that current plans would allow for only another 5,000 dwellings over the next 20 years. The Treadstone report contained errors in its approach, ignored various concerns over previous methodology and excluded reference to sites such as the Sydney Adventist Hospital site, despite such matters having been highlighted in this place and elsewhere.

The recent ministerial response to parliamentary question No. 8950 confirmed that the author of the Treadstone report did not consult community groups and local members of Parliament, who had expressed substantial concerns about methodology. Rather, as the Minister acknowledged, local developers and development industry professionals were consulted, including those involved in preparing, assessing and implementing development applications. While that is astounding, worse still is that the Treadstone report used views of local developers and the development industry to make even more conservative assumptions in order to justify planning for overdevelopment. One might as well survey developers as to whether they would like to make more money. The so-called independent report process was shamefully abused to change the numbers, methodology and perceived yields, while continuing to ignore various development sites. This prompted me to lodge a freedom of information application seeking documentation related to the Treadstone report, as something smelt very bad to me.

Given the urgency, I personally delivered the application to Governor Macquarie Tower, which houses the Department of Planning, on Monday 9 November 2009. In making and pursuing this freedom of information application I have been required to send four separate cheques on four separate occasions over four months. Cheques have been required for an application fee, an advance deposit, a further advance deposit and then a further processing charge. While partial access to documents has been foreshadowed, I have still not received a single document after four months and four cheques. While I acknowledge that some third-party consultation was required, this process has been unacceptable.

Why has it been necessary to repeatedly send cheque after cheque, and why has the response to the freedom of information application taken so long to address? It is clear there is an urgent need for an information commissioner who has the power to ensure, among other things, that public information is made available in a timely manner. Under former Premier Rees the New South Wales Labor Government announced that it would appoint an information commissioner, but we are still waiting. As the *Sydney Morning Herald* editorial stated on 29 December 2009:

The failure to fill the position of information commissioner, recommended by the Ombudsman in a report in February [2009], as part of a broad revamp of freedom-of-information laws, is ominous.

... go-slow tactics are standard bureaucratic procedure where a policy goes against the interests of the public service.

Kristina Keneally ... would have a better chance if she matched her predecessor's enthusiasm for genuine freedom-of-information reforms which put the public interest, not Labor's interest, first.

What is the reason for the long delay in establishing this important new position? I can say from personal experience gained from lodging the freedom of information application to which I have referred that establishment of the position is desperately needed. The longer the Government stalls on all fronts, the louder the questions will become. Many people, including people in my local area, believe they have been ignored for too long and that the only hope of a genuine hearing and proper process is with a change of government in March 2011.

HAWKESBURY SKILLS INC. SECRET GARDEN

Mr ALLAN SHEARAN (Londonderry) [12.11 p.m.]: I inform the House of the pleasure I had in being able to announce a one-off grant to assist Hawkesbury Skills Inc. in maintaining its operation and management of what has become known locally as the Secret Garden. I first became aware of this garden when

I was approached a number of years ago by Hugh McKinnon, who was then responsible for the garden. At that time Hugh managed the Food For Thought Program on the site of the Hawkesbury Western Sydney University campus whose garden and nursery provided disability support program services for people with a disability and mental illness in western Sydney.

At that time this valuable learning resource known as the Secret Garden catered each week for up to 40 people with medium to high needs. The garden covers nearly two hectares of open air and covered plant nurseries. Essentially, the program provides an opportunity to learn all aspects of running a plant nursery and a public garden, including growing and selling produce. Unfortunately, sales of plants at the nursery are not enough to maintain its ongoing operations, and the program was facing financial difficulty. Accordingly, Hugh sought my assistance. After my successful lobbying of the then Minister for Disability Services, the Hon. Kristina Keneally, arrangements were made in July 2008 for a grant to help maintain the garden's operations.

Roll on to 2010 and, while there has been some change in personnel, the battle for survival for the Secret Garden continues. Late last year there were some rumblings that the garden again was under threat. A quick telephone inquiry revealed that the garden had to make some serious decisions to ensure its ongoing operations would continue. At this stage I should mention that the garden is a special place for many people in the Hawkesbury, ranging from the local community to local councillors, such as Christine Paine, local community radio identities, such as Hawkesbury Radio host Brian Edmonds, and local services clubs.

Last month I was informed by Peter Ford, the vice-chair of Hawkesbury Skills Inc., that the situation relating to the garden again had become quite desperate: in fact, he told me it faced closure within two weeks if an income stream could not be developed. Alarming, this would have led to employed staff being given appropriate notice, and the garden would have had to cease its operations. I was advised that under the terms of the lease with the university, the land would have returned to its original condition—bare paddocks. This would mean that the buildings would be removed, the garden beds would be ripped out and livestock relocated.

"What a difference a day makes" is a common expression, and that certainly is the case in this instance. I inform the House that one of the local clubs, the Richmond Club, responded to the call for assistance and committed to a donation of \$18,000. Members may recall a private member's statement I made last year about this club, its chief executive officer, Kimberley Talbot, and their involvement in the Hawkesbury Living Nursing Home. This involvement, under the leadership of Kimberley Talbot, demonstrates how clubs can play an extremely important role in our community. Once again, we are acknowledging Kimberley and her club's invaluable assistance.

But it did not stop there. Earlier I mentioned the involvement of Kristina Keneally. As she had personally visited the Secret Garden, I again lobbied her for assistance. The Premier recalled her visit and promptly asked the current Minister for Disabilities, Paul Lynch, whether he could help out. I am delighted to report that last Monday I was able to deliver a cheque for \$10,000. The \$10,000 funding boost will help the disability support program run by Hawkesbury Skills Inc., Food For Thought, to continue to provide services for people with disabilities in western Sydney.

In explaining why this grant is so important, one has to appreciate that the Secret Garden and its nursery is far more than just the average plant shop. As I mentioned, it runs the unique Food For Thought Program, which provides a stimulating and educational workplace experience and meaningful activities for local people with a disability. In announcing the funding, Minister Lynch recognised that:

[The] Food For Thought program promotes community capacity in the growing and marketing of bush tucker, and other foods and provides a valuable learning resource for people with a disability and mental illness.

My delight in this grant will be shared by the following client organisations that would have been affected if the garden had been forced to close. They include the Cherrywood Village, the Nepean Area Disabilities Organisation, Blue Mountains Disability Services, North West Disabilities, McCall Gardens, Flintwood Disability Services at Westmead, New Haven Farm Home Ltd, Bridges Disability Service, disability services at Blacktown, Sunnyfield Independence, and a number of individuals. In conclusion I wish Peter Ford and Hawkesbury Skills Inc. every success in the future. The battle is not over yet, but with the assistance of this one-off grant along with the support of the Richmond Club, it has gained some breathing space. I just hope it will be enough to ensure a successful future for the Secret Garden.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [12.16 p.m.]: I thank the member for Londonderry for bringing to the attention of the House the Secret Garden, for reminding us of the importance of

that facility to the whole community, and for his continuing support for the garden. I also congratulate community members, such as members of the Richmond Club, the Premier and the Minister for Disability Services on their continuing support for a truly important part of the Londonderry community

NATIONAL LIVESTOCK IDENTIFICATION SYSTEM

Mr THOMAS GEORGE (Lismore) [12.17 p.m.]: I inform the House of a problem brought to my attention by Ron Chittick, the licensee of Bishop and Company, regarding a recent breach of clause 23 of the Stock Diseases Regulation 2009. Members may not realise that under the National Livestock Identification System [NLIS] every head of cattle and sheep must be identified and each animal must be fitted with a tag that can be read by a scanner. Accidents happen and problems occur whereby animals lose their identification tag. Regardless of whether the tag has been accidentally lost or not properly fitted, the loss of a tag creates a problem when an animal is taken to the abattoirs or to the saleyards.

One of the employees of Mr Chittick mustered and tagged the animal on a property of one of Mr Chittick's clients. Agents muster and tag animals as part of the service they provide to their clients and to assist producers. During such a process, an animal can easily miss being tagged. Livestock Health and Pest Authorities carry out surveillance of animals at saleyards. When the animal was sold the agent was held responsible for its not having a tag. On the day after the sale the agent received notification from Industry and Investment New South Wales under the heading, "Breach of Stock Diseases Regulation Clause 21 Unidentified Cattle Sold at Saleyard". That notification provided details of where the animal was sold and who owned it. The nature of the breach states, "That your company sold cattle that were not identified with a permanent identifier (NLIS device)." The notification also stated:

I am obliged to officially warn you that, if you commit a further offence in relation to the identification of stock, you will be issued with a penalty notice of \$550, or may be prosecuted for which the maximum penalty is \$11,000.

Admittedly the Department of Industry and Investment withdrew that letter the next day. If this is the way the industry is to be treated by the Department of Industry and Investment, there needs to be a rethink of how we can properly control this. I declare my interest in the matter. Members well know that I have been a stock and station agent for most of my life. I can assure members that when an agent is handling the numbers of cattle that go through saleyards it is very hard to pick up whether or not an animal has a tag in its ear. For the agent to be held responsible simply amounts to blaming someone else in the chain. An inspection mechanism needs to be put in place, whether by the Livestock Health and Pest Authority or other body. In my day the authority used to be at the saleyards and would religiously check every animal. But now that is not happening.

I intend to urge the Minister to encourage the Livestock Health and Pest Authority to provide inspections of these animals, and ensure that the animals are not sold without the identification tag. That is what used to happen in my day. The system that if an agent happens to bypass a tag or miss picking it up and then it becomes the responsibility of the agent who may be threatened with a \$550 fine, or prosecuted with a maximum penalty of \$11,000, is just a disgrace. For this scheme to be successful, everyone in the industry has to work together. It is no good threatening one part of the industry. If the buyers happen to process an animal without a tag and they get threatened, they will not turn up to the cattle sales. Unless the whole industry is working together, this scheme will not be a success. The identification scheme is a very, very important part of the industry.

KAZAL FAMILY BUSINESS INTERESTS

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [12.22 p.m.]: For the attention of my constituents, an article appears in today's *Sydney Morning Herald* titled "Foreshore property deals rock the boat", authored by journalist Paul Bibby. The article focuses on the management of the Sydney Harbour Foreshore Authority, which I make no comment about. The article then bizarrely goes on to mention the Kazal family who have had business interests in the Sydney Rocks area for more than 20 years. I want to make it clear that I have known the Kazal family through association with community functions in my electorate for around 14 years. They are a hardworking migrant family who have done it tough to achieve the business success they rightly deserve. They have gone through the hard slog that so many other migrant families have gone through to make Australia what it is today—they form part of the backbone of Australia.

This article amazes me. It is one of several other articles published by the Fairfax press—one in December 2009, another in mid December, another in late January this year, and a further article in February this year. I do not know what Fairfax is seeking to achieve. We should do what we can to ensure that

management in every area is doing its job properly. The Kazal family is unfairly and unreasonably under siege. I understand that it has been smeared by its commercial rivals. After reading the article in today's newspaper it is easy to see that other business interests are having a go at the family. That is not fair. It is not reasonable, and it is not Australian.

In my view and in the view of Coalition members, other members and colleagues who have had contact with the family, nothing could be further from the truth in terms of the way the family has operated its business. This family has not been treated favourably. This family has fought honourably for everything it has achieved. The family is a credit to the State. I am advised that the Kazal family operated in The Rocks for more than 20 years and has invested more than \$10 million in the process during that period. I am assured that all of their developments are of the highest quality, with heritage values always maintained and, importantly, enhanced.

I understand that the Kazal family, as previous tenants of the property at 100 George Street, was entitled to renegotiate a new lease. The renegotiation process was totally transparent. In fact, after the *Sydney Morning Herald* published its initial article the Minister for Lands commissioned an independent inquiry. I understand that the Independent Commission Against Corruption also commissioned an inquiry. Both inquiries found that there was absolutely no basis for the allegations made in some articles in the Fairfax press.

The Sydney Harbour Foreshore Authority undertook much-needed restoration works to ensure the heritage integrity of the building at 100 George Street and to improve its rental potential. This procedure has been common practice in The Rocks precinct for a very long time. In other words, the Kazal family has ticked every box, and more. The family has followed the criteria rigidly. Its acted in a transparent manner and it is accountable to the public. Originally, the Kazal family had a restaurant in the building. The article in today's *Sydney Morning Herald* seems to suggest it was a little pizzeria: that it was a tiny nook and cranny in the building when it was actually the entire ground floor.

Under the new lease, based on the business plan and projections, I understand that the authority will receive close to \$1 million a year in rent. That is not bad at all! Anyone who reads the article in today's *Sydney Morning Herald* would think the tenancy was almost for free. As I understand it, that is considerably more than the authority was receiving in rent previously. The Kazal family has advised me that it has already spent more than \$4.5 million on the site and is committed to spending another \$5 million to further enhance the site, whilst at the same time recognising its traditional heritage value and opportunity for tourism. The article in today's *Sydney Morning Herald* mentioned that the site is a potential nightclub. It is not. I am advised it is an entirely different situation. It is unfair and unreasonable for such assertions to be made without accurate facts to support them.

The article mentions a donation of \$3,700 to me as a Labor Party candidate. That occurred, as I understand, back in 1999—not yesterday, and not a week ago. This is unfair. The Liberal Party has received similar donations; in fact, it has received much more. Importantly, Fairfax press has donated tens of thousands of dollars to political parties. That does not mean Fairfax press is subject to these sorts of allegations; it does a great job in terms of reporting. I hope this is understood in that light.

FOOD ACCESS

Ms GLADYS BEREJIKLIAN (Willoughby) [12.27 p.m.]: As members of this House would know, the residents of the Willoughby electorate would feel very lucky living so close to the Sydney central business district but at the same time we care very much for our urban environment and environmental issues. Late last year a number of constituents from the Willoughby electorate participated in the Sydney Food Fairness Alliance declaration. In particular I acknowledge Councillor Lynette Saville of Willoughby City Council, who brought the declaration to my attention, invited me to be part of the proceedings and the discussions regarding sustainability and food management, and asked that I raise this issue in the House.

Having considered the issue and having considered the declaration and the importance people place on healthy and sustainable lifestyles, I am pleased to bring to the attention of the House the topics that were discussed at the Food Summit 2009. The theme of the summit was "Hungry for Change: Shaping food policies that are fair and sustainable". As all of us become more and more aware of our personal responsibilities in relation to living sustainably and healthily, it is important that we take note of such dialogues that happen across our State because of passionate and committed people who believe they have a cause that needs to be aired and that the public need to be aware of certain issues.

The declaration from the events of the Food Summit, which was held late last year, includes the following themes: planning for food, ensuring sustainable food production and distribution systems, securing access to good food for all, safeguarding future food and future health, and ensuring quality food in society. I understand that one of the motions passed in relation to the Food Summit called on the State Government to "respond to widespread community concern about the future of our food security and to initiate a partnership with non-government organisations, local governments, business and community to develop a comprehensive and integrated food strategy, together with policies to implement the strategy, based on the following principles". Some of the principles espoused at the Food Summit were that all people have the right to adequate amounts of safe and nutritious food to promote and maintain health without the need for emergency food relief, which is certainly the case; and the provision of healthy food needs to be valued and planned; it cannot be left to market forces alone.

Other principles are that all levels of government need to consider the impact of their policies on food systems; policies on income, employment, housing, health and transport should incorporate food access; permanent protection of fertile agricultural land is fundamental to good planning; it is necessary to conserve essential ecosystems, especially biodiversity, soil and water; we must minimise the carbon footprint of food production, transport, manufacture, storage and distribution; and reuse and recycle waste; innovative strategies that ensure food security and sustainable food systems must be priorities of government and communities, and new technologies should be approved only following thorough testing and assessment against a sustainability and health impact framework. These principles formed the basis of the declaration made by the committee on these issues.

I am pleased to make members aware of those issues. Many people in the Willoughby electorate and across New South Wales feel strongly about having access to healthy food and natural food products. We must ensure that there is food accessibility throughout the State. We must promote community involvement in organic markets, as we have in Chatswood, and garden markets. People in many communities across the State, particularly those in inner-city areas who may not have ready access to the same levels of fresh produce as others, are taking a passionate and involved approach to these issues. I thank the people in the Willoughby electorate who drew my attention to the food summit. I am pleased to put on record the principles outlined at the summit, the issues raised at the summit and the issues the Sydney Food Fairness Alliance believes should form part of any future government's agenda in relation to access to healthy, fresh, clean, accessible food.

SHELLHARBOUR SPORTS STAR AWARDS

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [12.32 p.m.]: The Shellharbour Sports Star of the Year awards are one of the State's longest-standing sports awards, with a history going back more than 35 years. Recently I had the pleasure of attending the thirty-sixth annual sports star of the year awards presentation dinner at Shellharbour Workers Club on Friday 5 March. With Shellharbour's sporting community, I acknowledge the outstanding achievement of the local athletes, teams and coaches. I take this opportunity to acknowledge the hard work of the volunteers who were responsible for organising not only the presentation dinner but also the awards. The committee comprised the chairperson and life member, Don Briggs, Maree Lackenby, Kevin Docherty, Joan Hudson, John Leedham and Kevin Moore. Also deserving of mention are life members Mr Ron McIntyre, Mr Farmer, Mr John O'Dwyer and Mrs Mary Marley.

These awards would not be successful without the support of the major sponsors: Shellharbour City Council and Cleary Brothers. A number of minor sponsors also support the sports star of the year awards: Oak Flats Sport and Recreation Club and the Oak Flats Community Bank, Bendigo Bank. The sports fund management committee works tirelessly year in and year out to ensure the continued success of the awards. The fund makes a contribution to the sporting costs of young athletes in the Shellharbour local government area. The thirty-sixth annual sports star of the year awards recognised several local champions, including young Hockeyroos star Casey Eastham and Olympic kayaker David Smith, both of whom took the top prize.

Shellharbour has a rich sporting history, with many champion athletes and teams emerging from the area to go on and become sporting icons, both at a local level and nationally. The award winners on the night included a range of previous winners, as well as some new entrants. As I said, the main award, the Shellharbour Workers Club Trophy for sports star of the year went to Casey Eastham in hockey and David Smith in kayaking. The Tom Strong Memorial Trophy for junior sports star of the year went to Maddison Prior in kayaking. The Chromax Max Cohen Trophy for junior sports team of the year went to Warilla Barrack Point Surf Life Saving Club under 19s male surf team, which included Ali Day, Hayden White, Ben Prior, Scott Smith and Jacob Helson.

The Warilla Bowls and Recreation Club Trophy for veterans/masters sports star of the year went to Kerrie Nealon. The Nealon family is very involved in hockey in Shellharbour local government area. A new award category was added this year as a result of the success of our local Paralympians. Brett Stibner, a resident of Oak Flats in the Shellharbour local government area was a member of the Australian Paralympic wheelchair basketball team that won a gold medal in Beijing. Last year he noted that there was not a specific category for athletes with a disability. The inaugural award for an athlete with a disability went to Nicholas Scott for wheelchair basketball. Nicholas' parents, Lisa and Nathan, were proud of their son's achievement, and it was lovely to see them there that night.

The Lake Times Trophy for open sports team of the year went to the Oak Flats Albion Park gymnastics and acrobatics international 12-19 women's pairs, Shelby Lacey and Molly Hanrahan. The 2009 amateur coach of the year was Mino D'Egidio for the Oak Flats junior soccer club's under 13s. All the award recipients and former winners of these prestigious awards have joined a great list of wonderful athletes. Previous winners include cricketers Brett and Shane Lee and bowler Karen Murphy, as well as wheelchair basketball Paralympian Brett Stibner, who has also been awarded the key to Shellharbour city. The awards not only recognise the athletes; they also recognise the people who assist the athletes to reach the pinnacle of their achievements, the coaches, trainers and officials.

SOLAR POWER GENERATION

Mr ANDREW FRASER (Coffs Harbour) [12.37 p.m.]: Today I speak on behalf of several constituents in the Coffs Harbour electorate in relation to solar photovoltaic electricity generation, known as PV. The Government made a great song and dance about people installing these generators on their roofs and being able to sell the electricity back into the grid at 60¢ a kilowatt hour. To make the matter clear, I will read three letters onto *Hansard*. The first letter is from Leonard Calvert, who said:

I wish to draw to your attention to an apparent blunder in the marketing of PV units.

My wife and I live in a Strata unit, one of twenty one, mostly single floor units. We engaged a well known local supplier, who advertises widely and who gave an "on site" presentation for all unit owners, to supply and fully install a PV unit, together with a Solar Hot Water unit.

One of the factors that influenced our decision to have the PV installed was the planned introduction of the Gross Metering system at 60 cents/kWhr. Having now had the system operating for six months we have received a letter from Country Energy which advises that the Gross Meters are now available and that the meters will be supplied free, but that the customer was responsible for the electrical installation. We have been further advised by our local supplier of the PV that we must contact our own electrician. A list of approved contractors was supplied.

We contacted an electrician with whom we had previous experience and his advice is the Gross Tariff Meter will require additional connections from the Meter board back to our own Power Inverter ie. from a point quite remote from my PV. The cost of doing this additional electrical work is estimated to far out weigh any benefits gained from the 60 cent tariff as in most cases will require digging up sealed driveways.

Please read on. It gets worse! I have checked the Country Energy Web site, recently updated which spells out that any interim cost relief we may be now getting is to be terminated on June 30th 2010 ie I lose the 60 cent interim tariff and go back to 19.62 cents/kWhr. This effectively creates two prices for the same thing. After all, surely a kW saved (provided by PV) is still a kW regardless of how the meter is read.

Now I am furious! Having spent many thousands of dollars to "do the right thing" I find that not only will I not be able to go on to the Gross metering system, but I am to be further penalised for staying where I am. Retirees trying to live "GREEN" don't need all this hassle. This whole environmental green thing has just gone crazy! I feel for the people who had aluminium installed in their roof, but I seem to have BATS in my switchboard! Are you able to offer any suggestions that will assist me in this matter?

I also received a letter from Roy and Gail Quartermain, which reads:

We have had a solar grid installed on our home since 21 January 2010. We applied on 25 October 2009 for [a] grid connection application, this was granted on 20 January 2010—

so the time frame is October to January—

We are unable to be connected to the grid because Country Energy has no available metering equipment available until...March 2010, this means we have a \$10,000 investment sitting on our roof unable to be used. To get this far we have met with all compliances with green assessments.

Our intentions were to reduce our power costs to the administration of the electricity account. This now appears to be a green dream.

As self funded retirees we are now paying an electricity bill plus paying off the \$10,000 investment with no COMPENSATION mentioned for a State Government, Country Energy—no speak to one another situation with the government changing it's policy in December which meant that Country Energy would move from net metering to Gross metering, hence no gross meters available????????????

These meters have to be installed by a Level 2 Electrical Contractor and we can assure you that there is a great number of customers waiting to be connected to the grid.

I also received a letter from an electrician, who wrote:

The change over of meters for grid feed solar installations has to be completed by the end of this financial year, as per the State governments legislation.

The problem we are having is that the meters are currently unavailable from the manufacturer. There is one supplier for every energy retailer in the state and what I have heard is that an electronic component is on backorder and they are unable to provide a delivery date to Country Energy. We have jobs lined up ready to go, but no meters...

The date for completion of the changeover needs to be delayed, as a matter of emergency, by at least two months, as work is backing up daily. There is also the issue of the jobs we alone have in the pipeline. We have two, this week alone, that we will have to attend a second time. This will add significant costs to all of our quoted work, particularly where the jobs involve travelling...

...Andrew [could you] look into this as a matter of urgency so that people are not penalised due to the poor planning (the Government announcing the change in policy just before Christmas) and the lack of components, all of which are beyond our control.

The date needs to be extended or the Government needs to help these people as a matter of urgency.

COOGEE BAY HOTEL SITE

Mr PAUL PEARCE (Coogee) [12.42 p.m.]: Earlier this week I presented to Parliament a petition signed by some 665 constituents from the Coogee area. The petition concerned a proposal by a company known as Oakstand—which I understand is a legal entity wholly owned by the proprietors of the Coogee Bay Hotel—submitted to the Department of Planning in concept plan form for a 15-storey structure on part of the Coogee Bay Hotel site and a six- and seven-storey structure adjacent to it, and the relocation of licensed space associated with the Coogee Bay Hotel.

The site is covered by a provision in the local environmental plan prepared by Randwick council. This plan was developed from the 1987 regional plan, which was known as the Eastern Beaches Regional Plan, the main principles of which are now incorporated in the Randwick local environmental plan. It includes a height control of 15 metres according to one interpretation, and 12 metres on another. The reality is that the application is for a 15-storey structure, which is three times the permissible height under the provisions of the local environmental plan. In my opinion, this is a clear abuse of process.

Part 3A of the Environmental Planning and Assessment Act, of which I have some criticism—I have never made a secret of that—was designed to deal with major infrastructure projects particularly those of greater public significance and benefit, in which case the process should be assessed in a manner that puts public benefit at the forefront. In the eastern suburbs of Sydney developers are seeking to abuse the process under part 3A of the Act. This is the second time in recent months that developers have purposely submitted development applications that wildly exceed what is permitted under prevailing local environmental plans and planning controls. They are doing this to keep the value over \$100 million and including spurious figures as to employment opportunities and the impact of regional benefits et cetera.

The Ashington development at Double Bay is another example. The development was eventually identified as being an abuse of process and correctly thrown out by the Department of Planning. I compliment the broad opposition in Double Bay to, and the rejection of, that development. The Coogee Bay Hotel site is the subject of a similar abuse of process by Oakstand. I understand that to date a concept plan has been received by the Department of Planning and that the department has expressed significant reservations. Bear in mind that the height control in this area is 15 metres, or five storeys, maximum and this proposal is for a 120-room hotel, 6,000 square metres of retail floor space, 13,000 square metres of residential apartments, a 15-storey tower, two part 6-storey and part 7-storey buildings, and a 3-storey extension to the Coogee Bay Hotel.

The Coogee Bay Hotel, as I have informed the House previously, is one of the worst hotels in the State for alcohol-related violence, and comes under the 2.00 a.m. lockdown provisions. In my view, the hotel should be brought further into line, although I concede that the late-night management of the hotel has improved. Local

residents are particularly disturbed about the proposal and the abuse of process. If this type of developer abuse is allowed to continue, the definitions in the major project provisions of the Act will need to be tightened significantly. I will read onto *Hansard* one paragraph of a most unusual letter that I received from the proponents of this particular proposal. It states:

As the election is fast approaching I thought it would be very beneficial for you to be informed of the proposed development and the undertakings of the Coogee Bay Hotel. There are a range of people, including yourself, who are unfortunately providing ill-informed claims to the press and the community. I would strongly suggest you take up our offers—several of which have been made to your office—to be briefed properly about the planned development.

I responded to that letter. I pointed out that I found it very unusual to be linking a forthcoming election with a development application and that the statements I made related accurately to what was contained in the concept plan. I further said:

I repeat that I am more than happy to receive a copy of any concept plans or other related documentation ... I would emphasise however, that any documents supplied to me will be available to interested members of the public.

I followed that letter up a week later but I have yet to receive a response.

MONA VALE HOSPITAL

Mr ROB STOKES (Pittwater) [12.47 p.m.]: I will share two contrasting personal stories about Mona Vale Hospital in my electorate of Pittwater. One is a good story and the other bad. One is happy and the other sad. The first is the story of the star Eileen Gordon. Eileen is one of the heroes of Mona Vale Hospital, having faithfully served our wonderful and vital local hospital over several decades. She has been a volunteer in the medical library at Mona Vale for 20 years and president of the hospital auxiliary for almost a decade. She led a group of volunteers who purchased \$170,000 worth of medical equipment for the hospital last year, which won the award for the highest amount of moneys raised by a metropolitan hospital auxiliary in 2009.

Eileen's unrelenting energy and unabated passion is to extend the Cora Adcock Palliative Care Day Hospital operated by Hope Healthcare on the grounds of Mona Vale, contributing to a local vision for Mona Vale Hospital to cement its increasing role as a centre of excellence for palliative care. This week, as a wonderful acknowledgement of her leadership and passion, Eileen was honoured as the Pittwater Woman of the Year at the northern beaches Zonta Club's annual International Women's Day breakfast held at Mona Vale Golf Club, which was brilliantly organised, as always, by the redoubtable Ann Asker and the indomitable Trisha Haines.

But the other story of Mona Vale Hospital is less sanguine—it is the sad story of the failure of the Labor Government to provide any vision for Mona Vale Hospital or for the future of health services on the northern beaches. Last year expectant mothers who were up to 7½ months pregnant were told, without warning, that within six weeks the maternity ward and the antenatal services at Mona Vale Hospital would be moved to Manly Hospital. The reason was fair enough: money had become available to remove asbestos from the medical wards. However, the notice given was unacceptable.

In response to questions about when we could expect a return of our maternity service, which delivers about 700 babies every year, I was told by the Minister that the Mona Vale Hospital maternity ward had been temporarily relocated to Manly Hospital and it was anticipated that asbestos works would commence in 2009. I was told that the timeline for the completion of asbestos removal was approximately four months, followed by restoration works, all of which were expected to be completed by June 2010. In answer to a later question, I was told that the expected completion date of the renovation work is on schedule and is estimated to be completed by mid 2010. I was also informed that timely information will be provided to the community as to the reopening of the maternity ward once the renovation program is fully completed. So members can imagine my anger when I was contacted by one of Mona Vale's 23 local midwives, who wrote:

... it is not only the expectant Mums and the community that is being kept in the dark about the future of our [maternity] unit but the staff as well. We have been asking for information and receiving none but find out what little there is to know from the Manly Daily.

So much for there being a transparent and open communication channel. This is very disappointing for us as you can imagine. The morale is dropping and the unit at Manly is not really big enough to cope with the demands. Office space is very scarce as it is crowded with two sets of staff trying to work there ...

I know many of my colleagues have found the same situation very difficult. On top of that to not be kept informed is very disrespectful. A number of our Mona Vale Staff have resigned due to the stress.

We know now that the Government, upon questioning, has confirmed that there will be a delay in the return of maternity services to Mona Vale. Of course, no-one bothered to tell the expectant mums or staff that that was due to happen. A midwife wrote:

What a contrast—dedicated locals and staff who are striving to protect our hospital and the interests of the vulnerable—expecting mums, the terminally ill up against a distant centralised bureaucracy directed by a Government that cannot see as far as Mona Vale.

No wonder there is a move towards localism in the delivery of health services.

To make it work, as the Deputy Leader of the Opposition says, we need to reform the management structure of the public health system in a way that respects doctors, nurses and other practitioners and give them every opportunity to excel for their patients. We must empower local communities by giving them better information and genuine data, and let them have a real say in the public health system that is there to serve them. We need greater accountability for promised outcomes. Those stories from Mona Vale display a clear pattern: local action against bureaucratic atrophy, local success against centralised silence, community teamwork versus bureaucratic tardiness, and vision against vacuum. Now we are told that the plan is to reopen Mona Vale Hospital's maternity ward once all rectification works are complete. The plan? We were given a commitment—a plan is not good enough. We demand that our maternity ward be brought back to Mona Vale as soon as humanly possible.

DEFENCE INDIGENOUS PRE-RECRUITMENT COURSE

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [12.52 p.m.]: On 9 December 2009 I attended the graduation ceremony for the eight week indigenous pre-recruitment course [IPRC] for the Australian Defence Force [ADF]. The ceremony was held at Inspire Ministries in my electorate and involved 29 candidates from all around Australia. The eight-week pre-recruitment course gives the candidates the literacy, numeracy and physical fitness prerequisites to enable them to enter the selection process for the ADF. Aunty Mae Robinson gave a welcome to country and Uncle Steve Williams performed a smoking ceremony.

Jack Johnson, the chief executive officer of Gandangara Local Aboriginal Land Council spoke passionately of the partnership between Gandangara, the Department of Education, Employment and Workplace Relations [DEEWR], the Australian Defence Force, Inspire Ministries, and the NSW TAFE. As he said the candidates are a credit to themselves. Anybody could see the discipline of these young people that attests the life-changing experience they have undergone. As Mr Johnson said, this is the sort of thing that will bring us back to the right place in this country. The IPRC is a brilliant training program that needs to continue and Mr Johnson challenged government to change these trainees into employees.

Roger Price, the Federal member for Chifley and Government Whip, described the candidates as "opportunists". An opportunist is a person who adapts his or her action to take advantage of opportunities. Mr Price has lobbied hard to have the program in Chifley and complimented the students on their performance. Some of these young people will join the ADF and some will work elsewhere, and he encouraged them to spread the word about the course. This is about celebrating the contribution of Aboriginal and Torres Strait Islander [ATSI] people to the Australian Defence Force. As John Allison the Indigenous Services Manager of the Department of Education, Employment and Workplace Relations said, "... this is about closing the gap in health education and unemployment." The unemployment rate for ATSI people is three to four times the rate for non-indigenous Australians. To meet the target of returning it to the same level there would need to be 100,000 positions for indigenous people created over the next 10 years.

Garry Browne from TAFE spoke about the role of TAFE in providing instruction in literacy and numeracy and fitness skills for entering the ADF recruitment process. The South West Sydney Institute [SWSI] of TAFE has an Aboriginal education and training unit and the course has full TAFE accreditation. SWSI staff and Inspire Ministries do much of the teaching. The fitness work is carried out at the Liverpool Catholic Club gym. The gym work is important as it can uncover unmet health needs. My experience with Aboriginal young people is that asthma is common in childhood. Young people who have had no symptoms or treatment in the past three years can be considered for ADF entry and those with mild asthma can also be considered, although they need medical assessment.

Candidates on the course also visit bases to see what military life is like. However, the strength is personal discipline. As Pastor John McMartin, the chief executive officer of Inspire Group, said, "This is the start of something for this fine bunch of men and women". The audience was played a DVD, which showed

some aspects of the rigorous training involved. As one of the candidates on the course said, "It has really made me appreciate civilian life". Major General Fairweather the Patron of Indigenous Personnel for the ADF complimented the students on their achievements. He said, "this is about life preparation and we are proud of you". He also said, "you have learnt more than you think, especially self-confidence and teamwork".

I am very proud of the candidates who have completed the ADF indigenous pre-recruitment course and compliment all the agencies that were involved in this wonderful cooperative effort. I thank Inspire Ministries very much for its help during the course. This wonderful ministry does magnificent work in our electorate, and I am glad to be able to acknowledge it for just a small fraction of the good it does for our area. As St Paul said:

For so is the will of God that by doing right you shall put to silence the ignorance of foolish men. Be a free man, yet not as those who make freedom a cloak of wrongdoing, but as the servants of God.

Inspire Ministries does exactly that, and I commend it to the House. It is an inspiration to all who see its work.

WEST RYDE PUBLIC SCHOOL

Mr VICTOR DOMINELLO (Ryde) [12.56 p.m.]: Schools are great. They provide us with a snapshot of our great future potential. When I attended an end of year awards ceremony at West Ryde Public School in 2009, I was inspired by what I witnessed. The school's students have an extraordinary array of cultural backgrounds. It was honestly like watching a primary school version of the United Nations General Assembly! The inspiration reached a crescendo when all the students with backgrounds from 40 nationalities stood to attention, turned to the Australian Flag and beautifully and proudly sang our Australian national anthem, "Advance Australia Fair". This display of diversity, harmony and pride embodies for me the great potential of our future. I was so moved by what I witnessed that I promised the students that I would give a speech about it and the school in Parliament.

West Ryde public is a great local school. The school has an academic focus with an emphasis on promoting appreciation and respect of cultural variety. It is not the buildings, the grounds or the educational resources that make it a great school—although all these things obviously can contribute to a child's education—but the people and the atmosphere of the United Nations, with people of some 40 nationalities working together harmoniously for the benefit of the students. Some examples are school assemblies, where students politely participate in ceremonies and turn to face the Australian flag and enthusiastically sing our national anthem; the school playground, where students mix regardless of racial background; and the enjoyment of the multicultural luncheon during education week when foods from all over the world were enjoyed. As one parent commented "the whole world in one place".

Other examples are the students' successes at the National Chinese Eisteddfod, at which both non-native and native speakers recite poetry in Mandarin; the Diwali celebration, which was recently broadcast on television and reported in the Indian community newspaper; the recent introduction of Korean as a community language as an additional program to Mandarin and Hindi, which are already taught at the school; and the extensive programs for English as a second language, including for a number of students who have just arrived in Australia and cannot understand or speak any English.

The school achieved victory on the sporting field with its undefeated senior netball team, four of whom had recently arrived in Australia and had never played netball before. The dance group danced all through Eastwood to win the best school award at the Granny Smith festival and earlier in the year attended and had great success in the West Ryde Easter parade. Further examples of the school's success include: the magnificent Blue Ribbon Belle musical extravaganza in which every student in the school was a star, the school choir singing at the opening of the Good Beginnings Ryde Community Hub and at the Opera House, the debaters coming second in the district, and the environmental presentation by years 5 and 6 students that was made to teachers at other schools using the Connected Classroom.

The school's academic results demonstrate student growth rates on National Assessment Program—Literacy and Numeracy testing towards the top of all public schools in the district, and 11 students achieved placement in selective high schools for 2010. Parents value their child's education and this is reflected in the school's results. Parents and teachers work closely together to achieve these results. Mathematics is a particularly strong area of achievement for the school. It is the inner strength of the school that has produced a high-achieving and, more importantly, harmonious school. Students at West Ryde are caring, well behaved, responsible and cooperative.

The school is an example of how society in general should function. A school with these wonderful attributes does not happen by chance. It requires leadership and vision, and a genuine sense of care for the students. In this regard I commend the principal of West Ryde Public School, Rodney Yates, all of the dedicated teachers, such as Bruce Jenkins and Wendy Kemp who have been teaching at the school for over 20 years, and the parents, such as Marg Sommerville, Robyn Emira, Alex Jenkins, Tina Bean and the current parents and citizens president, Nikki Lawson, for producing a school that we are all very proud of.

BUILDING THE EDUCATION REVOLUTION PROGRAM

Mr ALAN ASHTON (East Hills) [1.01 p.m.]: Today I refer to the Building the Education Revolution. This program was introduced by the Federal Government as part of its stimulus package, which ensured that Australia did not go into recession—one of only one or two countries that did not. All Government members—and I am sure the two Independents present in the Chamber, the member for Dubbo and the member for Tamworth—support the Building the Education Revolution program and stimulus package. I acknowledge the companies in my electorate that have provided work for the program. Star Electrical Company Pty Ltd has provided workers on 44 school sites, Micos (NSW) Pty Ltd is working on 39 school sites, NSW Tiling Services Pty Ltd is working on 64 school sites, Axis Plumbing NSW Pty Ltd is working on 38 school sites, Clarke McKay Pty Ltd is working on 27 school sites, Rainbow Group Pty Ltd is working on 40 school sites, Accent Garage Doors is working on 14 schools and Axact Tree Services is involved with many school sites.

I will give an update on the schools in my electorate where work has commenced and in some cases completed. Broderick Gillawarna School is receiving a multipurpose hall for \$950,000 and is 70 per cent complete; Padstow Heights Public School, a new hall, covered outdoor learning area [COLA] and canteen for \$2.5 million is 70 per cent complete; and Picnic Point Public School, a new hall, COLA and canteen for \$2.5 million is 70 per cent complete. Revesby South Public School is receiving a new library for \$1 million and an administrative staff facility upgrade for \$1 million and is 70 per cent complete. Further, Tower Street Public School, a new hall and COLA for \$2 million is 70 per cent complete; Caroline Chisholm School, a multipurpose hall for \$950,000 is 60 per cent complete; and Padstow North Public School, a new hall and COLA for \$2 million is 60 per cent complete.

Condell Park Public School is receiving classroom facilities upgrade for \$400,000 and a new hall, COLA and canteen for \$2.6 million and is 40 per cent complete. Panania Public School, my old school, is receiving a canteen for \$100,000 and a library for \$2.9 million and is 20 per cent complete. I recently visited the school with the Federal member to inspect the progress of the work. All Government members and, I am sure, the Independents are proud to visit their schools and turn the first sod. If members are not popular with their schools when the Government is handing out so much money they will never be popular. To give myself a rap, I have a very good relationship with all the schools in my electorate. I take great pride in them. I respect the work of the school communities and they appreciate the work that this Government and I do for them. Revesby Public School is receiving a library for \$1.65 million and is 20 per cent complete. These figures were updated a couple of days ago but the way the companies are working they probably will be finished shortly.

Mr Peter Draper: They probably are finished.

Mr ALAN ASHTON: They will be soon. Padstow Park Public School is receiving a new library for \$1.1 million. That work has just commenced. Panania North Public School is receiving a multipurpose hall for \$2.6 million. The work started recently and is 10 per cent complete. The principals, staff, parents and students in my electorate are proud of the work that is being done. I am impressed with how much has been done in a short time. There has been some ill-informed criticism that buildings were not necessary or surplus to requirements. Any member of Parliament who believes that is in cuckoo land or has been watching *Alice in Wonderland*. The schools need these upgrades. Revesby Public School in my area is 100 years old.

My father was a bricklayer on the Panania public school site when the school was built in 1952-53. Some schools have never had halls or covered outdoor learning areas. Some schools have needed upgrades to their canteens. Usually volunteers do canteen work. I am very proud that the Federal Government has delivered this program and with the role the State Government has played in facilitating the work. After all, they are our properties. They are State government schools. Equally, work is being undertaken on private schools and I know that they are pleased with the money they are receiving. The Building the Education Revolution has saved Australia from an economic recession and delivered a fantastic outcome for the students in the education system.

FORBES NORTH PUBLIC SCHOOL

Mrs DAWN FARDELL (Dubbo) [1.06 p.m.], by leave: I warn members that their jobs may be under threat from an alternative Parliament that is flourishing in Forbes in my electorate. In particular, a young boy named Sam Clarke has his sights set on the Speaker's position and is carrying out his duties as the Speaker at Forbes North Public School with great aplomb. On 16 February I had the privilege of being invited to the induction of the Parliament at Forbes North Public School. I found a school that truly operates on the principles to which we all aspire and, in doing so, has bridged many socioeconomic divisions.

Operating its own duly elected Parliament is the first of many initiatives of the school, with the result that enrolments are soaring, students are happy and engaged in school activities and teachers are caring and proud of their students, and there is a high level of parent involvement. In true parliamentary tradition, fellow students have elected two captains and Ministers for Entertainment and Fundraising, Sport and Recreation, Environment and Health Safety, and Communication and Technology. Before my Opposition colleagues shout in protest, the students have also appointed shadow Ministers.

This relatively small school of around 255 students from kindergarten to year 6 is a fine example of what can be achieved with professional and caring input from both school staff and the local community. The school offers individual programs for students with disabilities and learning difficulties, special early support programs, defined learning outcomes, and effective student welfare programs with a clearly stated fair discipline code. It also boasts high levels of parent participation and operates a very successful student leadership program for Aboriginal students.

One of the most impressive programs at the school is the Stephanie Alexander Kitchen- Garden Program in which the students grow fruit and vegetables with the help of a garden specialist. The students harvest the food they produce and cook it in a special purpose kitchen, which was built with a grant from the Stephanie Alexander program and through the assistance of the local community, which provided the labour and the equipment. It is truly impressive to see the flourishing corn, sweet potato and pumpkin patches in the vegetable garden. On my visit to the school the students were cooking sweet potato pancakes and vegetables pizzas.

I was even more impressed to hear the enthusiasm in the students' voices and to see the pride in their achievements. These young children, many of whom often have to fend for themselves for meals at home, look forward to cooking and eating healthy vegetables such as broccoli and carrots. I must admit to being more than a little envious of the school's principal, Phil Thurston, a truly dedicated individual, and his staff who enjoy regular morning tea treats such as muffins and pizza scrolls. Forbes North Public School has set out to provide a safe school with a focus on a healthy lifestyle through sport and fitness. It has certainly achieved that goal.

I congratulate all the staff at Forbes North Public School, the students, parents and carers and the local community. They have shown by example how much can be achieved when the energy and focus of a diverse group of people is harnessed for the good of all. Their future project is to build an orchard alongside the vegetable garden. And, in the meantime, perhaps the House should familiarise itself with the Forbes North Public School Parliament—we may just learn a thing or two about orderly parliamentary process.

YOU CAN DO IT! EDUCATION

Mr PETER DRAPER (Tamworth) [1.10 p.m.], by leave: There is no doubt that the beginning and end of each school year is a busy time for members of Parliament. In recent times I have been delighted to attend Oxley, Tamworth, Farrer, McCarthy and Quirindi high schools, plus Tamworth, Duri, Nemingha, South Tamworth, St Josephs, Tamworth West, Hillvue, Gunnedah, Gunnedah South and Niangala public schools, to celebrate the achievements of their students. While I am unable to accept every invitation I receive, I look forward to other opportunities throughout the year to visit all local schools. We are very fortunate to have highly motivated and dedicated teachers who provide wonderful educational opportunities for all local students.

Early this school year I was honoured to receive an invitation from Gunnedah South Public School Principal, Mrs Emma Jeffery, to attend the official launch of the program, You Can Do It! Education. You Can Do It! Education is a program that improves the social and emotional development of children. Professor Michael Bernard, from the Melbourne Graduate School of Education at the University of Melbourne, is founder of the program. He performed the opening ceremony at the school hall in front of a full assembly attended by students, parents and invited guests including Gunnedah Mayor, Adam Marshal, and Ruythe Dufty, the School Education Director for New England South. Today's educators and parents face some significant challenges.

Some young people are not achieving as well in school as they could, and far too many are experiencing behavioural problems or emotional stress. These challenges led Professor Bernard to develop a new approach to educating young people called You Can Do It! Education, abbreviated to YCDI. The program is based on a scientific finding that healthy and achieving young people are socially and emotionally competent. They possess a wide range of positive attitudes, values, plus social and emotional learning skills that help them to solve the inevitable problems that arise. This helps students to become fully engaged in their learning, and enables them to form positive relationships, as well as to solve conflicts.

In Professor Bernard's work with individuals and groups of young people, he found that a social and emotional education makes an enormous difference to their lives, and as such attending school should not be just about the academic curriculum. Simply stated, the You Can Do It! Education program helps teachers and parents to communicate with young people about the social and emotional competencies and attitudes needed for success and wellbeing. One of the empowering ideas taught to young people in YCDI is, "Things are neither good nor bad but thinking makes them so". Children come to realise that they have choices in how they think, positively or negatively, when they are faced with adversity or challenge. Through research and the latest international findings, Professor Bernard identified 12 positive ways of thinking—or Habits of the Mind—that help young people think, feel and act in constructive rather than self-defeating ways.

The You Can Do It! Education program concentrates on the five keys of success and wellbeing. These keys are resilience, confidence, persistence, organisation and getting along. YCDI teaches young people about the choices they have in the way they think, feel and behave. Many people have indicated to me they felt that schools have a role and responsibility in presenting these very important ideas to students. Schools already have many responsibilities, so I know this is a big ask. However, it is important and the benefits are many! Many schools across Australia are implementing YCDI from the preparatory years through to the late secondary school years. Although most families already do a very fine job in instilling positive ways of thinking and developing social-emotional skills, the majority of parents also appreciate guidance from their schools.

Programs such as You Can Do It! Education, which assist their children to be socially and emotionally competent, are another important step in the learning process. Professor Bernard told me he was personally thrilled when he observed the incredible impact that the You Can Do It! Education program has had on students and, more generally, on the whole school community. A number of educators have told me that everyone benefits when given an opportunity to learn and practice these powerful keys to success and wellbeing. There are many shining examples of schools that have been transformed when their mission changes from a rather narrow focus on achievement to one that embraces achievement along with social and emotional competence. It is a journey well worth taking.

Professor Bernard is quietly confident that in years to come, schools will no longer be places where children are just looked after during the day and where an academic curriculum is effectively taught. He believes schools will provide young people with opportunities to develop the entire social and emotional competencies they need to reach their absolute potential. It is incumbent upon the education system to offer all children such opportunities, and I applaud the wonderful work being done by the teachers, support staff and parents at Gunnedah South. In conclusion, I believe this is a very important matter. It is about the opportunities offered to young people, especially those in country communities. It is very disappointing to me to see not a single member of the Opposition in attendance.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional order, at 1.15 p.m. until
Tuesday 16 March 2010 at 1.00 p.m.**
