

LEGISLATIVE ASSEMBLY

Thursday 20 May 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.

APPROPRIATION (BUDGET VARIATIONS) BILL 2010

NATIONAL PARK ESTATE (RIVERINA RED GUM RESERVATIONS) BILL (NO. 2) 2010

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

MINING AND PETROLEUM LEGISLATION AMENDMENT (LAND ACCESS) BILL 2010

Message received from the Legislative Council returning the bill with amendments.

Consideration of Legislative Council's amendments set down as an order of the day for a future day.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

CORONERS AMENDMENT (DOMESTIC VIOLENCE DEATH REVIEW TEAM) BILL 2010

Agreement in Principle

Debate resumed from 13 May 2010.

Ms PRU GOWARD (Goulburn) [10.10 a.m.]: I rise on behalf of the Opposition to address the Coroners Amendment (Domestic Violence Death Review Team) Bill 2010. The Opposition does not oppose the bill but takes that position with great reluctance. Nothing would please the Opposition more than to throw this bill out and start again with one that can do the job. It is hard to recall a piece of legislation, even by this Government's standards, that so clearly defies the spirit of the community debate that preceded it and the recommendations of its own handpicked advisory panel. If further evidence were needed of this Government's arrogance and fear of being found out, then this bill is it.

The bill before us is a terrible piece of legislation, a cruel distortion of an expert panel's report concerning the options available to the Government. It makes a mockery of the years of agitation by the domestic violence sector for a law that would enable the New South Wales Government to examine the policies and systems that surround our management of domestic violence, looking for improvements that would save lives and reduce the incidence of violence that frequently precedes these deaths. The bill is instead a travesty that is most unlikely to reduce deaths or to be effective in reducing the incidence of violence.

The bill will do very little to improve the way New South Wales responds to incidents of domestic violence and it does so in a way that overwhelmingly demonstrates the Government's unfitness for office. It demonstrates that after almost 16 years of failed Labor administration the Keneally Government, like its predecessors, has never grasped the first lesson of government administration for democratically elected governments—that governments will only ever be as good as their accountability, and accountability is always preceded by transparency. In the real world when you cannot hide a problem you have to fix it. In this

legislation the Government seems to prefer to spin it away. Governments who shun measures that provide for accountability, who hide behind confidential processes and secrecy, who think transparency is only a glazier's term, and who deliberately misinterpret the recommendations of panels they appoint for advice, are doomed to provide failed service.

Accountability and transparency drive change and reform, which is exactly what this bill was intended to do. The review team bill was supposed to inform the Government of weaknesses in various procedures and policies of Government so they could be fixed. But a Government that has, for 16 years, installed former staff members and their cronies in senior positions in the public service who will keep their political masters out of trouble, a Government that fails to see the importance of merit, is I guess unlikely to understand the importance of transparency and accountability. Nowhere is that better demonstrated than in this bill, where every recommendation by the Government's very own advisory panel that could make a difference has been ignored, twisted or misinterpreted. It has produced a bill that will not and cannot produce the reform needed.

I would like to acknowledge at this point the very sound work of the advisory panel appointed by the Government. Its chair, Julie Stubbs, is an acknowledged expert; Betty Green, the convenor of the Domestic Violence Coalition is very familiar with best international practice in this area, and there are senior officers from government departments, including that of the Attorney General who appears to have been determined to reject all of their advice. There are five particular sections where the bill manifestly fails the people of this State and diverges from the very sensible recommendations put to it by its admirable advisory panel. None of these departures makes any sense. They do not save money or time, but they might perhaps save the Government's neck or that of a Minister or a bureaucrat. That presumably is more important to this Government than saving lives and is yet another reason why this Government should go.

Before I proceed to each of these concerns I must say that the bill has been, on balance, welcomed by the sector. Indeed it represents a victory of sorts for them and the Liberals-Nationals who championed this a year or more ago. In addition, it is a properly resourced government-based mechanism. For this reason, and this alone, the Liberals-Nationals will not oppose the bill although we will seek to amend it in the other place. The Opposition has five key concerns with the legislation proposed. The bill establishes the team in the Coroner's office. It will be convened by the Coroner's office with either the Coroner, Deputy Coroner or former coroner as convenor. The advisory panel, for a number of very good and carefully developed reasons, preferred that the team be established in the Ombudsman's office and that the Ombudsman be the convenor. The two options, Coroner or Ombudsman, are of the same cost.

The advisory panel and many in the domestic violence sector who have fought so hard for this legislation do not support the location of the team in the Coroner's office. The advisory panel's recommendation that it be placed with the Ombudsman obviously reflects their confidence that this team would operate similarly to the Child Death Review Team and that the Ombudsman's record and experience in running that team and the resultant knowledge in that office of government systems would be of great benefit to the victims of domestic violence, particularly the victims of homicide, suicide and accidental death. That seems obvious to all of us and it is extraordinary that this Government is prepared to throw away the opportunity to use that experience and knowledge that has been developed in the Ombudsman's office. By placing it in the Coroner's office there is now the need under the bill to give the Coroner additional powers, reinvent processes and, significantly, not to review deaths until they have been reviewed by the Coroner in that role, or have had any associated criminal proceedings exhausted.

Our second concern relates to part 9A.3, proposed section 101H, which allows the team to select cases for review. We will seek to have this amended in the other place since it is a significant weakening of the scope of the team to recommend effective change. It is the strong view of the Opposition and the sector that all deaths should be reviewed and that this should be stipulated in legislation. Difficulties in determining whether or not a death is related to domestic violence are mostly surmountable, as they are with child deaths, and the number of deaths is not large. The Bureau of Crime Statistics and Research analysis identifies 92 homicides between 2003 and 2008. The Domestic Violence Homicide Advisory Panel's report clearly considered the Child Death Review Team would be the best model for the team in this instance, and the Child Death Review Team is required to review all child deaths in New South Wales. In particular, given the proposed membership of the team, which is dominated by public servants, it is essential that there be no discretion as to which cases shall be reviewed. In that sense it incorporates greater independence for the team. Inevitably in the lead up to elections or in very sensitive cases there will be other considerations by governments that may overwhelm the selection process. They may or they may not; there is that risk.

Our third concern relates to the weighting of the team, which is vastly in favour of government agencies; there are only four non-government [NGO] positions available. The following observation was made to the Opposition by one expert:

Agency representatives, no matter how committed they are to the process, are always further removed from the reality of service provision and have understandable allegiances to their own agencies. There would be a benefit to having a more balanced team.

There are also no research bodies represented on the team, despite this being one of the team's defined roles. Obviously NGO appointments should be from organisations with domestic violence expertise—not that this bill even guarantees that domestic violence NGOs will be included—and given this Government's treatment of its own panel's recommendations, the Opposition has absolutely no confidence that relevant NGOs will always be appointed to the team. This should be stipulated in the bill.

The fourth concern is that there is no identified process for implementing the team's recommendations and thus there is an absence of a proper accountability mechanism. In other words, once the report is presented to Parliament where does it all go? How does this become a mechanism for change? Does the Government care or is it merely going through the motions, shutting up a troublesome sector by throwing them the bone of a report to Parliament with no mechanism for ensuring that its recommendations are considered, let alone implemented?

Finally, the review will never be able to make a recommendation that will be able to fix mistakes or inadequate procedures rapidly enough to avoid the risk that another death—a murder, suicide or accident—may result from those exact same shortcomings. This is because part 9A.3, proposed section 101F (1) (a) specifies that the team may only review closed cases of domestic violence deaths. A closed death is interpreted to mean in proposed section 101B (2) a case that the coroner has dispensed with, has completed an inquest concerning a case, or where any criminal proceedings, including appeals, have been finally determined. Obviously, this is meant to ensure that the Coroner is not investigating a case both as coroner and as part of a review team concurrently. It harks back to the foolishness of making the Coroner responsible in the first place. In practice it means that it may take three or four years, depending on the length of the proceedings, before a case becomes reviewable, let alone be included on the review list, and that would depend on the clogging up of the courts, including the Coroner's Court.

By the time a case is then reviewed, if it is reviewed, and a report made to Parliament, there could well have been another death in exactly the same circumstances, as a result of exactly the same failures of process, and there would have been no opportunity, other than one taken individually by a department or a Minister in the meantime, to change systems to prevent that occurring. It is outrageous that this could ever have been considered, let alone accepted by the Government. It is outrageous that there should be the risk of another death—particularly a homicide—occurring because the exact same procedures that we wish to see improved are not reviewed. It makes a mockery of the team. I repeat: that would not be the case if the team were established in the Ombudsman's office, with the Ombudsman as the convenor.

The bill also demonstrates a frequent observation of mine: having more women in Parliament or in office or in ministries does not necessarily mean better policies for women. It is beyond me how a government presided over by a so-called feminist Premier, with a Minister for Women and female Ministers for health and education as well as a female Minister for Community Services—all calling themselves feminists—could have ever thought this bill was good enough to protect victims of domestic violence. But I digress from the main concerns of the Opposition—that this bill has ignored the advice of its own specialist advisory panel and will fail to achieve its stated intentions. It does nothing to save lives in the immediate future. However, the bill does allow for a review after three years. Members opposite can be sure that if we win Government in 2011, the review will be immediate. It would not take another two years.

More significantly, we take a particular interest in the functioning of the Coroner's office. It is our view, as it is of the domestic violence sectors, that the Ombudsman's leadership and expertise is vital if this team is to make a difference. By placing the team under the leadership of the Ombudsman, deaths could also be reviewed in the year they occur. In the Opposition's view the advice of the advisory panel should be followed and we commit to moving the Domestic Violence Death Review Team to the office of the Ombudsman with the Ombudsman as convenor and recommend that the Government support this.

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [10.22 a.m.]: I am pleased to speak in support of the bill and I wish to reiterate its purpose and how it will assist the functioning of the Domestic

Violence Death Review Team. The bill creates a statutory framework to support the operation of an expert and multidisciplinary team. That team will review deaths occurring within the context of domestic violence. The bill provides for the team to be convened by the State Coroner or Deputy State Coroner or by someone who has previously held either of those positions, with membership from across the government and non-government sectors.

Another important issue covered in the bill is the kinds of relationships that will be examined within the definition of domestic relationships, which the team will consider in its review of domestic violence-related deaths. The report of the Domestic Violence Homicide Advisory Panel recommended that the definition of domestic relationship be consistent with the definition in section 5 of the Crimes (Domestic and Personal Violence) Act 2007 to the extent that it covered what are commonly referred to as intimate relationships. Proposed section 101C substantially adopts the provisions of section 5 of the Crimes (Domestic and Personal Violence) Act 2007 insofar as it defines domestic relationship but excludes those who, whilst they may be living in the same house, are not in an intimate relationship, such as a carer or flatmates.

It covers a range of other relationships including parents and grandparents, stepparents, children and grandchildren, stepchildren, sibling relationships, uncles and aunts, nieces and nephews, cousins and in-law relationships. Foster children and foster parents are also covered through the intimate personal relationship under section 101C (1) (c). This provision has been drafted to enable a range of people with familial ties to be included in the definition of domestic relationship where there have been previous episodes of domestic violence. It recognises the seriousness of domestic violence by placing an emphasis on the nature of those involved in relationships where one person exercises control and power over another in the relationship.

Domestic violence remains a problem in the Sutherland shire. Once a week, on Wednesdays, Sutherland Local Court devotes an entire list day to domestic violence matters. The domestic violence assistance room is usually full of alleged victims—women, men and children—awaiting their case to come on in one of the courts. It is different from Sutherland Local Court, which I practised in as a Legal Aid solicitor in the 1990s. More and more of these alleged victims are coming forward, exposing the underlying scourge of domestic violence which still festers below the surface of our modern, outwardly caring society. I thank all those in the shire involved in tackling the problem of domestic violence—local police officers working with victims, like Senior Constable Vanessa Curmi and Leading Senior Constable Josie Kolts of the Sutherland Local Area Command; prosecutor Sergeant Sharon Walker; domestic violence workers Diane Manns and Kath Jones from the Sutherland Shire Family Service; Bev Lazarou of the Women's Domestic Violence Court Assistance Program unit of Legal Aid and her team, and the wonderful workers at the local women's refuges run by St Vincent de Paul and Crossroads.

Domestic violence is also one of the leading causes of family breakdown and a major factor in long Family Court trials involving children and parenting orders. Even in those courts we find workers like Salvation Army officer Major Christine Stiles offering comfort and assistance to women going through the horrendous and embarrassing experience of giving evidence of domestic violence towards them, their children and their families throughout their relationship. Despite the prevalence of domestic violence and the positive steps this Government has taken to combat it through legislative reforms as well as funding programs, I remain appalled at the comments I hear—even at times from those in public office—that a lot of women make it up. Clearly, they do not know personally anyone who is or who has been in a violent relationship.

Domestic violence takes many different forms. Coercive, controlling domestic violence is one of the most insidious forms and, eventually, all too often, one of the most deadly forms. I have talked with victims of this kind of domestic violence. It may begin, for example, with the abuser asking his female partner about her past, wanting and then later demanding to know everything about her previous relationships. It escalates into a relationship based on fear; a relationship of physical and psychological and often sexual violence—it can even mean serious injury and death. There is an identifiable pattern. The abuser isolates his victim from her family and friends. He demands that she gives her family phoney excuses for not attending important family events—parental birthdays and siblings' birthdays. She is too embarrassed to go to those, she does not want to show the bruising or show the fear.

He accompanies her to work. He accompanies her home. He rings her at work constantly throughout the day. He wants to know who she has been with, what she has been doing and what she has talked about. He calls her names; he demeans her, he humiliates her—of course, always out of the public view. Then there is the physical violence. She is too scared to tell her family. She is too scared to go to the police because he has threatened to harm her family. He tells her that if he does not do it his mates will. She has met his mates; she is

scared of them too. She lives in fear. If she leaves him, she knows he will come after her and her children. All of that is very private. It is easy to say she made it up, because in public he presents as a model citizen, a model partner. He even attends court and presents himself as a paragon of virtue.

It only gets worse. As I said, this kind of violence can lead to death. That is why this bill is so important, and I welcome it. The objective of the bill in proposed section 101A provides for an investigation of the causes of domestic violence deaths so as to reduce the incidence of these avoidable tragedies. It can only have a positive impact on domestic violence matters as a whole. Section 101F and section 101G outline the functions of the team and the matters to be considered in the reviews of closed cases of domestic violence.

It is pleasing that those provisions are included in the bill. Proposed section 101F provides the team with functions such as identifying the patterns of trends, and trends relating to such deaths; making recommendations as to legislation, policies and practices; and undertaking research that aims at preventing and reducing the likelihood of such deaths. That can only benefit the community and those dealing on a day-to-day basis with domestic violence. In the long run it can only benefit the victims of domestic violence who, in most cases, are women and children. Proposed section 101G provides that, in reviewing those closed cases of domestic violence deaths, the team should consider the effectiveness of any support or other services provided for or available to victims and the perpetrators of domestic violence.

All too often the perpetrators of domestic violence have themselves been the victims of domestic violence. Sadly, in many cases, the victims become the perpetrators and often blame their assaults on their partners on that previous domestic violence towards themselves. Section 101G also provides for the Attorney General to consider any failures in the systems or services that have contributed to or that fail to prevent domestic violence deaths. Once again, that can only benefit our society and this Government in combating the scourge of domestic violence in our community. It is appropriate at this stage to refer to those who were consulted on the development of the bill, in addition to the substantial consultation that occurred in the process of drafting the report of the domestic violence and homicide review panel.

Consultation on the draft bill was undertaken with key government and community stakeholders. Those consulted included: the New South Wales Police Force; NSW Health; the Department of Justice and the Attorney General; the Department of Premier and Cabinet; the Department of Ageing, Disability and Home Care; Juvenile Justice; Housing NSW; Aboriginal Affairs New South Wales; the Department of Education and Training; the New South Wales State Coroner; the Commission for Children and Young People; the Ombudsman; and community and non-government service provider representatives working or researching in the field of domestic and family violence. All submissions received on the draft bill were supportive of the establishment of a Domestic Violence Review Team.

Of the few concerns raised, the majority related to the inclusion of a provision enabling information sharing with the Child Death Review Team and to the confidentiality and disclosure information under the bill. Those concerns have been addressed in this bill with the inclusion of a subsequent amendment to the Commission for Children and Young People Act 1998 to enable information sharing between the review teams and amendments to the confidentiality and disclosure provisions to the extent that they still enable the team to have required access to information. The bill now represents the input of these people and significant agreement in this consultation. I commend the bill to the House.

Mrs JUDY HOPWOOD (Hornsby) [10.32 a.m.]: I contribute to debate on the Coroners Amendment (Domestic Violence Review Team) Bill 2010—a bill for an Act to amend the Coroners Act 2009 with respect to the establishment and functions of the Domestic Violence Review Team. The objects of the bill are as follows:

- (a) to amend the *Coroners Act 2009* to establish the Domestic Violence Death Review Team (the Team) and to provide for its membership and functions,
- (b) to exempt the team from the operation of legislation relating to public access of government information,
- (c) to amend the *Commission for Children and Young People Act 1998* to enable the Child Death Review Team to exercise functions relating to a child death that may be the subject of review by the Domestic Violence Death Review Team.

The Opposition welcomes any move towards assisting victims of domestic violence to review the circumstances of domestic violence and deaths related to domestic violence, which hopefully will reduce its incidence. Vital information about these deaths will now be available to assist other victims. The purpose of these amendments is to introduce a mechanism for reviewing deaths associated with domestic violence, to facilitate improvements to the systems and services in order to improve the practice, and to reduce the incidence of domestic violence.

Relevant deaths are not confined to homicide but are defined as death that is caused directly or indirectly by a person who was in a domestic relationship with the deceased person. These are understood to include suicides and accidental deaths.

Since 2006 the domestic violence sector has been working on the establishment of such a team. Since September 2008 the Liberal-Nationals Coalition has been calling for the establishment of a Domestic Violence Death Review Team. Opposition members believe that this team would better drive practice in the management of domestic violence, as has been demonstrated elsewhere, in particular, in Victoria. The amendments anticipate non-homicide deaths that may be of interest to the team, such as suicide or accidental deaths with domestic violence aspects. The Government resisted the establishment of such a group, allegedly because of concerns about the exposure of government agencies to public scrutiny and criticism. Following public pressure, in December 2008 the Government established an advisory panel to consider the best means of establishing such a team.

The legislation enables the team to select those deaths that are to be subject to review. Information will be provided on a confidential basis to the team by government agencies, medical practitioners or health care professionals and welfare agencies. Information may be refused if it might prejudice an existing investigation or inquiry. Decisions of the team are to be made by deliberative vote. The amendments enable the appointment of two non-government organisation advisers as well as two experts appointed by the Minister. The team's report is to be furnished to the Parliament by 31 October each year. The proposed model has legislative and administrative support. As I said earlier, Victoria is the only State in Australia with a Domestic Violence Death Review Team—something that those who work in the area of domestic violence in New South Wales have looked on with great envy. There is a desperate need to establish such a team in New South Wales.

I commend all the domestic violence advocates and workers in New South Wales for their contributions not only to dealing with domestic violence but also to the important discussions relating to proposed and much-needed policy changes that have been discussed for so many years. I wish to focus for a moment on the functions of the team. Proposed section 101F states:

- (1) The Team has the following functions:
 - (a) to review closed cases of domestic violence deaths occurring in New South Wales,
 - (b) to analyse data to identify patterns and trends relating to such deaths,
 - (c) to make recommendations as to legislation, policies, practices and services for implementation by government and non-government agencies and the community to prevent or reduce the likelihood of such deaths,
 - (d) to establish and maintain a database (in accordance with the regulations) about such deaths,
 - (e) to undertake, alone or with others, research that aims to help prevent or reduce the likelihood of such deaths.
- (2) The Team may review a domestic violence death even though the death is or may be the subject of action by the Child Death Review Team.
- (3) Any function of the Team with respect to domestic violence deaths may be exercised with respect to the death of a person who dies outside New South Wales while ordinarily resident in New South Wales.
- (4) The Convenor may enter into an agreement or other arrangement for the exchange of information between the Team and a person or body having functions in another State or Territory that are substantially similar to the functions of the Team, being information relevant to the exercise of the functions of the Team or that person or body.

I pay tribute to a number of groups in my electorate of Hornsby. Since my election as a member of Parliament, I have been integrally related to and have worked with the Hornsby-Ku-ring-gai Domestic Violence Network. I pay tribute to the leaders of that group—Amy David and Josie Gregory. I pay tribute also to the many members of the group that has a diverse stakeholder membership. As I am also a member of Hornsby Soroptimists I pay tribute to the work of Hornsby Soroptimists and to the contribution of that women's group. Julie Griffin is the Hornsby representative on the Domestic Violence Network. I pay tribute to the local police for their work in the area of domestic violence, and I pay tribute to the work of domestic violence liaison officers and the ethnic community workers. It is a pleasure to be a part of that hardworking group, which focuses on domestic violence and associated issues.

Last year an intern from the University of Technology, Sydney, came to work with me for a semester. Her task was to assess domestic violence in my electorate, in other metropolitan areas in New South Wales,

throughout Australia, and also internationally. She put forward any recommendations that she saw fit relating to her work. She was vigilant and diligent in meeting with stakeholders and attending court sessions, and she produced a fantastic report that I believe can be found in the Parliamentary Library.

I pay tribute in particular to Josie Gregory, who heads up the Women's Domestic Violence Court Advocacy Service, which has set up court advocacy for domestic violence in the Manly, North Sydney and Hornsby courts. I have attended a session at the Hornsby court and witnessed first-hand the work of the advocacy service, volunteers and workers. I have talked to some victims and listened to the court proceedings. It is extremely distressing to hear of what people endure in their ordinary lives and the risks they take, not only living in a relationship that is threatening to their wellbeing but also coming forward and applying to the court for apprehended violence orders. I pay tribute to the domestic violence network for its consistent work. I recognise the vital 16 days in November when the network raises awareness of domestic violence, and emphasises that it is unacceptable to society. The network participates in many other activities.

Domestic violence is not just one entity; it can be physical, emotional, psychological and financial. It can also be one person exercising power over another. Domestic violence occurs in a relationship based on fear. It is often difficult for victims, mostly women, to leave a relationship, because of children or financial reasons. For others, even though it may not seem significant, it is the fear that a pet will be used as retribution. That has been raised with me several times. A number of years ago when I was working as a registered nurse I saw women walking into or being brought into accident and emergency departments by ambulance, their bodies bruised and battered, sometimes even fractured. The medical and nursing staff would treat them. In those days it was up to the victims to press charges. Often they would not do so, instead returning to the same environment. I used to hope that that decision would not lead to their death.

Unfortunately, domestic violence has been the cause of too many deaths, and any move to reduce the incidence of death and assist victims should be supported. I will deal with three concerns raised by the shadow Minister. The most significant preferred option not accepted by the Government was that the team be established in the Ombudsman's office and that the Ombudsman be the convener. Instead, the Government has chosen to have the team convened by the Coroner's office, with the Coroner, the Deputy Coroner or a former Coroner as convenor. I note that the options cost the same of amount of money. The Australian Domestic Violence Clearinghouse and the Women's Legal Service New South Wales do not support the location of the team within the Coroner's office. Although the Domestic Violence Coalition would have preferred it to be based in the Ombudsman's office, it considers the proposed model to be acceptable.

I understand the Ombudsman's office argued strongly for the team to be placed within its office, given its history and understanding of government systems and practice. Proposed section 101H enables the team to select cases for review. It is the strong view of the Australian Domestic Violence Clearinghouse that all deaths be reviewed and that this should be stipulated in legislation. Difficulties in determining whether a death is related to domestic violence are mostly surmountable and the number of deaths is not large, although any death is one too many. The weighting of the team is vastly in favour of government agencies. There are only four non-government positions available. The Australian Domestic Violence Clearinghouse makes the following observation:

Agency representatives, no matter how committed they are to the process, are always further removed from the reality of service provision and have understandable allegiances to their own agencies. There would be a benefit to having a more balanced team.

I note also that there is no identified process for implementing the team's recommendations, and thus the absence of a proper accountability mechanism. No doubt the Minister will address these concerns in her reply. The Opposition supports the bill pending foreshadowed amendments in the upper House.

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [10.45 a.m.]: I speak on the Coroners Amendment (Domestic Violence Death Review Team) Bill 2010. In doing so I will address the practical issues of how the Domestic Violent Death Review Team will function and how it will assist in reducing the number of domestic violence related deaths. The team will work to identify systemic issues and causes of deaths involving domestic violence and whether it has the capacity to review homicides, suicides and fatal accidents. The team's focus is not on apportioning blame for specific incidents: Its focus is on reducing the incidence of these types of deaths through the identification of systemic issues and recommendations that facilitate improvements in systems and services.

The Domestic Violence Death Review Team will adopt a collaborative approach. A range of government and non-government stakeholders are represented on the team, and they will share their experience

and facilitate the provision of information. The team will be informed by and learn from domestic violence deaths with the aim of identifying areas of service delivery or intervention that can be improved. The bill provides the team with the ability to share information with similar review mechanisms, thus encouraging a better understanding of these types of deaths in a broader context. The functions of the team and the legislative provisions that will enable them to best meet the goals of comprehensively reviewing domestic violence deaths and finding ways of preventing them have been the subject of an extensive investigation and consultation process based on the report of the Domestic Violence Homicide Review Panel in 2009.

The Government is grateful to the panel for its hard work and recognises the achievements of both the Office for Women's Policy and the non-government members on the panel—Betty Green, convener of the Domestic Violence Coalition; Professor Julie Stubbs of the University of Sydney Law School; and Dr Lesley Laing of the University of Sydney Faculty of Education and Social Work. The depth of their work is reflected in the widespread support for the team amongst stakeholders, and we pay tribute to them and the victims of domestic violence for whom they work. I am impressed by the consultation process undertaken by the Government, the Minister and her representatives. I look forward to seeing the bill dealt with in a non-political way that best assists current and future victims of domestic violence.

Mr VICTOR DOMINELLO (Ryde) [10.48 a.m.]: I make a brief contribution on the Coroners Amendment (Domestic Violence Death Review Team) Bill 2010. I have read the Minister's agreement in principle speech and I have also read the submissions of the Domestic Violence Homicide Panel set up to assist the Government on the bill. The panel has made a number of recommendations and I will draw the attention of the House to two of them. The first recommendation is that there be a mechanism to ensure the implementation of recommendations. On page 9 of the submission the advisory panel identified essential features necessary to ensure the effectiveness of any review mechanism.

The agreement in principle speech does not state why an implementation mechanism is not in place. Nor does there appear to be a mechanism in place for review of the bill. I ask the Minister to address that in her reply. The second point is whether the Ombudsman or the Coroner has the capacity to review a team. At page 11 of its submission the advisory panel noted that the majority preferred a model where the Ombudsman convened the expert review team. The submission states:

This model builds on existing powers and expertise in death review, and wider systemic reviews, held by the Ombudsman and his staff. This model was considered to be the best fit with the full range of the Terms of Reference proposed for the review mechanism, including the capacity to establish a database on domestic violence related homicides, draw from emerging research, and undertake public and professional education. It was also considered to avoid duplication and facilitate information sharing with respect to the review of related child deaths. It would ensure that government and non-government agencies were represented, and that work would be informed by wide ranging expertise. Consultations with the Deputy Ombudsman and staff indicated their support for the preferred philosophical approach to domestic violence death reviews, that is, of moving away from a shame and blame framework to one focused on prevention and the improvement of systems.

The panel noted that whilst the Attorney General's Department agreed with the review team's proposal, its preference was that the Coroner convene the team. The agreement in principle speech does not explain why the Government elected to proceed with the Coroner as convener and not the Ombudsman. The only reference in the speech is a solitary sentence that states:

The convener is to be a current or former State or Deputy State Coroner.

That is not an explanation. Given that the advisory panel suggested that the policy arguments for and against having the Coroner or Ombudsman were "finely balanced", I ask the Minister to explain why the Government chose to nominate the Coroner.

Ms ANGELA D'AMORE (Drummoyne—Parliamentary Secretary) [10.53 a.m.]: In discussing this landmark reform for the protection of women and children from domestic violence, I shall address some issues that arose in public discussion on the Coroners Amendment (Domestic Violence Death Review Team) Bill 2010. One issue that has been discussed is the need for a specific list of criteria of what constitutes a domestic violence death, as there is for the Child Death Review Team, to guide the Domestic Violence Death Review Team in selecting what deaths it should examine. The bill provides that the team has the power to select the domestic violence deaths to be reviewed, and its functions prescribe that it can review any closed case involving a domestic violence death. These deaths may be homicides and are expected to be what the team will focus on initially.

But the definition may also include suicides or fatal accidents. The generalised nature of the term "domestic violence death" ensures that the scope of the bill does not limit the capacity of the team to review any

of these deaths, or any other that may occur in the context of domestic violence. The Report of the Domestic Violence Homicide Advisory Panel noted that suicides of both victims and perpetrators occurring in the context of domestic violence could yield important information that could lead to improvements in the identification and assistance offered to those suffering severe impacts on their mental health as a result of experiencing domestic violence. The report recommended some scope to include these types of deaths, and suggested that it occur after 12 months. The bill provides the team with the autonomy and capacity to consider a range of deaths, including homicides, suicides and fatal accidents.

Another issue was how far back the team could go in events it considers led up to a domestic violence death. The bill does not impose any time frame about what events can be considered in leading up to a death. This ensures that the team has complete autonomy to determine what matters are relevant in each case. The bill enables the team to be open to consider a range of events that was part of the history of the victim, and whether those events occurred in the past year or many years prior. The purpose of the team is to identify common factors or significant lapses that should be addressed. It may be that some events fall outside the usual audit of a police investigation of an individual death.

Finally, the question has been raised as to whether the team will have an investigative function or a reviewing function. It is primarily the role of the police, the Coroner or other investigative bodies to investigate, find the cause of death and prosecute anyone who is criminally responsible. The team is called a "review team" to emphasise its function in looking at a wide range of data across a set of cases as it examines the causes of domestic violence deaths. The team's focus will be on identifying gaps in systems and services, and making recommendations to address them. It will not investigate or reinvestigate specific cases or make determinations as to criminal responsibility. However, the team also has an investigative role in that its powers to requisition information from government agencies can provide new sources of data for the team to examine beyond what may have been investigated by police or the Coroner. For this reason, the objects of the bill include provision for the team to investigate the causes of domestic violence deaths.

The role of the team is not to apportion blame to individuals or even agencies. It is to provide a process through which agencies can contribute shared knowledge about these tragic deaths and make positive recommendations for change aimed at avoiding further deaths. I take this opportunity to thank the New South Wales Police Force for its fantastic work in the area of domestic violence deaths and domestic violence generally. Often it is a very emotional and difficult area of work. I thank particularly my local area commands, Burwood and Flemington, for the outstanding work local officers do day in and day out in supporting victims of domestic violence and in prosecuting those responsible for it.

Domestic violence and domestic violence death affect women of all cultural and social backgrounds. It is not limited to a particular group of people, nor is it dependent on their income or social background. Often it is difficult for women or men—men are also victims of domestic violence—to come forward. I take this opportunity to pass on my condolences to families who have lost mothers, daughters and sisters through domestic violence. I acknowledge also Mary Jo McVeigh, a resident of Concord, who campaigns strongly in my electorate on domestic violence and sexual violence trauma. She runs a volunteer program—one of the first—for men who perpetrate domestic violence in our communities. There are two sides to domestic violence and domestic violence deaths. It is not just about women standing up on this issue; it is also about working with men who perpetrate this behaviour and dealing with the issues that led them to perpetrate domestic violence and, in some cases, domestic violence death.

As a female member of Parliament I am happy to speak on these issues. From time to time I have consoled women from my electorate who had the confidence to approach a female member and discuss this difficult issue. My staff and I always have a great deal of compassion for these women and the services that support them. It is often difficult for women to leave the family situation even though severe domestic violence is occurring within the family. Their reluctance to leave may be due to financial circumstances or their concern for their children. They are concerned about leaving the household, and at times they feel ashamed. However, in the last two decades we have come a long way with regard to domestic violence. It is no longer seen as the fault of the woman; it is treated with a more holistic approach.

I regularly attend the high schools in my electorate and speak to young girls and young men about domestic violence, because I believe it is important to deal with the issue with the young individuals in our communities whilst they are at high school. We are seeing a higher incidence of domestic and sexual violence involving young school-age girls and their boyfriends. It is therefore important to tackle the issue with young men not only in the family situation but also at schools so they understand that this behaviour is not appropriate,

that it is a crime, and that what they are doing to females is not correct. I have had to address this issue with a number of families in my electorate, and it can often be a very difficult situation. However, as community leaders we have the role of confronting some of these difficult issues and changing attitudes in our communities. I commend the bill to the House.

Mr ROBERT COOMBS (Swansea) [11.01 a.m.]: The introduction of the Coroner's Amendment (Domestic Violence Death Review Team) Bill 2010 marks an important milestone in New South Wales for victims and families suffering the horrific impacts of domestic and family violence. It is abhorrent and unacceptable that, between 2003 and 2008, 215 people died as a result of domestic violence, which equates to 42 per cent of all homicides in New South Wales. Forty-three per cent of these domestic homicide victims were killed by intimate partners. Clearly, we must continue to work towards ending this horrific crime. This domestic violence death review team bill is an important step towards this. The team will be based in the Office of the New South Wales Coroner. The bill provides that either the Coroner or a former coronial officer will chair the panel. I am pleased to say that the panel takes a collaborative approach and will consist of experts from both the government and the non-government sector.

A model involving the Coroner fits with the Coroner's homicide expertise and complements changes made to the Coroner's Act in 2007 which allow the Coroner to consider systemic issues after the question of who was accountable for the death has been resolved. The New South Wales model also complements the other review mechanism in Australia, that of Victoria. That model has been very well received within the community. In January 2009 Victoria established a team advising the coroner, and Queensland is also considering a domestic violence homicide review mechanism. A panel has been convened which is currently examining the powers of the Queensland Coroner.

Many other States and Territories do not have an office which holds the equivalent powers of the New South Wales Ombudsman. Each State and Territory does, however, have a coroner, and it is the role of the coroner to investigate the circumstances surrounding all "reportable deaths" and make recommendations about public health or safety or the administration of justice, to help prevent a similar event from happening again. Also, all coroners have access to the National Coroners Information System [NCIS], which has a primary role in assisting coroners in their role as death investigators by providing them with the ability to review previous coronial cases that may be similar in nature to current investigations, thereby enhancing their ability to identify and address systemic hazards within their jurisdictions.

A coronial model will further complement work being done at a national level, including a Commonwealth Government commitment, through the Standing Committee of Attorneys-General, to work in with the States and Territories to conduct a thorough review of current procedures to monitor the consideration, implementation and reporting of coronial recommendations in order to identify best practice approaches with respect to domestic violence homicides.

I am proud that New South Wales is now the second Australian State to introduce a domestic violence homicide review model. This Government has demonstrated its commitment to eradicating violence in all its forms, and the bill sets out a solid grounding for the Domestic Violence Death Review Team to carry out its valuable and much-needed work. The introduction of this bill is a tribute to all those who work hard to eradicate and reduce the terrible impact of domestic and family violence in our community. The bill, which sets up the Domestic Violence Death Review Team, is an important step forward for government and non-government sectors to work together to better understand the context of these tragic deaths and to suggest changes to reduce such deaths in the future. I, too, commend the bill to the House.

Ms JODI McKAY (Newcastle—Minister for Tourism, Minister for the Hunter, Minister for Science and Medical Research, and Minister for Women) [11.06 a.m.], in reply: I thank the members for Goulburn, Miranda, Hornsby, Drummoyne, Wollongong, Swansea and Ryde for their contributions to this important debate. We know that, between 2003 and 2008, 215 people died as a result of domestic violence. Forty-three per cent of these domestic homicide victims were killed by intimate partners. Clearly, it is critical that we all consider how we can put an end to this abhorrent crime. The bill will go a long way towards achieving that goal.

The object of the bill is to create a statutory framework that will support the operation of an expert multidisciplinary Domestic Violence Death Review Team. Importantly, the team will comprise representatives from health, justice, law enforcement, social services, and non-government agencies. The establishment of this

multifaceted team of government and non-government representatives is recognition that responding to domestic violence is a whole-of-community responsibility. Governments alone cannot tackle the problem effectively; the knowledge and expertise of the community and the non-government sector is vital.

The value of a multidisciplinary team is that deaths will be analysed from a range of professional perspectives and disciplines. The bill provides the team with the ability to share information with similar review mechanisms, thus encouraging a better understanding of these types of deaths in a broader context. The bill is about bringing the right people together and setting up the right frameworks so they can identify systemic issues and causes of deaths occurring in a domestic violence context to reduce the incidence of these types of deaths.

I will speak further about the importance of this bill. However, I want to say upfront that I am bitterly disappointed by the comments of the member for Goulburn with regard to the bill. She has been a long-time supporter of the principle of a domestic violence death review team. I am certainly not going to stoop to her level in this debate, because this bill is just too important. However, despite the vitriolic views the member for Goulburn has expressed today, even she must acknowledge—and she has acknowledged—that this bill has been welcomed by the domestic violence sector. Indeed, her comments go against the domestic violence sector's support for the bill's provisions. Betty Green, the Chair of the Domestic Violence Coalition Committee, in welcoming the bill's provisions, said:

The establishment of the Domestic Violence Death Review represents a significant step forward in understanding more about domestic violence, domestic violence deaths and what steps need to be taken to prevent similar deaths.

The government is to be commended in committing to establish what is a leading practice domestic violence death review panel in New South Wales.

The member for Goulburn has questioned the decision by the New South Wales Government to base this important team in the Office of the Coroner. I take this opportunity to advise the House that this decision was not taken lightly. The New South Wales model complements the other review mechanism in Australia, that of Victoria. That model has been very well received within the community. Many other States and Territories do not have an office that holds the equivalent powers of the New South Wales Ombudsman. However, each State and Territory does have a coroner, and it is the role of the coroner to investigate the circumstances surrounding all "reportable deaths" and to make recommendations about public health or safety, or the administration of justice, to help prevent a similar event from happening.

Importantly, all coroners have access to the National Coroners Information System, which has a primary role in assisting them as death investigators by providing them with the ability to review previous coronial cases that may be similar in nature to current investigations, thereby enhancing their ability to identify and address systemic hazards within their jurisdiction. A coronial model will further complement the work being done at a national level, including a commitment by the Commonwealth Government, through the Standing Committee of Attorneys-General, to work with the States and Territories to conduct a thorough review of current procedures, to monitor the consideration, implementation and reporting of coronial recommendations in order to identify best practice approaches with respect to domestic violence homicides. The Women's Legal Services New South Wales welcomes the introduction of legislation to establish the Domestic Violence Death Review Team. It stated:

While we note that the report of the Domestic Violence Homicide Advisory Panel 2009 recommended that a team sit within the New South Wales Ombudsman's office, we consider that convening through the State Coroner's office is also appropriate and in line with other models for teams with similar aims. We are pleased that the New South Wales team is a multidisciplinary and multi-agency team, and includes non-government representation.

The service went on to say:

We believe that placing the Domestic Violence—

at that stage—

Homicide Team within the Coroner's office will give its work independence and credibility.

One of the additional benefits of having the team chaired by the Coroner is the added accountability requirement that the Government has recently placed on coronial recommendations. The Coroners Bill 2009 introduces changes that will ensure that each coronial recommendation is forwarded to the State Coroner, the Minister responsible for the legislation or agencies subject to the recommendation, as well as to the person or agencies to which the recommendation is directed.

The Premier has also issued a memorandum to all Ministers and agencies which sets out a process for responding to and publicly reporting on coronial recommendations. It should be noted that the Premier's memoranda are binding on all Ministers and, through them, their agencies. Under the memorandum Ministers and agencies that receive recommendations are required to advise the Attorney General within six months on whether the recommendations will be adopted. Summaries of recommendations by the Coroner and responses from Ministers and public officials are then posted on the Department of Justice and Attorney General's website every six months. Posting this information on the Internet ensures that the process for responding to coronial recommendations is open and transparent and that such information is easily accessible by all members of the public. In line with this memorandum, information is now currently on the Department of Justice and Attorney General's website covering the responses of Ministers to coronial recommendations.

A lot of work has been done to ensure the right outcome of this bill, and consultation on the draft bill was undertaken with key government and community stakeholders. Those consulted included: NSW Police Force, NSW Health, Department of Justice and Attorney General, Department of Premier and Cabinet, the Department of Ageing, Disability and Homecare, the Department of Juvenile Justice, Housing NSW, Aboriginal Affairs NSW, the Department of Education and Training, the State Coroner, the Commission for Children and Young People, and community and key non-government service provider representatives working in or researching the field of domestic and family violence.

All submissions received on the draft bill were supportive of the establishment of the Domestic Violence Death Review Team. Of the few concerns raised, the majority related to the inclusion of a provision enabling information sharing with the Child Death Review Team and the confidentiality and disclosure of information under the bill. Those concerns have been addressed in this bill, with the inclusion of a subsequent amendment to the Commission for Children and Young People Act 1998 to enable information sharing between the review teams, and amendments to the confidentiality and disclosure provisions to the extent that they still enable the team to have the required access to information. The bill now proposed represents the input of those people and significant agreement in this consultation.

The role of the team is to review the types of deaths and to identify systemic reform. Examining a matter after it has been closed ensures that there can be a full and open review without fear of prejudicing any proceedings. As noted in the report of the Domestic Violence Homicide Advisory Panel, international family violence death review committees primarily examine closed cases to prevent reviews of family violence deaths being seen as potentially prejudicial to criminal or coronial investigations. There are some moves internationally to conduct open case reviews; however, the form of that review and the experiences of those jurisdictions with that approach are not yet known. The current bill will allow time to see what can be learned from international and interstate experience if and when it is incorporated into overseas models.

The team's functions prescribe that it can review any closed case involving a domestic violence death. The generalised nature of the term "domestic violence death" ensures that the scope of the bill does not limit the capacity of the team to review any domestic violence related deaths, and that is important in the context of those issues raised in particular by the member for Goulburn. The report of the Domestic Violence Homicide Advisory Panel noted that suicides, both of victims and perpetrators, occurring in the context of domestic violence could yield important information that could lead to improvements in the identification and assistance offered to those suffering severe impacts on their mental health as a result of experiencing domestic violence. The report recommended that there be some scope to include these types of deaths, albeit after 12 months.

The bill provides the team with the autonomy and capacity to consider a range of deaths, including homicides, suicides and fatal accidents, from the outset. Importantly, the team will also investigate the causes of domestic violence through an analysis of data across a set of cases. The team's focus will be on identifying gaps in systems and services, and making recommendations to address them. It will not investigate or reinvestigate specific cases or make determinations as to criminal responsibility. The purpose behind the team is not to apportion blame on either individuals or agencies; its purpose is to provide a process to which agencies can contribute shared knowledge about these tragic deaths, and to make positive recommendations for change aimed at avoiding further deaths in the future.

The member for Goulburn also raised concerns about the make-up of the team. The rationale for having the number of government agencies represented on this team is that the representatives will facilitate the collection of information from their agencies as well as providing insights and expertise into departmental policies and procedures. That panel has the ability to seek expertise where required, including expertise in research—one of the issues raised by the member for Goulburn. The secretariat, funded with almost \$500,000

setup money to support the team, includes a research position that will guide the team in research tasks. In reply to the arguments of the member for Goulburn and the member for Ryde that there is no process for implementing the recommendations of the team I state that putting the reports of the team before the Parliament ensures transparency and accountability.

Those reports will provide an insight into gaps in services and procedures, which then can be addressed in a systematic manner by the relevant agencies. The Government is committed to working collaboratively to address any recommendation—I repeat, any recommendation—made by the team. By putting the reports before the Parliament it will ensure that the actions will be scrutinised by the Parliament. The domestic violence sector members of the panel, which included Professor Julie Stubbs, Dr Lesley Laing and Betty Green, all commented that the New South Wales model is world's best practice and that the domestic violence sectors in other States were looking to the New South Wales model for reforms to their agenda. As a Government we need to do everything we can to reduce domestic violence related deaths.

I acknowledge the presence in the Chamber of Minister Burney, the Minister for Community Services, who began this process. I commend her and the Attorney General for the work they have done and the collaborative approach they have taken with the domestic violence sector community to get this result. It is an important bill before the House. I also acknowledge the incredible role played by the non-government sector in supporting women and children who are affected by domestic violence. They have been instrumental in assisting the Government in the development of this domestic violence death review mechanism. I am pleased that the Government has acted quickly to progress the recommendations of the 2009 report of the Domestic Violence Homicide Advisory Panel in relation to this team. We will become one of the first jurisdictions in the country to introduce a mechanism to review domestic violence deaths and to prevent domestic violence deaths from occurring. This must happen because one domestic violence death is one too many. I commend the bill to the House.

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

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

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

THREATENED SPECIES CONSERVATION AMENDMENT (BIODIVERSITY CERTIFICATION) BILL 2010

Bill introduced on motion by Mr Frank Sartor.

Agreement in Principle

Mr FRANK SARTOR (Rockdale—Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)) [11.22 a.m.]: I move:

That this bill be now agreed to in principle.

Biodiversity certification became law in 2004. It establishes a process to assess the environmental impacts of future development at the strategic planning stage. If proposed conservation measures will equal or exceed the impacts of proposed development, resulting in improvement or maintenance of biodiversity values overall, the Minister may grant certification to areas of land. That removes the need for supplementary site-by-site reassessment. First and foremost, this bill establishes greater legal certainty for biodiversity certification decisions. The existing legislation is deficient in that it does not define the term "improve or maintain biodiversity values." This bill clearly defines this term. It does more than that: this bill delivers better environmental outcomes, ensures decisions are objective, reduces administrative processes and achieves real cost savings.

I ask members to consider this. If the scheme provided for in this bill had been used in the North Kellyville precinct of the Sydney growth centres it would have replaced 272 assessment reports with one

assessment report; saved \$2.6 million in assessment costs—a saving of around \$3,700 per hectare of land; and improved housing affordability by an estimated \$300 per dwelling. Further, consideration at the strategic level opens up the opportunity for greatly improved environmental outcomes. The central elements of the bill are much stronger provisions for ensuring that conservation outcomes will be delivered as development proceeds and a requirement to use a transparent and repeatable methodology when certification decisions are made. A draft of that methodology is available for consideration and public comment.

More specifically, the bill provides for the certification of land instead of environmental planning instruments. This ensures that the benefits of certification are recognised regardless of which planning controls apply, or if multiple planning controls apply. It clarifies the process of making an application for biodiversity certification. Only planning authorities will be able to make an application. An application must be exhibited and accompanied by a biodiversity certification strategy. It improves enforcement and compliance. Currently the only action that can be undertaken to rectify a breach of a condition of certification is to revoke or suspend the certification. The bill provides a more flexible range of compliance mechanisms that allow a more targeted response to problems, should they arise. These include ordering a party to carry out specified work or other actions they previously agreed to perform, modifying either the description of the certified land or the approved measures under the certification, and suspending or revoking certification.

The bill cuts red tape. For example, the effect of biodiversity certification will be extended to include projects determined under part 3A of the Environmental Planning and Assessment Act. Lands that have been certified will be excluded from the operation of the Native Vegetation Act. Site-by-site development assessment will not be required. A sound platform for pursuing strategic assessment under the Commonwealth Environment Protection and Biodiversity Conservation Act is established. This is an important step towards achieving a single assessment process between the State and the Commonwealth on sites where biodiversity issues are involved.

The bill lists the conservation measures that may be used. These include reservation of land under the National Parks and Wildlife Act, planning agreements, conservation and BioBanking agreements, plans of management, the purchase and retirement of biodiversity credits, and development controls. The bill creates a new type of agreement. Voluntary biodiversity certification agreements will be available to secure conservation measures when third parties may be involved—for example, agreements for future transfer of lands or for financial contributions to enable the future delivery of offsets. This bill will deliver better environmental outcomes when new urban development occurs at lower cost. I commend the bill to the House.

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

HEALTH PRACTITIONER REGULATION AMENDMENT BILL 2010

Bill introduced on motion by Ms Carmel Tebbutt.

Agreement in Principle

Ms CARMEL TEBBUTT (Marrickville—Deputy Premier, and Minister for Health) [11.28 a.m.]:
I move:

That this bill be now agreed to in principle.

Over the past few years, Australian governments have been engaged in a project to significantly restructure the way health professionals are registered and regulated. This process has been complex and difficult and, not surprisingly, it has taken a long time. This is understandable given the wide range of professions involved and the large number of stakeholders who are involved in each profession. These stakeholders include governments, health service providers, practitioners, educational institutions, professional associations and, most importantly, health care consumers. Stakeholders have freely given their time and expertise to assist governments in developing the scheme and the legislation, and the result is all the better for their involvement. I congratulate them on their commitment, energy and foresight.

As I have already noted, the development of this scheme has been a lengthy process. The legislative milestones in the development of the national registration scheme have included the initial bill establishing the scheme's administrative arrangements, which passed through the Queensland Parliament in November 2008; the

passage of the national law template through the Queensland Parliament in October 2009; the passage of the Health Practitioner Regulation Act 2009 through this Parliament in November 2009; and the consideration of the current bill, which establishes the New South Wales specific complaints, performance and health processes, establishes each of the health professional councils in New South Wales to administer those systems and makes consequential amendments to a range of other New South Wales Acts, including the Health Care Complaints Act, the Poisons and Therapeutic Goods Act, and the Public Health Act.

In considering the amendments to the national law that are contained in this bill, it will be valuable to recap on a number of important matters that are addressed in the Health Practitioner Regulation Act 2009. The Health Practitioner Regulation Act provides for the implementation in New South Wales of the Health Practitioner Regulation National Law. The national law sets out the regulatory framework for the National Registration and Accreditation Scheme for Health Professionals. It implements the agreement signed in 2008 by the Council of Australian Governments to establish the National Registration Scheme by 1 July 2010.

The national law provides for the registration at a national level of 10 health professions: chiropractic, dentistry, medicine, nursing and midwifery, optometry, osteopathy, pharmacy, physiotherapy, podiatry and psychology. Four further professions will be added to the national scheme in July 2012: Aboriginal and Torres Strait Islander health practice, Chinese medicine, medical radiation practice and occupational therapy. The national law will ensure that nationally uniform processes and criteria exist for registering practitioners and accrediting educational programs. The establishment of these uniform processes and standards will mean that uniformly high standards will be applied nationwide and that the public can have increased confidence that all registered health practitioners meet appropriately high standards.

Members will be aware that all national systems are, necessarily, the result of negotiation and compromise to reach outcomes acceptable to all jurisdictions. This national system is no different. Therefore, practitioners and regulators in New South Wales will find some differences in how registration, accreditation and other processes will be managed under the national scheme. As I have indicated already, there are some areas where compromises have been made to reach agreement on a national system. However, there are some areas where the protection of the public demands that compromise is not possible. For this reason the Government has argued consistently that there can be no compromise in ensuring the maintenance of a strong, accountable and transparent disciplinary and complaints systems in New South Wales.

Members will be aware that the health care complaints system in New South Wales is virtually unique in Australia. The system divides the complaints and disciplinary roles between the health professional boards and the independent Health Care Complaints Commission. The changes made to the New South Wales system over the past 20 years have focused consistently on enhancing the public accountability of health service providers and improving the capacity of the complaints system to protect the public. The national law's complaints model adopts processes similar to those that currently apply in most other States and Territories. It is markedly different from the current New South Wales model.

This Government remains committed to the Health Care Complaints Commission as an integral element in complaints management in New South Wales. For this reason the Government brokered an agreement with the other States and Territories that will enable New South Wales to maintain the current New South Wales health complaints system and functions of the Health Care Complaints Commission. Therefore, New South Wales will participate in national registration as a co-regulatory jurisdiction. As a result of being a co-regulatory jurisdiction New South Wales has not adopted the national law complaints model, as set out in divisions 3 to 12 of part 8 of the national law. Under the New South Wales approach the national registration boards will not deal with complaints about matters occurring in New South Wales and those matters must be referred to the New South Wales authorities, including the Health Care Complaints Commission, to be managed.

Stakeholders in New South Wales have uniformly welcomed the commitment of the Government to retain the existing complaints system and recognise the benefits that a robust, independent and transparent system delivers to the public, health practitioners and the health system as a whole. In terms of funding the New South Wales complaints system, health Ministers have agreed that the practitioners of other jurisdictions will not be called on to fund the complaints system in New South Wales and that practitioners in New South Wales equally will not be called on to fund the complaints system established under the national law. Because New South Wales is not adopting the national complaints model the bill contains the New South Wales provisions that will replace divisions 3 to 12 of part 8 of the national law. The bill reflects the Government's commitment to retain the Health Care Complaints Commission as a separate entity and extends many of the recent reforms to the Medical Practice Act to other professional groups.

Before I turn to discussing particular aspects of the bill, I advise members that in addition to tabling the bill I have also tabled a draft consolidation of the bill and the Health Practitioner Regulation Act 2009. I turn now to the specific provisions of the bill. Amendment 3 of the bill includes a range of amendments to the front-end of the Act to recognise the various regulatory structures and bodies that will operate under the New South Wales provisions. Amendment 5 in the bill provides for the extensive amendments to the national law. The amendments to the national law broadly fall into three separate categories: amendments to provide for the establishment and functions of the New South Wales professional councils; amendments to provide for the New South Wales specific complaints, performance and impairment systems; and amendments to provide for the ongoing regulation of pharmacy businesses and premises.

As the New South Wales Government has determined to maintain the New South Wales specific complaints performance and impairment systems, it is essential that regulatory bodies be established to administer those systems. Accordingly, the bill incorporates in the Act a new part 5A, which establishes a professional council for each profession. Members will note that section 41B establishes a council for each profession that is currently included in the national scheme and provides that the list of councils may be amended by an order of the Governor. The reason for allowing amendment by Governor's order is to facilitate the inclusion of additional professions in the scheme, including those professions that will be included on 1 July 2012.

Section 41E, in conjunction with part 1 of schedule 2, sets out the composition of each of the professional councils. Members will note that a council composition has been set for each of the following councils: the Dental Council, the Medical Council, the Nursing and Midwifery Council, the Pharmacy Council, the Physiotherapy Council and the Psychology Council. Members will note also that those compositions reflect the current compositions of the relevant State registration boards, with the addition of a dental prosthetist to the Dental Council to acknowledge the inclusion of dental prosthetists within the regulatory oversight of the Dental Council.

The membership of these councils is set out in the legislation, as these are the professions for which the relevant national board has determined there will be a New South Wales State committee with those committees initially comprising the current members of the State board. Similarly, the transitional provisions in the bill provide for the existing members of the relevant boards to become the members of the State councils for those professions. However, after 12 months the size and composition of the State committees of the national boards may change based on an analysis of the work that those committees undertake and the cost of maintaining them. In line with those changes, the size and composition of the councils may also change. Therefore, section 41E allows for the composition of the councils to be varied by regulation. Any variation will be undertaken only after consultation with all stakeholders.

For the other four professions—chiropractic, optometry; osteopathy and podiatry—the compositions of the councils will be set by regulation. In each of these professions the relevant national board has determined that there will be no State or Territory committee. Furthermore, the numbers of complaints and other notifications that are made about members of these professions are at levels that indicate that the costs associated with maintaining large councils cannot be justified. Accordingly, the regulations will establish smaller councils, much like the boards' existing complaints screening committees, to undertake the relevant State functions. I expect that the relevant councils will comprise three or four members made up of practitioners from the relevant profession and a legal practitioner. The affected professions will be consulted as the regulations are developed.

I will focus now on the most substantial and important part of this bill—that is, the amendments to provide for the New South Wales specific complaints, performance and impairment systems. As members will recall, the New South Wales Government has consistently stated that the sophisticated approach to managing complaints about health practitioners in New South Wales must be retained. New South Wales has for many years had an extremely sophisticated complaints and disciplinary system, and a substantial amount of law and precedent has built up around that system. Much of that precedent has been established by the Medical Tribunal and relates to the definitions of "unsatisfactory professional conduct" and "professional misconduct". In order that this body of precedent is not lost, the existing conduct definitions from the Medical Practice Act are being retained and adapted for use by all professions.

The principal definition of "unsatisfactory professional conduct" in the bill is in proposed section 139B. Sections 139C and 139D go on to set out additional matters relevant to medical practitioners and pharmacists

respectively. I further advise the House that, as with the definitions of "unsatisfactory professional conduct", the other aspects of the existing complaints processes are to be carried over with little change. There is a small number of areas in which there will be change, and many of these changes reflect changes brought about by the national registration system. These areas of change include: changes required to reflect the registration of students in all professions and changes to the council's powers regarding emergency suspensions.

In terms of the registration of students, which in New South Wales has previously been limited to medical and dental students, the relevant provisions have been updated to allow complaints to be made and action to be taken against a student in limited circumstances. Those circumstances are: where a student has an impairment, where the student has been convicted or charged with a serious offence, or where the student has breached a condition of registration. Action may be taken against a student where the matter or matters giving rise to the complaint demonstrate that the student should not undertake clinical training involving contact with patients, or should undertake such training only subject to conditions. These provisions reflect similar arrangements that will apply in all other jurisdictions.

With respect to the changes to provisions concerning emergency suspensions, I advise the House that the changes proposed involve moving from emergency suspensions of not more than eight weeks in duration to emergency suspensions that are not time limited. While this is an extension of the suspension power, it must be noted that a practitioner who is subject to such a suspension may apply for a review of that suspension at any time and as frequently as he or she wishes. Of course, a council will be able to decline to accept an application that is frivolous or vexatious. However, the professional and board representatives who have considered this matter agree that it is appropriate and that the right to apply for a review at any time meets any concerns about procedural fairness. The bill also contains a range of transitional provisions that will ensure that the transition to the national scheme does not render the investigation or prosecution of any current complaints void. The transitional provisions also provide for existing approvals for pharmacy premises and owners to carry over as well as relevant appointments in terms of pharmacy premises and inspections.

I turn now to those provisions dealing with the regulation of pharmacies. Those provisions are to become schedule 5F of the Act. The intergovernmental agreement establishing the national registration and accreditation scheme expressly excluded the regulation of pharmacies from the national process and left this matter to be dealt with at State and territory level. Therefore, the bill incorporates the existing provisions of the Pharmacy Practice Act and the Pharmacy Practice Regulation in respect of the ownership and control of pharmacies and the standards for the approval of pharmacy premises. Of course, the wording of a number of provisions dealing with pharmacies has varied slightly to accommodate national registration of practitioners and the consolidation in the Act of a number of matters that have previously been dealt with by regulation. Officers of the Department of Health have consulted with the Pharmacy Board, the Pharmacy Guild and the Pharmaceutical Society on these matters.

It is important to recognise that the absence of any material change in the legislative restrictions relating to pharmacy ownership means that any pecuniary interest in a pharmacy that was unlawful under the previous pharmacy legislation will remain unlawful under this legislation. The Pharmacy Practice Act 2006 includes a transitional provision to the effect that a person who lawfully held a pecuniary interest under previous pharmacy legislation is not precluded from continuing to hold that interest under the 2006 Act. This transitional provision was included for the sake of clarity because the 2006 Act incorporated a reasonably substantial updating of the pharmacy ownership provisions. As this Act does not include any such update, the transitional provision is unnecessary. A number of matters relating to the standards for the approval of pharmacy premises are currently dealt with in regulation. These matters, which relate to equipment and publications, will continue to be dealt with by regulation and I give a commitment that the substance of the existing regulations will be retained.

Finally, the bill also contains a range of consequential amendments to other State legislation. The development of this legislation has been complex and drawn out and has required a significant investment of time and energy by all stakeholders. Once again, I extend my thanks to all of the health practitioners who have freely given of their time. I also commend the Parliamentary Counsel and his staff for their efforts in bringing this complex piece of legislation to fruition. I commend the bill to the House.

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

CENTRAL COAST TRAFFIC ARRANGEMENTS

Ms MARIE ANDREWS (Gosford) [11.45 a.m.]: I move:

That this House:

- (1) notes the completion of the \$800,000 upgrade to the intersection of Manns Road and Merinee Road, West Gosford;
- (2) notes that the new traffic lights have improved traffic flows in the area; and
- (3) congratulates the Government on its continued commitment to pedestrian and road safety on the Central Coast.

Manns Road is an important State road on the Central Coast that runs north from the Central Coast Highway at West Gosford to join the Pacific Highway at Narara. Manns Road provides access to industrial and bulky goods businesses at West Gosford and provides a north-south link for motorists. Approximately 17,000 vehicles a day use Manns Road, which intersects with Merinee Road at West Gosford. Merinee Road provides access to a large section of the West Gosford industrial area that is home to more than 90 large business premises and industrial unit complexes. In addition, Merinee Road is home to one of three centres run by Fairhaven Services Limited on the Central Coast. Fairhaven provides employment for people with disabilities. Many of the employees in the Merinee Road area travel by bus or need to walk across busy Manns Road.

The \$1.1 million upgrade of Manns Road and Merinee Road intersection, completed in 2009, has improved safety and access for both pedestrians and motorists. The Roads and Traffic Authority commissioned Gosford City Council to upgrade the intersection. This project is a demonstration of the Government's policy of providing jobs for local people. Specialist technical providers installed the traffic light posts, lanterns and controller to Roads and Traffic Authority specifications. The new traffic lights control all motor vehicle and pedestrian movements at the intersection. The intersection comprises one through lane in each direction along Manns Road, dedicated lanes for left-turning and right-turning traffic, and pedestrian lights to allow safe access across each leg of the intersection.

Raised concrete median strips have also been installed to provide good lane discipline and concrete footpaths enable ease of access to the adjacent bus stops. The upgrade required minor modifications for access to some of the businesses adjacent to the works with new kerbs and gutters provided across some frontages. During the construction process, both Roads and Traffic Authority and council staff kept in close contact with local business owners to keep them informed of work activities as they progressed and to minimise any impacts on them. The upgrade of the intersection has improved safety and traffic efficiency for all road users and, of course, the intersection is now much safer for pedestrians.

It will be important to continue to upgrade Central Coast roads as the population in the region continues to grow. The Central Coast Regional Strategy released in 2008 by the Department of Planning has set targets for the Central Coast for an additional 100,000 people and additional 45,000 jobs by 2031. This attractive environment so close to Sydney makes the Central Coast a great place to live and ensures continued development in this growing part of the State. The New South Wales Government has committed more than \$300 million over the four years to 2011 to improve Central Coast roads. On 16 June 2009 the New South Wales Government announced \$111 million of funding for Central Coast road infrastructure in the 2009-10 budget. The Manns Road and Merinee Road intersection upgrade project forms part of the 2009-10 road program.

I also want to speak about some of the other projects that are taking place in my electorate at this moment or that have been completed. One that has been completed, and which has made a major difference to the flow of traffic through the Gosford area and has also greatly improved pedestrian safety, is the upgrade at the intersection of Masons Parade and Dane Drive. That project cost \$7 million. It certainly has improved the flow of traffic at that busy site. That area is used by 40,000 motorists each day on trips to and from Erina, West Gosford, and the F3 freeway. The upgrade project has now provided two dedicated lanes for vehicles turning left from Masons Parade, while the right-hand lane into the boat ramp car park has been retained. The new bus priority signal at the traffic lights heading northbound at Masons Parade has helped to deliver commuters into the centre of Gosford at a much faster rate.

The last budget, the 2009-10 budget, allocated \$20.3 million for road upgrades and traffic management in the Gosford electorate alone; \$6 million to upgrade the intersection of the Central Coast Highway and Woy Woy Road—and that work is continuing as I speak—and \$2 million for the planning for the upgrade of the

Central Coast Highway at the intersection of Brisbane Water Drive and Manns Road. That will be a massive project. I am pleased that the Roads and Traffic Authority has made great progress in consulting the community—both residents and businesses—in that area. We are now up to the final option, which, I am sure, will be ticked off by the Minister in the near future. Hopefully some of the relocation of the services in that area will be commenced before the end of the year. That upgrade has been a long time coming but a lot of planning needed to be done because it affects so many people. It will make a huge difference once it has been completed.

Other major improvements in my electorate have included the provision of a \$200,000 bus bay on the Central Coast Highway, 250 metres west of Brian McGowan Bridge. It has greatly improved the traffic flow as well. These bus bays make a tremendous difference to the flow of traffic and provide greater safety to pedestrians. Like everywhere else, traffic on the Central Coast is increasing and we have to provide safety for pedestrians. Another project I would like to mention is the commencement of work on repairing the Central Coast Highway's road surface between Masons Parade and Melbourne Street in Gosford. That project cost \$945,000—close enough to a million dollars. It not only strengthens the road surface but also improves safety for motorists and reduces future maintenance costs. It involves the relocation of a water main between Albany Road and Masons Parade. Again, Gosford City Council carried out that work on behalf of the Roads and Traffic Authority.

Flashing lights have been installed outside Brisbane Water Secondary College, Woy Woy campus. Those flashing lights make a tremendous difference. They certainly alert motorists to the fact that school students are crossing busy roads, and they are a great improvement on what was there before. The Brisbane Water Secondary College, Woy Woy campus, was among 50 school zones selected in the latest round to receive flashing lights under the New South Wales Government's \$46.5 million program. The installation of flashing lights for 2009 has now been completed, and there are flashing lights in 366 school zones around the State. Once again, this has greatly improved the safety of our school students, both primary and secondary school students.

As I mentioned, the preferred option for the West Gosford intersection has been released and comments are now being considered. I am sure in the not too distant future the Minister will make an announcement on that upgrade. The preferred option includes a two-way link road from Dyer Crescent to Boolari Road and there would be a one-way exit ramp on the Central Coast Highway directly connecting with Gonaro Road; a new roundabout at the intersection of Manns Road and Grieve Close; a new service road from the new Grieve Close roundabout to provide access to neighbouring properties, including Domayne and Trackside Restaurant; the closure of Bel-Hilton Parade at Brisbane Water Drive; and a new link road between Bel-Hilton Parade and Kulara Avenue. That probably explains why that project will cost in excess of \$130 million. I commend the motion to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [11.55 a.m.]: I am delighted to take part in this debate on this motion, which states:

That this House:

- (1) notes the completion of the \$800,000 upgrade to the intersection of Manns Road and Merinee Road, West Gosford;
- (2) notes that the new traffic lights have improved traffic flows in the area; and
- (3) congratulates the Government on its continued commitment to pedestrian and road safety on the Central Coast.

Of course, I am going to dispute the last part of that motion. I am speaking to the motion because the shadow Minister for the Central Coast is at a police presentation today. He has asked me to say a few words with regard to this motion. The Central Coast is a wonderful place to live, with great communities. Many of us take time to visit the Central Coast. One thing obvious to us all is the enormous amount of traffic congestion that has occurred on the Central Coast over the years. I truly believe that is through the lack of investment and management by this State Government over 16 years. The member for Gosford has noted in her motion the \$800,000 upgrade—dare I say it is window dressing—of the intersection that leads from Kariong Hill, the main entrance to the city of Gosford.

I am advised that it has not improved the traffic flow and that things are just as bad as they were. The community, along with the Roads and Traffic Authority and others, advocated for a flyover. The Government has not responded to this. This improvement came about because four days before the last election the then Premier, Morris Iemma, turned up and made the commitment. It has been delivered, but it was done in the heat of an election campaign rather than listening to what the community was advocating for. Other places need

attention as well. I am told that at Ocean Drive and Tumbi Road it has taken two years to complete just 1.5 kilometres of improvement. Again, it is another area where roads on the Central Coast have been congested, and it has taken this Government forever to solve that problem.

The situation at Carlton Road and Ocean Drive is that some improvement works have begun. I am told they are putting in 40-kilometre-an-hour speed limits and it will take two years to complete this work. The community wants this Government to concentrate on the job and deliver the project quicker so that these restrictions do not hinder the flow of traffic. I note that in the member's presentation, which was wide ranging about traffic issues, she mentioned the introduction of flashing lights into school zones. Her noting of that is timely, because I am going to move an amendment. I move:

That the motion be amended by leaving out paragraph (3) with a view to inserting instead:

- (3) notes that the Government promised there would be 566 flashing lights across New South Wales by 2011; and
- (4) notes that only 5 per cent of school zones have flashing lights, falling short of the announced commitment.

I have moved the amendment because in her presentation the member for Gosford noted that so far only 366 schools across New South Wales have received flashing lights, well below the forecast of 566 sets of flashing lights by 2011. It is almost 2011 and, by the Government's own admission, it is well and truly short of that forecast target. Schools on the Central Coast desperately need flashing lights, as do schools right across New South Wales. Speed cameras have been installed near some schools, but the Government is falling well short of its target and that is not acceptable. The community does not appreciate the Government moving self-congratulatory motions. The community, taxpayers and the people in the gallery want to see results. They want to see the Government honouring its commitments in a timely fashion. They do not want to see delays like the delay forecast for Carlton Road. Two years for a small road upgrade is unacceptable.

Perhaps the Roads and Traffic Authority should contract out work on the F3 to the council, which has become a car park, as recent headlines have highlighted. We have seen the mismanagement of the traffic flow to the Central Coast. Residents of the Central Coast have suffered for a very long time under this Government and they continue to suffer. Every time an accident occurs on the F3, traffic comes to a halt. It seems to take forever for the long-suffering people of the Central Coast to get home or to get to work. I understand a report has been prepared and will be delivered to the Parliament shortly. For the sake of residents on the Central Coast I hope that the Government will act on the recommendations of that report.

Residents are concerned about congestion. People on the Central Coast are regular commuters. They are frustrated that every time there is a problem on the road, their ability to get to work to earn an income is impeded and it costs them money. Not only are they paying tax and charges through increased levies on their registration, including the new big tax that the Premier has dreamt up—\$30 for every motor vehicle owner—they are also suffering because of the Government's mismanagement of the traffic flow.

The Central Coast is a wonderful area and it is growing, but it is in desperate need of investment. The years of neglect are starting to show not only in Sydney but also in regional New South Wales. Recently a full-page double article appeared in the *Daily Telegraph* on travel times. Former Premier Rees introduced the new toll levies that apply at different times of the day to try to ease congestion in Sydney, but the *Daily Telegraph* clearly exposed that the new levies are not helping Sydney's traffic congestion. The problem is not unique to the Central Coast; Sydney and some areas on the South Coast are also experiencing these problems because of the Government's lack of investment. The Government has made many promises and forecasts but it has not delivered. We are just months out from an election and finally some long-awaited road projects have started. However, they are forecast to take a long time and the community is already frustrated with the inability of the Government to come to grips with the delivery of much-needed infrastructure on time and on budget.

I have been to the Central Coast on many occasions: In fact, I have family who live there. The topic of conversation when I visit the Central Coast is always the way in which it is growing and how its infrastructure, such as water resources management, is failing the community. The Central Coast has been predominantly in the hands of members of a Labor Government. By 26 March 2011 the Labor Party in this State will have been in government for 16 long years. They cannot shunt responsibility home to anyone but themselves and their Government. Labor members who represent the Central Coast cannot look over to the Opposition benches and suggest it is our fault. They are in government, even if it has been a long conga line of Ministers. Labor members representing the Central Coast have had the opportunity to fix the problem, but they have not.

When Central Coast residents complain to me, I say, "There is only one thing you have to do; you have to vote out the Government. You need a change of government. A change of government is the only thing that will deliver to you any kind of hope, rather than false hope", which this Government has continually given them through its spin. [*Time expired.*]

Mr GRANT McBRIDE (The Entrance) [12.05 p.m.]: The member for Wagga Wagga represents the electorate of Wagga Wagga and he does that well. As long as he confines himself to that, he will be okay, but a visit to the Central Coast hardly qualifies him to make the assessment he has made. Roads, roads and more roads is the Government's policy for the Central Coast road network, and the momentum continues. The Labor Government is building a road network for the whole of the Central Coast—not one for Gosford City Council, not one for Wyong Shire Council, but a road network for the whole of the Central Coast.

The Labor Government and my Labor colleagues on the Central Coast appreciate that roads are a top priority for the Central Coast community. We do not have to be told that, we know that. The challenges are enormous, given the difficulty of the topography and maintaining continuous 24-7 road and pedestrian access, with 11,000, 12,000 or 15,000 vehicles per day. Innovative solutions are required and I congratulate the Roads and Traffic Authority for finding those solutions. It is interesting that the member for Wagga Wagga referred to the Carlton Road to Matcham Road upgrade. This section of roadwork can validly be compared with the Blue Mountains. As the member comes from the west, he should understand that the road is on top of a ridge, on top on which the Government is building a roadway.

Members who visit will see the depth of the actual retaining wall. That section of the road is as high as the ceiling in this building. The member for Hawkesbury would understand that, as a bus driver. It would scare the living daylights out of anyone looking over the edge. The degree of difficulty of the roadwork is compared with the Blue Mountains. Another example is that roadworks on the Central Coast cost as much as they do in the inner-city west because of the topography—because we are building them on a ridge or in a swamp. The Central Coast is basically ridges and valleys. We build the roads in valleys and on ridges. The section of road being talked about is a very difficult section; it is not just plain sailing. It is not like out in western Sydney, which is undulating land. We have difficult topography, for example, Lisarow, the area where the railway tracks go. That area is a swamp on which the railway track and the Pacific Highway are built.

There are difficulties associated with roads that cost a lot of money. I refer to the section of Wyong Road just recently completed. The member for Hawkesbury would have travelled on that road. The whole of Wyong straight is a floodway and it is very difficult. It has cost \$100 million to go from the end of Tuggerah straight to the other end. I return to Avoca Drive. For the information of members, just about all the budget allocation for Central Coast roads will go to the seat of Terrigal! Yet the member for Terrigal argues that we are not doing enough. What does he want?

I can see by the smiles on the faces of my colleagues opposite—the member for Terrigal's colleagues, I should point out, not my colleagues—that they are thinking of the section of road on Matcham Road. But then we have the Avoca Drive section of road, which is one of the missing links—besides the member for Terrigal. That is another major piece of work. The candidate for The Entrance, Chris Spence, will later explain to everyone why the upgrade is so difficult. The member for Wagga Wagga knows Avoca Drive and the topography, he knows how difficult it was to build the road, and he knows how difficult it is to build that section of road from Matcham Road to Carlton Road.

We have also established cycleways in the area. We now have an off-road cycleway extending all the way from Wyong railway station to The Entrance. Our commitment does not just relate to roads; it relates to other aspects of the road network. The cycleway I have referred to extends for something like 16 kilometres, and it is incredibly popular. Just last Sunday I met a young couple at Picnic Point at The Entrance. They live in Wadalba, in the electorate of the member for Wyong, and they had cycled from Wadalba to The Entrance on the cycleway. They do it regularly. The couple are acknowledging just how good this infrastructure is. We do have the infrastructure, and we will continue to build on it. [*Time expired.*]

Mr DAVID HARRIS (Wyong—Parliamentary Secretary) [12.10 p.m.]: I congratulate the member for Gosford on moving this motion, which refers to another link in the Central Coast road network. Labor members of this House are very proud of what they have been able to deliver for the Central Coast community over the past 16 years. Under the watch of the member for The Entrance, who was the Minister for the Central Coast at the time, the Central Coast received a massive increase in road funding. Just before I was elected in 2007 news came through that the New South Wales Government had committed more than \$300 million to road funding

over four years to 2011. This funding has enabled the Roads and Traffic Authority to roll out project after project across the Central Coast, to ensure we build a thorough road network that will benefit all the people on the Central Coast.

Members on this side of the House know that every single project that is put in place identifies and addresses congestion points, and those sections of road are being upgraded first. It is not just a continuous rollout of one project after another along one section of road; it is about looking at the sections of road that need upgrading first and making sure they are improved. The member for Gosford referred to the \$1.1 million—not \$800,000—upgrade to the intersection of Manns Road and Merinee Road at West Gosford, a section of road I travel on quite often because I like going out with my family to the Trackside Restaurant, which has very good Italian food. The upgrade has made a big difference to the road. Funding for the upgrade was part of the \$111 million in funding that was announced for Central Coast road infrastructure in the 2009-10 budget.

The reason we have been able to get that level of funding is that the Roads and Traffic Authority has been involved in a continuous process of planning for other significant projects on the Central Coast, and has engaged in community consultation on the road network. This has meant that we have been able to put to the various road Ministers that this funding is needed. I congratulate the Roads and Traffic Authority on the way it has worked on identifying the sections of road that need improvements, carrying out extensive public consultation, and then designing an excellent infrastructure to address the problems that have been identified.

The member for The Entrance spoke about Tuggerah Straight, in my electorate, which is heavily used. I note that the member for Hawkesbury said it is a terrible piece of road. It is, indeed, a brand-new road comprising four lanes, bike lanes, new intersections, bus priority lanes, and new bus stops. The project cost \$42 million, it was delivered on time and under budget, and it is part of the ongoing road network upgrade. The next section to be upgraded will be the road through Wyong, which is a particularly difficult piece of road to upgrade. The road runs through an historic town and its upgrade will require the construction of a second bridge over the Wyong River. The Government is currently carrying out public consultation on the project, which is nearing its end. We are hopeful that funds will be committed to that project very soon.

The member for The Entrance is very pleased about the upgrade carried out in her electorate on the road between Glen Road and the F3 at Ourimbah, a fantastic stretch of road that has made a huge difference to that area. Anyone who has been to the Central Coast and has exited the F3 at Ourimbah knows that it was a huge congestion point. Now it is a fantastic piece of road that goes all the way through to the shops at Ourimbah. The project involved an investment of \$66 million, and it has produced a quality piece of road that provides improved access to the school and shops at Ourimbah.

We all know that this work takes time. As the member for The Entrance highlighted, these areas of road often run through historic towns, they are on ridges or they are down in valleys, and it is very difficult to upgrade them. You cannot simply whack a bulldozer through the area; a lot of other work needs to be done. The Roads and Traffic Authority had to purchase a huge number of properties before it could increase the number of lanes on the section of road at Erina Heights that has been referred to. Then all the services had to be relocated—and that is before work commences on the road itself. We understand the need to implement a proper timetable and the necessity to ensure that funds are provided so that the work can continue as necessary.

One of the most important aspects about the \$100 million upgrade between Carlton Road and Matcham Road at Erina Heights is that the project created 660 local jobs during the global financial crisis. I spoke to a contractor from Terrigal who expressed his appreciation for this significant project, which kept him and his family in work. We have a plan on the Central Coast that is being rolled out, we have the funding to make sure the plan can be put in place, and we are making sure that people on the Central Coast are getting a quality road network, one project rolled out after the other. The plan has involved good community consultation and will improve the facilities on the Central Coast. Opposition members underestimate the cost of road projects and the time frames involved, and they have no idea of the difficulties involved in building roads on the Central Coast.

Ms MARIE ANDREWS (Gosford) [12.15 p.m.], in reply: I thank the members for Wagga Wagga, The Entrance and Wyong for their contributions to this debate. The Government cannot accept the amendment moved by the member for Wagga Wagga. I was surprised that the member for Wagga Wagga mentioned water resources on the Central Coast. After what happened in this place during question time yesterday, I did not think he would make mention of water resources. For the information of members opposite, water resources on the Central Coast are managed—or mismanaged, depending on the way one looks at it—by Gosford City Council and Wyong Shire Council. That is exactly why this Government is supporting the construction of Tillegra Dam.

I return to roads. The member for Wagga Wagga also referred to the flyover option for the West Gosford intersection upgrade. A flyover was discussed with the Roads and Traffic Authority at community forums and other meetings, and it was clearly shown that a flyover was not required for that intersection. To put a flyover in that area would be dangerous and would create more havoc than not because the traffic coming from the flyover would finish up at a set of traffic lights.

The option for the West Gosford Intersection Upgrade is a great one. It involves an expenditure of at least \$130 million, not only due to the construction costs of the upgrade but also due to the purchase of commercial properties and, unfortunately, some private residences. The Roads and Traffic Authority went out of its way to listen to the community when the 18 options for that intersection were considered, including the findings of a community workshop held last year. The Roads and Traffic Authority finally identified the Grieve Close option as offering greater overall benefits to the community.

The final two options for the upgrade were presented to the community late last year, which proposed either an entry through the shopping centre car park or an extension to Grieve Close under the Central Coast Highway. The Grieve Close option had been selected to provide access to the Jusfrute Drive industrial area. That involves closing the current access via Corumbene Road and building a two-way link road from Manns Road to the Jusfrute Drive industrial area via Grieve Close, including a new underpass beneath Debenham Road South and the Central Coast Highway. That upgrade will probably take up to two years to complete. It is one of the largest intersection upgrades the Roads and Traffic Authority has undertaken; it is certainly the largest one it has undertaken on the Central Coast. About 70,000 vehicles each day travel through that intersection.

I am pleased to say that the State Labor Government has contributed more than \$20 million towards the massive widening of the F3 south of the Hawkesbury River. There are now three lanes each way from the Hawkesbury River to Ourimbah and there are three lanes from the Hawkesbury north beyond Gosford. The F3 is a national highway, which is maintained by the Roads and Traffic Authority. The widening of the F3 has made a tremendous difference to traffic flow north and south. Following the traffic incident that occurred a few weeks ago, the Roads and Traffic Authority, under instruction from the Minister for Transport and Roads, is undertaking a review. I can assure members on both sides of the House that the review will result in a more speedy response to traffic incidents such as the one that occurred a few weeks ago.

The Government is committed to ensuring the safety of students going to and from school; students deserve the greatest safety we can provide. Safety officers have been provided for school crossings and dragon teeth have been stencilled along roads, including the Pacific Highway in Sydney, other parts of the Central Coast and elsewhere, around schools where flashing lights have not been installed. Dragon teeth markings alert motorists to the fact that a school is in that area and they should slow down. Members might be interested to know that driving at just five kilometres an hour over the speed limit can double the risk of having an accident, which is a risk no-one should take in areas with children about. I commend the motion to the House.

Question—That the words stand—put.

The House divided.

Ayes, 46

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

Noes, 35

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

Pairs

Mr Daley	Ms Goward
Mr Koperberg	Mr Roberts

Question resolved in the affirmative.

Amendment negatived.

Motion agreed to.

OLD NORTHERN ROAD, CASTLE HILL, VISTA PRESERVATION

Mr MICHAEL RICHARDSON (Castle Hill) [12.32 p.m.]: I move:

That this House:

- (1) notes that more than 1,100 people have signed a petition to the Parliament presented by the member for Castle Hill seeking to protect in perpetuity by means of a heritage order the view of the Blue Mountains from Old Northern Road, Castle Hill, above Heritage Park;
- (2) notes that Heritage Park is where the third government farm was established in 1801, and was also the site of the convict rebellion on 4 March 1804, the only organised uprising by convicts in Australian history;
- (3) notes that the site is very close to the vantage point from which Governor Arthur Phillip first sighted the Blue Mountains;
- (4) notes that the 300 metres of land along Old Northern Road above Heritage Park represents the last and best roadside vista of the Blue Mountains from this location; and
- (5) calls on the Minister for Planning to sign off on the request for a heritage order on this site, which is currently with the Heritage Branch of the department.

This particular site is of national significance. As many members would know, Heritage Park is the location of the Castle Hill uprising, the rebellion that led to the Battle of Vinegar Hill near Windsor Road, one of the most significant events in Australian history. This land, which has been preserved by luck more than anything else, is one of the most significant sites in Australia. The land was earmarked by the Commonwealth Government for housing but it was not developed. Later it was passed down via the State Government to Baulkham Hills Shire Council, which converted it into a beautiful park. Archaeologists have uncovered the foundations of the old convict barracks from which the convicts broke out in March 1804. It is hoped an interpretative building will be constructed on the site. This facility could be staffed by members of the local historical society to provide information to visitors to Castle Hill about the rich history of the area.

The site, which is on the other side of Old Northern Road from Oakhill College, presents the best view of the Blue Mountains along the whole of the ridge line running down through Dural and Maroota along Old Northern Road to Wisemans Ferry. It is probably from this point that Governor Arthur Phillip first glimpsed the Blue Mountains in 1789. Members would recall from their study of Australian history that Governor Phillip went on an expedition in 1789, reached a high spot, looked out across the plains and saw the ramparts, which

were not crossed until 1813. That, in itself, makes this site significant. Also, Heritage Park was the only site of an organised convict uprising in Australian history. Therefore, it is important that the vista from this point is preserved.

A turnoff for cars leads to a picnic area on the site. However, this area does not guarantee the view. A developer has bought land for the construction of houses immediately below the car parking area. The original development proposal was for a six-storey SEPP 5 development for aged people. Now houses with a maximum of two storeys will be constructed there. Because of the slope of the land those houses will not block the view. Great concerns have been expressed to me by members of the Castle Hill Historic Site Community Committee about the possibility of tall trees being grown there in the future and blocking the vista for visitors to the site. This would have significant consequences. First, people would not be able to relive the experience of Governor Phillip in 1789. Second, it is proposed that a walkway will be constructed to connect that vantage point with Heritage Park. This will attract more visitors to the park to learn about Australian history and it will be of benefit to businesses in The Hills, as it will attract people to visit Castle Hill and the local shopping centre. If the view were blocked there would be no reason for anyone to stop there. That is the great concern that David Sommerlad and his committee have expressed to me.

Are there other ways that one could deal with this problem? For example, it may be possible to place a restrictive covenant on the type of trees that could be grown in the area. The problem is that the restrictive covenant would not be valid in 30 or 40 years, which is when the trees would have grown and obstructed the view. It is interesting that we are debating this motion only a week after we debated amendments to the Trees (Disputes Between Neighbours) Act, which dealt mainly with hedges blocking people's views.

A hedge may also be blocking sunlight from a neighbour. This motion is not about neighbours; this is about anybody and everybody who has an interest in Australian history and who wants to be able to relive what Phillip and his party saw in 1789, and who is likely to be attracted to the Castle Hill Heritage Park site. It is more significant than the issue of high hedges blocking out views, particularly the views of people who have bought expensive harbourside homes—an issue we hear about frequently. We all know of instances where trees have been poisoned during the night to preserve views. It might be thought that such a solution could be employed in this case. I do not believe anybody in this House condones someone breaking the law, and it should not be necessary. If the view is blocked in the future visitors will not know what they are missing, so they are most unlikely to take matters into their own hands.

If the view is blocked by trees it will be gone forever, which would have significant ramifications for Castle Hill and what is now known as the Convict Trail. Old Northern Road is part of the Convict Trail and part of the Great North Road, which goes from Five Dock right through almost to Newcastle. It is 240 kilometres long and it presents an opportunity to many, many people for a great day or weekend out. An integral part of the Convict Trail is the Castle Hill Heritage Park. At gatherings at the park members of the Convict Trail project have spoken about the importance of the park to the overall project. If the connection with the view is lost then the significance of Heritage Park to the Convict Trail, to Old Northern Road and to the old road going up to the Hunter Valley will be lost. For all those reasons I urge the House to support this motion.

Mr DAVID HARRIS (Wyong—Parliamentary Secretary) [12.42 p.m.]: I congratulate the member for Castle Hill on bringing this matter to the attention of the House. I also acknowledge his fervent defence of Australian history and of the significant landmarks that run through his electorate. I also acknowledge that 1,100 people signed the petition, which has been submitted to the Parliament, seeking the protection of the views to the Blue Mountains from the Castle Hill Heritage Park by placing a heritage order under the Heritage Act on the lands adjacent to the park. Unfortunately, the Government cannot support the motion for technical reasons that I will outline.

The Castle Hill Heritage Park is acknowledged to be of significance to the people of New South Wales and is listed on the State Heritage Register. It is the site of the Third Government Farm. A request was previously received by the Department of Planning in November 2008 for an interim heritage order to protect the vista overlooking the park. I am advised that detailed consideration of the submitted nomination was undertaken, with additional advice being provided by Baulkham Hills council on this matter.

Investigations of the community requests were undertaken, including site visits to observe the views and assess the potential development of the land in the gully. After reviewing the assessment and criteria that established the listing of the Third Government Farm on the State Heritage Register no tangible evidence can be found of the view to the Blue Mountains with the established significance of the Third Government Farm site. Unfortunately, the New South Wales Heritage Act does not enable the assessment and listing of a view on the

State Heritage Register. The heritage branch has investigated the feasibility of extending the State Heritage Register curtilage, or boundaries, of the Third Government Farm site to the adjacent property. To do so there must be a connection of that property with the Third Government Farm. Consequently, it is highly unlikely that if an interim heritage order were to be placed on the property it would lead to a listing on the State Heritage Register.

Consideration was given also to the implementation of The Hills Shire Council Development Control Plan for the property. Future planning for this site is currently controlled by a development control plan from Baulkham Hills council, which will guide the possible development of the site. The significant views towards Castle Hill Heritage Park are an important aspect in the consideration and preparation of the development control plan. The objective of the development control plan is to ensure that any potential developments are appropriate to the context of the site, that they enhance the surrounding natural characteristics of the area and that they are sympathetic to the heritage significance of the neighbouring Heritage Park.

It has been considered that, unfortunately, under the New South Wales Heritage Act the view itself cannot be placed on the Heritage Register. Advice from the Department of Planning is that the development control plan from Baulkham Hills council would be a more appropriate way of protecting these significant views into the future.

Mr RAY WILLIAMS (Hawkesbury) [12.47 p.m.]: In lending my support to this motion I commend the member for Castle Hill, who acknowledges that this is an important aspect of his electorate, which is very close to my electorate. The views extend across both our electorates, across the vast areas of the Hawkesbury and right up to the Blue Mountains. It is a spectacular view, and the significance of this view, as the member for Castle Hill stated, is that it is based on the Convict Trail, which is now recognised as the route of the very early road constructed all the way up into the Hunter area—the Great North Road, which is the boundary of the Hawkesbury electorate.

A very simple outcome for this site is to ensure that the vegetation that is grown on the development for residential homes below this lookout does not consist of enormously tall gum trees, so that in the years to come the view from that area is not lost. Because it is one of the highest points in the Sydney basin many people travelling through that area take the time to pull up and view the gorgeous vista across to the Blue Mountains. On a clear day it is extraordinary: one can see right to the top of Kurrajong Hill and back across to the Springwood area and across the Bells Line of Road. It is a spectacular sight.

My family has had a long association with this area, dating right back to our early convict heritage when my ancestor Robert Allen arrived on these shores in 1796. The significance of Robert Allen is that he was part of the original Irish contingent of convicts that landed in this country, and many of them, unfortunately, went on to fight in the Battle of Vinegar Hill. I was very, very lucky that my ancestor was not one of those people who fought in the Battle of Vinegar Hill because I certainly would not be here today, as those convicts were all hanged after they were hunted down by Major Johnston. The significance for my family and me is that we have enjoyed the sights of the area: less than a kilometre away Robert Allen was given one of the original land grants on Castle Hill Road, where he raised his family and the Allen clan was born.

Of course, the Allens flourished in that area and outward to Dural, where the family has remained to this day. The family has certainly grown in number and status. My grandfather's and grandmother's property was just below this vista and next to Heritage Park. I am sure that if they were here today they would be proud of the fact that I am in this place supporting a motion to protect a view that they and their family—including my father—enjoyed for many years. As the member for Castle Hill said, that view is not for the exclusive enjoyment of the locals; anyone travelling through the beautiful hills and Hawkesbury area can stop and gaze out at it.

As I said, we can protect this site by taking measures to ensure that the vegetation in the area does not become so overgrown that it blocks out the view. The local council can easily put those measures in place. It is a matter for the council whether that means listing the site in a development control plan. However, legislation was recently passed by this House that paid particular attention to court challenges about vegetation—for example, hedges, vines or trees—that obstructs a view. That legislation is relevant to this motion. We do not want to lose this view. As the member for Castle Hill and I have said, this motion is being moved on behalf of the entire community, not only the local residents.

Everyone should have the opportunity to gaze down across Heritage Park, where the Third Government Farm was established and Irish convicts were housed. Those convicts broke out of the facility and fought in the Battle of Vinegar Hill, which has a firm place in this State's history. It is a lovely area with a beautiful view and

we should do everything we can to protect it. There is no-one living on the new land subdivision at the moment so we could simply state that any vegetation should be of a type or height that will not inhibit the view to the Blue Mountains and the Hawkesbury. If we were to do that we would preserve the view for all to enjoy.

Mr ALLAN SHEARAN (Londonderry) [12.52 p.m.]: The making of an order to protect the views from the Castle Hill Heritage Park would be an inappropriate use of the Heritage Act. Although a petition has been received from 1,100 people requesting the order, other measures can be used to ensure the protection of views. I understand that nominations for an interim heritage order for the area have been received in the past by the Department of Planning and I am assured that the highly skilled and experienced staff at the Heritage Branch have given them careful consideration. To list land on the State Heritage Register one needs to establish that the property itself is of State significance. There is no indication that there is any link between the adjacent site and the Castle Hill Heritage Park. Of course, an interim heritage order could be placed on the site, but long-term protection could not be achieved because ultimately it could not be shown that the site was of State significance and therefore it could not be included on the register.

Long-term protection can be achieved under the planning system. The member for Wyong said that The Hills Shire Council has prepared a development control plan with the primary objective of encouraging development that is sympathetic with and does not impact on the heritage significance of the adjoining Castle Hill Heritage Park. That means that any applications for development will have to take heritage matters into consideration. That is the most appropriate manner in which to protect these views, rather than the strategy that has been proposed.

Mr WAYNE MERTON (Baulkham Hills) [12.57 p.m.]: I support the motion moved by the member for Castle Hill. Many people would not appreciate the importance of Castle Hill Heritage Park, which is on the site of the Third Government Farm, dating back to 1801. Some three years later it was the site of a convict rebellion, which is the only recorded organised uprising by convicts in our history. By and large, the convicts were Irish, many of whom had been sentenced to be transported to the colony of New South Wales for crimes that by today's standards would be regarded as minor. Many of them were decent, ordinary people who in desperation stole a loaf of bread or some other small item. However, the British judicial system at that time deemed such an offence a serious crime and the offender a dangerous criminal. We would not consider them to be hardened criminals today.

In 1804 more than 200 convicts led by Phillip Cunningham broke out of the barracks, seized weapons and ammunition and set out for Windsor, where they hoped to unite with other convicts and overwhelm the local garrison. Governor King acted swiftly by dispatching Major George Johnston and 29 redcoats to Parramatta. They marched through the night and met up with 50 militiamen at Parramatta. It was a much smaller force than Cunningham commanded, but Cunningham had his own problems. Other convicts had not joined his group as he expected and his men had breached some barrels of rum and other hard liquor. Irishmen and hard liquor were not a good mix in that situation. When George Johnston met up with the rebels on the site of what is now Castlebrook lawn cemetery Cunningham and another leader, William Johnston, were quickly contained at gunpoint. The major ordered his troops to open fire and, despite being heavily outnumbered, the trained troops easily defeated the disorganised and in many cases drunk convicts. The battle was over within 15 minutes, with 15 of the rebels dead. Nine others were subsequently executed—Cunningham without trial—and dozens were later exiled to Coal River, which is now Newcastle.

The Battle of Vinegar Hill was an uprising against the judicial system. Members might wonder what significance it has in this debate. The motion of the member for Castle Hill is a response to a petition signed by 1,100 people seeking to protect the view from the Old Northern Road to the Blue Mountains and across the former convict farm site. Members can understand why people want this view protected: it embraces the site of a symbolic event in our history—in fact, it is the site of the only convict uprising on record. That uprising was the first spark of the fire of democracy in New South Wales. I can understand why people such as David Sommerlad, Warren Bowden and other members of the Castle Hill Historic Site Community Committee are so passionate about this cause. They believe that it is vital that the view be preserved as part of our heritage.

Mr MICHAEL RICHARDSON (Castle Hill) [1.00 p.m.], in reply: I thank the member for Baulkham Hills, the member for Hawkesbury, the member for Wyong and the member for Londonderry for their contributions to this debate. I listened with considerable interest to what the member for Wyong and the member for Londonderry had to say about this important issue. I acknowledge that staff of the Heritage Office did undertake investigations of the matter. They visited the site and reached their conclusion. But I think that conclusion is flawed. They suggested that the concept of placing a heritage order on a view is wrong. They said that even if an interim heritage order were in place it might not—not would not, but might not—lead to a listing on the heritage register. That is not particularly definite.

The member for Londonderry said that the best way of dealing with the issue was by way of a development control plan from the Hills Shire Council. A development control plan would require the developer of the site not to impact on the heritage significance of the Heritage Park area. There is a logical contradiction in all this. If you hold, as do the Heritage Office and the Government, that there is no connection between the view and the Heritage Park, how can council place a development control plan on the site that the building should not impact on the heritage significance when, according to the Heritage Office, there is no significance relating to the view? The development control plan will not serve in any sense, on the basis of what we have heard today, to protect that vista.

I put it to the House that there is a significant connection between the Heritage Park and Old Northern Road because not only was the site founded as the third government farm in 1801, not only was it the site of the Castle Hill uprising in 1804, but also in 1825 convict chain gangs based at that location set out to build the Great North Road to the Hawkesbury River and the Hunter Valley. It was a major base camp for those convicts, who would unquestionably have gone right past the area over which we are seeking to place a heritage order. There is a significant connection, which seems to have been overlooked by the Heritage Office, between the Heritage Park and what is now known as the Convict Trail. That seems to have been completely ignored by both the Heritage Office and the Government.

As I said before, it will be too late when the trees are planted. They are the wrong types of trees. They will grow to be 30 metres or 40 metres tall and people will not be able to see through them. Nobody will know what was there. If this is not the site from which Arthur Phillip first viewed the Blue Mountains in 1789, it is very close to it. It is certainly the closest we will get now because there are houses and other buildings along the ridge line. It is the only place so close to Rogans Hill, and we know that he visited Rogans Hill in 1789. It is the only place where you can see the Blue Mountains unless you go much further up the ridge line, far beyond where Phillip went. So there are some forcible reasons for placing an interim heritage order on the view. Therefore, let us debate the merits of it. Let us not say that it might not lead to a listing on the heritage register. That is a defeatist attitude that should not be adopted by this Government.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 35

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

Noes, 46

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

Pairs

Ms Goward
Mr Roberts

Mr Daley
Mr Koperberg

Question resolved in the negative.

Motion negatived.

ILLAWARRA AND SOUTH COAST RAIL SERVICES

Mrs SHELLEY HANCOCK (South Coast) [1.12 p.m.]: I move:

That this House:

- (1) notes that the recent review of RailCorp staff on the Illawarra South Coast Line will lead to significant staff losses and redeployment of staff who have not been consulted regarding their rosters or conditions;
- (2) condemns the Minister for Transport and Roads and the members from the Illawarra region for failing to protect the jobs and conditions of working families in the Illawarra;
- (3) condemns the Minister for Transport and Roads for misleading the community and for continuing to downgrade the Illawarra South Coast Rail Line; and
- (4) calls on the Minister to reverse the recent changes to station operations and staff cuts and immediately enter into negotiations with affected staff.

I gave notice of this motion almost a year ago. The issues raised then are just as important today—indeed, they are even more significant when one considers that the Government completely ignored the concerns of workers, unions and rail commuters on the South Coast by slashing rail station staff throughout the State last year. The Government is failing to protect jobs and conditions for working families. The thrust of the motion is symbolic of the Government's track record on consulting and treating its workers. Labor is supposed to be the party of the workers in this State. But it is no longer the party of the workers, of social justice, equity or a fair workplace in New South Wales. Everywhere I go there is evidence of the Government's slash-and-burn policy when it comes to protecting workers. I will give some examples of the way the Government has treated workers in my region. Nurses at Shoalhaven Hospital are now at the point of striking almost on a weekly basis due to the intolerable working conditions they are forced to endure in the public health system. Last year mental health workers at that hospital were forced to take industrial action because of staff cuts and bullying.

Ms Noreen Hay: Point of order: The motion refers specifically to the Illawarra-South Coast rail line and condemns the Minister for Transport and Roads for misleading the community on transport. The member for South Coast is referring to health issues.

Mrs SHELLEY HANCOCK: To the point of order: I am trying to put in context the Government's treatment of the workers of this State. I would like to continue my comments.

ACTING-SPEAKER (Ms Diane Beamer): Order! I am sure the member for South Coast will return to the leave of the motion after making passing reference to other issues.

Mrs SHELLEY HANCOCK: I will be brief on the other issues. However, I want to put the Government's track record in context. There were also police administration staff cuts. Cleaners and maintenance staff at Shoalhaven hospital went on strike because the Government contracted out their services. Detectives in the electorate threatened industrial action because of severe staff shortages. And of course thousands of timber workers will lose their jobs because of legislation that was rammed through the Parliament last night. Returning to the motion, I am sure the member for Wollongong will be interested in my comments as she has been named in many circulars as not supporting workers on the South Coast.

Ms Noreen Hay: Point of order: If the member for South Coast wishes to impugn my reputation she should do so not by way of this motion but using the appropriate forms of the House.

ACTING-SPEAKER (Ms Diane Beamer): Order! I am sure the member of the South Coast is aware that if she wants to cast aspersions on a member of this House she must do so by way of substantive motion.

Mrs SHELLEY HANCOCK: I do not intend to impugn the character of the member for Wollongong. I merely indicate that some of the missives I have received name her as a guilty party and as being complicit in the sacking of station staff throughout the State. I am not making those implications; it is the people who have written to me, including the unions.

Ms Noreen Hay: Name them!

Mrs SHELLEY HANCOCK: I certainly will name them. Last year the Minister for Transport and Roads decided to embark on what he called a CityRail station staffing review—a euphemism for staff cuts and job losses—that affected workers in my region, from Scarborough to Bomaderry. In fact, reports at the time suggested that five stations would be left with no staff at all, and that opening hours and services at another 18 stations would be reduced. The Minister for the Illawarra denied that there would be job losses, but they occurred. The Minister also denied that stations would be unmanned, but indeed they were. He suggested that closed-circuit television cameras would be sufficient to deal with security issues at railway stations. Of course, we all know that closed-circuit television cameras do very little to protect frail, disabled and elderly people waiting to board a train. I will share some of the comments sent to me by union representatives, station staff and commuters. I do so for the benefit of the member for Wollongong, who wants me to read them out. The first email is from a local resident regarding ticket vending machines that were installed at a now unmanned rail station. He stated:

Residents are outraged, Oak Flats station is unattended at weekends it's reported the stationmaster has gone, one weekend the ticket machine would not issue concession tickets which caused considerable distress to several residents.

That is just one commuter. A station worker stated:

Shelley my worst fears are becoming reality, the new rosters have been faxed to locations and still no official notification of my displacement. On the rosters I am to work permanent afternoon and nightshift with 3 weekends off in 12 weeks. There goes any form of family life I had as I will no longer see my family. Thanks a lot Railcorp and the other nodding dogs in David Campbell, Noreen Hay, Lylea McMahon and pants down Brown. Please throw as much as you can at them.

That email is from a displaced worker who has worked on the rail line for 33 years. This is the kind of destruction of people's lives that members opposite just sat back and accepted—and, in fact, supported. A missive from another displaced worker states:

Shelley see below email I sent to my union today. I wonder if you can evoke some sort of response from an organisation running roughshod over frontline station staff. I have been with this organisation for 33 years and this is the second time they have displaced me.

These are the member's people.

Ms Noreen Hay: Apparently you are a trade unionist.

Mrs SHELLEY HANCOCK: They do not like you. You do not support them. Another displaced worker sent an email to me as follows:

As an affected employee under the current reform I am advising you of my current situation. [Senior staff informed me and other staff this morning to deliver] our "translation" verbally. We did not receive rosters or duty statements for the new positions and were told if we did not accept the positions that they would then be offered out on merit. I am wondering if any of this reform and the process and actions of this regime are industrially legal.

Please do not hesitate to contact me for anything further.

The emails came in, one after the other. The South Coast Labour Council even held a protest meeting. I received emails from Arthur Rorris, the Secretary of the South Coast Labour Council, asking me to join him at the Save Our Stations—Wollongong Campaign launch. In his email he said:

Please circulate attached notice from the Rail, Tram and Bus Union regarding the Wollongong launch of the Save Our Stations campaign ...

Government members have continually denied that jobs were being slashed. Those working families were not protected by members of the Labor Party—the party of the workers. I also received a media release issued by the Rail, Tram and Bus Union. It reads:

The NSW Government has failed commuters on the South Coast by supporting massive cuts to commuter services on South Coast Stations, the Rail, Tram and Bus Union said today ...

"Where were the local members during this process? Did they have a say or has Treasury scared them?"

The union intends to send out report cards to commuters highlighting the inaction of their local members including Heathcote MP Paul McLeay; Wollongong MP Noreen Hay; Keira MP David Campbell; Kiama MP Matt Brown; and Shellharbour MP Lylea McMahon.

Where were those members when all the emails were flowing in? This is what the member for Kiama said in response to one of them—at least he responded:

As you are aware, there is a staffing review being carried out by RailCorp for all Illawarra stations. It is essential that RailCorp put its resources where they are most needed, and that efficiencies are found ...

What does that mean? That is a euphemism for job cuts. The member for Kiama spoke about two railway stations in his electorate, Bombo and Dunmore, which are no longer manned. He calls them "unviable legacy stations". What does that say about protecting his commuters, who want to get on and off the train safely, and to have a station staff member there at all times? It says that the member for Kiama does not support not only his staff but his commuters and his electorate.

In contrast, we have the wonderful member for Blacktown, Paul Gibson. He is the only member of this House who said, "I will fight station staff cuts tooth and nail. I will take this all the way to the Premier, and I will make sure it doesn't happen." Unfortunately, the member for Blacktown did not have the numbers in this place. The rest of them sat back and let it happen! Unworkable rosters were presented to staff that they could not accept, and they were told, "If you don't accept them, you are going to have this position out on merit." And their jobs were gone. We now have stations unmanned, and disabled, frail and elderly people are frightened to catch a train. I call on the Government to stop its continual downgrading of the Illawarra-South Coast rail line.

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [1.22 p.m.]: The member for South Coast purports to be a representative of workers and a defender of jobs, yet before the last State election the Coalition said that if it won government it would sack 29,000 front-line workers—including nurses, general hospital staff and railway workers. Under the Coalition, a total of 29,000 jobs were going to go. Before the last election the Coalition said that there would be no car imports through Port Kembla. All those jobs would have been gone—

Mrs Shelley Hancock: Point of order: The member for Wollongong claimed that I was straying from the leave of my own motion, but she has strayed from it completely. She does not want to face the fact that she is not prepared to protect workers in her area—

ACTING-SPEAKER (Ms Diane Beamer): Order! The member for South Coast will resume her seat. The member for Wollongong may make a passing reference in her opening remarks.

Ms NOREEN HAY: The Coalition was going to get rid of 29,000 jobs. As I have said, when the Coalition was in power it closed down hospitals in Kiama and left us with a big hole in Wollongong Hospital—where we now have a cancer unit, thanks to this Government. The member for South Coast comes into the Chamber and, under the guise of debating a motion about transport, produces so-called emails—which I would not believe until I saw them in my hand and produced by someone other than the member for South Coast.

I speak against the motion. As we all know, RailCorp has recently completed a full review of CityRail station staffing. Let me make this clear. The review was designed to improve safety, customer service and operating efficiency—that is, to align station staffing with customer and operational needs. Eighty-eight per cent of CityRail customers travel on weekdays, and the majority of them travel in the morning and afternoon peaks. In the course of a day the needs of customers and operations can change on an hourly basis. The aim of RailCorp's station staff review was to provide the right number of staff at stations, with the right mix of skills, based on the travel patterns and needs of customers. That is why RailCorp's staff numbers across the South Coast, between Helensburgh and Bomaderry, will increase from 100 to 106. That is an increase of six people who are dedicated to providing customer service and safety to South Coast passengers. The positions include station staff, cleaning staff and relief staff.

At five major locations the majority of the station cleaning has been transferred to RailCorp's Presentation Services Division to ensure that dedicated resources keep these stations clean. RailCorp has also implemented a more flexible station staffing model that is better equipped to deal with, and respond to, customer and operational needs. But let me assure the House that there has been no loss of employment as a result of the station staff reviews. It is no surprise that the member for South Coast is wrong yet again. Any staff member

whose role was affected by the outcome of the review has been able to retrain and/or transition to other roles as part of the station staff review process. In fact, management and human resources staff visited each station, once the reviews had been done, to discuss the implications of the reviews for each individual staff member. The station staff and the unions were consulted every step of the way, to ensure that staff were well aware of any changes.

Mrs Shelley Hancock: They opposed it! They had a rally!

Ms NOREEN HAY: Let us see how many union people vote for you, Shelley. Overall, the outcome of the station review process is that the number of staff on stations actually increased by more than 140 across the CityRail network. Despite the fact that no jobs will be lost as part of the station staff review—

Mrs Shelley Hancock: That's a lie.

Ms NOREEN HAY: —the Opposition continues its campaign of misinformation. The member for South Coast should not accuse anyone of lying! The Keneally Government is reforming and improving services for people in this State.

Mrs Shelley Hancock: Point of order: The member for Wollongong suggested earlier that I had impugned her character—which is not difficult to do. She is now calling me a liar. I ask her to withdraw that comment. I do not tell lies, and everything I have brought to the Chamber this morning, including emails—

ACTING-SPEAKER (Ms Diane Beamer): Order! I have heard enough on the point of order. Does the member for Wollongong wish to withdraw her remark?

Ms NOREEN HAY: No.

ACTING-SPEAKER (Ms Diane Beamer): Order! The member for Wollongong does not wish to withdraw her remark. The member for Wollongong has the call.

Ms NOREEN HAY: As I was saying, the overall outcome of the station review process is that the number of staff on stations increased by more than 140 across the CityRail network. Despite the fact that no jobs will be lost as part of the station staff review, the Opposition continues its campaign of misinformation. The Keneally Government is reforming and improving services for people in this State. We are delivering easier, simpler and more comfortable transport services for everyone. The Opposition cannot manage a transport policy so it just goes around scaremongering. The New South Wales Government is committed to commuters on the Eastern Suburbs, Illawarra and South Coast lines.

I am pleased to advise that on-time running for CityRail trains is at record levels, with 96.3 per cent of peak-service trains running on time in the 2009-10 financial year, as at the end of April 2010. That is an improvement on 95.4 per cent in 2008-09, and 92.7 per cent in 2007-08. And that is the best result in 10 years! At the same time, CityRail is minimising the number of cancelled services, with 99.7 per cent of peak-timetable services running during this financial year, as at the end of April 2010. Not only are we seeing a significant improvement across the network but improvements in on-time running are being achieved, line by line. The results to the end of April for the 2009-10 financial year for each line are: Eastern Suburbs and Illawarra, 97.7 per cent; South Coast, 95.6 per cent; Airport, 97 per cent; East Hills, 95.7 per cent; Bankstown, 97.4 per cent; Inner West, 97 per cent; South, 94.8 per cent; North Shore, 96.5 per cent; Western, 94.6 per cent; Northern, 95.9 per cent; Blue Mountains, 95.1 per cent; Newcastle and Central Coast, 93.4 per cent; Southern Highlands, 92.4 per cent; and Newcastle-Hunter, 93.2 per cent.

But it is not just about on-time running. We are upgrading train stations to ensure that our passengers have safe, modern and accessible facilities. We are investing in our track infrastructure to improve train service reliability and we are investing \$820 million in 196 Outer Suburban Carriages—known as OSCars—to service the Central Coast, the North Shore, Western, Illawarra-South Coast and lower Blue Mountains lines. The Government is getting on with the job. Of the 307 operational stations on the CityRail network, 120 are now accessible—76 per cent of rail users are using accessible stations.

In the last 10 years the Government has been progressively upgrading stations in the Illawarra and South Coast. In 2002 the Wollongong railway station was upgraded. That upgrade provided two new lifts, improved lighting, a new pedestrian bridge, new canopies to the bridge and platforms, improved closed-circuit

television monitoring, improved access to station buildings and tactile tiles. Also in 2002 the Engadine railway station was upgraded. That upgrade provided three new lifts, new canopies to pedestrian bridge and platforms, new accessible facilities to the platforms, improved closed-circuit television monitoring and tactile tiles. In 2003 the Kiama railway station was upgraded. That upgrade provided a new lift, a new pedestrian footbridge and access stairs, a bus-rail interchange, a family-accessible toilet, improved closed-circuit television monitoring and tactile tiles. The list keeps going on.

In 2003 the Government also upgraded the Oak Flats railway station. That upgrade provided a new accessible station, which included a new side platform, a new car park and bus interchange, new accessible station facilities, new closed-circuit television monitoring and tactile tiles. In 2005 the Thirroul railway station was upgraded. That upgrade provided three new lifts, an extension to platform canopies, family-accessible toilets, improved closed-circuit television monitoring and tactile tiles. In 2007 the Bomaderry railway station was given an accessibility upgrade.

Also in 2007 the Government spent \$4.5 million upgrading the North Wollongong railway station. That upgrade provided two new lifts, a family-accessible toilet, new canopies to the lift entries, a new footbridge and stairs. An amount of \$2.6 million was also spent in 2007 upgrading the Bulli railway station. That upgrade provided two new lifts and a family-accessible toilet. In 2007 the Helensburgh railway station was upgraded. That \$6.1 million upgrade included two lifts, new canopies to lift entries, a family-accessible toilet, a bus-rail interchange, the relocation of the booking office and tactile tiles. Last year the Government spent \$700,000 at the Woonona Station upgrading the level crossing and pedestrian ramp.

These station improvements are great news for rail commuters and will encourage more people living on the South Coast to use public transport. These works also highlight the Government's commitment to improving station facilities for local communities. The Government is also investing \$820 million in 196 outer suburban carriages—known as OSCars—to service the Central Coast, North Shore, Western Sydney, Illawarra-South Coast and lower Blue Mountains. These trains were specially designed for longer trips and include fully accessible toilet facilities. Stages one and two of a \$450 million project comprised 30 four-carriage trains and two spare carriages—122 carriages. Those 30 four-carriage OSCars and the two spare cars allocated in stages one and two of that project have now been delivered. A total of 366 OSCar services are timetabled to operate on the South Coast and Illawarra lines each week.

In 2008 RailCorp commenced a \$27 million refurbishment of the CityRail Endeavour and CountryLink Xplorer trains. This refurbishment includes a new-look interior, with upgraded passenger seats, new floor coverings, curtains, internal lighting, upgraded air conditioning and new toilets. Work also includes some minor modifications to the driver's cabin and an overhaul of underframe equipment. The Government's record stands for itself and members opposite should be ashamed of themselves.

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

[The Acting-Speaker (Ms Diane Beamer) left the chair at 1.32 p.m. The House resumed at 2.15 p.m.]

QUESTION TIME

[Question time commenced at 2.20 p.m.]

SEXUAL ASSAULT

Mr BARRY O'FARRELL: My question is directed to the Premier. How is it possible for a man convicted of 74 counts of sexually abusing his young daughter to escape jail by undertaking a diversion program when, despite a condition that the spouse or de facto participate in such programs, the 11-year-old girl's mother has refused to participate? When will sexual assault victims get justice?

Ms KRISTINA KENEALLY: Sexual abuse of children is one of the worst evils affecting our society. The Government has made it clear that it will take all necessary steps to eliminate it. Sexual assault law has been at the centre of the Government's reform program. We have implemented the recommendations from the 2005 Sexual Assault Taskforce report, the 2008 Sentencing Council report on sex offences, and the 2010 Child

Pornography Working Party report. We also are looking at extending our serious sex offender regime and introducing violent offender orders to monitor serious offenders post-release. New South Wales has the strongest sexual assault laws in the land on our statute books.

[Interruption]

The SPEAKER: Order! The member for Clarence will cease interjecting. I call the member for Clarence to order. It is not appropriate for members to interject during the Premier's answer.

Mr Barry O'Farrell: It is—it is in his electorate.

The SPEAKER: Order! The member for Clarence should listen to the Premier's response.

Ms KRISTINA KENEALLY: The Attorney General has requested the transcript of this case and has asked the Director of Public Prosecutions for advice in relation to this particular matter. As the matter may be the subject of an appeal before the courts, it is inappropriate for me to discuss the details of the case.

RIVER RED GUM FORESTS PROTECTION

Mr PAUL PEARCE: My question is directed to the Premier. What has been the community response to the Premier's announcement yesterday on the river red gums?

Ms KRISTINA KENEALLY: I thank the member for Coogee for his question and for his support in protecting river red gums in the Riverina. Yesterday we made an historic announcement and this Parliament passed an historic law in the early hours of this morning. We are protecting forever the ancient nationally and internationally significant river red gum forests of the Riverina. River red gums can grow for up to 1,000 years, and these trees have been alive since before European settlement in Australia. I am advised that some of them are 300 years old.

Special laws will protect the red gums and our assistance package will help mill workers transition to other jobs. We are protecting more than 100,000 hectares of ancient trees and their invaluable ecosystems. This is the largest protection of land for conservation in New South Wales since 2005. I note that it is this Government that has brought in this legislation and the assistance package for workers. The other side of the House, the Liberals and The Nationals, opposed the legislation. Let it be clear: The Coalition voted against the transfer of river red gum State forests to national parks. It is a disgrace, as several interjections from this side of the House have pointed out.

This legislation is the most significant environmental outcome since 2005, when a Labor Government protected the Brigalow Forest. In moving to a more sustainable New South Wales we must support our local communities. We are increasing the management and industry assistance package to a total of \$97 million. We have listened to the industry and it has told us that it is prepared to cease logging sooner through access to additional compensation. So this \$97 million package will support transition and community development. Protecting the river red gums also will protect five terrestrial and two aquatic endangered ecological communities—habitat for 50 species of fauna and 18 bird species. It is good news for the environment delivered by a Labor Government.

Our decision to protect this internationally significant part of our national estate has been widely welcomed by the Humane Society International, the Wilderness Society, the Australian Conservation Foundation, the Nature Conservation Council of New South Wales, Friends of the Earth, the Total Environment Centre, the Victorian National Parks Association, the Inland Rivers Network, the Wildlife Preservation Society of Australia, the National Parks Association of New South Wales and the Colong Foundation for Wilderness. All these people lined up to support this decision. It is an historic addition to the significant legacy this Government already holds in leaving a cleaner, greener and better New South Wales for future generations.

I know that the Opposition does not support the legislation. Last night Opposition members put on record their votes against it. But we have seen today where their priorities lie. Last night in this House the member for Murray-Darling compared the Natural Resources Commissioner, Dr John Williams, to the serial backpacker killer Ivan Milat. That is a disgrace. This House has hit a new low. Dr John Williams—not the member for Murray-Darling, Mr John Williams—the head of the Natural Resources Commission, is a scientist whose life's work has been in the study of hydrology and the use of water in landscape and farming, including

land salinity. He grew up on the family farm in the Snowy Mountains region of New South Wales. He is currently the Commissioner of the New South Wales Natural Resources Commission. He was chief of the Division of Land and Water at the CSIRO in Canberra when he retired in 2004.

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

Ms KRISTINA KENEALLY: Correct me if I am wrong, but there was a Federal Coalition Government in 2004, and Dr John Williams was the chief of the Division of Land and Water at the CSIRO when he retired in 2004. He was also the Adjunct Professor in Agriculture and Natural Resource Management at Charles Sturt University and chief scientist and Chair of the New South Wales Department of Natural Resources' Site and Information Board. This is a man the Opposition compared to Ivan Milat—a new low for the Liberals and The Nationals.

The SPEAKER: Order! The member for Murray-Darling will come to order.

Ms KRISTINA KENEALLY: Meanwhile, we stand on an unparalleled record for protecting forests in this State and providing assistance to the workers, and we will continue that record.

F3 CLOSURE

Mr ANDREW STONER: My question is directed to the Minister for Transport and Roads. Given that a report reveals that during the F3 incident on 12 April the chief executive of the Roads and Traffic Authority and senior network management bureaucrats were on site at the Transport Management Centre, which was also in contact with the Director General of Transport and Infrastructure, where was the Minister? Why was he not working with his officials to assist the thousands of motorists stranded for up to 12 hours?

Mr DAVID CAMPBELL: On Tuesday we heard questions from the other side of the House based on what had been on the front pages of the newspapers that day. On Thursday we hear a question from the Leader of The Nationals based on what was on the Channel 7 news last night. As I have repeatedly said in this House, the situation on the F3 was unacceptable and motorists had every right to be angry. Indeed, the Government and I shared that frustration, which is why former New South Wales Police Commissioner Ken Moroney has been appointed to undertake an independent investigation into the circumstances of the F3 incident.

Mr Moroney is looking at what went wrong, how it went wrong and what needs to change to ensure that it does not happen again. He should be allowed to conduct this investigation independently without any political interference from people like the Leader of The Nationals, who seems very willing to prejudge Mr Moroney's findings and recommendations. By doing that, he is seeking to undermine Mr Moroney and his independent investigation. He has been on television and radio telling anyone who will listen that he knows what happened and what should be done. This is Mr Stoner's strategy for dealing with emergency situations as he told 2UE this morning.

The SPEAKER: Order! The member for Wakehurst will come to order.

Mr DAVID CAMPBELL: The Leader of The Nationals said on 2UE this morning that the chief executive officer of the Roads and Traffic Authority "was trying to deal with other agencies involved, particularly the fire brigade, and as a result he needed strong leadership from somebody who was in a position to overrule those other agencies—and that person was David Campbell". There is no question that Andrew Stoner is advocating that any Minister should be able to overrule the New South Wales Fire Brigades or the New South Wales Police Force. Last month, he said that I should overrule road safety experts and today he said that I should be directing policemen and firemen.

The SPEAKER: Order! The Leader of The Nationals will come to order.

Mr DAVID CAMPBELL: Is this guy serious? Under Andrew Stoner we would fire every policeman, every fireman and the road safety experts and abolish the Roads and Traffic Authority. Andrew Stoner—or perhaps "Super Stoner"—believes that he can do all their work by himself. He can fight crime and bring fires under control. In fact, he is out of control. He does not trust the firemen or policemen of this State to do their jobs and he believes he knows best. Unlike The Leader of The Nationals, the Government is determined to let Mr Moroney undertake his independent investigation without politicians trying to influence it.

CHILDREN'S HEALTH CARE SERVICES

Ms SONIA HORNER: I address my question to the Minister for Health. How is the New South Wales Government improving the delivery of health care services to children in New South Wales?

Ms CARMEL TEBBUTT: I thank the member for Wallsend for her question and her interest in children's health services. The health and wellbeing of the children of New South Wales is of utmost importance to this Government. We want to ensure that we give children the best possible chance at a healthy and prosperous life. We also want to ensure that every child in New South Wales, regardless of where they live and their circumstances, has access to the best child health care and acute paediatric care available. We are fortunate in this State to have some of the finest paediatric services in Australia. The Children's Hospital at Westmead and the Sydney Children's Hospital, Randwick care for more than 120,000 sick children each year. They are iconic institutions and I know that they are admired and respected by members of this House and by the community at large. They provide world-class health services.

Many more children are also treated in our public hospital system. Children and adolescents account for 23 per cent of presentations to emergency departments and 14 per cent of admissions to public hospitals in New South Wales. To further improve the delivery of health services for children up to the age of 16, in January the Premier and I released a discussion paper entitled "Caring Together: NSW Kids". The paper was a response to one of the key recommendations of Peter Garling's Special Commission of Inquiry into New South Wales Public Hospitals. We received more than 130 submissions throughout the consultation process. I am pleased to advise the House that stakeholder groups, clinicians and community members were broadly supportive of the directions for children's health services in New South Wales outlined in the discussion paper.

In light of that, I am very pleased to be able to confirm to the House today that changes in child health care will occur from July this year. A new statutory health corporation governed by a single chief executive officer will be established and will comprise the Children's Hospital, Westmead and Sydney Children's Hospital, Randwick. The new public health organisation will be called the Sydney Children's Hospitals Network (Randwick and Westmead). It will be responsible for services provided at the Randwick and Westmead campuses, it will manage the combined budgets of the two hospitals and it will undertake research, development and training. Under these new arrangements there will be one chief executive officer, one senior management team and one advisory council. The advisory council will comprise members with expertise in paediatrics, management and finance and it will provide advice on planning, policies, priority setting, development and monitoring activities.

I am also pleased to confirm that Mr Roger Corbett, who is the current chair of the Children's Hospital Westmead Advisory Council, will chair the advisory council of the new Sydney Children's Hospitals Network (Randwick and Westmead). The new chief executive officer position will be advertised this weekend. We will also advertise for expressions of interest for membership of the new advisory council. These changes will pave the way for new clinical networks, new models of care and the sharing of resources in child health care.

The Government will also establish a new branch in NSW Health with responsibility for child and youth health that will support the delivery of children's health and child protection services within the public health system. NSW Health provides universally available child health services, including child and family clinics in the community and paediatric services, in about 30 hospitals in New South Wales. We want to build up our frontline services and ensure that we can provide the best possible services for all children and families. We know that providing good health services for children and keeping them safe and healthy is about making sure there are strong links between the full range of community-based services, including local doctors, child and family services and allied health professionals.

NSW Health will develop a strategic service delivery plan over the next few months that will guide the development of child health services in New South Wales. The Sydney Children's Hospitals Network, the John Hunter Children's Hospital and clinicians working in the child health area will be consulted in its development. The Sydney Children's Hospitals Network, in conjunction with the John Hunter Children's Hospital, will also provide advice on statewide tertiary paediatric planning.

For the first time, the Government will appoint a chief paediatrician who will be a clinical leader and champion of children's health needs. That position will also be advertised this weekend. These changes will improve health outcomes for children and lead to better coordination of care. They will also simplify access to the full range of child health services, from vaccination to the most complex surgery. They will also harness the

strengths of our two children's hospitals, build partnerships and boost research, training and development capacity through Sydney Children's Hospitals Network. The Government recently released the 2007-08 Report on Children's Health, which found many positive trends in children's health care in New South Wales. However, it also identified that more can be done, and the Government is rising to that challenge with these changes.

CATARACT SURGERY

Mrs JILLIAN SKINNER: My question is directed to the Premier. Given that the Premier claimed that Council of Australian Governments health reforms will bring immediate results, can she tell Sharon Craufurd and Mark Hudson, who are both going blind, whether they will still have to wait more than the expected 12 months for cataract surgery that their Blue Mountains ophthalmologist is willing to do at Katoomba Hospital if only this Government would give the go-ahead?

Ms KRISTINA KENEALLY: I understand that Mr Paul Summers, the Network Director of Surgery and Anaesthetics at Sydney West Area Health Service, has previously contacted these patients' specialist, Dr Adler, to discuss the situation. While I am advised that Ms Craufurd is currently scheduled for surgery in June 2010, she is encouraged to contact Dr Adler or her general practitioner should her condition change. I am further advised that Mr Hudson's request for surgery was received from Dr Adler earlier this year with a clinical priority stating surgery within 365 days.

I am advised the health service will contact Mr Hudson to discuss his concerns. As with Ms Craufurd, I would encourage Mr Hudson to return to or to contact Dr Adler to discuss any change in his circumstances. I also understand the health service will be contacting Dr Adler to advise that should he consider that the clinical priority of these cases has altered and requires more urgent attention, the health service will accommodate these cases at either Lithgow or Springwood hospitals as needed.

Mrs Jillian Skinner: What about Blue Mountains?

Ms KRISTINA KENEALLY: Blue Mountains and Springwood hospital is a combined facility operating over two campuses.

DROUGHT

Mr KERRY HICKEY: My question is addressed to the Minister for Primary Industries. What are the latest drought figures for the month of May?

The SPEAKER: Order! Before I call the Minister for Primary Industries, I note the presence in the gallery of former Federal member Bob Whan, a well-known person around this place and, I am sure, a guest of the Minister.

Mr STEVE WHAN: I thank the member for Cessnock for his continued real interest in the issues facing rural communities. The latest drought figures reveal 9.4 per cent of New South Wales is in drought. That is a slight increase from last month's nine-year low of 7.3 per cent. While the upcoming winter season looks promising for the State's farmers, more rain is needed, with almost half of the State, 49.7 per cent, classified as marginal, while just 40.9 per cent of New South Wales is satisfactory.

Mr Andrew Fraser: What are you going to do about it?

Mr STEVE WHAN: The member for Coffs Harbour asks what I am going to do about it. He is much better at bringing rain in his electorate than I am—I will give him that—I visit often to see it. About half the State is marginal, which means it is on a knife's edge and could return to drought if we do not get good follow-up rain. New South Wales has certainly experienced a good autumn and there is a genuine feeling of optimism in rural towns and communities across New South Wales. Rainfall over the past month has been good, with the majority of the State receiving average falls of up to 50 millimetres, though we have had eight years of deficient rainfall, so water storages remain low. Some bores are still dry, while stock or water is needed in some southern areas and farmers are not getting enough excess rain for future storage supplies.

A number of areas in the State moved into drought this month, unfortunately, including some in your part of the world, Mr Speaker, around the New England. Jerilderie, Barraba, Scone, Murrurundi and Griffith in the Murrumbidgee electorate all moved into drought. Griffith is part of an area in the Riverina that unfortunately

has been in drought fairly consistently. I am sure the people in Griffith and in the Murrumbidgee were asking yesterday what their member was saying about the drought in their electorate, what was he talking about while he is in Parliament in Sydney. Was he talking about drought? Was he talking about irrigation? Was he talking about education? No, yesterday he took a point of order because someone commented on his outfit. Today we saw a very sartorially splendid picture of the member in the *Daily Telegraph*. I have heard arguments that he is perhaps not the most sartorially splendid, but I disagree with them, I have never had any problem with him at all.

Some people who read the *Daily Telegraph* today thought it was worth commenting on. Jodie Hunter said, "It sounds as though Mr Piccoli is just after media attention." What, again? She says, "He should start looking at the electorate in which he represents and the people who voted for him in the first place." That is good advice. Somebody called the Goose of Yarrawarra said, "Adrian, perhaps a teaspoon of cement in your morning coffee so you can 'toughen up', princess." I will only use part of what Darren said. He started with, "Poor petal." We probably need to remind the member for Murrumbidgee that this is the bear pit, not the teddy bear pit. Perhaps he does need to toughen up. What would the men from the bush think of the member's comments? What would Wilson Ironbark Tuckey think of a bloke who takes points of order to stop his wardrobe being criticised?

Ms Katrina Hodgkinson: Point of order: I refer to Standing Order 129, relevance. I am interested in the drought figures. I ask you to remind the Minister of the question before the House.

The SPEAKER: Order! That is a timely point of order. The wardrobe of the member for Murrumbidgee is far removed from the drought. I remind the Minister of the question before the House.

Mr STEVE WHAN: Once upon a time The Nationals would have been concerned about drought figures. They would have been talking about the fact that nearly 50 per cent of the State is marginal and could potentially slip back into drought if there is not enough follow-up rainfall. That was the party of Armstrong, Murray and Black Jack McEwen. No wonder my Country Labor colleagues and I are at the gate of The Nationals on their 2 per cent.

The SPEAKER: Order! Opposition members will cease injecting. I call the Leader of The Nationals to order for the second time. I call the member for Mt Druitt to order.

Mr STEVE WHAN: The member for Mt Druitt reminds me there was a drought policy, which at one stage involved building a dam and then not building a dam.

Mr Richard Amery: Page 2.

Mr STEVE WHAN: Page 2, the Tillegra Dam. At least the member for Murrumbidgee is not using his position here to try to spring a key figure from *Underbelly*, as we have seen from—

[*Interruption*]

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

Mr Chris Hartcher: Point of order: The question from the member for Cessnock was about drought figures. The answer has strayed a very long way from that. I ask you to draw the Minister's attention to the question.

The SPEAKER: Order! I will draw the Minister back to the question before the House. I call the member for Blacktown to order for the second time.

Ms Gladys Berejiklian: Why don't you care about the drought?

Mr STEVE WHAN: I cannot let that go unremarked. The shadow Minister for Transport and Roads just asked why don't I care about the drought. A few weeks ago she thought western Sydney was in Strathfield, let alone finding western New South Wales. That is too far away. A lot of New South Wales is still in danger of slipping back into drought. It is very serious for people in New South Wales. I am pleased to say that this Government has provided more than half a billion dollars worth of drought support to the people of New South Wales. We will continue to do that. We will not be going off onto other issues to get publicity, like the member

for Murrumbidgee, hiding behind a former sex discrimination commissioner's article in the newspaper this morning, which is probably one of the most sexist articles I have ever read in a newspaper. We will continue to focus—

Mr Wayne Merton: Point of order: This point of order should come as no surprise.

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

Mr Wayne Merton: My point of order is under Standing Order 129. Mr Speaker, already on two occasions during the last five or seven minutes you have drawn the Minister's attention to the relevance of his answer to the question. He has disobeyed your ruling and he continues to do this. What is more, this man is a repeat offender. How much more will we have to put up with?

The SPEAKER: Order! I have directed the Minister's attention to the answer. He is referring to the question. I will hear further from the Minister. He is aware of my previous rulings.

Mr STEVE WHAN: I take your rulings very seriously. I will conclude my answer on drought to say that farmers in New South Wales deserve continued support. With regard to the point of order that I am a repeat offender, at least I will not be asking the member for Ryde to get me out of jail.

RAIL SERVICES

Ms GLADYS BEREJIKLIAN: The question is addressed to the Minister for Transport and Roads. Given Penrith commuters have lost more than 20 rail services since 2004, Emu Plains is the third most dangerous station to park one's car in Sydney, faulty lifts at local stations broke down 162 times in the past two years and over a 17-month period ticket machines across the electorate were faulty for 200 days, why should commuters believe anything the Minister says on public transport?

The SPEAKER: Order! The member for South Coast will come to order.

Mr DAVID CAMPBELL: I have a very positive and strong story to talk about public transport achievements in the Penrith electorate. In 2009 we delivered a new timetable for rail providing an extra 8,000 seats for commuters during peak periods and more peak services on the western and south and East Hills lines. The timetable introduced two morning peak and four afternoon peak services on the western line to ease crowding. The two morning services include one new western line from Quakers Hill to the city and one new western line from Quakers Hill to Central. The four afternoon services include one new western line from North Sydney and the city to the western suburbs, one new western line from Central to Quakers Hill and two new western lines from North Sydney and the city to Penrith. In addition, two services from Quakers Hill to the city, which previously terminated at Central, now extend to the North Shore in the morning peak.

The SPEAKER: Order! The member for Willoughby will allow the Minister to respond to the question she asked.

Mr DAVID CAMPBELL: This new timetable has also meant that on-time running for western line services has improved and last March it was at 95.3 per cent, well above the 92 per cent benchmark, which is the target.

Ms Gladys Berejiklian: It goes back to March last year.

Mr DAVID CAMPBELL: Last March was two months ago.

Ms Gladys Berejiklian: You said last year.

Mr DAVID CAMPBELL: You have to listen.

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

Mr DAVID CAMPBELL: In July 2009 the New South Wales Government completed the \$4 million upgrade of Emu Plains rail station, which included provision of two lifts, a family accessible toilet, a platform extension, further shelter for commuters and improvements to lighting and closed-circuit television cameras.

I would be confident that the Premier observed that work when she was at Emu Plains station, earlier this week, if I am correct. I saw work under construction last year when I visited that station. As part of the Government's \$50 billion fully funded Metropolitan Transport Plan, we are planning for the Western Express, a service that I expect will provide about 6,000 more seats on air-conditioned trains each hour.

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

Mr DAVID CAMPBELL: The Western Express is a project that the New South Wales Opposition continues to bag, whinge and whine about and transparently refuses to support.

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

Mr DAVID CAMPBELL: They forget that the South West Rail Link is under construction and they simply refuse to commit or recognise that the Government is getting on with the planning task of the Western Express, a service that will benefit directly commuters out at Penrith.

The SPEAKER: Order! I remind the member for Willoughby that she is on two calls to order. I call the member for Port Stephens to order.

COUNTRYLINK SERVICES

Mr GERARD MARTIN: My question is addressed to the Minister for Transport and Roads. How is the Government improving CountryLink services?

Mr DAVID CAMPBELL: I thank the member for Bathurst for his question and note the considerable interest that he and his country Labor colleagues have in improving CountryLink services. Nearly two million passengers travel each year on CountryLink trains and coaches to over 365 destinations in New South Wales, Victoria, Queensland and the Australian Capital Territory. Patronage on CountryLink services has been steadily increasing. In the current financial year, the number of CountryLink passengers has increased by 7.4 per cent, compared with the same period in 2008-09. Special seasonal promotions linked with Tourism New South Wales, for example, the \$1 CountryLink fares for kids, as well as the abolition of the booking fee for pensioner travel vouchers when used for economy class travel, has more people catching CountryLink services.

The Government will continue to improve CountryLink services for regional New South Wales and, over the coming months, will consult regional communities to listen to what people like, what they want changed or what CountryLink can do better. This consultation with regional communities will be led by the Hon. Penny Sharpe, Parliamentary Secretary for Transport and Roads, who will be joined by senior managers from CountryLink. The consultation will focus on the frequency of services, times of services, service connectivity and facilities on trains and coaches. During July and August, Ms Sharpe and the panel will hold community meetings in the following regional locations to discuss CountryLink services: Young, Albury, Wagga Wagga, Taree, Port Macquarie, Lismore, Bathurst, Orange, Dubbo, Tamworth and Broken Hill. Mr Speaker, I am sure that you, and the member for Port Macquarie, the member for Dubbo and the member for Tamworth will be interested in these regional consultations, as will a number of Opposition members. I see the member for Orange nodding his support for the concept of listening to people's suggestions about CountryLink.

Submissions can also be made by visiting the CountryLink website, by mail or email. Listening to local community needs is one of the important things that this Government is all about. We understand the important role that CountryLink services play in many regional communities, which is why we want to listen to suggestions from these communities about any improvements. I hear the laughter from the Leader of the Opposition. Whenever a member talks about country New South Wales in this place, as the Minister for Rural Affairs says, the Liberal Party is just not interested in rural or regional New South Wales, and the jocular laughter from the Leader of the Opposition re-enforces that point. If only The Nationals cared as much about regional New South Wales as Country Labor.

The Leader of The Nationals, Andrew Stoner, the member for Oxley—or sometimes the member for Bondi Beach or Mr Two Per Cent—has some interesting policies when it comes to looking after the bush. It is clear that the reason so few people think he is fair dinkum is that he simply does not get what is good for regional New South Wales. The Leader of The Nationals has previously announced a policy of royalties from the bush staying in the bush when it comes to transport and roads. The Opposition's policy was in response to the New South Wales Government's plan to introduce a modest motor vehicle weight levy increase for some

motorists to help fund investment in public transport. The Leader of The Nationals said he wants to keep regional money in regional areas and revenue from Sydney in Sydney—a great headline but terrible news for regional New South Wales. It means that under the Leader of The Nationals, people in rural and regional New South Wales need to prepare for massive cuts in roads funding should the Opposition ever find its way into Government.

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

Mr DAVID CAMPBELL: I am pleased that the member for South Coast agrees with the point I am making. I acknowledge her agreement with it. The people of rural and regional New South Wales have to think seriously about the policy The Nationals are proposing. Here are some interesting facts that may alarm people in regional New South Wales. Sydney makes up about 63 per cent of the State's population.

The SPEAKER: Order! I call the member for South Coast to order for the third time.

Mr DAVID CAMPBELL: Currently, the Government spends \$3.1 billion, or 70 per cent, of its record \$4.4 billion roads budget on rural and regional roads. Under The Nationals' royalties policy, the Leader of The Nationals is proposing that the roads budget for rural and regional roads be cut by up to \$1.5 billion—in simple population terms—in order to create the so-called "fair" system he talks about. Yes, up to a \$1.5 billion cut is proposed by The Nationals. For a man claiming to represent the bush, that is a pretty dodgy deal for rural and regional communities.

MANILLA RIVER

Mr PETER DRAPER: My question is directed to the Minister for Climate Change and the Environment. Following many recent representations from Barraba residents who are concerned that ongoing bore pumping has dried up the Manilla River thus encouraging a massive infestation of invasive woody weeds in the river bed, will the Minister advise the House whether his department will investigate and address these serious community concerns to prevent avoidable flood damage when the river eventually flows again?

Mr FRANK SARTOR: I thank the member for Tamworth—

The SPEAKER: Order! The Minister has the call.

Mr FRANK SARTOR: I do not think members opposite know anything at all about river health. I thank the member for Tamworth for his important question. The short answer is yes. But I am also concerned that—

The SPEAKER: Order! The member for Coffs Harbour will cease interjecting.

Mr FRANK SARTOR: I am also aware of concerns of Barraba residents, particularly the Barraba River Landcare Group, regarding the invasive woody weed, the potential river choking and flooding, and other possible impacts. I am advised that the local catchment management authority—I think it is the Namoi Catchment Management Authority—met with the Landcare Group, the Department of Industry and Investment, Tamworth Regional Council, and the Land and Property Management Authority to discuss the issue. I am advised that those bodies will do more work to identify the impacts that have occurred.

However, I believe that we probably need to do a little more. I think the member for Tamworth is right. I will ask my department to convene without delay a further meeting involving the Landcare Group, the Catchment Management Authority, the Land and Property Management Authority, and Tamworth Regional Council, to analyse the work the catchment management authority has done already and to see what viable measures can be taken. It is also possible that the Barraba River Landcare Group might consider seeking formal assistance to manage the weed infestation and replant native beds along the riverbanks through the restoration and rehabilitation program under the environmental trust. I am happy to follow that up, and I will get back to the member with more details when they are available.

TILLEGRA DAM

Mr ROBERT FUROLO: My question is addressed to the Premier. What is the latest information on Tillegra Dam?

Ms KRISTINA KENEALLY: I thank the member for Lakemba for his question. We on this side of the House are very much looking forward to trying to resolve what the Opposition's policy actually is on this issue and exactly how it came to the decision to oppose building Tillegra Dam. As was revealed in the House yesterday, the member for Terrigal has undercut his leader in a spectacular fashion. In truly Machiavellian style, the member for Terrigal bided his time, he chose his moment carefully, and then he sent his leader up the river!

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

Ms KRISTINA KENEALLY: He towed him all the way to Newcastle and then set him adrift! Is there a conspiracy afoot? Has the tsunami from Terrigal teamed up with the fresh wave from Manly to give the Leader of the Opposition a total wipe-out?

The SPEAKER: Order! The member for Coffs Harbour and the member for Murray-Darling will cease interjecting.

Ms KRISTINA KENEALLY: We know that the member for Terrigal forgot to tell the Leader of his party—but there it was in black and white—that the Liberal-National's drought-proofing the Central Coast Policy includes the construction of Tillegra Dam! In the past 24 hours we have seen furious back-peddalling by the Leader of the Opposition; a furious two-step shuffle. The reason for that is that this detailed policy document—

[Interruption]

Yes, even the backbench members are helping out; they are trying to find out what the Opposition's policy is on this issue. According to the Leader of the Opposition, the Opposition no longer needs Tillegra Dam because now it is going to have the Mardi to Mangrove transfer. The Leader of the Opposition says, "No, it's ruled out now. We've got the Mardi to Mangrove transfer so we no longer need Tillegra Dam; that's why we've made this change." That is what he said today in the Newcastle *Herald*. But the Leader of the Opposition has not read the policy document closely enough. I realise that the document is quite detailed for the Leader of the Opposition—it is extensive, and it probably would have taken him some time to read it.

But if he reads the policy document he will find it clearly states that the comprehensive \$132 million Central Coast Water Plan includes the Mardi to Mangrove transfer—I will give him that—but that the \$132 million package is in addition to Tillegra Dam! Nowhere in this extensive document that I have had researchers looking at all night does it say, "We will get rid of Tillegra Dam if we get the Mardi to Mangrove transfer." Nowhere does that sentence exist. The Opposition has been caught out again. The Opposition makes policy on the run, making it up as it goes, making decisions based on politics, and not on merit. We are already starting to see the Opposition's claim to "broad consultation" on Tillegra Dam unravel. This morning the *Maitland Mercury* reported comments by the Mayor of Dungog, Glenn Wall, as follows:

We weren't expecting the Opposition to come out and oppose it, and then without any form of policy that is going to explain what happens if it doesn't go ahead.

It's just created more concern and angst in the community and there's more uncertainty there."

That is the mayor of a council that is affected by the Opposition's rash claim, with no basis, that it will scrap Tillegra Dam. The mayor makes a good point, because this rash decision, without any basis and without any merit assessment—against the Opposition's own policy—fails to provide any indication of what the Opposition's plan is to secure water supply in the Hunter. What is the secret plan the Opposition is refusing to release to the community? If the Leader of the Opposition had done his basic homework—much less read his own policy—he would have read the environmental assessment. What does the environmental assessment say? It says there are two alternatives to Tillegra Dam: first, a desalination plant; and, second, indirect potable reuse. Do members know what that is? Treated sewage. Both of these options are more expensive to build, and both of them are more expensive to run. So what is the Opposition going to do? Is it going to gamble with the water supply of more than half a million people? Is it going to build a desalination plant in the Hunter? Is it going to make people drink treated sewage? We are going back to the policy of the member for Vacluse. Bring him back down!

The SPEAKER: Order! Government members will cease interjecting.

Ms KRISTINA KENEALLY: It comes back to one thing: The Opposition is building Tillegra Dam—until it is not. The Opposition is all for it—until it is against it. It is a united team—right up until the point where members start tearing each other apart!

Question time concluded at 3.08 p.m.

COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION**Report**

Mrs Judy Hopwood, on behalf of the Chair, tabled report No. 6/54 entitled "Review of the 2008-09 Annual Report of the Health Care Complaints Commission", dated May 2010.

Ordered to be printed on motion by Mrs Judy Hopwood.

PUBLIC ACCOUNTS COMMITTEE**Reference**

Mr Paul Gibson informed the House, in accordance with Standing Order 299 (1), that the Public Accounts Committee had resolved to conduct an inquiry into the quality and timelessness of financial reporting by government departments and agencies, the full details of which are available on the committee's homepage.

STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS**Reference**

Mr Paul Pearce informed the House, in accordance with Standing Order 299 (1), that the Standing Committee on Parliamentary Privilege and Ethics had resolved to conduct an inquiry into the code of conduct for members, including aspects of pecuniary interests and disclosure, the full details of which are available on the committee's homepage.

COMMITTEE ON THE OFFICE OF THE OMBUDSMAN AND THE POLICE INTEGRITY COMMISSION**Reference**

Mr Kerry Hickey informed the House, in accordance with Standing Order 299 (1), that the Committee on the Office of the Ombudsman and the Police Integrity Commission had resolved to conduct an inquiry into improper associations in the NSW Police Force, the full details of which are available on the committee's homepage.

PETITIONS

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

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 accessible access to the existing respite premises in the Wagga Wagga electorate, received from **Mr Daryl Maguire**.

South Coast Rail Services

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

South Coast Rail Line Staffing

Petition opposing the reallocation of and reduction in staff on the South Coast Illawarra rail line, received from **Mrs Shelley Hancock**.

Princes Highway Rest Areas

Petition requesting adequate toilet facilities on the corner of the Princes Highway and Sussex Road, received from **Mrs Shelley Hancock**.

Hawkesbury River Railway Station Access

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

Bus Service 311

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

TAFE Employee Negotiations

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

Shoalhaven Police Station

Petition requesting funding for the establishment of a new police station in the central Shoalhaven area, received from **Mrs Shelley Hancock**.

Retail Electricity Pricing

Petition objecting to the Independent Pricing and Regulatory Tribunal recommendations to increase retail electricity prices, received from **Mrs Shelley Hancock**.

Drought Relief Worker Job Protection

Petition requesting that the jobs of drought relief workers be protected, received from **Mr Greg Aplin**.

Pet Shops

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

Burrill Lake

Petition requesting the opening of Burrill Lake, received from **Mrs Shelley Hancock**.

The Clerk announced that the following petition signed by more than 500 persons was lodged for presentation:

Yurammie State Forest

Petition opposing harvesting operations in part of Yurammie State Forest No. 133 and requesting permanent reservation this area by including it in New South Wales National Park Estate, received from **Ms Clover Moore**.

AUSTRALIAN REGION COMMONWEALTH WOMEN PARLIAMENTARIANS CONFERENCE

The SPEAKER: I inform members that the Australian Region Commonwealth Women Parliamentarians Steering Committee is pleased to invite members and their staff to its upcoming conference, to be hosted from 30 June to 2 July 2010 at the Parliament of New South Wales. Members have already been sent details of the agenda and registration forms. Further details can be collected from the Clerk's office.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**Education and Environment Funding**

Ms VERITY FIRTH (Balmain—Minister for Education and Training) [3.11 p.m.]: We now know why the Opposition has not worried too much about developing its own education policy: it was waiting for Tony Abbott to do it. Now we know exactly what the Opposition has planned for education—that is, cutting \$3 billion from education initiatives. This motion is urgent because Tony Abbott's policy would have drastic consequences for education in New South Wales. It would mean no more laptops for our students. It would mean no more trade training centres in our schools to give students a pathway into a trade. It would mean no more training places for 175,000 New South Wales workers to improve their skills and help them secure traineeships. Teacher quality is not important according to the Federal Coalition, even though international research shows it is the single most important thing we can do to boost student achievement.

This motion is urgent because the people of New South Wales need to know whether members opposite agree with Tony Abbott's plan. Let us not forget Tony Abbott's failure to commit to the continuation of the Building the Education Revolution. Scripted or unscripted, what we know is that education is set to be the big loser under a Tony Abbott government. While our economy growing, Tony Abbott is willing to put thousands of local jobs at risk and leave schools without the facilities that have been promised to them. Parents and schools across New South Wales would be worried—that is why this motion is urgent.

The people of New South Wales need to know the answer to some of these fundamental questions. Does Leader of the Opposition Barry O'Farrell want to stop children from getting laptops? Does Barry O'Farrell think that investing in teacher quality is a low priority? Does Barry O'Farrell think that we should stop providing training options for kids at our schools who want to learn a trade? Does Barry O'Farrell think we should stop investing in training licences? Has he not heard of a skills shortage? The urgent question that the people of New South Wales deserve an answer to is: Will Barry O'Farrell act in their best interests or is he Tony Abbott's puppet?

Mr Barry O'Farrell: Point of order: It was not one question, it was four questions, and the answer is still no. Let us get on with the other debate.

The SPEAKER: Order! The Leader of the Opposition is well aware that that is not a point of order.

F3 Closure

Mr ANDREW STONER (Oxley—Leader of The Nationals) [3.13 p.m.]: My motion deserves to be accorded priority because once again the competence and judgement of the Minister for Transport and Roads, Mr David Campbell, is being questioned. The report prepared for the Minister by the Roads and Traffic Authority following the F3 fiasco on 12 April, when thousands of motorists were stranded, had to be forced out of this Labor Government under freedom of information laws and it is clear why the Government wanted it covered up—it is a damning indictment of the Minister for Transport and Roads!

Page 4 of the report—one of the sections that was not blacked out or deleted by the Government—notes that the crash was reported to the Government's Transport Management Centre at 11.39 a.m. that day. It also reveals that not very long after that the Minister was informed, as you would expect. The report also notes that David Campbell's most senior bureaucrats were working at or with the Transport Management Centre to clear the mess, including the Director General of the Roads and Traffic Authority, the scapegoat Michael Bushby; the Director of Network Management; and the Director General of Transport and Infrastructure. While all those senior officials were beavering away trying to fix the problem, where was the Minister? The report makes absolutely no mention of the Minister being at the Transport Management Centre, or of his having any involvement at all in working to fix this mess.

This motion should be accorded priority because the people of New South Wales, especially those who were stuck in that awful traffic on their way to the Central Coast, deserve some answers. Where was David Campbell? This was one of the most significant disruptions to the State's road network in the history of New South Wales. If ever there was a time for leadership from a Minister it was then, but David Campbell was missing in action. The Minister has since said that he did not find out until after 4.00 p.m. how serious the accident was, despite reports that Michael Bushby sent the Minister three rapid response briefings advising him of the critical nature of this accident. The question is: Where was David Campbell?

It defies belief that not only was the Minister not aware of the shocking debacle that was taking place on the F3, but also that he was not at the Transport Management Centre working with departmental officials or even in contact with them. Radio 2UE declared David Campbell was "apparently" stuck in a meeting at 4.52 p.m. Despite the shocking nature of the incident, with thousands of motorists sweltering away in their cars, the Minister's departmental officials beavering away to try to clear the mess, and the saturation media coverage throughout the day and on the 6.00 p.m. evening news, David Campbell did not surface until after 7.00 p.m., when his office claims he left his office and went to his apartment in the city. David Campbell finally showed up on Radio 2GB at 7.26 p.m.

Mr Gerard Martin: Point of order: The Leader of The Nationals should be debating why his motion should be accorded priority, not talking about ancient history. The Leader of The Nationals is a long way off the mark as usual.

The SPEAKER: Order! I have heard enough on the point of order. I will hear further from the Leader of The Nationals.

Mr ANDREW STONER: This motion should be accorded priority because people deserve answers. It should have taken only two hours to set up the contra flow lanes. The road should have been cleared by approximately 1.30 p.m. but it was not cleared until 9.00 p.m. We still do not know where David Campbell was—eight hours unaccounted for in David Campbell's day. Where was he? This motion should be accorded priority because the people of New South Wales deserve some answers. We know that instead of accepting accountability and showing leadership on this matter, David Campbell made bureaucrat Michael Bushby, who was down at the traffic management centre trying to fix the problem, the scapegoat. If the Minister had been doing the same perhaps the outcome would have been different.

The SPEAKER: Order! The member for Bathurst will contain himself.

Mr ANDREW STONER: The report also notes—this is also why this motion should be accorded priority—that there was interdepartmental chaos. It was the role of the Minister for Transport and Roads, the ultimate boss of both of those departments and with the legislative authority, to show some leadership in that situation. The Minister should have stepped in and sorted out the problem. That is what Ministers are paid for, but this Minister was missing in action.

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

EDUCATION AND ENVIRONMENT FUNDING

Motion Accorded Priority

Ms VERITY FIRTH (Balmain—Minister for Education and Training) [3.19 p.m.]: I move:

That this House:

- (1) expresses its alarm about the Federal Opposition's plan to cancel laptops for more than 60,000 students, scrap quality teaching initiatives, cut funding for trade schools and strip away environmental protection; and
- (2) calls on the New South Wales Opposition to join with the Government in rejecting the Federal Leader of the Opposition's plan to drastically slash funding for education and the environment.

Last year more than 66,000 New South Wales students received a laptop under the Federal Government's Building the Education Revolution. This year more than 60,000 students will receive one. Laptops have been described as the toolbox of the twenty-first century, but they are just one part of the true revolution that is going

on in our schools. New South Wales schools are being transformed with new halls, classrooms and equipment. Schools are building trade training centres to give kids a chance to learn a trade. There is an unprecedented investment in teacher quality, literacy and numeracy, and resources for disadvantaged schools.

National Assessment Program—Literacy and Numeracy (NAPLAN) testing and the MySchool website have seen the beginning of a new era of transparency and greater information for parents. All of these reforms are about ensuring students across Australia and in New South Wales are receiving a world-class education. In New South Wales we already know that. The results of our students in NAPLAN tests clearly demonstrate that the policies put in place by this Government are achieving results. We know that the Opposition agrees. In fact, it was the only thing that made sense in its so-called "policy presentation" to a recent education forum. In its presentation the Opposition said:

NSW should be proud of its education system. It is world class and consistently performs at the top of the OECD.

Opposition members agree that we are on the right path—a path that Tony Abbott has made very clear he is ready to completely dismantle by cutting \$3 billion from education. The people of New South Wales want an answer to the question: Does the Leader of the Opposition, the member for Ku-ring-gai, support his Federal leader's plans? Does he support Tony Abbott's plans to stop more than 120,000 New South Wales students from receiving a laptop, including 1,200 students in his own electorate? Does the member for Murrumbidgee also support Tony Abbott's plans, when nearly 2,000 students in his electorate will miss out on a brand new laptop? What about the 120,000 students in New South Wales who have already received laptops? If Opposition members are uncertain about how the laptops have been received in schools, I am happy to pass on some feedback. A head teacher from Erina High School on the Central Coast writes:

I don't think I can adequately describe the massively positive impact that the laptops have had in my school ... I've seen first hand "hard to engage" students buy back into learning activities for seemingly the first time.

Mr David Harris: That is in the seat of the member for Terrigal.

Ms VERITY FIRTH: It is in the seat of the member for Terrigal. The same letter was sent to the Federal Minister for Education and the Federal Liberal Party. The letter asked:

Will the next Federal Education Minister guarantee that the funding will continue to be available? I'm sure I speak for my colleagues in NSW when I say I certainly hope so.

That question has been well and truly answered by Tony Abbott. It is now up to the Leader of the Opposition to let principals in New South Wales know whether he supports his Federal leader's plans to dump the laptop rollout for New South Wales students. These laptops have created equity in our schools for students who do not have a personal computer at home. More importantly, international research in education is absolutely unequivocal. While poverty and disadvantage remain the greatest barriers for student success, teacher quality is the most effective way of overcoming this barrier. According to their own "policy", failure at school leads far too often to juvenile justice, unemployment and dysfunction—outcomes that the Opposition are all too familiar with under its "Spectrum of Potential Student Trajectories." I am confident that the member for Murrumbidgee and his Coalition colleagues will rush to condemn the Federal Coalition's attack on teacher quality. It is an interesting position—I would argue a brave position—to be opposed to teacher quality.

The DEPUTY-SPEAKER: Order! The member for Wakehurst will come to order.

Ms VERITY FIRTH: The education revolution is providing significant new investment in teacher quality, but it will all go if Tony Abbott's dreams are ever realised. A Federal Coalition government would axe \$135 million of funding for teacher quality. This means that the new Australian Institute for Teaching and School Leadership, modelled on the New South Wales Institute of Teachers, would be gone.

The DEPUTY-SPEAKER: Order! The member for Wakehurst will come to order.

Ms VERITY FIRTH: It means that the centres for excellence to be established in New South Wales would be gone. It means that the new highly accomplished teacher positions that we were to be placed in those schools would be gone. Those teachers were to be paid \$100,000 to lead improvements in teaching in the classroom. All of this would be gone. It is not only in the government sector that these cuts would hit. The Southern Cross Catholic Vocational College Centre for Excellence would have its funding stopped. This is a

nationally recognised centre for quality and innovation in vocational education. The groundbreaking Council of Catholic School Parents Centre for Excellence would be axed. It is an unbelievable attack on education in this country.

The Liberal Party's plans to discontinue the Trade Training Centres Program are further evidence of its complete indifference to the needs of young people. Trades Training Centres allow students to take industry standard vocational studies while still at school. This means that students can start preparing for a career in a trade, while still being in school, still working on their literacy and numeracy, and still being exposed to teachers. Altogether, up to 400 New South Wales schools are set to benefit from the \$968 million Australia-wide program, which the Liberal Party has now announced it would cut. Already 166 schools across New South Wales are in the process of developing architectural plans and building specifications, including many in the electorates of Opposition members.

The DEPUTY-SPEAKER: Order! The member for Wakehurst will come to order.

Ms VERITY FIRTH: During last year's debate on the school leaving age legislation, speaker after speaker from the Opposition talked about the importance of providing a range of subject options to make school as relevant as possible for students. Do they still agree that it is important or was that all just hot air? The Federal Labor Government is set to spend \$260 million over the coming years to provide exactly what the Opposition wanted for high school students in New South Wales. On top of that, the Federal Liberal Party has said it will axe the National Partnership on Productivity Places Program, a \$630 million Commonwealth-State investment to increase the skills of 175,000 workers. The Opposition has not worried too much about developing its own education policy. It was waiting for Tony Abbott to do it. The Opposition cannot have it both ways. It cannot on the one hand nod and wink and say, "We know Labor has built a world-class education system and we will not do anything different", then on the other hand support policies that will send our schools backwards. We need to know where the Opposition stands.

Mr ADRIAN PICCOLI (Murrumbidgee—Deputy Leader of The Nationals) [3.26 p.m.]: I move:

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

this House congratulates the hard working teachers of New South Wales and continues to support genuine efforts to improve teacher quality.

I agree with the Minister for Education and Training that all the international research indicates that improving teacher quality is the most important initiative in achieving better student outcomes. The very purpose of our education system is to improve student outcomes. The evidence in relation to teacher quality is overwhelming. We support every measure that can be put in place to improve teacher quality. I do not believe it is a particularly good move by the Federal Coalition to announce that it will cut this funding should it be elected. We hope it will be elected. If there were a change in the Federal Government, which we hope will occur later this year, and a change in the New South Wales Government and if I became the Minister for Education, I would ask the Commonwealth Coalition government to reconsider that decision.

There are many areas of government waste under the Rudd Government that could be cut. It is the most profligate and irresponsible Government Australia has had since the days of Gough Whitlam. It is putting Australia's budget and economy at serious risk because of its inability to constrain spending. The point that Tony Abbott and the Federal member for North Sydney were making was the inability of Labor governments, both Federal and State, to spend money effectively. We all welcome capital works spending in New South Wales schools as part of the stimulus plan. Many of the non-government schools have been rebuilt. I have visited St Mary's school at Yoogali near Griffith and St Patrick's school at Griffith and they have been virtually rebuilt. However, that cannot be said about the public school projects managed by the New South Wales Labor Government. The media has highlighted many examples of waste. I congratulate the *Australian* newspaper, which has led the charge.

Mr Brad Hazzard: And Ray Hadley.

Mr ADRIAN PICCOLI: Ray Hadley was the first one to lift the lid on the insulation program and the Building the Education Revolution followed shortly after that. That is an example of how incompetent the Labor Party is at managing money. It has squandered a once-in-a-lifetime opportunity for virtually every primary school in New South Wales to be rebuilt.

The DEPUTY-SPEAKER: Order! Members on both sides of the House will come to order. The Minister for Education and Training will come to order. She will have an opportunity to reply to the debate. The member for Wakehurst will come to order.

Mr ADRIAN PICCOLI: I am sure Ray Hadley would love to debate the Minister, but I believe she has never had the courage.

Mr Brad Hazzard: She sends poor Michael Coutts-Trotter out to justify her incompetence.

Mr ADRIAN PICCOLI: That is right, Michael Coutts-Trotter. She sent Bob Debus out there, and who else? She sent the bloke from the Building the Education Revolution. They have done an excellent job of avoiding scrutiny. Government members can say what they like but one only has to go to those schools to see what is happening. St Marys Primary School, Yoogali, has been virtually rebuilt. Every classroom has been renovated and there is a new kindergarten room and a new administration area. Across the road Yoogali Public School—which is about the same size and has received the same amount of money—is getting a 13 metre by 13 metre library. The rest of the school is virtually untouched—just a few maintenance jobs.

This was a once-in-a-lifetime opportunity to rebuild every primary school in New South Wales. Come next March, as the incoming Liberal-Nationals government we hope we will be we would love to have inherited primary schools that have been virtually rebuilt. It would have been good for students, teachers, principals and parents, and good for government. But the Government has squandered a once-in-a-generation opportunity. In regard to computers in schools, whilst it depends who you talk to, I acknowledge that there have been some very good reports on the laptop rollout. I have heard some principals say that some kids who would not otherwise have stayed at school have been encouraged to stay at school because they have the opportunity to use a laptop. That is terrific. I will always acknowledge when the right thing is being done, but this program came out about a year late in public schools across New South Wales.

I do not think the New South Wales Government should spruik its ability to deliver on spending, because it is untrue—computers in our schools is one example and the Building the Education Revolution is another. But I return to speaking about teacher quality. Teacher quality is most important. There is far from universal acceptance that the money that the Rudd Government has allocated under the National Partnerships Program has been well spent, and there has been a lot of criticism. It is a lot of money, but again it is a wasted opportunity. A lot of taxpayers' money is being spent, which we welcome, but it is not well directed. I have heard views expressed that it is being spent on gimmicky projects and gimmicky ideas that make for good press releases but do not make for particularly good, coherent and workable policy.

When we start to see results, and if the Minister can show us whether funding for improved teacher quality has led to improved student outcomes, I will be pleased to see it and I will give the Minister and the Rudd Government every acknowledgement possible. But simply splashing money around, like the metro—

Mr Alan Ashton: Is this the gospel truth?

Mr ADRIAN PICCOLI: We can talk about truth and lies or we can talk about how I do not support league tables and you do not support league tables, but you will do nothing to stop them from being printed.

Mr FRANK SARTOR (Rockdale—Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)) [3.33 p.m.]: I move:

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

the motion be amended by the addition of the following paragraph:

- (3) congratulates the hard working teachers of New South Wales and continues to support genuine efforts to improve teacher quality.

The second part of the motion refers to what the Federal Opposition plans to do on the environment—an issue of extreme concern to us all. State Opposition members are very silent on this issue. We saw their abysmal performance last night during debate on the National Park Estate (Riverina Red Gum Reservations) Bill 2010. They have no appreciation of environmental issues whatsoever. In February this year the Federal Leader of the Opposition, Tony Abbott, released his direct action plan for the environment.

Yesterday the Federal Opposition confirmed not only its commitment to that plan but also its plan to cut \$1 billion worth of Federal climate change programs. The stated pillars of the Federal Coalition's direct

action plan include an emissions reduction fund and direct action on renewable energy, and a new solar sunrise for Australia. But that plan is not about the polluters paying; it is about the taxpayers paying—in fact, \$3.2 billion over four years to 2015 and \$9.2 billion to the year 2020. The Federal Coalition is silent on what it will do about climate change because Tony Abbott, as we know, thinks it is a lot of garbage.

Mrs Shelley Hancock: Crap.

Mr FRANK SARTOR: "Crap" might have been his word. He obviously agrees with the member for South Coast. I remind the House just how frightening the Federal Coalition's policies are. One of the key planks is a reduction of 140 million tonnes of CO₂ pollution each year and 60 per cent of that, or 85 million tonnes, is meant to come from soil carbon measures.

Mr Thomas George: Point of order: I do not know if I am missing the point but this motion is about education.

Mr David Harris: It is about education and the environment.

Mr FRANK SARTOR: This is just a stalling tactic. The Federal Coalition wants to save 85 million tonnes of CO₂ from soil carbon. The best scientists in this State tell us that you need to find about 280 million hectares to achieve Tony Abbott's target. Unfortunately, the whole of New South Wales is only 80 million hectares, and there is only 8 million hectares of arable land in this State. How on earth does the Federal Coalition think it will achieve abatement of 85 million tonnes and find 283 million hectares of land? It is extraordinary. It is basically a dodgy policy.

What really disturbs me is that yesterday Joe Hockey made a speech to the press club in which he talked philosophically about all sorts of things as he desperately tried to show what a fiscal conservative he really is; but released quietly later by Andrew Robb was a schedule of cuts. Interestingly, the Federal Coalition is proposing to cut \$1.1 billion from climate change programs. It wants to reduce funding for the Green Car Innovation Fund—\$278 million gone. It wants to discontinue the Carbon Trust and Climate Change Foundation Campaign—\$256 million gone. It wants to reduce funding for the Carbon Capture and Storage Flagships Program by \$200 million. It wants to remove \$178 million of funding for the International Climate Change Adaptation Initiative. It wants to discontinue the \$131 million Low Emission Assistance for Renters Program. It wants to discontinue the \$15 million of funding for the AusAID Climate Change Program. That is appalling.

New South Wales has a very proud record on climate change and environmental initiatives, having been one of the first jurisdictions in the world to introduce a carbon trading scheme, the GGAS scheme, which has served us well, having saved 100 million tonnes of CO₂ emissions. The great concern I have is that a Liberal-Nationals government under Tony Abbott would move to wind back environmental programs and totally deny that climate change exists, yet members on the other side of the House are silent. They will not stand up and admit to these programs.

Mr Brad Hazzard: Point of order: The shadow Minister has already indicated that the State Coalition does not necessarily agree with our Federal colleagues.

The DEPUTY-SPEAKER: Order! What is the member's point of order?

Mr Brad Hazzard: We will certainly be discussing these issues in the strongest terms if and when we are elected to government in March next year. The Minister is misleading the House.

The DEPUTY-SPEAKER: Order! There is no point of order. The member for Wakehurst will resume his seat.

[Time expired.]

Mrs SHELLEY HANCOCK (South Coast) [3.38 p.m.]: In relation to the amendment to the amendment, it is very pleasing to see the Minister for Climate Change and the Environment cleaning up the motion of the Minister for Education and Training and congratulating teachers. I would like to see more motions from the Minister of Education and Training congratulating teachers. She forgot to do that today but, thanks to the Minister for Climate Change and the Environment, it will be in the motion now. The Minister for Climate Change and the Environment did a rant about Tony Abbott and his environmental credentials. Who said that

climate change was the greatest moral challenge facing this planet and then promptly scrapped the emissions trading scheme? Kevin Rudd, the great environmentalist of our time, put his climate-saving strategy on the backburner. Members opposite are silent now.

The DEPUTY-SPEAKER: Order! Government members will come to order.

Mrs SHELLEY HANCOCK: It is a bit rich for the Minister for Education and Training to come into this place and talk about what Tony Abbott is trying to do to turn around this country's deficit, which is about \$50 billion. In fact, it is about the same size as the entire New South Wales budget. One reason for that deficit is the Federal Government's flawed home insulation scheme. Contractors installed foil and then removed it, and then installed pink batts and removed them. Lives were lost in that process because the Federal Government did not care about worker safety. That scheme was about jobs at any cost. The Labor Government was not worried about worker safety. The Federal Government also introduced a scheme to provide students with laptops. Despite all the promises that were made the laptops have still not been delivered.

The DEPUTY-SPEAKER: Order! Government members will come to order.

Mrs SHELLEY HANCOCK: The Minister for Education and Training should know about the slight problem with the laptop scheme. The Federal Government forgot about providing funds to cover the wiring, infrastructure and associated costs. That promise was made a long time ago, but it has still not been fulfilled for many students in this State. Let us talk about the Building the Education Revolution [BER] Program. Some schools in my electorate were promised \$800,000 for new infrastructure. The Minister is screaming her head off. Those schools received \$300,000 worth of infrastructure and, on average, \$500,000 went to wealthy companies who knows where.

The Minister for Education and Training should not come into this place and talk about teacher quality and teacher initiatives when she has destroyed teacher morale in this State. This Government has slapped teachers in the face. Members opposite have had every opportunity to criticise their Federal colleagues' stance on teaching with regard to NAPLAN and the MySchool website. Their dictator, Julia Gillard, has told them what to do and they have done it. That surprises me given the number of members opposite who have been teachers. They do not listen to teachers and educators because they think they know better. Members opposite should not move flawed motions such as this because they have nothing else to do. They talked about teacher quality. Teachers in this State work hard, but this Government does not appreciate what they do. The Minister is yelling at me because she knows that I am right and she is wrong.

The DEPUTY-SPEAKER: Order! The Minister will come to order.

Mrs SHELLEY HANCOCK: What has Kevin Rudd done for education? He has told Julia Gillard to tell the State Ministers what they should do: They should put a sock in it and do what they are told. They have been told not to listen to teachers and to disregard what they say about quality programs. The Minister for Education and Training is feeling very uncomfortable.

The DEPUTY-SPEAKER: Order! The Minister will come to order.

Mr Frank Sartor: Point of order: I refer to Standing Order 129. I have not heard—

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

Mrs SHELLEY HANCOCK: I have not actually addressed every aspect of the motion. Flued heaters are relevant to protecting the classroom environment. I started talking about Tony Abbott, but the Minister for Climate Change and the Environment did not hear me because he was talking. The Minister for Education and Training told us yesterday that there is nothing wrong with unflued heaters if the windows and doors are left open. [*Time expired.*]

Ms VERITY FIRTH (Balmain—Minister for Education and Training) [4.43 p.m.], in reply: It has been interesting to hear the Opposition's bleating on this motion. Members opposite know what a huge blow Tony Abbott has inflicted on education in Australia and they know that excellent education systems do not create themselves. They need resources, support, ideas and government commitment. Tony Abbott has told the Australian public that the Federal Liberal Party does not care about education. It does not care about jobs, training and our children's future despite the fact that we are experiencing a global financial crisis. What will the

State Opposition do about that? Tony Abbott has put members opposite in a very difficult position and they are bereft of education policies. They must now make a choice: Will they stand by Tony Abbott or will they stand up to him?

The Liberal Party's attack on the Federal Government stimulus package is shameful. That package has saved Australia from the worst excesses of the recession. At a time when other governments around the world are being forced to make significant cuts to their teaching workforces and savagely cut their education budgets we still have genuine investment in a world-class education system. We still have a level of investment that means our children have a chance to turn their lives around. The Commonwealth Treasury's figures make it clear that, had State governments not acted when they did, an extra 200,000 Australians would be unemployed today. That is 200,000 Australians who would be out of work. We are talking about real people.

The attack on the Building the Education Revolution and the housing stimulus package by the conservative forces in this country has been politically motivated from day one. The BER is the most transparent and heavily audited expenditure program in Australia's history. In New South Wales we have protections for the public purse that mean private contractors take the risk of an overspend. We are delivering world-class facilities at every school in the State. This stimulus package has saved our country from recession and hundreds of thousands of workers from unemployment. Every day at schools across our State 8,000 people are in work because of the BER. We also have 2,500 apprentices in training because of the BER.

This idea that great education systems create themselves is absolutely false. Great education systems are created by resources, investment and ideas, but Liberal Party education policy is bereft of those elements. We know that members opposite have no ideas and that they have nowhere to go with education. They do not even believe in the fundamentals of a great education system; that is, resources being used to create great facilities and quality teachers. Members opposite are backing a Federal Liberal Opposition that has said that it is prepared to slash \$135 million from something as fundamental as teacher quality. They are prepared to axe training programs for the unemployed. They are prepared to scrap the laptop program.

Mr Brad Hazzard: Point of order: The Minister is supposed to be responding to the shadow Minister's contribution. He said that the Liberal Party is concerned about the issues and would be discussing them with the Federal Liberal Party if it is elected to govern and if we are elected to govern, and that we would raise our concerns. The Minister is ignoring that and is now addressing matters that have not been raised in the debate.

The DEPUTY-SPEAKER: Order! I will hear further from the Minister.

Ms VERITY FIRTH: That is not what the shadow Minister said. He said that the Opposition has some interest in teacher quality, but he made no commitment to talk to his Federal Liberal Party colleagues about the abolition of the productivity places program, a \$630 million Commonwealth-State strategy designed to increase workers' skills. That means a Coalition government would cut 84,000 training places in this State. The shadow Minister also made no mention of the trade training centres or the laptop program that would be slashed. The Liberal Party's true colours have been revealed here today. Members opposite do not support investment in education and infrastructure and they do not support the job creation programs created by the stimulus package. I am very glad that the Federal Labor Government was in power during the global financial crisis. If it had not been we would be facing a very different scenario now. [*Time expired.*]

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

Amendment of amendment agreed to.

Question—That the amendment as amended be agreed to—put and resolved in the affirmative.

Amendment as amended agreed to.

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

Motion as amended agreed to.

The DEPUTY-SPEAKER: Debate on the motion accorded priority having concluded, the House will now proceed to General Business Orders of the Day (for Bills).

CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT (PARENTAL RESPONSIBILITY) BILL 2010

Agreement in Principle

Debate resumed from 19 March 2010.

Ms LINDA BURNEY (Canterbury—Minister for the State Plan, and Minister for Community Services) [3.51 p.m.]: It has been 17 months since the member for Goulburn was handed the Community Services portfolio. You would think in 17 months she would have learnt something. You might hope she would have gained some sort of understanding of the issues. This bill tells me that that has not been the case. Just like all the others who sit on the benches opposite, the Opposition spokeswoman has failed to understand her portfolio and she has failed to gain any credibility as an alternative Minister. Until recently the Opposition had not contributed a single new policy proposal to protect children.

Despite all the hype of the Liberal-Nationals social policy framework—released with great fanfare on 21 September last year—we have seen nothing and heard nothing since. Then on 25 February this year the morning news said the shadow Minister for Community Services had released a policy. Amazed, I rushed to the office to look at it. I found a 519-word press release whose motive appears to be to generate a headline but not to improve child protection. The press release states that two little children who died in 2007 would have been helped if the Opposition's policy had been in place. Much is said in politics about putting a spin on your words but puffing up a flimsy, useless policy by implying that it would have saved these children from being murdered by their parents is about as cynical as it gets. Apart from the fact that the suggestion is offensive in the extreme, it totally ignores the fact that such contracts are already available to use in the appropriate circumstances.

The shadow Minister's agreement in principle speech refers to "a year of consultation and soul-searching" undertaken by the Liberal-Nationals. They must not have much of a soul if this is all they can find. Where is the evidence that this proposal would improve child safety? Please point to a single public endorsement for this idea by any of the practitioners or experts who work in this field. Nowhere in the world has anyone built a system, or indeed a society, where no child is harmed, where no child is neglected, where no child dies at the hands of the very people who should be their primary guardians and carers. We can and must do a better job at protecting children. We can and must prevent the conditions that lead parents to neglect, harm or abuse their children. This is not just the responsibility of one department; it is a shared responsibility. It needs government agencies, non-government organisations, the community and parents to work together. That was a central theme of Justice Wood's report and it is reflected in the Government's response, the Keep Them Safe action plan.

The shadow Minister does herself no favours by obnoxiously linking this policy idea with the tragic cases of 2007. As if this one measure—which in my view is ill-considered and lacks a sound rationale—could have made a fundamental difference in those cases! Those sad and terrible deaths led to a full special commission of inquiry. It took retired Supreme Court Judge Justice James Wood more than 12 months to conduct his inquiry. There were 423 submissions and 24 public hearings. The inquiry met with 26 government agencies and 23 non-government organisations. It held 21 meetings with individual academics, experts, and interested groups. The end product was a three-volume report and 111 recommendations—a blueprint for far-reaching reform to the child protection system. But the shadow Minister in her agreement in principle speech implied that Justice Wood did not go far enough. She said:

The judge stopped short in his report from making a bold *cri de coeur* for revolution and some would say more is the pity.

I did not do French when I was at high school but I am very familiar with Justice Wood's report and as Minister I can assure the House that it was the catalyst for massive reform to child protection policy in New South Wales. The Government accepted the majority of Justice Wood's recommendations. We are implementing those recommendations through Keep Them Safe—our five-year plan backed by \$750 million in funding. In comparison, the shadow Minister's revolution in child protection policy is a private member's bill to make parental responsibility contracts mandatory.

I have read the member's agreement in principle speech carefully. The only conclusion I can draw is that the member is either genuinely confused or, after cooking up an idea to grab the headlines for a day, the Opposition was forced to stitch together some kind of rationale and struggled to do so. The Opposition does not appear to understand the potential impact of the bill, or perhaps it simply does not care. In a nutshell, the Opposition's proposal would require a Community Services caseworker to develop a parental responsibility

contract in every child protection matter. These contracts are already available to caseworkers to use with families. The Opposition's bill would make it mandatory for contracts to be developed in every case. The Government opposes this bill—not, as the shadow Minister claimed in her speech, because it is an Opposition bill, but because there are no grounds for this change. There is no evidence to suggest this bill would improve child protection practice. In fact, it would create barriers to effective casework.

I will now set out the reasons why the Government opposes the bill. The first and perhaps the most important reason is that subjecting every family to a mandatory contract will erode the caseworker's effort to engage the family voluntarily. Most parents want to care for their children. But some struggle, and this can be for a range of reasons. It is generally the case that a combination of issues will confront these families. There may be domestic violence. There may be drug or alcohol abuse, or both. There could be a serious mental health issue, or intellectual disability. The family may be socially isolated, with little or no understanding of how to properly care for their children. Often there is intergenerational disadvantage—children who were removed themselves go on to have children and the cycle is repeated. Often parents whose children are at risk are willing to cooperate with Community Services and its partner agencies. In those cases, there is no need for a mandatory parental responsibility contract. In fact, forcing a parent into such a contract would undermine the voluntary nature of the interaction. I quote Australian researcher Professor Elizabeth Fernandez from the University of New South Wales:

Families are more likely to engage with intervention when the process is collaborative. Parents acknowledge positive changes, attributing these to caseworkers' intervention and their "own hard work", a finding that encapsulates caseworkers' empowerment oriented philosophy.

The second ground for opposing the bill is that, as I mentioned previously, parental responsibility contracts already exist in New South Wales, having been introduced in 2007. They are one of several tools a caseworker can use in their work with families—depending on the situation they are dealing with. There is no one-size-fits-all approach in child protection. In some situations a contract may help a family and caseworkers to establish goals and boundaries which can prevent a child from being taken into care. In other situations a contract is the wrong approach. Where a parent has limited capacity to follow a plan, organise themselves to meet formal expectations, and understand consequences, a mandatory contract will achieve nothing, and the whole purpose behind this is how to help children, not how to punish parents.

A system that begins with parents feeling that they face an inflexible system leaving them to feel helpless and powerless to meet the expectations placed on them is a system that sets up parents to fail. I cannot imagine an outcome less helpful to families and to the caseworkers who work with them. To say that we used to have flexibility about how we deal with these situations, but now we have to put them on a conveyor belt where they are required to enter into a parental responsibility contract no matter what their circumstances just beggars belief that anyone would think it is a good idea.

Where is the member for Goulburn getting her advice? Has there been a stampede of caseworkers from around the State, beating a path to her doorway crying out, "Give us mandatory parent responsibility contracts"? Has the Opposition even spoken to anyone who would have to implement this scheme to find out how it would impact their work, how it would actually tie their hands, the very opposite of empowering them? Or is it simply that the shadow Minister thinks that she knows better than caseworkers how to manage their jobs? This bill will not improve outcomes for children, it will not empower parents and it will not help caseworkers. It is a knee-jerk response that fails to take these issues seriously—and that is the worst thing of all. This is a profoundly trivial approach to one of our toughest social problems.

This bill is a headline-grabber, designed to generate stories about "bad parents" and to give the impression there is a quick fix. I thought the Opposition had declared that it would not engage in a law and order auction. Well, its purity is spoilt, because that is exactly what is proposed in this measure in part. It is all stick and no carrot and the result will make families who need help feel less secure. Those families who are willing to enter such contracts already do so. Does the shadow Minister seriously think families in complete disarray will change for the better because they are forced to sign on the dotted line? In any other area of law, such a contract would never stand up in court.

The Opposition is dreaming if it thinks that a political fix-it would improve anything. Making the development of contracts mandatory in every case establishes a confrontational model for dealing with families, which flies in the face of best practice, which depends on building positive and constructive relationships with parents. I remind members that confrontation of this kind could be counterproductive. It could lead to more complaints, more reviews, more staff time taken up with red tape and more time operating "defensively" rather

than positively in relation to families, more administrative tasks and increased litigation. The costs would skyrocket. The sheer waste in time and resources would be staggering. We have all heard the excuse, "It seemed like a good idea at the time."

If this bill were ever to find its way into law, leading to worse outcomes for children across the board, that would be the best excuse the shadow Minister would be able to muster. In contrast to the punitive approach of the Opposition, the Government's emphasis is to prevent problems and to step in before they escalate. This is a constructive and evidence-based approach, and an efficient way to deal with difficult human services issues. The Community Services budget for 2009-10 allocated \$321 million for the Brighter Futures program and other early intervention initiatives to help stop children from entering or escalating in the child protection system. To deliver Brighter Futures to families, we created more than 300 early intervention caseworker positions within Community Services.

Families receive support services, including case management, quality children's services, parenting programs and sustained home visiting. There are more than 3,800 families engaged or participating. Special provisions are available to assist Aboriginal families. This approach works. Initial results indicate that Brighter Futures is having a significant impact in reducing the likelihood of families' problems escalating into crisis and into the statutory child protection system. The University of New South Wales Social Policy Research Centre is undertaking an evaluation. The final report is due out later in 2010 and will inform what initiatives this Government can reinforce to better assist vulnerable families. The release of Keep Them Safe a year ago provides for a major expansion of prevention and early intervention services, increased support for Aboriginal children and families, enhanced acute services such as intensive family preservation, and improvements to the child protection system.

At the heart of Keep Them Safe is the strengthening of child protection capacity across a range of government and non-government agencies. We recognise the need not only to provide additional funding but also to ensure that support is available for front-line workers in government and non-government agencies alike. That is why we have established child wellbeing units in Health, Police, Education and Human Services. It is why we have provided a Keep Them Safe support line, supporting staff in non-government agencies, as well as local government and private practice. I am pleased that the shadow Minister in her contribution stated:

The Opposition has supported the implementation of those reforms.

That statement will be very well received by many staff in government, non-government agencies and peak groups, who have worked so hard to implement these reforms and who believe they are the right thing to be doing. In opposing the bill the Government is applying the test we applied to each and every measure contained in Keep Them Safe: Will this measure help protect children? Will it give them a chance to grow up without abuse, neglect and violence? I am afraid to say that the Opposition's bill failed this test. What should genuinely concern members and the people of New South Wales is that if it took 12 months for the Liberal-Nationals to come up with this unworkable, ill-considered idea, how long will it take them to develop a comprehensive plan for child protection? How can they be trusted to manage this critical portfolio? On 10 April 2010 columnist Leo de Kroo wrote about the shadow Minister in the *Dubbo Daily Liberal* as follows:

What we want from people like you at this stage is policies that you would implement—should we ever totally lose our mind and vote for you.

We have heard the shadow Minister speak about the tragic circumstances of children in families that are unable to care for them, but we have not seen a single, sensible solution. The Opposition has never had a good grasp of social policy; it is never been a priority for the Opposition. When the Liberals-Nationals were last in government they cut the Community Services portfolio—they shut down specialist units, reduced staff numbers, allowed infrastructure to decline, and failed to deliver any effective reform. It is on the record. It took years for Community Services to recover and rebuild. Now we hear the Leader of the Opposition hint that there would be more of the same if the Coalition were elected to government. In an interview with the *Sydney Morning Herald* on 11 March 2010 he said:

If you are the Minister for Community Services, if you are the Minister for Disabilities, it is important to understand that without economic growth ... the budget for your department will be constricted.

On 18 March, in question time, the Premier confronted him with his words. The Leader of the Opposition replied:

Absolutely true. Is that a revelation?

The people of New South Wales were not fooled before, but now they have had it confirmed. The Liberals and The Nationals will not hesitate to slash the budget for child protection. The people of New South Wales have long memories, and they remember the Greiner and Fahey years. They know that leopards do not change their spots. Labor will continue to work hard to deliver the reforms in Keep Them Safe with evidence-based policy, backed by funding, and real political commitment and compassion. We understand these issues. We know these communities, and we will continue to advocate for better life chances for these children.

Mr RUSSELL TURNER (Orange) [4.08 p.m.]: This afternoon I speak on the Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill 2010 introduced by the shadow Minister for Community Services, the member for Goulburn. I listened to most of the contribution of the Minister for Community Services. We in this Parliament should take a bipartisan approach, with the aim always to help our children overcome problems that, sadly, every member of Parliament will encounter in their office from time to time. For one reason or another the system lets down children in every town and city. We have all heard of stories where the Department of Community Services does not intervene quickly enough and a tragic long-term or permanent mental or physical injury results.

The bill has been introduced as a result of the Ebony and Dean Shillingsworth tragedies. The Minister agreed that we could do it better. I am not sure whether she meant "we" as the Government or we as a society. Of course we could do it better because we are humans. As has been said, you cannot make parents be good parents, and you cannot make parents take care of their children. We need to have laws to help protect our children and we need to have a system in place that gives our children some protection and some future. But, sadly, every now and then a case highlights the fact that the system lets our children down. We often half jokingly or half seriously say that certain people should never be parents. But we cannot dictate who should be parents and who should not be parents. The shadow Minister for Community Services said in her agreement in principle speech:

We stand here in the security of this place producing bills and legislation intended to protect children like Ebony and Dean from lives that, through no fault of their own, spiral out of control and become lost in an agony of cruelty, starvation and, in the case of Dean Shillingsworth, beatings. The final days and hours of the lives of Ebony and Dean have been comprehensively and clinically documented, mostly by scientific speculation, but what really led to their eventual deaths is well understood by members on all sides of this House to be part of a family life that started months and years before.

We must remember that the aim of this bill is to make things better for all our children. I note that the Minister implied that the bill would make it mandatory for all families and all children to sign a document. That is not correct. The shadow Minister said in her speech:

The Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill will make it mandatory for Community Services and parents to develop either care plans or parental responsibility contracts when a child or young person is determined to be in need of care and protection. Section 34 in schedule 1 to the Act presently uses the term "may" to identify actions the director general could take once a child has been assessed as being at risk of harm.

I believe that part of the bill needs to be strengthened. The bill only provides that that small minority of families where children are at risk and are not getting the care, love and attention that most of our children get must sign an agreement so they understand fully what their responsibilities are. We all know that there are families in every electorate, in every town—you see them in shopping centres—where the kids are not getting the appropriate attention. The kids are brought up without the appropriate attention, and without being given the potential to become great citizens of the towns in which they live.

Some parents do not worry about whether they send their kids to school or not. Many schools provide breakfast for students, because it is recognised that many children are not given breakfast before they go to school. We all know that if children do not have a decent breakfast, and if they do not have appropriate meals, their brains will not develop and they will not be able to learn at school. In many cases kids nod off in the middle of the day because they have been allowed to watch television until late at night. They get up far too late in the morning, and they go to school, sometimes without appropriate clothing, without having had a shower, without having had breakfast, and without being given their lunch. They are simply thrown a few dollars and they then buy inappropriate food at the school tuckshop or at a shop on their way to school.

But that does not mean that those children are subject to serious risk of harm such as children like Ebony and Dean were subjected to. The children are not reaching their full potential, but they are not subject to beatings and irresponsible acts on the part of their parents. These children are simply another group who are slipping through the system, where children are not getting the education they deserve so they have all the

opportunities that most kids have when they go through high school, go through university or technical college, or whatever it might be, and then go on to be great citizens and eventually great parents. Too many children slip through the system.

If the Government will not support the bill, we assume it thinks it has got it right, that no mistakes are occurring and no kids are slipping through the system. The Department of Community Services [DOCS] has a difficult role, and we know that many caseworkers get burnt out and there is a large turnover in the department. I would hate to work within the Department of Community Services, and I admire most of the DOCS staff for the difficult job they do and I acknowledge that they are doing their best. In many instances in country towns there are simply not enough appropriately trained DOCS caseworkers who seem to be able to take on and accept the responsibility or become aware of when a situation is serious and it should be treated with the appropriate care and attention. Every now and then we hear of a tragedy. When such a tragedy occurs the system might get tightened up, or the Government, regardless of its persuasion, might say it will employ more DOCS caseworkers, and so on.

Surely, in this day and age, given the experiences and the tragedies we have had in the past, we should be able to get it right on more occasions than we do at the moment. In this day and age we should not need this bill. We should have had it right years ago. We should have the right staff and the appropriate training in place so that when the alarm bells ring the family concerned can be assisted. In many cases the parents are not aware of the situation because they themselves were mistreated by their parents, and in many instances this is a generational thing and the parents are not really aware that they are not doing the right thing by their kids. Schools have a responsibility to report to DOCS children they believe are at risk. However, often the department does not follow it through, and when it does ultimately follow it through sometimes, tragically, it is far too late.

I know the Government will not support the bill. As happens with many other private members' bills that are introduced in this House, the Government does not support our bill but it introduces a very similar bill within a few weeks. If the Government will not support this very worthy bill, I would hope that at least it will introduce a bill that is very similar and seeks to achieve the outcome that this bill seeks to achieve. We want to look after our children, and we also want to give all our children equal opportunities. I know that that is almost an impossible task, given the society in which we live. But we should be able to do more for children than we are doing at the moment. We should not have sagas and tragedies such as that involving Ebony and Dean Shillingsworth as often as we do.

I know of a case in Orange in which a mother, tragically, allowed her child to die. By that stage it does not really matter whether the parent is sent to jail or receives another form of punishment; the tragedy has already occurred and it is too late to act. In many of these cases the parent has been screaming out for help, or does not know how to get help, and then a tragedy occurs. Many people in small towns do not know where they need to go to get help. They go to the local police, and in many cases the junior officers are not suitably trained to identify the risks. These tragedies and this mistreatment of kids goes on in small towns perhaps to a greater extent than it does in larger towns. Fortunately, in those small towns there is a smaller school and the principal and the school staff may be able to identify at-risk situations perhaps more quickly than larger schools would be able to do.

I call on the Government to support the bill. If the Government cannot support it, I implore it to at least come up with a bill that addresses the issues that the shadow Minister for Community Services and member for Goulburn seeks to address in this bill, rather than criticise the bill simply because it has been introduced by the Opposition. I ask the Government to consider the objectives of the bill and to at least come up with a bill that seeks to achieve the same goal.

Ms KATRINA HODGKINSON (Burrinjuck) [4.18 p.m.]: I congratulate the member for Goulburn, the shadow Minister for Community Services, on introducing the Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill 2010 and on giving us the opportunity to vote in support of it. I was shadow Minister for Community Services for a couple of years. It is interesting that the Minister for Community Services spoke about reform in her contribution to this debate. We would never have had a special commission of inquiry into child protection if this Government had not been dragged kicking and screaming every step of the way. We called for a royal commission for upwards of 18 months because of the horrific number of children known to the Department of Community Services to be at risk of dying who ended up dying under suspicious circumstances.

In fact, I am reminded of a comment made a couple of years ago by the then Director General of the Department of Community Services, Dr Neil Shepherd, in answer to a question from the Hon. Catherine Cusack

about Tyra Kuehne during budget estimate hearings. Members might remember the case of young Tyra, who was sadly killed in western New South Wales as a result, it was said by many, of neglect. I have detailed her case in this place on a number of occasions. It would be unfair to talk about the two children mentioned by the member for Orange without also mentioning Tyra—her case was equally as harrowing. I quote from the transcript on that budget estimates hearing:

The Hon. CATHERINE CUSACK: It was such a harrowing case I suppose we hoped you might be able to recall it.

Because so many of us could recall it; it was certainly prominent in a lot of the regional press. Dr Shepherd replied:

There are 286,000 reports to the Department of Community Services, and there are lots of harrowing cases—and I see a lot of them. But remembering every single one of them in great detail is beyond my capacity, I am sorry.

Even after the great job done by Justice James Wood in delivering the special commission of inquiry there are still way too many harrowing cases involving child protection and child safety today. I made quite a comprehensive submission to the Special Commission of Inquiry into Child Protection Services in New South Wales on behalf of the Coalition, and I also congratulated Justice Wood on his fantastic report. I reiterate that the Government was definitely dragged kicking and screaming into conducting that inquiry. In the end, no matter how much spin it tried to put on the need to not have a royal commission or an inquiry of any sort, the Government succumbed.

The series of calls for that royal commission began under the former Minister for Community Services, Mr Kevin Greene. It was purported that New South Wales had a stronger mandatory reporting system than Victoria, but the outcomes for Victoria and New South Wales revealed that New South Wales was underperforming when it came to identifying and protecting children at risk. My notes remind me that the overall rate of death from all causes for children aged 0 to 17 years in New South Wales and Victoria is roughly comparable. Older figures from 2005 show that 492 children died in Victoria from all cases, and in New South Wales over the same period 599 children died. We can go through the statistics all we like but at the end of the day it is a very sad case that any child that is known to the Department of Community Services dies or that any child dies under suspicious circumstances. I am sure that would equally concern all members of this House.

The Minister for Community Services mentioned the Brighter Futures program, which I have always been a strong supporter of. Families are made up of all sorts of different combinations and everyone has a slightly different style of parenting. A square peg cannot be put into a round hole. The Brighter Futures program fills a lot of gaps for a lot of people, and we have had some good outcomes from it in Harden-Murrumburrah. I wish more money was spent on the Brighter Futures program and that more people had access to it. I place on record my support for those caseworkers I have met in the past and those that continue to work throughout my electorate and beyond. It can be such an emotional rollercoaster dealing with cases such as these and people can be extremely unpredictable. People might say they are going to do something and then they forget all about it, or they might say something to get out of a meeting. Under stressful and trying times many people will say anything. It is up to the caseworkers to decide whether they believe what the person is saying, whilst trying to put the interests of the child first.

I believe I heard the Minister for Community Services also talking about intergenerational teen parenting. One of the aims of this bill is to get out of that cycle. I used to teach labour market programs at both Queanbeyan and Yass TAFE colleges, but I started my teaching at Queanbeyan. At that time I had a mixed class of around 20 students. In that class I had two students aged 14 years who had children and my oldest student was aged 28 and she was a grandmother. Up until I began instructing that class I had not had any communication with any 14-year-old who had a child, nor did I appreciate what they had to go through to get back to study some sort of vocational training in order to get a job. Those children—I will call them children even though they were teenagers—were quite young in their views of the world and thought that they could not go back to school because they had had these children. They wanted to break the intergenerational dole-queue cycle. Hats off to them. That made me even more determined to assist people with those needs. I might add that every one of those students in my first class at Queanbeyan TAFE ended up with a job, which was very pleasing.

We also have to wonder about the future for those people who have slipped through the cracks, and there are still so many of them. The purpose of the bill is honourable, and I believe it will make the job of the director general easier if it is mandated to do this rather than say people might, may or can do it if they feel like it. If people knew these sorts of processes were in place it would make things a lot easier and it would

streamline those processes. It has been some time since this bill was debated in this place, so I will outline some sections of it again. The object of the bill is to amend the Children and Young Persons (Care and Protection) Act 1998 so as to ensure that care plans and parent responsibility contracts are mandatory at an early stage in the life of an at-risk child and well before a child would be placed in out-of-home care. The director general may then only seek care orders removing a child from the home if there has been a significant breach of the parenting contract or care plan, unless the director general considers the child to be at imminent risk of harm. In the latter case the child may be removed without reference to care plans or parent responsibility contracts.

The purpose of the bill is to require families with children at risk of harm, as identified by the director general, to develop responsible parenting care plans that they negotiate and to which they agree. This provides families with certainty and ownership of their responsibilities. Families will be supported through the Department of Community Services early intervention programs, and other resources, to assist them with meeting their contractual obligations within realistic timeframes. We have talked about the Brighter Futures program, which is a good program, but there are any number of other programs that could be developed to fit those families presently described as round pegs trying to fit into square holes. There should be a fair amount of latitude in developing other programs that will assist more families. The department will ensure that families are provided with legal information about the consequences of breaching either of these mandatory arrangements; in particular, that significant breaches by them will automatically result in the Department of Community Services applying to the Children's Court for an order to remove the child from the family.

In her agreement in principle speech the member for Goulburn described the current situation. I will refer to it briefly. Currently the director general may, having formed the opinion that a child or young person is in need of care and protection, take whatever action is necessary to safeguard or promote the safety, welfare and wellbeing of the child or young person. There is a range of actions the director general might take under the Act. These include the provision of family support services, the development of a care plan that may or may not be registered with the Children's Court, or the development, in consultation with the parents, of a parent responsibility contract. The director general may also exercise emergency protection powers and may also seek appropriate but unspecified orders from the court. As the member for Goulburn said in her speech, in practice, care plans and parent responsibility contracts are not often used as a means of early intervention. Parental responsibility contracts are often first introduced in the lead-up to a court hearing to consider the permanent relocation of a child outside the family home.

Ms Linda Burney: We already have them.

Ms KATRINA HODGKINSON: I am outlining the current situation. The Minister should listen to the debate. In less serious cases the director general tends to rely on the provision of appropriate support rather than negotiating a care plan with the family. As the member for Goulburn also said in her speech, the failure to develop agreed care plans or parental responsibility contracts result in uncertainty for the family and lack of ownership of any outcomes, as these are often determined by the department or the court without reference to them. Some parents believe they have not been consulted on the care of their children and some argue they have not been given a chance to demonstrate that they can improve their parenting.

Although the member for Goulburn will no doubt refer to this in her speech in reply, it is important to note that the early introduction of mandated and agreed caring responsibilities increases the chance of assisting lower-risk families to improve their parenting capacity before family life descends into chaos, as happens with some families, and deteriorates to an irreversible level after a child is four years old. Families come in all shapes and sizes and deal with crises in many different ways. I have seen first-hand many families who try to get assistance. I am sure all members would have seen similar situations, particularly families who struggle to get a job, earn an income and put food on the table, and families who have a child with a disability. Many parents split up because of the stress and strain of raising a child with challenging behaviour or varying levels of ability, or they cannot cope with the stresses of bringing up children because of their level of parenting ability. I seek an extension of time.

Extension of time not granted.

Ms KATRINA HODGKINSON: Does the Government want to call a division on child protection?

Dr Andrew McDonald: There are no divisions on an extension for time. It is granted by leave.

ASSISTANT-SPEAKER (Mr Grant McBride): Order! The member for Burrinjuck seeks leave for an extension of time.

Ms Linda Burney: We will allow her to speak for an extra minute.

Ms KATRINA HODGKINSON: I seek an extension of time. [*Extension of time agreed to.*]

Justice James Wood, during the special commission of inquiry, received more than 600 submissions and listened to hundreds of people detail their concerns about the mismanagement of child protection issues by this same State Labor Government that is in office today. Justice James Wood did an incredible job. It is up to the Government to make sure that all his hard work is not wasted. The bill before the House is a step in the right direction for the advancement of child protection in this State.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [4.34 p.m.]: The protection of our most vulnerable children is a very difficult task. Worldwide it has been shown that risk assessment is not always perfect and those families at greatest risk have needs that change frequently and unpredictably. If only child protection were as easy as making contracts for "bad parents" mandatory and they worked. To my knowledge, mandatory contracts have not been used successfully anywhere in the world. That is because legislation for clinical practice in all cases is rarely effective. There is no evidence that this would improve practice. Justice Wood examined all the best evidence in child protection worldwide and, as the member for Burrinjuck said, received more than 600 submissions. He did not recommend mandatory contracts because there was no evidence of efficacy.

I will tell a story of when I was a young intern in Kempsey. A man came into hospital intoxicated and very depressed, and begged for admission. He had been in every month for the previous 18 months or so. Every time he came back within a month I made him sign a contract that he would turn his life around, he would stop drinking and he would improve the way he lived. The next morning he had sobered up and he was contrite. We all felt very pleased and he went home. He was back in a month with exactly the same problem he had when he signed the contract. That is because neither his inner demons nor his community supports had been addressed.

The 35-line Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill is well intentioned. However, as the Opposition has stated, the aim of legislation is to make things better. The bill is naive because it shows a fundamental lack of understanding about how difficult child protection casework is and how the child protection system has to operate. Let me be clear from the outset: Mandatory parent responsibility contracts would be unworkable. As Opposition members have said, we must take a bipartisan position on this issue. I was with the Minister and the shadow Minister at Campbelltown when an offer was made for a bipartisan approach. A reply to that offer has not been forthcoming.

The Opposition offers no new solutions or responses to the problem of child abuse. In any case, where there is a risk of serious harm or abuse to a child, Community Services cannot proceed to make a contract because it would have to remove the child to ensure the child's safety. Community Services uses parent contracts as one of the many tools available when it comes to keeping children safe. These contracts have been in use for several years. Parent responsibility contracts are not in any sense a new concept. The Government introduced them in 2006. In the four years since their introduction, the Government and the Department of Community Services have had time to learn how the contracts can be effective in some cases and unsuitable in others, because every family is different. Not every parent chooses to be a "bad parent", as the shadow Minister refers to them. In fact, my experience is that virtually all parents want to do the right thing by their kids. But in many cases they do not have the capacity, skills, support or know-how to do it. They need help, not a contract. As one social worker said at a conference I attended some years ago on child protection, "Few of us can understand the pain with which many of our families live."

Making a parent contract mandatory, that is, taking away any discretion that caseworkers have in how they respond to a family, is an extremely blunt approach—and, make no mistake, this is very blunt legislation. The situation in child protection for our most vulnerable families can change very rapidly. This is not a realistic, reliable or workable solution to minimising child abuse and neglect. At present, caseworkers may decide to use a parent contract where there is a reasonable belief that it will be productive. Who is better to make that assessment, the experienced caseworker who has all the information on the child available in front of him or her, or a bunch of politicians today?

By making contracts mandatory the discretion for the caseworker will be overturned, and caseworkers will be forced to make contracts in cases where it is clear from their experience that they will not have any benefit whatsoever, and may even be harmful, such as in cases where parents are already being cooperative and trying to make changes to keep their children safe. Stipulating in a parent responsibility contract that a parent is

not to feed their child Coco Pops or two-minute noodles, as the shadow Minister suggested on the radio, clearly will not work, particularly when breaking the contract may mean court intervention and the possibility of the child entering the care system.

Currently, refusal to enter into a parent responsibility contract may be used as evidence in a care application. When a parental responsibility contract is breached, a child or young person cared for under the contract is presumed by the court to be in need of care and protection. If parent responsibility contracts were to become the mandatory standard intervention strategy for every family, it could easily lead to increased entries into out-of-home care. That would have a devastating impact on the children and families involved, and the associated financial resources required would make it an undesirable outcome.

In many ways mandatory contracts are heavy-handed and unnecessary for many families for whom other casework strategies can be and are very effective. Mandatory contracts also send an erroneous message to all families in the child protection system that a signed contract is deemed to be the only way to effect change. Families who already have a statutory worker involved with their family will be aware that a protection matter is very serious and when a mandatory contract is introduced a fear of signing the contract, or an unwillingness to sign, may lead to Community Services having no option but to progress to court action.

Furthermore, the practical effect of making mandatory contracts would have the undesirable effect of handing over to caseworkers the powers of the Children's Court, which currently has the power to require parents to do certain things, such as undertake drug rehabilitation, drug testing and parenting courses, if they want to keep their children in their care. The court is the right place for those powers to sit. The court is independent and considers the advice and recommendations made by caseworkers, but the ultimate decision rests with the judicial officer. In contrast, under mandatory contracts the role of the Children's Court would be diminished and an important source of independent judicial oversight of Community Services would be removed. It has long been accepted that preventing problems, or stepping in before they have a chance to escalate, is a sensible and efficient way to approach difficult issues. As Ruth Gilbert said in the *Lancet* last year:

Internationally, studies suggest that policies emphasising substantiation of maltreatment without concomitant attention to welfare needs lead to less service provision for maltreated children than do those in systems for which child maltreatment is part of a broad child and family welfare response.

If a family is not at the high-risk end of the scale and simply requires support, there is a range of government and non-government funded services to help parents through programs such as Brighter Futures. Prevention and early intervention was identified as one of the key areas for investment in the Community Services budget for 2009-10, under which \$321 million was set aside for the Brighter Futures program and other early intervention initiatives to help stop children from entering or escalating in the child protection system.

Families in the Brighter Futures program receive support services such as case management, quality children's services, parenting programs and sustained home visiting. More than 3,800 families were engaged in participating in the Brighter Futures programs at 30 September 2009. Of these families, almost a quarter are Aboriginal families. I work regularly at Tharawal Aboriginal Health Service and Brighter Futures has become an integral and well-accepted part of that service. It does a wonderful job each day for those at risk.

I believe that the high rate of engagement by families in Brighter Futures—a voluntary program—is a testament to the success of this approach. This success is further supported by interim evaluation results of Brighter Futures. Results show that there is a significant reduction in the average number of reports after 12 months for children whose families have participated in the program. A year ago the New South Wales Government launched the landmark Keep Them Safe package of reforms, in response to the Special Commission of Inquiry into Child Protection Services headed by Commissioner Wood. There could not be a greater contrast between the Government's reforms and the bill from the shadow Minister for Community Services. While Keep Them Safe heads in the direction of broadening the response to child protection, it is consistent with world's best practice in child protection. The Opposition proposal is all about making the approach as narrow as possible through using a harsh punitive and one-size-fits-all response.

It is known that for every dollar invested in early intervention a further \$17 is saved in later life. I was working in child protection during the Greiner years and was present while the Greiner Government decimated child protection. Keep Them Safe is about prevention and early intervention, and about breaking that vicious cycle of abuse before it begins. This approach is well supported by research and practice in Australia and overseas. A significant proportion of the five-year \$750 million Keep Them Safe funding package is being

invested in prevention and early intervention, building on the very important gains already made through Brighter Futures and other early intervention programs operating in New South Wales, such as the Aboriginal and Maternal Infant Health Strategy.

This new investment goes well beyond the traditional Community Services portfolio. The funding is allocated across several government agencies and reflects Commissioner Wood's view that child protection is a responsibility that must be shared across all of government and the community. It also extends to the non-government partners, who will receive almost 40 per cent of the funding package. Parent responsibility contracts are an important tool for caseworkers to use when they feel it is necessary, and they will continue to use them. However, the mandatory model put forward by the shadow Minister—no ifs, no buts, no maybes, no exceptions; the law—is simply not the answer to every complex issue a family may face. If only child protection was as easy as this law it would be great, but having been involved in child protection for 20 years I know it is much harder than passing this simple bill.

Mrs DAWN FARDELL (Dubbo) [4.49 p.m.]: I will speak briefly on the Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill 2010. Even though the thoughts I have put together are brief—I am a little shaky—I am sure it would have taken me longer to do that than it did to draft the bill. If this is the best the Coalition can offer I am greatly concerned for the future of our children in our communities. Parent responsibility contracts are not mandatory but in my area some people are under voluntary contracts. In my electorate there have been a couple of cases in which the magistrate has ruled that the unborn child be taken away from the parent after birth. Some mothers have come to me because they want to breastfeed the child, but they were not allowed to do that.

It is a lot more complicated than simply getting people to sign a contract. Making the contracts mandatory will never work. The parents to whom this legislation is directed have no self-esteem and often cannot look after themselves or their children. They certainly do not respect any of the laws or contracts now in place. They do not respect laws about drink-driving and drug use, nor do they worry about taking drugs during pregnancy. No law will stop people who lack self-esteem from doing the wrong thing. Nor will they sign a contract of the type proposed in this legislation despite the fact that they are the very people it is aimed at.

How do I know that? I have had a great deal of experience in working with people in this situation. The member for Goulburn often refers in a derogatory way to women being at the kitchen sink. I find that offensive. Some people in my family love being at the kitchen sink. I have worked with the police and community youth club. I have visited these people's homes and put their children on the bus to school. Some parents do break the law and some find it difficult to ensure that their children have breakfast and get to school. We have stepped in to help them and as a result we know them. I know that they will not sign a contract. The old saying goes that it takes a village to raise a child. One person on a contract will not achieve that.

It is a shame that the member for Goulburn has not been more outspoken, as she was in her previous role when the Federal Coalition Government introduced the baby bonus. That has had a devastating effect in my electorate and in many other electorates in New South Wales. Shadow Federal Treasurer Joe Hockey's staff threatened to lock me up, and John Cobb, the Federal member, told me I was talking rubbish and lying. However, I knew the effect that the baby bonus was having on our society. It was not being spent on a new refrigerator, education or some other worthwhile purpose; it was being wasted and it led to women being bashed. I will not deal with that issue now because I have spoken about the devastation caused by the baby bonus in this place previously. It has dramatically increased the burden on service providers, especially those involved in early intervention.

The member for Goulburn recently attended a ladies lunch in Dubbo. I am sure that she did not visit some of the wonderful agencies in my area that are delivering these services that have recently been provided with funding by the Department of Community Services. We are making headway, but there are still cases of children not being looked after as well as they should be. Unfortunately they will be no better off if their parents are required to sign a contract.

Prior to the 2007 State election, a highly respected community member who was heavily involved with the Department of Community Services said to me as I boarded a plane that the department does not do well under Coalition governments. That is my fear. I am concerned about this measure because it was not mentioned in the Wood report. I attended the Wood royal commission hearings and I contributed to the process. At least 50 people I know contributed to that report. It was the most sincere and groundbreaking report that I have ever read and I can relate to it. I would gladly support the member for Goulburn if she presented any policies that demonstrated more depth and knowledge. I do not believe that she understands the people I represent.

The overview of the bill is an abysmal attempt to attract the populist vote in the lead-up to an election. I was told when I first became a parliamentary candidate that to attract votes I should mention law and order and parental responsibility, and make sure I was regularly on the front page of the *Daily Liberal* with a gun in my hand. If I did that I would get 90 per cent of the vote. However, I could not do it. All parents should be accountable, but that will not happen given the incidence of drug and alcohol abuse, low education levels and badly managed baby bonuses in our society. This bill will not have the impact the member for Goulburn says it will have. It will be like a slap in the face with a wet lettuce leaf. I cannot support this populist bill that will achieve nothing in my electorate or anywhere else. I am happy to work with the member for Goulburn and to provide her with more information about what is needed.

Mrs JUDY HOPWOOD (Hornsby) [4.55 p.m.]: I speak to the Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill 2010. This is a bill for an Act to amend the Children and Young Persons (Care and Protection) Act 1998 to make care plans and parent responsibility contracts mandatory when dealing with children or young persons who are in need of care and protection. The shadow Minister has done a great deal of work in the preparation of this bill. It is designed to assist children who are in need of care and protection. Some of the contributions to this debate suggest that we have lost sight of that goal. If the system were perfect, children would not continue to slip through the cracks. My experience indicates that the current legislation is not assisting families in need and, importantly, children.

I will not provide specific details, but a boy in late primary school in my electorate has fallen through the cracks. His mother was unable to tolerate the circumstances at home and no longer lives with him. He is not receiving appropriate love, care and attention. However, the issue is not what might happen to him at home but what he is doing in the wider community. This case involves two sets of victims: Those who have been abused and the perpetrators, who are also victims. While this boy and another boy were suspended from school they were seen walking around the streets. Heaven only knows what they were doing. One wonders what sort of intervention had been offered to his family. Why did his family allow him to spend time with another boy who was on suspension? How would that encourage the boy to improve his behaviour? He might even have thought it was fantastic to be suspended and to be able to spend time wandering the streets with his friend. He was on suspension for a serious breach of the rules, but there does not appear to have been an appropriate level of behavioural intervention. I could cite similar cases of inadequate responses. I welcome any measures that will improve the current system. The legislation states:

The object of this Bill is to amend the Children and Young Persons (Care and Protection) Act 1998 so as to ensure that care plans and parent responsibility contracts under the Act become a mandatory step in the process of dealing with children and young persons who are in need of care and protection. As a result of the proposed Act, the Director-General of the Department of Human Services will be required to make all reasonable efforts to develop a care plan or parent responsibility contract with the parents (or primary care-givers) of a child or young person who is in need of care or protection before the Director-General can proceed to make a care application before the Children's Court in relation to the child or young person. The parents or primary care-givers will also be required to attend the first meeting arranged by the Director-General for the purposes of developing the care plan or parent responsibility contract.

The Bill also makes it clear that care plans and parent responsibility contracts may be made in relation to unborn children who may be at risk of harm subsequent to their birth.

We want to keep children with their families. Intervention under the current system is often too late and this bill seeks to remedy that situation. Early intervention is the way forward. It is a shame that members have not taken a non-partisan approach to this legislation, which deals with the children who slip through the cracks. We are not talking only about children who tragically die, like Dean Shillingsworth and Ebony. We must help those children who are not being appropriately cared for, who are being exposed to inappropriate experiences and who may go on to lead unhappy lives. It has been demonstrated that those children perpetuate that unhappiness in their adult lives. I call on the Government to reconsider its response to this bill and to work with the Opposition to address this issue.

Mr RAY WILLIAMS (Hawkesbury) [5.00 p.m.]: I lend my support to this bill, which seeks to amend the Children and Young Persons (Care and Protection) Act to make parental responsibility contracts mandatory. I do not think anyone disagrees about the importance of this issue. I do not think anyone disagrees that there are, unfortunately, many vulnerable children in our society. I do not think anyone disagrees that there is no one answer to resolve all the issues that occur across this portfolio area. Members will speak on this bill who have had much more experience than I have in relation to these cases but the one thing I always try to do is to speak on issues that I have seen and heard about directly from people within my electorate who have come to me seeking assistance.

I have had a couple of cases in the past couple of months about which I have written directly to the Minister for Community Services seeking her assistance. In both these cases the parents seem to me to be

responsible parents. I say they seem to be because one cannot sign on the bottom line to say these people are glowing parents because people have different responsibilities and are affected by different issues. The parents who came to see me originally, and I will not name them because they are currently before the courts, are seeking to get their son back into their care. These parents have two children. One is 14 years of age and the other is 19 years of age. Both children have cystic fibrosis. They have raised and cared for the children—one is now a young adult—all of their lives.

About a year ago their then 18-year-old daughter had some concerns that she was a bit neglected because a lot of the parents' time was being focused on the 14-year-old son. The family was feeling the stress and strain and, as I said before, both the children have cystic fibrosis. They raised this issue with family friends, who suggested they contact the Department of Community Services, because that is what they are there for. They contacted the Department of Community Services, and they rue the day they did. A Department of Community Services caseworker visited the family and told them that in the best interests of their young son the department should care for him to give the parents a bit of time with their daughter and that may resolve the issues. On face value it sounded all well and good, and that is what they did.

That was over eight months ago, and the son has not been returned. Not only has the son not been returned, the department went to court to try to keep the son permanently away from the parents. Originally, these parents, who I think love their children and who were going through a difficult time, sought help and had their son removed from their care. As a parent, I cannot imagine what it would be like to have one of your children removed. Now they are fighting extremely hard to try to get their son back into the family unit. Their 19-year-old daughter is out living in combined accommodation with friends. She is very happy. The parents see her consistently but they have been denied a lot of access to their son while the son has been in the care of the Department of Community Services. They are also denied certain phone rights to the child. This has devastated the family. I do not think this child is at risk given that the family has a proven track record of being able to raise two children with cystic fibrosis to the ages of 14 and 19. I can only imagine how hard that would be.

Remarkably, only a couple of weeks later, I was approached by another family whose children, a five-year-old and a three-year-old daughter, have been removed from the family and placed into the care of their grandparents. These children have been removed because they have eating disorders or perceived eating disorders. The point I make is this. The mother of the children, who sat in front of me in my office, is a very lightly framed lady: she is very small. I would guess she would weigh no more than a jockey. She may not be any more than 50 kilograms but she is a very healthy young lady. Her two children eat very small amounts of food, and one child does not eat solid foods at all. The only way the child will eat is if the food is completely pureed so she can drink it like a milkshake.

After the child was born doctors felt that it was malnourished. It was not eating enough so they put an alert on the child, to keep an eye on the child. It is commendable that people care enough to watch the child. The parents have gone to all sorts of lengths, to different doctors and paediatricians, and have undertaken programs to try to get their child to eat food. At five years of age the child is still not eating solid food. The parents were instructed to undertake a course, under medical supervision, to learn how to feed their daughter. They did this for two weeks and the child lost four kilograms because the medical supervision stipulated that the child could not be given a bottle to drink.

At one stage the child was even force-fed to the point where she gagged. When she gagged on the food that was it: she would not put another thing in her mouth. The staff wanted to put a tube down the child's nose to feed the child by tube. The father took great objection and was quite annoyed that they would force-feed the child by tube through the nose. That could be a most disturbing thing and a traumatic action to undertake on a child when she could quite easily drink with a straw or a bottle. The authorities relented and allowed the child to drink with a bottle. The child went away with the parents and put on so many kilograms. Since that time the Department of Community Services has intervened at the request of one of the paediatricians.

Ms Linda Burney: What about the contracts?

Mr RAY WILLIAMS: I understand the Minister for Community Services does not want to hear about these cases in my electorate. If the Minister were to listen for a while and took the time to investigate this case perhaps she could help to get these children back with their parents. That is my sole intention at this time. That is why I support this bill. As the Minister for Community Services said, a judge made the decision. I do not necessarily believe that a judge can assess all the facts in front of them at any one time. I believe the judge has already made a decision about one of these children and that the judge has made the decision based on the best medical outcome for the child.

Ms Linda Burney: And you can?

Mr RAY WILLIAMS: I certainly do not know all the answers. The one thing I do know is that I believe these parents are quite capable of caring for their children, especially the children who are now kept by the grandparents. The parents see the children on a regular basis and even the grandparents want the children to go back with their parents. One has to ask: Why are these people being denied having their children in their homes, living with them on a permanent basis? They would happily sign a contract saying that they will do everything they can to care for their children.

Those children could be assessed at any time. Caseworkers could go around on a regular basis to see those children and assess how they were. Given that in every case I have raised the children have always done well in the care of their parents, one must ask: Why have they been removed? One person for whom I have the utmost respect, a lady I have the great pleasure of calling a friend and whose expertise I have the privilege of drawing on, is Barbara Holborow. Barbara has always maintained that when she was a Children's Court magistrate she always tried to keep children with their parents. She always felt that the best outcome for children was with their parents. She said, "Ray, I could see that the young mothers in the cases before me simply did not know how to be mothers. What they needed was not to have the children removed from them but to be given some care and support to teach them how to be capable mothers." It comes back to parental responsibility.

I believe that is where we can make major inroads, by educating people to be responsible and better parents. I support the bill because I think it goes a long way towards rectifying problems facing the two families who have sat in front of me in my office. I looked them in the face and said, "I will do everything I can to try to get the children back with you." I have written to the Minister for Community Services but I have not yet received a response.

Dr Andrew McDonald: She is not a judge, Ray.

Mr RAY WILLIAMS: If the Minister for Community Services is not in charge of the Department of Community Services portfolio then I have written to the wrong person. Whilst these cases are before the courts, I have requested any support that I can get to keep these children with their parents. I believe that is the best thing for the children. As a parent, I know I would be devastated if my children were removed from my care at any time.

Another case that came in hot on the heels of the other two people involved a family that had lost their accommodation. They had nowhere to live: they were living in a car with their four-month-old child. When they first came to my office they brought in their four-month-old daughter. My office staffer, who is a caring, compassionate lady and a mum, seeing that the child was crying, asked the parents, "What's the matter with your child? Is she sick?" They said, "No, she's hungry." My officer staffer said, "Why don't you feed her?" The mother replied, "Because I don't have anywhere to heat up the bottle." Our office staff took pity on those people. We sat them down, heated up the bottle for the child and set about trying to find accommodation for them. There was publicity when these people were forced to live in a car. It is despicable that the Department of Housing could not provide these people with accommodation. To this day a private family is putting them up because the Department of Housing still refuses to acknowledge that they need housing.

People have asked why I have not contacted the Department of Community Services to ensure that the child is taken away from her parents because they do not have a home. That would be the last thing I would do as these are good people doing their best. They just want accommodation. The last thing I would do is see this four-month-old child removed from her parents when they are quite capable of looking after her. I am not saying that one size fits all. The member for Macquarie Fields said this was a well-intentioned bill. He has obviously read the bill. It is a pity he could not have read the report for Suren Naidoo, whose MRI report showed that he had an aneurysm in his brain. If the member for Macquarie Fields had read the report he certainly would not have signed the bureaucrats' letter that he sent to me, which could have been life-threatening given that Mr Suren Naidoo was undertaking serious neurosurgery at that time.

The Minister for Committee Services mocks the intention of the bill. That is unfortunate. I thought she had a much more caring nature. I would like good parents to retain their children, but they might need to be given some support. Parents who sign these contracts on the bottom line undertaking to care for their kids should be able to keep their kids. Good people should be able to keep their children at all times.

Mr GEOFF PROVEST (Tweed) [5.15 p.m.]: I make a contribution to this important private member's bill, the Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill 2010.

I am slightly dismayed by some of the comments made in this Chamber. All members want to ensure that children and young people are given the care and support necessary for them to have a normal upbringing and to prevent them from being exposed to any significant danger. This bill amends the Children and Young Persons (Care and Protection) Act to make parent responsibility contracts and care plans mandatory at an early stage in the life of an at-risk child and well before a child will be placed in out-of-home care. The director general may then seek care orders removing a child from the home only if there has been a significant breach of the parenting contract or carer plan, unless the director general considers the child to be at imminent risk of harm. In the latter case the child may be removed without reference to care plans or parent responsibility contracts.

The important purpose of the bill is to require families with children at risk of harm, as identified by the director general, to develop responsible parenting care plans that they negotiate and to which they agree. This provides families with certainty and ownership of their responsibilities. Families will be supported through Department of Community Services early intervention programs and other resources to assist them in meeting their contractual obligations within realistic time frames. The department will ensure families are provided legal information about the consequences of breaching either of these mandatory arrangements—in particular, that significant breaches by them will automatically result in the Department of Community Services applying to the Children's Court for an order to remove the child from the family.

At present the director general may, having formed the opinion that a child or young person is in need of care and protection, take whatever action is necessary to safeguard or promote the safety, welfare and wellbeing of the child or young person. The director general can take a range of actions under the Act. These include the provision of family services, the development of a care plan that may or may not be registered with the Children's Court, or the development, in consultation with the parents, of a parent responsibility contract. The director general may also exercise emergency protection powers and may seek appropriate but unspecified orders from the court. I shall relate some personal experience within the Tweed. As the Minister well knows, the 48 Department of Community Services workers in the area are very hard working, and I have contact with them on a daily basis. I placed a question of the Minister on notice and I read that into *Hansard*. I asked:

1. What are the number of calls made from the area under control of the Tweed Community Service Centre regarding alleged child abuse in the following years:
 1. 2007;
 2. 2008;
 3. 2009?

The answer was:

- | | | |
|----|---------|-------|
| 1. | 2005-09 | 1,989 |
| 2. | 2006-07 | 2,339 |
| 3. | 2007-08 | 2,399 |

Those are significant numbers from a population of just 80,000. The second part of the question was:

2. What number of these calls were investigated in the following years:
 1. 2007;
 2. 2008;
 3. 2009?

The answer was:

- | | | |
|----|---------|-------|
| 1. | 2005-06 | 1669 |
| 2. | 2006-07 | 2,289 |
| 3. | 2007-08 | 2,362 |

Basically all the calls were reported and were investigated by the 48 Department of Community Services workers in the area. Recently I asked a further question, regarding DOCS officers' overtime, which is significant. The point I make is that the community is extremely active in reporting these cases. I will refer to that matter in a moment. The community fully supports greater parental responsibility in bringing up their children. A large number of people come to my office to raise these issues. On other occasions in this place I have raised youth violence in the Tweed. I have accompanied the local police in the electorate and I have seen two young girls aged eight and nine who had been living on the street for a month.

Recently I met two girls aged 11 and 12 whose mother has been reported to DOCS on a number of occasions. Believe it or not—this is pretty horrifying—those girls are given \$100 on Friday afternoon because

mum's new girlfriend does not like the kids. These 11- and 12-year-old children are told to come back home on Monday morning! I am aware that the parent often leaves the home for days on end and leaves no food in the house. I have been working with our DOCS officers. I reiterate that they are very hard working and I have often praised them publicly. However, they are simply overwhelmed by the large numbers of families under their care.

Last year in the Tweed DOCS officers removed three children from their parents. The parents were advised at the time that, provided they submitted to weekly urine tests for three months, they could have their children back. The parents were not happy with that solution and they took the case to the Supreme Court in Sydney. The requirement was overturned. The judge ruled that requiring the parents to submit to a weekly urine test impinged on their rights. Those children were returned to their parents. I know neighbours who live next door to that family. The parents are still using, the kids do not go to school, they do not have any food, and they are left to run wild. Yet DOCS workers are trying so hard to do the right thing.

This bill, introduced by the shadow Minister for Community Services, seeks to make parent responsibility contracts mandatory. A number of speakers on the other side of the House said the contracts should not be made law. I have news for them: the law as it stands at the moment is not working. In the Tweed I hear of many of cases in which DOCS workers are doing the right thing but their hands are continually tied. I was very critical of the Supreme Court judge who made the decision I have referred to, because the community expects a lot more. They expect their standards to be reflected in legislation that is made in this place, and in the determinations and judgements made by our judiciary. Given some of the decisions of the judiciary, I am losing faith in our judicial system. These are young kids out on the street with no-one to look after them, other than members of Parliament who make laws to ensure their protection. These kids are the future of the great State of New South Wales.

Late last year a father came to see me who for the past month had been sleeping in a car with his three young children, who were aged under 13. The father abandoned the children at my office at four o'clock on a Friday afternoon. We clothed the children and we fed them. DOCS officers attended as soon as possible, but it took them a couple of hours. Those children were placed under the Queensland system after a half-hour interview. I find that totally unacceptable.

In recent years between 50 and 70 children in the Tweed have been forcibly removed from their families. Unfortunately, that trend is continuing. I am sure that making parent responsibility contracts law would receive a great deal of support from our local community. In fact, they are asking that parents be made more responsible, and that DOCS officers be given some teeth. We should be approaching this issue in a bipartisan way. We should be working together for the betterment of those children rather than having a debate on the issue. We should do all in our power to give those children a chance in life. Once again, I am 100 per cent for the kids in the Tweed and I support the bill.

Mr BRAD HAZZARD (Wakehurst) [5.24 p.m.]: I support the endeavours of the shadow Minister for Community Services with regard to this issue. The Children and Young Persons (Care and Protection) Amendment (Parental Responsibility) Bill 2010 points us in the direction of ensuring that each of the children who are likely to be removed from their families comes into the sharp focus of the agency that is tasked with caring for them. It also seeks to ensure that we introduce measures that are in the best interests of children. One fundamental principle has guided members on both sides of this House over a number of years with regard to legislation that relates to children in care—that is, to ensure that the measures we put in place are in the best interests of the children concerned. When I first became a member of this place many years ago there were roughly 5,500 children in care. Some of the newer members may think that having 16,000 children in care is an acceptable number. It is not.

Ms Linda Burney: No-one thinks that, and you know it.

Mr BRAD HAZZARD: I acknowledge the Minister's interjection. I am pleased that she believes that that is the case. If it is the case I ask the Minister and other Labor members to consider the alternatives. By introducing this bill the shadow Minister for Community Services is seeking to ensure a point of intervention where, when agencies are considering removing a child from their family, there is an option. We need to consider the circumstances in which children come under the care of the Department of Community Services. One such circumstance is where children are deliberately abused. Former Minister Faye Lo Po' used to refer to the issue regularly. One of her favourite catchcries was, "Three attempts and you're out"—in other words, three instances of abuse and the child should be taken away. That was a ridiculous and simplistic approach. Whilst

I respected Faye Lo Po' as a person, as a Minister in this role she was totally wrong. Unfortunately, that sort of simplistic thinking has underpinned much of what the Government has done for many years with regard to children who are at risk of harm.

With regard to children who are the victims of direct and deliberate abuse, there is often no alternative to their, unfortunately, being removed from the parental environment. But they are in the minority of children involved in interventions by the Department of Community Services. By far the majority of such children are in situations where their custodians are simply incapable of looking after them, or incapable in terms of their parenting skills. That is a situation we need to address much better than through what has gone on for years under this Labor Government.

In British Columbia some years ago a problem similar to that occurring here arose. A rapidly escalating number of children were going into care. There was a change of government, a Liberal government came in, and the Minister for Family Services at the time determined that there should be a complete reversal in the Government's approach. The Minister determined that instead of the Government spending money on supporting children in care it would spend that money on supporting and mentoring families in need. The Minister determined that the money would be put into supporting the families and keeping the children in the environment that best serves any child—that is, with his or her family.

This Labor Government still needs to hear that message. Every now and then we hear some intonations from Government members that they are trying to address this issue. If we have gone from 5,500 children in out-of-home care to 16,000 today, in the period of this Labor Government, the Government is not addressing the issue with the enthusiasm, energy and commitment with which it needs to be addressed. The shadow Minister is saying here that we want to focus on the early intervention and support, and to provide some boundaries, rigour and process she has proposed a parental contract or a care plan. That is not a difficult concept and I find it strange that we have a Minister on the other side, whom I personally respect, who has some difficulties because of either a lack of comprehension about the broader issues or she is stuck with government policy that she cannot turn around—I suspect that is more what it is.

Many children have been removed in this State on kinship care arrangements, often in indigenous families, where there is very little follow-up by the Department of Community Services. It would be a very good start to ensure contracts for those families and for a greater effort to be made so those children are able to stay in and be supported by those families. Also in the broader non-indigenous community a care plan or a parental contract would be a great addition to the system in an effort to try to reduce the number of children who are entering out-of-home care.

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

PRIVATE MEMBERS' STATEMENTS

DAPTO LITTLE ATHLETICS CLUB

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [5.30 p.m.]: On Sunday 18 April 2010 I attended the Dapto Little Athletics Club 2009-2010 Annual Presentation Day at the great family-friendly venue inside the Dapto Leagues Club. Dapto Little Athletics was established in 1978. Father John Ward and the nuns of St Johns Catholic School started it. The first meetings of the club were held on the school grounds, until it moved to Hector Harvey Oval at the far end of Gilba Road, Dapto. In 1985 the club relocated to Dapto High School. The club has remained at the high school for the past 25 years and enjoys an excellent community-school relationship. In partnership, a high-standard competition facility has been constructed for little athletics in our community.

Little Athletics is a great way to introduce children to sport but that is not possible without the work of great committee members. I acknowledge the work of the present committee members: Allan Johnson, Marc Gambuzza, Kaylene Trembath, Rhonda Bunten, Anne Roberts, Nigel Attwell, Jackie Johnson, Chris Wilson, Peiti Haines, Anthony Tabone, Louise Morgan and Robyn Burnett. I also acknowledge the life members: Garry Bell, Jackie Hazelton, Romeo Cecchele, Allan Johnson, Jackie Johnson, Kaylene Trembath and Ian Fitzgibbon. I also acknowledge supporters such as Rob Hahn and Frank Gasseling. Andrew FitzSimon, the principal of Dapto High School, is the patron of the centre.

I now place in *Hansard* the names of the young champions who received awards on the day and pay tribute to their achievements. Trophies for 100 per cent participation were awarded to: Hayley Pymont, Daniel Bunten, Rachel Burnett, Thomas Cleverly, Georgia Cleverly, Zarie Aranda and Keegan Aranda. State certificates were awarded to: Isaac O'Brien, Lachlan Morgan, James Moore, Kiara Hennessy, Teneal Morgan, Rachel Burnett, Timothy Pymont, Megan Burnett, Ashleigh Woodford, Matthew Oswald, Ashleigh Wilson, Joshua Kentwell, Benjamin Trembath, Daniel Bunten, Dianne Moore, Bryce Gilroy, Claire Burnett, Katelyn Wilson, and Hayley Pymont. Five-year membership awards were presented to: Jake Attwell, Piper Gambuzza, Flynn O'Brien, Isaac O'Brien, Kate Wilson, Ashleigh Woodford, James Moore and Dianne Moore. A 10-year membership award was presented to Benjamin Trembath.

The improvement certificates on the day went to: Rhys Barnes, Lucas Madaschi, Larah Cooper, and Thomas Scrivener. The Improvement to the Max award—an interesting award—was presented to Lucas Madaschi. The bronze awards went to: Rhys Barnes, William Adams, Gabriel Treweek, Bronte Attwell, Elissa Everett, Skye Contreras Lucas Madaschi, Alex McDougall, Kial Jones, Summa Burk, Belinda Barnes, Holly White, Jake Attwell, Ryan Chard, Taylah Roberts, Tamara Heron, Lauren Morgan, Larah Cooper, Lachlan Morgan, Thomas Scrivener, Ashley McDougall, Kate Wilson, Bianca Stankovic, Kiara Hennessy, Mitchell Heffernan, Joshua Johnson, Teneal Morgan, Jessica Barnes, Lauren White, Timothy Pymont, Megan Burnett, Caitlin Attwell, Ashleigh Woodford, Rachael Scrivener, Ben Trembath, Daniel Bunten, Joshua Webb, Nelson Alameddine, Claire Burnett and Hayley Pymont. The silver awards went to: Thomas Cleverly, Isabella Stankovic and Joshua Kentwell.

The most improved athlete in the centre for the season in all age group for the boys was Joshua Kentwell, and the runner-up was Daniel Bunten, and for the girls was Isabella Stankovic, and the runner-up was Jessica Barnes. The seasonal point score champion for all ages for the boys was Thomas Cleverly, and the runner-up was Joshua Kentwell, and for the girls was Hayley Pymont, and the runner-up was Megan Burnett. The centre champion athlete for the boys was Joshua Kentwell, and the runner-up was Thomas Scrivener, and for the girls was Claire Burnett, and the runner-up was Teneal Morgan. I congratulate all recipients on the commendable dedication and motivation with which they approach their sports. It serves as an example to their peers that personal success is attainable. I look forward to continuing my relationship with this club and seeing the goals it has set achieved in the next 12 months. I also acknowledge the efforts of one young Oliver Thomas, who is in second year of tiny tots boys, who loves running—as he tells me at the end of every session!

BURRINJUCK ELECTORATE POLICING

Ms KATRINA HODGKINSON (Burrinjuck) [5.35 p.m.]: I recently spoke in this place about the upsurge of vandalism and antisocial behaviour in the Yass region, which is of significant concern to just about every local business operator in the main street. On that occasion I informed the House about a letter I had received from those businesses. I also outlined the names of the businesses that had signed the letter and the action I have taken in support of their concerns. It is a sad indictment on this State Labor Government that this problem is not unique to Yass. There is a real need for 24-hour policing in Cowra. I have raised this on many occasions with the Government. I have done this in person with a previous Minister for Police and in writing, and I shall continue to do so until we have a 24-hour police presence in Cowra. Concerns have also been raised with me about the need for 24-hour policing in Yass, Young and Cootamundra—these regional areas are some distance from each other. I have also raised those issues in Parliament and with the Minister for Police.

The response I always receive from the Minister is that the New South Wales Police Force employs "smart intelligence- based" policing. We are talking distance and the problem is that the local police on the beat in the Burrinjuck electorate, and the residents they work so hard to protect, do not see any evidence of that. I speak frequently to local police officers—I have the greatest respect for them because I know how hard they work across the Burrinjuck electorate—and they are more frustrated than I am about the level of support they receive from this Government. While talking about police, I will digress to read a short email that was sent to me earlier this year:

Dear Ms Hodgkinson,

I am writing about the situation of a Highway Patrol Officer in Cowra—Senior Constable S Vickery. During the years 1992-2008 he patrolled roads around this region with diligence and professionalism, applying the law without fear or favour. As a result of his persistence and dedication to duty the number of serious crashes and fatalities fell dramatically in this area. If you were to view the statistics for road fatalities I am sure you would see how effective these methods were.

The author of the email then complained that Senior Constable Vickery was no longer patrolling his local roads and asked whether he could be brought back. I also place on the record my thanks to Senior Constable Vickery and all the other police officers who serve within the electorate of Burrinjuck. Their job is extremely trying and stressful and they do not receive the support they need from this Government. I received a letter from Peter and Sonja Lock, the proprietors of the Cowra Country Comfort Countryman Motor Inn, in which they expressed the concerns of many about the lack of 24-hour policing in Cowra. There is an alcohol-free zone in the central business district of Cowra. However, when the drunks and antisocial vandals are hitting the streets of Cowra the police station is usually closed. The letter reads:

Whilst endeavouring to keep up to date in the enforcement of this commendable initiative the question still remains identical and at this stage unanswered. Who is going to respond if an incident arises after the closure of the Cowra police station?

Apparently we are to call the Orange police—

Orange is quite a significant distance from Cowra—

and have the matter allocated depending on the priority of the callout. Whilst we understand the logistics of this arrangement this seems totally inadequate as the officers in Orange are very unlikely to travel here to attend a breach of the alcohol free zone.

The Police at Cowra are without doubt attempting to address this issue however by the time Orange has been called, the incident reported, its priority assessed and the overnight duty officer in Cowra has been contacted and dispatched, the offenders will be long gone.

Following the last attestation parade from the NSW Police College on 7 May 2010 in Goulburn, the three police local area commands in my electorate—Goulburn, Cootamundra and Canobolas—received only one new officer between them. That is totally unacceptable. I also raise concerns of the Tuena Hall and Recreation Area Committee, which contacted me this year about the lack of policing in Tuena, a small, isolated community halfway between Bathurst and Crookwell. I previously raised the community's concerns about policing in this area, when a car was seen driving around slowly, obviously casing paddocks prior to stock theft. Stock theft is a matter of concern in rural electorates, and my electorate is no exception. The local police officer was away at another station. By the time the police arrived, 1½ hours later, the suspicious vehicle was long gone. In a letter to me, the Tuena Hall committee wrote:

It doesn't seem right that we should be without representation in the village for that length of time. Tuena is probably the most remote village in our shire [Upper Lachlan], with no mobile phone service and poor dirt roads being the only connection to services. Response time from Crookwell is around three quarters of an hour and one and a half hours from Goulburn. We are sure in the petty criminal world news travels fast. With no clothes police presence our area is more vulnerable to theft and vandalism.

I have spoken about policing issues in the Burrinjuck electorate so many times in this place that I feel like a broken record. The State Labor Government must provide more policing resources for this electorate. The residents of Cootamundra, Young, Yass, Tuena, Cowra and the very many other areas that are not adequately protected demand it. I call again on the State Labor Government to provide 24-hour policing for Cowra as a very high priority, to work towards the provision of 24-hour policing in Yass, Young and Cootamundra, and to ensure that small, isolated communities within the electorate of Burrinjuck have access to a local police officer.

MENAI SCHOOL ZONE EXTENSION

Ms ALISON MEGARRITY (Menai) [5.40 p.m.]: Most members of this House would agree that when people work together with a common purpose they can achieve great things. This week two school communities in my electorate, Holy Family Primary School and Aquinas College, are rightfully celebrating the achievement of an outcome that will help ensure the safety of our precious children. Nothing could be more important than that goal. As the only primary and secondary Catholic schools in the greater Menai area, both facilities have very large student populations and are held in high regard locally. In 2007 I was fortunate to be in Parliament House, Canberra, to see Holy Family representatives accept a National Excellence in Numeracy Award. As their local member of Parliament, I could not help but feel especially proud of them on that day, although I acknowledge the school has had many big and little achievements in its 24 years of operation. In the 2008 annual report, Principal Cathy Forrester wrote:

Holy Family is a large school, proud of its standard of achievement in academic, sporting and cultural ventures.

Aquinas College is a large coeducational high school and consistently performs very well in the Higher School Certificate each year. Another key performance indicator, from my point of view, is the high calibre of the Aquinas student leadership team that visits State Parliament every year. It is always a pleasure to meet these

young people and show them around the parliamentary precincts. Principal Jane Donovan, the teachers and parents have every reason to be proud of them. Both schools are located on Anzac Road, but they have become increasingly concerned about the safety of students walking to and from school along the busy nearby Menai Road.

Formal and informal approaches to the Roads and Traffic Authority requesting the establishment of a new school zone on Menai Road, or perhaps the extension of the existing zone west from nearby Bangor primary school, were unsuccessful. These school communities refused to take no for an answer and were determined to succeed on this vital issue. A few months ago, parents Debbie Lewis and Michelle Daly started a petition in support of the cause. Hundreds of people signed the petition and also were grateful to Debbie and Michelle for their initiative. In fact, these two dynamos left no advocacy stone unturned. The *St George and Sutherland Shire Leader* ran a front-page article on the schools' concerns and 2UE morning radio hosts John Stanley and Sandy Aloisi went to considerable lengths to be supportive of this issue.

For my part, I acknowledge the Roads and Traffic Authority's need to have consistent statewide policies on school zones and other road matters. But I also see that important causes, such as this one, require much closer consideration. For example, one reason offered for the refusal was that neither school had a gate on the Menai Road boundary fence. It occurred to me that armed with a pair of wire cutters I potentially could have rectified that policy complication. However, I decided that the more legally appropriate course of action was to continue to make very strong personal representations to the Roads and Traffic Authority and the Minister for Transport and Roads in support of local concerns.

I was pleased that Maureen Elliott, a senior Roads and Traffic Authority manager, accepted my invitation to meet on site with Holy Family Principal Cathy Forrester, Aquinas College Acting Principal Steve Gough, and parent representatives on 6 May 2010. It is always better to look at a situation firsthand and use that information to assess any extenuating circumstances. That afternoon we saw about 2,000 people exit the schools' precincts within the space of 20 minutes. In fact, this exodus would have been concentrated into a shorter time frame if the Aquinas students were not deliberately held back each afternoon as part of an organisational strategy, without which potentially dangerous chaos could ensue. As members might imagine, the scene included a fleet of school buses and vehicles driven by parents and teachers and even nearby residents just going about their normal business. The critical part of this mix was the students either walking home or catching transport. I commend both school communities for the comprehensive measures they have taken to manage and supervise the high level of pedestrian and vehicular traffic before, and especially after, school.

Ms Elliott was caring in her approach to our concerns and we all left feeling confident that a significant breakthrough had been achieved. I was delighted to be able to advise Debbie Lewis last Friday that the Roads and Traffic Authority has determined that for safety reasons the existing 40 kilometres per hour school zone on Menai Road will be extended west to include Holy Family and Aquinas College. Flashing lights will be provided to alert motorists of the new school zone and the phasing of the pedestrian traffic signals will also be assessed.

The suggestion made by a long-term resident at the site meeting that the two bus shelters on Menai Road could be set further back from the road to improve pedestrian safety is being referred to the local traffic committee for consideration. The Roads and Traffic Authority will now start on the installation of the new zone and expect to have it operational by the end of this school term. This outcome is a testament to the hard work of these two school communities in vigorously pursuing this important issue. I am delighted to have been of assistance to a group that has been so constructive in its attempts to raise their concerns. In closing, I again acknowledge the tireless efforts of Debbie Lewis and Michelle Daly.

Mrs BARBARA PERRY (Auburn—Minister for Local Government, Minister Assisting the Minister for Planning, and Minister Assisting the Minister for Health (Mental Health)) [5.45 p.m.]: I thank the member for Menai for bringing this matter to the attention of the House and for informing us about the work that went into achieving a satisfactory resolution. I congratulate Holy Family Primary School and Aquinas College on their outstanding commitment to education. The principals, teachers, parents and students show a great commitment to working together to produce the great results that they achieve. Through the school community working together and the persistence and commitment of the member for Menai to her community, as well as the support of the media, they have achieved an appropriate outcome. It may have taken a little time, but they have shown the power in maintaining a belief in their goals and never giving up. The member and her community are an inspiration to us all that by working together we can produce outstanding results.

PITTWATER ROADS

Mr ROB STOKES (Pittwater) [5.47 p.m.]: This evening I again inform the House of the deteriorating condition of Pittwater and McCarrs Creek road between Mona Vale and McCarrs Creek in my community of Pittwater. For many years this stretch of road has been neglected and ignored by the New South Wales Labor Government, despite repeated pleas from our community for assistance. This Government's failure over so many years to address the deficiencies of the road, its potential dangers, its susceptibility to inclement weather and a raft of stabilisation issues has resulted in enormous concern among local residents. Whilst I am sure that this failure by the Government is of no surprise to many communities throughout New South Wales, who have also sought the assistance of the Government, this situation serves as yet another example of how the Pittwater community is being denied essential and long-overdue upgrades to our ailing infrastructure.

It is reassuring that the Government now appears to have finally realised that its years of neglect, its failure to invest in any permanent long-term improvements and its complete disregard for the concerns of Pittwater residents have left this road in a depleted and defeated state. However, my community is not at all pleased about the Government's cowardly and irresponsible decision to wipe its hands of the road altogether, reclassify it and transfer responsibility to Pittwater Council. Although there is nothing new and surprising about the Government's tendency to avoid responsibility for challenging projects, the new low to which this Government has swooped sees it dumping these projects onto unsuspecting and long-suffering communities.

To say that the Pittwater community has been left short-changed by the Government's decision to cut and run on this stretch of road is a gross understatement. Not only has the community been forced to endure the depleted condition of this section of road for many years, the ratepayers now find themselves lumped with an enormous repair bill as a result of what can be described only as the Government's neglect and laziness. Although the Government has never been renowned for its clever ideas, it troubles me that the New South Wales Government expects a local council to afford multimillion-dollar road improvements when the Government itself has not been able to do so in the past 15 years. In fact, estimates place the costs of the works required to bring these roads up to scratch at around \$15 million, with additional and ongoing maintenance fees on top.

Given this enormous amount, one can imagine my thoughts when I received a letter last week from the Minister for Transport and Roads—who, I understand, has just resigned—attempting to explain this cost-shifting exercise by reassuring me that \$10.5 million will be provided over the next three years to assist local councils in maintaining the entire New South Wales regional road network, when that amount will be more than snapped up for just one road in Pittwater. This would be a laughable announcement from the Minister if the repercussions for my community were not so serious and did not destroy any hope we still had of this Government facing up to its responsibilities and ensuring the road is restored to a safe and acceptable condition.

What our community has been flick passed is, basically, a seven-kilometre lemon, comprising major structural and maintenance concerns and topped off with an enormous repair bill. This demonstrates that the Government has absolutely no intention of addressing Pittwater's road safety concerns, has no intention of addressing Pittwater's ailing infrastructure and is far more interested in taking the cheap, cowardly and irresponsible approach of finding ways to flog off the problems it has created in the past 15 years to the very people who have been forced to endure them. This certainly is not the way to run a State and it certainly is not the way to run a government.

Whilst we are very fortunate in Pittwater to have a hardworking and efficient local council doing everything it can to improve local roads and ensure road safety, it is totally unfair that the council is being made a scapegoat for this Government's failures, being left to fix up the Government's mess, fork out the funds and cop all the slack from concerned residents, while the Government simply slips out the back door, freeing itself of any responsibility. This is a disgraceful situation our community has now found itself in—or rather been dropped in. I believe this serves as a strong warning to other communities and councils across New South Wales and I urge the Government to reconsider its decision immediately, otherwise this Labor Government's only legacy for Pittwater, its only gift to our community and our children, is a lemon—a so-called gift that is no asset, just a liability.

RAILWAY STATIONS LIFT ACCESS

Ms ANGELA D'AMORE (Drummoyne—Parliamentary Secretary) [5.52 p.m.]: This evening I draw to the attention of the House the urgent need for lift access at North Strathfield station. As the local member of

Parliament, I am committed to improving the accessibility of our local train stations for everyone in my community, particularly residents with disabilities, seniors, and passengers with prams and young children. In the State seat of Drummoyne, my local residents access six railway stations: North Strathfield, Strathfield, Concord West, Rhodes, Homebush and Flemington. For a number of years I have highlighted to the Government the need to upgrade North Strathfield station with lift access. Currently the station platforms can be accessed only by a flight of stairs on both sides of the station.

I am greatly distressed when I witness the difficulty passengers with disabilities and parents with prams have in climbing the many stairs to access the platforms. It is not uncommon to see mothers physically lift prams with children in them to get up the stairs and then down another flight of stairs to catch a train. Securing lift access at this station is vital not only to improve access but to make public transport easier to use. On a typical weekday there are 66 inbound and 67 outbound rail services from North Strathfield station, with services to Central and North Sydney via Strathfield and the city, services to Hornsby via Macquarie Park, and services to Epping and Hornsby via Eastwood. An average of 5,160 passenger journeys are recorded at the station each day.

Due to population growth around our station, securing improvements such as a designated taxi rank and dedicated car drop-off areas would significantly improve the station also. A number of residents have spoken to me in relation to convincing the Government to build a commuter car park at North Strathfield station. A parcel of government land currently has the potential to become a commuter car park. I have pursued this matter with government departments and I have been advised that under the Federal program this station will receive freight lines. Once the freight lines have been implemented and the impact of those lines can be assessed on the parcel of land, we can look at the provision of a commuter car park. It has also been recommended that the option for a commuter car park should cater for local residents and limit the size of spaces available.

The station is close to the M4 exit on Concord Road, and a large commuter car park could potentially attract cars coming off the M4. This would lead to significant congestion in the local streets surrounding the station, and I know that would not be supported by my local residents. I will continue to pursue this matter in consultation with local residents, the council and State government agencies, because a commuter car park would have the benefit of providing access to the station to local residents who are not within walking distance of the station. Five hundred residents have signed my petition that calls on the Government to provide lift access to North Strathfield station, and I am confident that many more residents will support the campaign. Also, I have written to the Minister for Transport and Roads seeking lift access at Flemington, Concord West and Homebush West stations.

The electorate is fortunate to have Sydney Markets within its boundaries, which is recognised as a world leader in fresh produce and community market management. More than 5,000 people work on site and thousands of people visit Sydney Markets to buy fresh produce. It is also a very popular destination for families visiting the weekend markets. Sydney Markets at Flemington are within three minutes walking distance of Flemington station. That station does not have lift access and has an average of 6,600 passenger journeys each day. Concord West station has access to its platforms from Queen Street but not from King Street. An overhead bridge links the platforms but, again, residents with disabilities and prams have difficulty accessing the station because there is no lift access. The patronage at Concord West station has grown over recent years, with new estates and residents at Liberty Grove, and 5,820 residents use the station every day.

Whilst I note that Homebush West station has received a new platform under the Clearways Program as part of the Homebush Turnback Project, it currently also does not have lift access. The priority for lift access at North Strathfield station remains—I base that on the volume of representations I have received from residents and the patronage at the station. I do note, however, that I welcomed the \$12 million easy access upgrade to Rhodes station, which was delivered in 2006 and included lifts, stairs and canopies. Rhodes station now caters for 8,500 passengers a day, and this upgrade was much appreciated by my local residents. I hope that the State Government will hear my concerns in relation to North Strathfield station. Patronage of the station will continue to grow due to the density of population around it, especially George Street, which is a very popular street with small businesses. Lift access would improve the prospects of those businesses on a fantastic stretch of road that provides many cafes, restaurants and other services to our local community. I look forward to a response from the State Government on this issue.

GOULBURN REGION JOBS

Ms PRU GOWARD (Goulburn) [5.57 p.m.]: This is a sorry story from my electorate about the loss of 60 jobs from Goulburn and the imperative of supporting regional development, not just in words but in practice.

It is deeply disappointing that the State Labor Government, knowing how important 60 jobs and 60 families are to regional centres such as Goulburn, with a population of around 26,000 people and no population growth of any significance forecast, has done nothing to stop the jobs from going. UGL has been operating in Goulburn from the workshops owned by the Rail Infrastructure Corporation, a child of the old State-owned railways. The Rail Infrastructure Corporation, in turn, has the Australian Rail Track Corporation manage its assets, including railway workshops.

UGL leased its workshops under a three-year contract and, as it began to struggle with insufficient work, it went to a monthly lease with the Australian Rail Track Corporation. In the meantime, the Australian Rail Track Corporation had made a new lease offer to UGL for a further three years at a lease price of \$20,000 per annum. UGL did not have much to sell: it has equipment and some contracts for repair work. These contracts just as easily could be bought by companies in Melbourne, Adelaide or Sydney, meaning a loss of work for Goulburn and regional New South Wales. However, there is one local business interested in buying UGL and keeping the jobs in Goulburn: Ainsworth Engineering. Ainsworth Engineering wants to buy the equipment, the contracts and the men's jobs, and it wants to remain on the Australian Rail Track Corporation site. But Ainsworth is unable to proceed, as would any other purchaser, while it cannot be certain of being able to remain in the Australian Rail Track Corporation's workshops.

Under the rules, the Australian Rail Track Corporation says it has to go to tender to see what the market is prepared to pay. After UGL finishes cleaning up the site and making good any environmental damage, only then can the site be open for inspection. That could take six weeks. It could well end up with an agreed lease price of \$20,000, exactly what is being asked for by the Australian Rail Track Corporation but, in the meantime, 60 men will have lost their jobs and left town, taking their families and business with them. There is a second problem with this delay. UGL is required to remove all of its machinery—much of it heavy engineering equipment—from the site.

This removal is extremely expensive, and if Ainsworth Engineering won the tender it would then have to spend money restoring the equipment to the site—all of which makes it a very doubtful proposition for a relatively small local business. The uncertainty of all this also makes it difficult for the company to raise the necessary funds. Who would be surprised if Ainsworth Engineering walked away?

After losing the local wool scourer, losing UGL would be a heavy blow for the city. However, there has been no offer of assistance from the Government, no consideration that ARTC could easily offer Ainsworth the same terms and conditions of lease it offered UGL a few months ago. ARTC would be no worse off and the city would retain a significant employer. It would also retain its expertise and capacity to become a centre for rail maintenance. We know that if the price of petroleum continues to rise rail freight will become more competitive, and it would be wise to ensure we had centres able to provide rail maintenance outside the very expensive metropolitan centres. If there were one industry ideally suited to regional location, one industry able to be relocated from metropolitan centres, it is rail freight and allied industries. After all, trains travel through regional areas; that is the point of rail freight.

If there were opportunities to ensure that jobs stayed in regional New South Wales and, indeed, to promote industries suited to regional New South Wales, this is one that to date at least has been badly missed by this Government. However, there is still time. The end of June is more than a month away. I implore the Government, on behalf of the people of Goulburn, to review its decision not to assist with the extension of the lease offer originally made to UGL to a local buyer. It would be simple and it would make life better for the people of Goulburn, which is, after all, what governments are meant to do.

PARLIAMENTARY BOWLING CLUB

SUTHERLAND DISTRICT BOWLING AND RECREATION CLUB

Mr BARRY COLLIER (Miranda—Parliamentary Secretary) [6.02 p.m.]: On Friday 7 May, a 12-member Parliamentary Bowling Club team led by president, and member for Mount Druitt, the Hon. Richard Amery, visited Sutherland District Bowling and Recreation Club for a friendly game of lawn bowls. I have the privilege of being the patron of the fabulous club and this year marks the eighth occasion on which the two teams have met on the hallowed greens at Kirrawee for a game of mixed triples. It was also the eighth occasion on which the parliamentary team has gone down to the Kirrawee club, this time by a resounding 73 to 31. Despite outstanding performances by the member for East Hills, the member for Gosford and our captain, the locals were too good for us on the day. It was *deja vu* for the visiting members.

We had returned to the club at the invitation of the chairman, Don Smith, vowing to avenge our last thrashing at the hands of the locals. However, all our promises, rhetoric and posturing came to nothing as we copped a comprehensive caning. Members were quick to blame the bias, team stacking and the heavy demands of public office. We certainly got no help from the unpredictable greens. The two teams compete for a winner's trophy, and over the eight years of competition a tradition has developed. Having been presented with the trophy, the winner promptly hands it back to a member of the losing team. That recipient then has the job of having the trophy engraved with the winner's name and returning it promptly to the winner. Regrettably, I have paid the engraver on eight consecutive occasions. After the sixth occasion the then club chairman, Hughie Muir, said that the winner's trophy should be bolted down in the club's trophy cabinet, something akin to the Americas Cup. This year, club chairman, Don Smith, told the media the trophy's permanent home is now Oak Road Kirrawee, not Macquarie Street, Sydney.

We have another tradition. Three years ago the Kirrawee club added another trophy called the "Barry Collier Wooden Spoon". I have had the task of having that engraved on three successive occasions; it has been suggested that the wooden spoon is the parliamentary team's in perpetuity. The presentation ceremony always follows a wonderful luncheon for both teams generously hosted by the Kirrawee club and organised by its very hardworking social director, Betty Thorp, and her team of Joan Richard and Ann Bricknell. However, I must report to the House that a third, more worrying tradition has developed. After the two trophies have been presented our captain, Mr Amery, responds expressing our thanks, as always, for a simply wonderful day. He invariably includes his lawyer jokes to the enthusiastic applause of all present. Even the club patron—who happens to be the only lawyer in the room—manages a wry smile.

On 7 May the parliamentary team experienced once again first-class hospitality and the ever-present camaraderie that exists amongst all members of the Sutherland District Bowling and Recreation Club. This is a club that I am truly fortunate to have in my electorate of Miranda and a club to which I am always proud to invite my parliamentary colleagues. This year the club celebrates its sixtieth anniversary. The men's club now led by President Bob Wood was established in 1950. Club records show that in August 1953 Gough Whitlam was accepted as a member of the men's club. That year also saw the establishment of the women's club now led by President Barbara Crimson. Back in 1953 the rules were such that ladies could use the green and the clubhouse, but had to be off the premises by 5.15 p.m. Times have changed, and for the better. Today, women members play a major role in the management of this very successful club. The 1,335 member club is financially viable and managed entirely by volunteers.

Betty Thorp was quick to point out that the club members invited to take on the members of Parliament were chosen not because of their skill but because of the many unselfish hours they devote supporting their club and its activities. The ongoing commitment of these volunteers, their dedication and camaraderie have been the key to the success of the club both on and off the greens. I thank the club and its members for their contribution to our community. I particularly thank those who played and supported this truly wonderful event on 7 May. They included: Bill Brown, Jackie Trembath, Trevor Williams, Don Smith, Barbara Grimson, John Hughes, Sylvia Brown, Dave Letton, Fred Fahey, Diane Hayward, Laurie Martin, Bob Wood, Kevin Lennox, Neil Matthews, Jackie Hull, Allan Powditch, Ted Street, Debbie Chung, Warwick Hayward, Bob Ritchard, Peter Wren, Beryl Boyle, Jackie Butler, Richard Griffiths, Pat Ridgway, Ron Crowe, Delia McGrouther and Stan Newnham.

In recent times only members of the Australian Labor Party have been prepared to take on the Sutherland District Bowling and Recreation Club. All members are eligible to join the bipartisan parliamentary bowling club. They are also welcome to visit my club next year for what promises to be yet another great day.

COFFS HARBOUR SHOWGROUND

Mr ANDREW FRASER (Coffs Harbour) [6.07 p.m.]: I draw the attention of members to the Coffs Harbour showground and the show society. I was very pleased to attend the Coffs Harbour show on 8 May. The show has been on the calendar for more than 100 years. I understand that the recent show was the ninety-seventh show due to a break during the Second World War and to other disruptions. Coffs Harbour Show Society holds its events on the Coffs Harbour showground recreation reserve. The president of the show society, Christopher Pearson, and the secretary, John Sjolander, have done a great job in pulling the event back from the brink. The show was opened by Lorraine Tibbs, who has had an affiliation with the showground for well over 20 years. She has acted as show society secretary, which is a very onerous job. Anyone who has had anything to do with show societies would understand the pressures of that role.

I have raised in the House previously the fact that last year's show almost did not happen because the show society, under the directions of the administrator unfairly appointed by this Government, had ordered that the fence in front of the grandstand be dismantled. The society was required to pay up-front fees to the administrator for the erection of a temporary fence at huge expense. As a result, we believed that that would be the last show. Thankfully that did not happen. This year's show attracted 17 entrants in the showgirl competition. I congratulate all the girls who participated. However, I single out Adelaide Cunio who won the Miss Junior Show Girl Competition. I have never seen such a royal wave or such a large grin. It was fantastic that 17 young women participated to try to win this prestigious award. The exhibition halls and the pavilion were full and good crowds turned up. The weather also smiled on us. There was also a good cattle competition, which is unusual in coastal areas these days. I congratulate all the winners.

I also express my concern about the future of the Coffs Harbour showground recreation reserve. I was a trustee on the showground board for a number of years. In fact, prior to getting into politics I had a lease to run the adjoining caravan park, which provides a substantial income for the running of the showground. The Coffs Harbour showground is probably the best showground on the North Coast. When the administrator was appointed she increased fees and pushed people out. In fact, the arts group has been subjected to unconscionable fee increases despite the fact that it constructed its own building. The Apex Club has been moved out. The club built a shed while I was president in 1981. That is now an office and it has been hired out to someone else. That is really sad.

I did a little bit of investigation and I talked to the soccer mob, a great mob of people who built and maintained the ground at the showground to be used for soccer. They also built a building at the end of the ground. They have been basically pushed out as well. They need a new home and I have tried to get an appointment to see the new Minister responsible for the Land and Property Management Authority to discuss the issue with him. Unfortunately, I have been unable to get an appointment with him. The Coffs Harbour Sports Facility Plan, which is on the Coffs Harbour website, states:

Coffs Harbour East
Crown LPMA/Showground Trust
1 soccer field
District
Coffs City United Football Club

The sports field is in good condition and is serviced by the Norm Jordan pavilion. Likely that the sports field will not continue to be available in the medium to longer term as the LPMA may seek to redevelop the Showground.

I will send a message to this Government right now: I will stand in front of the bulldozers. I will ensure that the showground remains as a showground and recreation reserve trust for the people of Coffs Harbour. It is not 50 acres of prime land to be flogged off to the highest bidder; it is a public reserve dedicated as a showground and other recreation uses. Thousands of kids and hundreds of organisations, including the chook club and the Glenray mountain railway—you name it—have utilised that facility over the years. It is not to be flogged off to the highest bidder; it is to remain as it is. I ask for an assurance from the Government that that will not happen.

CATTAI PUBLIC SCHOOL

Mr RAY WILLIAMS (Hawkesbury) [6.12 p.m.]: Last year I placed on the record my serious concerns about a waste of taxpayers' money on the Building the Education Revolution [BER], which has now been nicknamed the "Building the Education Rort", perhaps for good reason. On that occasion I referred to Annangrove Public School, which had asked for a complete breakdown of the cost of its new building. When they got it they could not believe that the building cost a staggering \$850,000. Some of the costs are extraordinary. One cost that stood out was for the landscaping plan, which was costed at \$52,000 for a few shrubs that were planted around the building. The shrubs were deemed to be a bushfire risk so they were pulled out and a couple of rolls of turf were put around the outskirts of the building, all at a cost of \$52,000.

That is just the tip of the iceberg. Since then I have learned of a similar situation at Cattai Public School, a little further north-west in my lovely electorate of Hawkesbury. Cattai Public School community was thrilled when, like the Annangrove community, they thought they were getting a hall. The school was given \$850,000 in funding through the BER program. However, the school did not get a hall but a library building similar to the one built at Annangrove Public School. Originally the school community sat down with the people responsible for rolling out the program and they were quoted \$675,000 for the building. The Cattai school community was then advised that the costs could blow-out. One would wonder why costs would be expected to blow out when the program is being looked at in its infancy. The costs blew out quite dramatically to some \$920,000. When Cattai school requested a breakdown of the costs it was refused. After persisting, the school

was sent a departmental letter, which had a complete breakdown of the costs. I have a copy of the letter, which is from the BER program of the Federal Government. The total cost of the Cattai Public School modular building, which is an MDR 7 core library, is a staggering \$920,963. The second page of the document states:

Modular Building Cost

MDR Building Cost

- (1) Design and construction of in-situ substructure for MDR Building unit including cutting and filling site to levels, excavation, disposal of spoil, concrete piers and footings, backfill and compact ready for installation.
- (2) Transportation of the MDR Building unit from the manufacturer's premises to site, unload and install in final position including making weathertight and connections to services.

That is at a total cost of \$340,710. If one were to order one of those buildings from the manufacturer, that is what one could expect to pay for the building, for the construction of the building, for the fit-out of the building, for the building to be brought to and dropped on your site, and for the building to be situated on the footings. The question is: Why has the cost for that building blown out to \$920,000, an absurd increase of almost \$600,000 on top of the actual building costs of almost \$600,000, which is absurd? We have exposed the scandal within the BER funding package. Apparently there are more than 100 similar buildings across New South Wales and if one is blown out by \$600,000, and given that they are all costed in the same way, we are looking down the barrel of a blow out in cost of some \$60 million for these 7 core libraries. It is an absolute scandal and one that the Opposition will pursue.

LAKE MACQUARIE RAIL SERVICE

Mr GREG PIPER (Lake Macquarie) [6.17 p.m.]: The rail service to Lake Macquarie and the lower Hunter is a major concern for many people, particularly the lack of progress on improving journey times. I reminded this House in December 2007 and again in November 2009, that in 1937 the *Newcastle Flyer*, a steam train, took two hours and 26 minutes to do the run—eight minutes less than current journeys. In 1937 the Flyer was visionary, but today's service, 73 years later and delivering an average journey speed of a little over 60 kilometres an hour, has become an embarrassment by comparison. It is understandable that many people use the F3 instead. However, a vision does exist that would include a radical improvement in rail times between Sydney and Lake Macquarie, and through to Newcastle. This is through a research project of the Cooperative Research Centre for Rail Innovation [CRC] on high-speed rail service for eastern Australia. Such a system would truly be visionary, especially when compared to current services in New South Wales.

The CRC's research category of economic, social and environmental sustainability aims to develop through this research new approaches to maximising the triple bottom line and sustainability of the Australian rail industry. The project, which is scheduled for completion in December 2010, will only assemble pre-feasibility information but it is intended to be up to date on issues such as climate change, carbon emissions, fuel prices and technology. It will consider airport capacity, transport policy and transport demand, and it will assess the general feasibility of high-speed rail in the Australian context. The factors critical for successfully introducing high-speed rail will be identified using international case studies.

In announcing the research project last year, CRC's Chief Executive Officer, Mr David George, spoke of the possibility of a high-speed line between Melbourne, Canberra, Sydney and Brisbane. Most of such a line would be within New South Wales, and it is not hard to imagine a staged development based on areas of greatest need and greatest potential benefit. Arguably, the greatest benefit will come from a new high-speed connection between Sydney and the Lower Hunter, and I urge the Government to accept the inevitability of this. The Government has previously announced, and withdrawn, plans for major upgrades of services to the lower Hunter, but the time is approaching when we will need a true commitment to this infrastructure.

I await the outcome of the CRC's research, but I am confident that it will point to the type of service that can be realistically implemented. It is understandable that a service stretching from Melbourne to Brisbane would take a significant time to plan and construct, let alone to make a policy decision to do it. A decision to link the State's two major population centres with twenty-first century rail infrastructure should be simpler. The current service provides a disincentive for many people because it is so slow. Nonetheless, there is a natural growth in demand for passenger and freight services and a pressing need to contain the increasing demands on the F3.

The Government, through its recently adopted regional strategies, has set a course for concentration and consolidation of population growth in a number of key areas. Principal among these is the lower Hunter and the largest share of its growth will be in Lake Macquarie electorate, with a large proportion of this growth to the

south and centred on Morisset. There is a need for an improved rail service between Newcastle and Sydney to serve these growth areas and the rapidly growing Central Coast. A modern—indeed, a visionary—improvement to rail services will do this.

With discussions once again focussing on improving our rail system, the need for any scenario that would provide the Lake Macquarie transport interchange at Glendale is critical. Lake Macquarie City Council has this week adopted a Glendale regional centre master plan to guide the development of Glendale into a new regional centre with a strong emphasis on transport and regional accessibility. Other changes under council's plan will make the area a hub for community services along with new residential and commercial development and, of course, transport. A key element in the new plan is the interchange, which will provide an essential ingredient for Glendale to achieve its potential under the strategy; a strategy fully supporting the Government's own lower Hunter regional strategy. Glendale, along with Morisset, is an ideal location for a significant part of the lower Hunter's population to access rail services. It is also ideally suited to be one of the major stops on a new high-speed rail service. I call on the Government to move on such initiatives, to support these visions, sooner rather than later.

BOWEL CANCER SCREENING

Mrs DAWN FARDELL (Dubbo) [6.22 p.m.]: Tonight I ask the House one question: How serious are our governments when it comes to preventative health? I ask this question for a very good reason. Our health budgets are spiralling out of control, our health services are mired in debt, and many vital projects are pushed so far onto the backburner they are in danger of falling off the end of the stove. At the moment something like a third of State spending is directed toward health—it is simply not sustainable. We know that under the present regime two very stark choices lie before us. Either we allow health spending to consume the entire budget or we make drastic cuts to services that are desperately needed. Neither is a tolerable nor realistic solution. Australians are right to ask, therefore, why the only acceptable way forward, which is investing in preventative health, still does not get the appropriate attention from our policymakers and bean counters.

I say this as a way of highlighting a staggering example of short sightedness—namely the National Bowel Cancer Screening program. During recent Seniors Week activities I was approached by a constituent who raised a number of valid concerns about health programs. One of them was the ludicrous restrictions placed on this screening program. In particular, my constituent wanted to know why at the age of 70 she had no access to screening. In fact, only people turning 50, 55 or 65 before December this year are entitled to this free screening test. What this means, and what the Cancer Council has so eloquently expressed, is that around five million Australians over 50 are missing out on a test that could save their lives.

This was brought home to my constituent when a friend of hers, who was ineligible for the national screening, took advantage of a Rotary program and tested positive for bowel cancer. I realise this is a Federal initiative but it is time that all State members of Parliament and the New South Wales Government increased pressure on the Commonwealth to revisit this program, which, if properly administered, has the power to save many lives. I understand the State Government is far from happy with the current restrictions but I would certainly urge State health Ministers to renew their concerns with increased vigour. Last month my office contacted the office of the Federal health Minister to ascertain the current status of the bowel cancer screening program. I am thankful for the prompt response and appreciate that in May 2008 the Government announced funding of \$87.4 million over three years to extend the program to 50-year-olds.

The fact remains, however, that if you are 51 you do not have access to the free screening. In fact, if your age is any of the intervening years you are out of luck. The Federal Government's own information about the program states that research shows that the risk of developing bowel cancer rises significantly from the age of 50. I direct all members in the House to the Cancer Council's campaign—Get Behind Bowel Screening, Make a Noise. This campaign was launched in June last year as a national grassroots drive aimed at achieving free screening for every Australian over the age of 50 by 2012. The Cancer Council believes this has the potential to save more than 30 lives a week. It would also bring the program into line with national health guidelines that recommend screening for bowel cancer every two years from the age of 50.

Unfortunately, nothing along these lines was flagged in the recent Federal budget. Nonetheless, it is not something we can afford to ignore. Bowel cancer is the second-biggest cancer killer of Australians. Bowel cancer takes the lives of 80 Australians every week. Many of those people live in this State. That alone should stir us all and, indeed, the State Government into action. I began by pointing to the spiralling health costs and the need for governments to invest in preventative health. Surely preventative health sits side by side with an

emphasis on early detection. Members may or may not know that nearly all cases of bowel cancer can be cured if discovered in the early stages. This gives added weight to the full implementation of a national screening program for over 50s. Preventative health is an issue I have raised on numerous occasions. In the past I have spoken of linking driver licence renewals with health checks—not just for seniors but right across the board. I am certainly pleased that preventative health is something that has entered the public discourse, but we have a long way to go. In her response to the report by the National Preventative Health Taskforce, Federal health Minister Nicola Roxon stated:

The saying is true—prevention is better than cure. But for all the strengths of our health system Australia has not historically invested enough effort and funding in preventing chronic and life-threatening diseases. With an ageing population and increasing rates of chronic disease, increasing our action in preventative health has never been more important.

I could not agree more. When we are looking at initiatives such as tackling obesity, cutting smoking rates, reducing binge drinking and encouraging greater sports participation we should not forget the enormous cost-saving and life-saving benefits of early detection. In this case the expense of implementing a comprehensive free bowel cancer screening program for every Australian over the age of 50 is far outweighed by the benefits.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.27 p.m. until
Friday, 21 May 2010 at 10.00 a.m.**
