

LEGISLATIVE ASSEMBLY

Thursday 9 September 2010

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

The Speaker read the Prayer and acknowledgement of country.

CRIMES AMENDMENT (TERRORISM) BILL 2010

CRIMINAL ASSETS RECOVERY AMENDMENT (UNEXPLAINED WEALTH) BILL 2010

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

SALVATION ARMY SAUSAGE SIZZLE

The SPEAKER: I extend an invitation to all members to join New South Wales volunteers from the Salvation Army emergency services for a sausage sizzle at the emergency services feeding truck. The event has been coordinated by the Parliament and by NRMA Insurance to give members a chance to meet some of the hardworking Salvation Army volunteers who give up their time to keep our emergency service workers well fed. The truck will be behind the Parliament in Hospital Road from 12.00 p.m. until 2.00 p.m. I encourage all members to stop by and to say g'day.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motions (General Notices) given.

NATIONAL PARKS AND WILDLIFE AMENDMENT (ADJUSTMENT OF AREAS) 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)) [10.06 a.m.]: I move:

That this bill be now agreed to in principle.

This bill will enable urgent and essential safety upgrades of public infrastructure in two locations: Copeton Dam, 35 kilometres southwest of Inverell; and the upgrade of the intersection at Boothenba Road and the Golden Highway near Dubbo. To ensure that national parks and nature reserves are protected in perpetuity, lands reserved under the National Parks and Wildlife Act 1974 may not be revoked except by an Act of Parliament. This very important aspect of the national parks system will ensure that our natural and cultural heritage is protected forever for future generations. Any changes to that status should be subject to the scrutiny of the parliamentary process.

From time to time circumstances arise that require the revocation of lands reserved under the National Parks and Wildlife Act. The revocation of lands generally will be undertaken as an avenue of last resort and only where appropriate. This bill represents two such instances. Firstly, let me discuss the proposed revocation from Gwydir River State Conservation Area. When Copeton Dam was completed in 1976, it complied with the engineering standards of the day. However, recent studies have determined that the existing spillway has insufficient capacity to deal with an extreme flood event. Failure of the dam would have catastrophic effects downstream both environmentally and socially.

After an assessment of options, State Water has made a decision to undertake a dam safety upgrade in two stages. Stage one includes the construction of a fuse plug spillway at Diamond Bay and stage two will

include building a 1.65 metre parapet wall on the existing dam wall for the temporary storage of floodwaters and making modification to the spillway gates. Stage one will impact on the Gwydir River State Conservation Area. In the very rare instance that the spillway is activated, the path of the water from the spillway to where it enters the Gwydir River would have detrimental impact on the values of the land. The slope would be eroded and the native vegetation severely impacted on. This type of use is not compatible with use of land that is reserved under the National Parks and Wildlife Act.

This bill proposes the revocation of approximately 144 hectares from Gwydir River State Conservation Area to enable it to be transferred to State Water for future management as part of Copeton Dam. State Water is acquiring an additional 25 hectares of land, which is vested with the Minister administering the National Parks and Wildlife Act but is not reserved under that Act. This smaller parcel of land was not included when the State Conservation Area was reserved, in anticipation that it would be required for the spillway upgrade. It includes an old quarry which was used during the construction of the dam. There will be a conservation benefit in addition to the safety benefits of this project. The bill will ensure that there is the transfer of land to Gwydir River State Conservation Area of equal or greater value to offset the revoked land. In fact, the bill provides that the land will not be revoked and transferred to State Water until land of equal or greater conservation value is transferred to the national parks system.

Secondly, the proposed revocation of 1.2 hectares from Beni State Conservation Area for dedication as a public road will also allow for a safety upgrade. Dubbo City Council has secured funding through the Auslink Strategic Program to upgrade and realign the intersection to improve safety. Bootherba Road forms part of the northern freight vehicle route which bypasses Dubbo City Centre and links with the Golden Highway, Newell Highway and Mitchell Highway to the west of the city. By upgrading the road intersection where Bootherba Road meets the Golden Highway, B-double trucks will be able to travel this route thereby reducing the distance the trucks travel by at least five kilometres each way. It will assist in keeping the trucks out of the city centre. The B-double trucks will be able to use Bootherba Road to access the industrial area at Troy Junction.

The land to be revoked contains disturbed forest and is located at the corner of the small portion of Beni State Conservation Area, adjacent to the Golden Highway. The proposal will have a net conservation benefit because it involves the transfer of high conservation value forest to the national parks system. The proposed compensatory land is an eight hectare parcel of land owned by Dubbo Council for future use as a road, which runs through the large portion of Beni State Conservation Area. This land is not required for future use as a public road and contains undisturbed woodland.

The bill will also make an amendment to the Native Title (New South Wales) Act 1994, to ensure that native title rights and interests existing in relation to the revoked land are protected. This bill will allow for the safety upgrade of public infrastructure at two sites in regional New South Wales while ensuring there is no net loss to the conservation values of the national parks estate. I commend the bill to the House.

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

ASSISTANT-SPEAKER (Mr Grant McBride): Government business having concluded, the House will now proceed to General Business Notices of Motions (General Notices).

WYONG VALLEYS COALMINE PROPOSAL

Mr CHRIS HARTCHER (Terrigal) [10.12 a.m.]: I move:

That this House:

- (1) notes the Government has not ruled out a proposed coalmine in the Wyong Valleys;
- (2) notes that the Premier, when Minister for Planning in August 2009, allowed the proposed mine to proceed to an assessment stage;
- (3) notes that hydrological evidence shows that the proposal could seriously affect Central Coast water catchment and water security;
- (4) notes that the members for The Entrance and Gosford voted against even debating a motion in opposition to the proposed development on 24 June 2009 and the member for Wyong refused to vote to protect his constituents; and
- (5) calls upon the Government to immediately reject the proposal and to support the pledge given by the Leader of the Opposition in January 2009 to stop this mine.

The Federal Leader of the Opposition, the Hon. Tony Abbott, has said that we need a kinder, gentler Parliament. So, in the interests of a kinder, gentler Parliament, I present this motion to the House for its consideration. Anyone who visits the schools in New South Wales would see that the mottos of many of the older schools that were built prior to the 1950s are in Latin. One of the most popular mottos for schools built in those days was "Facta, non verba", the translation for which is "Deeds, not words". By way of this motto, schools urge pupils not just to speak the truth and act the truth but to fulfil it. The test of a member of Parliament is not simply what he or she says but what he or she does. The test of a member of Parliament in government is the effectiveness of that member.

Mr Assistant-Speaker, I will take you out of the picture for the moment. I commend the member for Gosford, the Hon. Marie Andrews. The member for Gosford faced the difficult situation in her electorate of a proposed sand mine at Somersby, affecting Somersby School. Together with me, she attended rallies against the proposed sand mine at Somersby. When the present Premier, the Hon. Kristina Keneally, was Minister for Planning, the member for Gosford brought the Premier up to the proposed sand mine at Somersby, and what happened? The proposed sand mine at Somersby was ruled out by the then Minister for Planning, Kristina Keneally. So, in the interests of a kinder, gentler Parliament, full marks to the member for Gosford.

Now we come to the proposed coalmine in the Yarramalong and Dooralong valleys. If there is one subject upon which the member for Wyong has been vocal in this Parliament it is that issue. He has made two private member's statements about it, and he attacked and opposed it on both occasions. The member for Wyong has also moved an urgency motion on the issue. He has said, "My election slogan at the last election was 'protecting our lifestyle'." The member for Wyong has been quoted in the local newspaper regarding the issue, under the heading "MPs to fight mine".

In the interests of a kinder, gentler Parliament, I acknowledge the work that the member for Wyong has done. I also acknowledge the work that you, Mr Assistant-Speaker, as member for The Entrance, have done both verbally, as reported in the media, and by private members' statements in the Parliament. I remind the House of the motto "Facta, non verba". The test of a member of Parliament is not what he or she says but what he or she does. This is especially so of a member who occupies the Government benches, a member who occupies the title of Parliamentary Secretary for the Central Coast, and a member who formerly, in the case of the member for The Entrance, was the Minister for the Central Coast.

Mr David Harris: Is there a mine there?

Mr CHRIS HARTCHER: The member for Gosford was able to have the Minister for Planning rule out the establishment of the Somersby sand mine. I acknowledge the interjection of the member for Wyong, "Is there a mine there?" No, there is no mine there, and there is no mine at Somersby. What is happening with the Kores proposal—which the member for Wyong has acknowledged in his private member's statements would potentially, we do not know for certain, impact on 53 per cent of the Central Coast water catchment—is that that proposal edges out further and further along the road. Many times we have heard the member for The Entrance and the member for Wyong speak about the proposal. The Premier, Nathan Rees, came up to the Central Coast and addressed the rally held outside Mingara Recreation Club. I am sure the member for The Entrance was there. At the rally were 200 people in their red shirts—how ironic for the Labor Party to be opposed by people in red shirts. But I digress. What did former Premier Nathan Rees say? He said he could not rule out the mine, and that he would go through due process.

Neither Frank Sartor as Minister for Planning, nor Kristina Keneally as Minister for Planning, nor Tony Kelly as Minister for Planning—there have been so many Ministers for Planning going through this revolving door—has been prepared to rule out the coalmine, as the Somersby sand mine was ruled out. The people of the Central Coast can look at their two members, the member for The Entrance and the member for Wyong and say: "How effective are you?" I say to those members: Facta, non verba—deeds, not words. If the members for The Entrance and Wyong are going to deliver for their constituents, they need to deliver the result. They need to deliver the result that the member for Gosford was able to deliver. They need to deliver the result and have the Minister for Planning now state that the coalmine proposal will not go any further.

In June this year I moved a priority motion in this House which demanded that the Government stop the coalmine proposal. The member for The Entrance voted against debating that priority motion. The member for Wyong, who was present in the House on that day, absented himself from the vote. He subsequently wrote a letter to the newspaper explaining why he was not there. The member for Wyong's letter to the newspaper was extremely interesting. The member for Lake Macquarie will be interested to hear this. The member for Wyong's

letter to the newspaper concluded—I will table the document if the member for Wyong wants, but I am sure he has no objection to my reading onto the record what he writes to his local newspaper—"My focus is on the main game, not sideshows."

A debate in Parliament is a sideshow! His focus is on the main game, which is his re-election. Yes, Parliament is a sideshow! Had the motion been carried directing the Government not to proceed with the coalmine that would have been the end of the matter. If the motion I have moved today is passed, it would be directing the Government similarly as it calls upon the Premier to not allow the Wyong valley coalmine to proceed. No Premier has ever defied the will of the Legislative Assembly. The test now is not what the member for Wyong and the member for The Entrance say, but what they do. I acknowledge that at the moment the member for The Entrance may not have that opportunity as he is somewhat restricted by *facta, non verba*. If the member for Gosford could get the Somersby sand mine ruled out, the member for The Entrance and the member for Wyong can get the Wyong valley coalmine ruled out.

What happened after June 2009? In August 2009 the then Minister for Planning, the Hon. Kristina Kenneally, far from rejecting the mining proposal, authorised it to go to the assessment stage, which was the recommendation of the Chikarovski report that was criticised by the member for Wyong. Basically, the Minister for Planning said to the member for Wyong, "Get lost. I am accepting the recommendation of the Chikarovski report. I am moving ahead to the assessment stage." That is where the matter stands. The Minister for Planning continues to progress the issue and to allow the idea of this coalmine to hang over the heads of the Wyong community while the member for Wyong and the member for The Entrance remain ineffectual in their alleged efforts to stop it.

The actions of the member for Gosford are before this House. The failures of the member for Wyong and the member for The Entrance to deliver for their constituents on this matter also are before the House. On the recent polling day for the Federal election the Hon. Craig Thomson displayed signs stating "Water, Not Coal". This issue is of paramount importance to the Wyong valley and the electorates of The Entrance, Terrigal and Wyong. The member for The Entrance and the member for Wyong have been ineffectual in delivering for their constituents. Today I invite them to not just give us words but to vote for this motion to stop the coalmine and protect the lifestyle and water supply of their respective communities.

Mr DAVID HARRIS (Wyong—Parliamentary Secretary) [10.22 a.m.]: I move:

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

this House:

- (1) notes the Government is committed to independent, merit-based assessment of major projects;
- (2) notes that the independent "Mining in Wyong LGA" inquiry chaired by former Liberal Leader, Kerry Chikarovski, recommended a merit-based assessment;
- (3) acknowledges the Government's commitment to ensure the protection of the Central Coast's important water catchment; and
- (4) acknowledges the director general's requirements for the Wallarah 2 coal project are the most rigorous requirements ever delivered for a mining project in New South Wales.

Today's debate should be monitored closely by the media and the public of New South Wales as it provides a signpost to the type of government the Liberal-National parties would represent if elected next March. Some fundamental principles underlie this issue and for me they represent the reasons I offered myself for public office to serve my community. Let me put on the record clearly and concisely so there is no misunderstanding that from 2006 I have articulated a position that opposes any mining proposal in the Wyong Water Catchment area that would threaten the delicate hydrology of the area and subsequently the Central Coast's water supply.

People from this side of the House can testify that I have put forward faithfully the concerns of my community to Caucus, premiers and Ministers. I have prepared submissions for both the Chikarovski inquiry and the current political action committee assessment. I have given verbal submissions at the relevant public hearings and intend to do so again at the political action committee public hearings. Former Liberal leader Kerry Chikarovski, Chair of the independent panel, publically congratulated me on the standard of my submission and said I was an effective advocate for my community. I have doorknocked residences in the Newcastle suburb of Ashtonfield to discover for myself the effect of mining operations close to residential areas. I have visited the

potentially affected sites to observe the watercourses and closeness of the proposed mine to manmade structures. But most of all, through my lobbying, I have ensured that this project had the most rigorous set of director general requirements ever placed on a mining project in New South Wales.

I did all of these things because I am committed to representing the views and best interests of my community. It would suit me, even probably help my re-election, if the Government were to come out and quash this project tomorrow, but I understand, unlike the Opposition, that the community is better served with a rigorous, independent merit-based assessment in place. In contrast, the Liberal-Nationals approach to this issue is shallow and ethically challenged. The Opposition thought it would win easy votes and wrote a letter that said it would not approve it: no assessment, no peer review of data and no submissions to the inquiries—just a letter. This troubles me because under the Coalition's system, New South Wales communities do not have an equal voice. This was demonstrated clearly by the Opposition saying "No" to the Wyong communities in respect to the proposed coalmine. Every community across New South Wales should have the same expectation from the Coalition in respect to any development.

Under the Coalition's system—modelled on the Wallarah 2 example—if the community complains loudly enough, no development will be allowed. The minerals industry, the housing sector and the commercial sector would come to a grinding halt and the State's economy would be in ruins simply because the Coalition does not support merit-based independent assessment. This is detrimental to the best interests of the New South Wales community. By implication the Leader of the Opposition and the member for Terrigal are saying that under the political action committee merit-based system expert panels act dishonestly or corruptly in delivering their decisions. If I were to be completely cynical, perhaps the Liberal-Nationals parties hope the mine is approved so they can blame the Government and gain political advantage without having real concern for the wellbeing of the community.

One can only assume that is the case because they have provided no factual submission throughout this whole process, they have not requested one meeting with a Minister and they have not met with or consulted one government department on the issue of the Wallarah 2 coal project. Instead, the Liberal-Nationals members wrote a letter to the community—no other lobbying and they have done nothing else. They wrote a letter. I wonder whether they read the independent water report or the peer review. I wonder whether they tested vigorously any of the assertions made by different groups. The procedure a potential Liberal-Nationals government would implement in New South Wales is to not look at the evidence and not let companies put forward proposals, just knock them over because people might not like them. It would not even test whether the proposal has any positive impacts. It would just write a letter and say no because it will win votes and it is popular. That is how the Coalition will work its development policy in New South Wales.

Obviously, under that type of system New South Wales communities can expect economic stagnation and job destruction. In contrast the Keneally Government's merit-based decision making processes using independent experts has produced significant economic outcomes for the State, whilst also not allowing inappropriate development—such as the Somersby sand mine, the Bickham mining project and the Awaba Auger mine. The Coalition objected to those developments under the same process, but in the present case chose not to follow that process and instead wrote a letter. Interestingly, the Leader of the Opposition, Barry O'Farrell, publicly stated that he welcomed an independent merit-based process in respect to the Bickham mining project. Despite criticising the Premier for announcing the independent assessment, he said, "They came up with the right decision. We will not do that at all in Wyong, but in all the other areas of the State it is okay." That is the standard set by the Opposition.

If the Opposition votes against our amendment, it will be voting against merit-based assessment in New South Wales. I would love the Government to reach a decision that is consistent with my community's wishes, but, without hesitation, I publically support—and I have done so in the media and at meetings—an independent, merit-based model of decision-making. If we are serious we must have a process whereby business can test their projects with rigorous assessment procedures, a system under which the Government makes decisions based on fact and the best interests of the community.

In the case of the Wallarah 2 coal project, an independent inquiry made recommendations that a merit-based assessment should be conducted. We have had director general requirements, which set a high bar. We have had an independent water study, which has been internationally peer reviewed. We have had public submissions on the environmental assessments of the company. And now we have a political action committee which will examine all of the evidence before making a recommendation to the Government. The member for

Terrigal sits on the other side of the Chamber criticising that process. His answer is to write a letter. My writing a letter might be good for the people of the Central Coast but it is not fair to the people across New South Wales, as they will be treated differently.

I am confident that if the evidence suggests there may be a threat to the water supply or health of local residents then the political action committee will recommend that the project not proceed. It is both mischievous and dishonest to suggest, as some have, that the Government wants to build this mine. The Premier and the Minister for Planning have made it abundantly clear in their statements that the proponents, the Wyong area joint coal project team, have put forward a proposal and the Government's role is to thoroughly assess this project. I have read all of the relevant material, which has raised issues that would lead me to believe that the current environmental assessment should not be approved. I will be making that clear in my verbal submission to the political action committee.

In contrast, the member for Terrigal demonstrates that he uses cynical vote-buying tactics which deliver empty promises to the community and he will wriggle out of them at the first opportunity. I, instead, have promised to be honest with my community, to work as hard as I can to represent them in this place, and to deliver better outcomes for them. Let me make it very clear: I remain vigorously opposed to any activity that would threaten our vital water catchment area or threaten the health of local residents. But I also rigorously support a process that is fair to every resident and business across New South Wales; not one under which politicians can whip out a letter because they think it will be popular and make decisions not based on fact.

Mr GREG PIPER (Lake Macquarie) [10.32 a.m.]: I support in large part the motion moved by the member for Terrigal. It is hard to argue against paragraphs (1) to (3) of the motion, which read:

- (1) notes the Government has not ruled out a proposed coalmine in the Wyong Valleys;
- (2) notes the Premier, when Minister for Planning in August 2009, allowed the proposed mine to proceed to an assessment stage;
- (3) notes that hydrological evidence shows that the proposal could seriously affect Central Coast water catchment and water security.

Those points are unarguable in the local Central Coast community and are key points as this matter continues to drag on. The Central Coast has been under the shadow of this matter for a long time and the residents are concerned. I do not fully support the intention noted in paragraph (4) of the motion about any comments of the member for the Entrance and the member for Gosford. I have no truck with the issues relating to the member for Wyong, who I know has been working hard on this issue. Paragraph (5) is not an unreasonable response at this point in time, namely:

- (5) calls upon the Government to immediately reject the proposal and to support the pledge given by the Leader of the Opposition in January 2009 to stop this mine.

I appreciate the requirement for the proper procedure of a merit-based assessment; however, there are certain issues and proposals that present an unacceptable risk. I believe the risk in this case has been shown to be unacceptable, and is certainly unacceptable to the residents of the Central Coast. The impact on this area generally would be in the Yarramalong and Dooralong valleys, which is entirely within the electorate of Lake Macquarie. I am proud of the representations received from the local community on this matter. The Australian Coal Alliance has been running a hard-fought campaign against this proposal, under the stewardship of Alan Hayes in particular. Those representations could not be considered as some sort of local community rabble working on some kind of popular sentiment. The level of assessment and technical consideration that has been brought to this matter has been second to none. In many ways they have put to shame some of the work that has resulted from other assessments, including the Chikarovski review and report.

This issue is really about three important matters on the Central Coast: the first, water; the second, water; and the third, water. Concerns are held for the protection of water supply for the significant population and commercial requirements of the Central Coast. Concerns are held also for the water supply of the natural environment within those particular valleys, and the potential impacts on the water supply for other rural and agricultural needs within those areas. Central Coast residents have shown that it is inherently reasonable for the Government to make a call on this matter at this stage. The motion of the member for Terrigal is not unreasonable and I support it.

Mr GRANT McBRIDE (The Entrance) [10.37 a.m.]: I thank the Opposition for allowing me the grace to participate in this debate. I only did one year of Latin. I am going to have to rely on the interpretation of the member for Terrigal of this Latin phrase, which is used in schools, because I cannot remember that one. Perhaps the school the member for Terrigal attended was focused on the fact—

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

Mr GRANT McBRIDE: My apologies. "Facta, non verba", he said: it is what one does that counts, not what one says. During a debate in Parliament on Thursday 10 June 2010, I made that very point. I did not use Latin words, but in the context of what one does, not what one says, I remind the member for Terrigal that I stated:

As to looking at the scorecard, during the time of the Labor Government the member for Terrigal has not taken a delegation or made a representation to [the Parliament or to] a Minister ... Not once in the 15 years that Labor has been in government has the member for Terrigal made representation [to the Labor Government]. Not one!

At the time the Central Coast was in crisis over its water supply, but not once did the member for Terrigal make any representation to me as the Minister for the Central Coast or to any other Minister responsible for water resources. It is widely recognised that we have had a 15-year drought and throughout the whole period the water catchment had become the primary focus of the entire community on the Central Coast. We recognised changes and restructuring needed to be implemented so that water resources were better managed to achieve better outcomes for our community. The remedy included implementation of the extension that the Government committed to in the original plan, which is known as the boomerang connection. Construction is underway now.

I reiterate the point: facta, non verba—in other words, do the job; don't just talk about it. The member for Terrigal did not do the job. In fact, he did not even talk about it. He was silent. He made no representations of behalf of the people in his electorate throughout 15 years of Labor government. When I put that proposition in Parliament, I did not say it just once; I said it a number of times. The member for Cronulla, who is entering the Chamber, was present when I made the point about the representations of the member for Terrigal.

In contrast, the Parliamentary Secretary Assisting the Minister for Education and Training, and Assisting the Minister for the Central Coast has been vigilant all along. Both he and I are at different times have made the statement in this House. On a number of occasions it was alleged that I had not made the statement, so I forwarded a copy of *Hansard* to Alan Hayes and said, "Look, mate, you've said I haven't said anything." The simple fact is that my statement is on the record of this Parliament and nothing has changed. Five years later nothing has changed.

Mr Chris Hartcher: You are right: nothing has changed.

Mr GRANT McBRIDE: In terms of the position I have taken.

Mr Chris Hartcher: Nothing has changed in five years.

Mr GRANT McBRIDE: A process is in place, and the process has not been completed. The member for Lake Macquarie is mayor of a local council and he knows from that experience that there are processes that must be undertaken for any project, large or small. Yet the member for Terrigal is suggesting we should just throw that away. Is that what he is suggesting? At one stage the member for Terrigal was tilting at being the Minister for the Environment, a position which he held for approximately two years and eight months. He knows about obligations to comply from his portfolio experience with environmental regulations. Any member of Parliament who does not comply is not doing his job. The member for Lake Macquarie knows that, and I notice he is nodding his head in acknowledgement.

The process that is being undertaken has been rigorous to the nth degree. The process ensures that we continually report back to the community so that the community knows what is happening, thus enabling the community to participate in ongoing interaction. But all we get from the Opposition is, "We don't like this. You should do something about it, and you should do something about it now." We do not hear anything from the Opposition about the process or the responsibility of government, and we certainly hear nothing about the responsibility of local members to their community.

Mr David Harris: And no participation in the process.

Mr GRANT McBRIDE: There was absolutely no participation in the process, and the member for Terrigal never put in a submission—not one. The member for Terrigal has not ever, in 15 years of Labor government in New South Wales, made a representation in documentary form to the Government or to Ministers

on any particular issue. I have no idea why he acts in that way. I think it has something to do with his upbringing. In conclusion I ask: Who were the three State Ministers who were all in the same class at the same school and at the same time, and who became Ministers in this Parliament?

Mr Chris Hartcher: Harry Woods.

Mr GRANT McBRIDE: No, I said "three". And who among those was the shortest-serving Minister of all? It was Chris Hartcher.

Mr CHRIS HARTCHER (Terrigal) [10.42 a.m.], in reply: As so many others have said, this is a kinder and gentler Parliament. On 15 June an editorial in the *Sydney Morning Herald* stated in relation to coalmining:

Water v coal is no contest ... [Sydney] needs its water protected more than it needs extra coal.

That statement sums up the issue. I thank the member for Lake Macquarie, who is also the Mayor of Lake Macquarie, for making that very point. This debate is all about water and protection of the Central Coast's water supply. This debate is not about process, procedures and more inquiries. We have had rigorous assessment and careful studies that have been sponsored by Australian coalmines. We have had opinions expressed by hydrological experts, we have had the experience of coalmines in south-western areas of Sydney contaminating the water supply system, we have heard concerns expressed about coalmines contaminating the water supply on the South Coast, and we have a world of scientific evidence that coalmines have the potential to contaminate water, because groundwater travels. I thank the member for Lake Macquarie for expressing the issue so succinctly. The issue is water, water, water. In contrast to that, the member for The Entrance and the member for Wyong are saying the issue is process, process, process.

I acknowledge the contributions made to the debate by the member for The Entrance and the member for Wyong. The member for The Entrance put it very well when he simply said that in five years nothing has changed. They were his words. This saga has been going on for year after year, through inquiry after inquiry and report after report. At each stage it gets closer to approval, at each stage a new hurdle is overcome, and at each stage there is a new readiness to make the final decision. There is no ruling out or rejection and no protection of water resources on the Central Coast but there is a new stage. The coal train may be moving slowly, but it is moving down the valley. In five years nothing has changed.

The Government has spent five years on this issue. The Labor Government has been in power for 15 years—and we have heard all about that—but nothing has changed. People who live on the Central Coast simply need to know whether their water supply is protected or not. Will the catchment area, which involves 53 per cent of the water catchment of the Central Coast, be protected or not? We all learn something every day, and if the member for The Entrance knows anything, it is the Latin maxim *facta, non verba*, or deeds, not words.

Mr Grant McBride: Point of order—

ACTING-SPEAKER (Mr Thomas George): Order! Does the member for The Entrance wish to take a point of order?

Mr Grant McBride: I certainly do. The member for Terrigal implies I have learned only one thing in this Parliament. I have learned this thing in this Parliament, which is part of the parliamentary record.

ACTING-SPEAKER (Mr Thomas George): Order! There is no point of order. The member for The Entrance will resume his seat.

Mr CHRIS HARTCHER: The member for The Entrance was the Minister for the Central Coast for approximately four years, and what did he achieve in relation to this issue? Zilch! The member for Wyong is the Parliamentary Secretary Assisting the Minister for Education and Training, and Assisting the Minister for the Central Coast, and what has he achieved in relation to this issue? The offices those members hold and the electorates they represent do not matter; what matters is that they are ineffective and ineffectual. As far as political process is concerned, they are eunuchs. They offer nothing to the people who live in The Entrance and in Wyong because they achieve nothing. They trade in words, not deeds. They continually talk and write submissions but, as the member for The Entrance so correctly stated, nothing changes. Nobody listens to them and nobody cares what they say. Yet the Premier, Ms Keneally, listens to the member for Gosford.

In her own quiet way the member for Gosford has upstaged both the member for The Entrance and the member for Wyong. She has showed them how things can be achieved. I publicly commend the member for Gosford because she got a result—she has stopped the Somersby Fields mine—but the member for The Entrance and the member for Wyong cannot stop the Wyong coalmine. As has been stated, a tsunami is approaching the Central Coast. It will strike on 26 March, hit The Entrance at seven o'clock and hit Wyong at eight o'clock. I will be there to confirm, like the Babylonian king who saw the writing on the wall, "Mene, mene, tekel, upharsin." They were weighed in the balance and found wanting.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 44

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

Noes, 36

Mr Aplin	Ms Hodgkinson	Mr Smith
Mr Ayres	Mrs Hopwood	Mr Souris
Mr Baird	Mr Humphries	Mr Stokes
Mr Baumann	Mr Kerr	Mr Stoner
Ms Berejiklian	Mr Merton	Mr J. H. Turner
Mr Besseling	Ms Moore	Mr R. W. Turner
Mr Constance	Mr Page	Mr J. D. Williams
Mr Debnam	Mr Piccoli	Mr R. C. Williams
Mr Dominello	Mr Piper	
Mr Fraser	Mr Provest	
Mrs Hancock	Mr Richardson	<i>Tellers,</i>
Mr Hartcher	Mr Roberts	Mr George
Mr Hazzard	Mrs Skinner	Mr Maguire

Pairs

Mrs Perry	Ms Goward
Mr Rees	Mr O'Farrell

Question resolved in the affirmative.

Amendment agreed to.

Question—That the motion as amended be agreed to—put.

The House divided.

Ayes, 45

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

Noes, 37

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

Pairs

Mrs Perry	Ms Goward
Mr Rees	Mr O'Farrell

Question resolved in the affirmative.

Motion as amended agreed to.

PROPERTY OWNERS IDENTIFICATION ON CERTIFICATES OF TITLE

Mr CRAIG BAUMANN (Port Stephens) [11.05 a.m.]: I move:

That this House calls on the Government to introduce legislation to ensure that property owners are accurately and uniquely identified on certificates of title.

For a State Government that is seriously lacking in vision, initiative or innovation, this is a motion it should be keen to support. This motion proposes a simple yet significant legislative amendment that could save the Government, as well as property owners, a great deal of money, time and stress. I have spoken about this issue countless times in the House, but it always seems to fall on the deaf ears of Government members. So I will explain once again why we need to change the system of how title deeds are recorded in New South Wales. In this day and age it may come as a surprise to many that when a person buys a property the certificate of title requires only a name for the new owner—no birth date, no tax file number, no drivers licence number, no passport number and no Medicare number. A title deed on a property only requires a name.

The ramifications of this can be, and in fact have been, very dangerous and, for some, devastating. This is a loophole that must be changed, and that is why we are here today. I will recap the case that exposed this

issue. It was a case involving a man in Newcastle who last year almost lost an investment property in Jesmond because of this problem. The man, who is a disability pensioner, went to see his bank manager about a car loan. One can imagine the shock and confusion he experienced when his application was refused because, according to the bank manager, he had a \$3 million debt. The Newcastle man began to investigate and discovered that a writ of sale had been placed on his Jesmond property by a Sydney couple through the Supreme Court. The problem was that this Newcastle man had been confused with a Sydney man of the same name who was involved in a lengthy legal battle that resulted in writs of sale being placed on his properties. Because of a lack of owner's details on New South Wales certificates of title, this man almost lost his home.

About the same time a constituent of mine came to see me about a similar problem. This woman was ready to buy her first home but on settlement day her application for the first home buyers grant and stamp duty relief was refused because records showed that a woman with the same name had bought a house in the 1980s and therefore she was not eligible for the grant or the stamp duty relief. The problem was that that home owner was not the distressed lady in my office. I managed to fight for my constituent and her case of mistaken identity was quickly resolved through a statutory declaration sent to the Office of State Revenue.

As for the Newcastle man, his property no longer has a writ of sale placed on it, but he is \$14,000 out of pocket in legal fees after fighting this bizarre and ludicrous mistake. He made numerous attempts to seek compensation from the Government for those legal fees. As far as I am aware, his attempts were ignored and the situation remains unresolved. A perfect example of how this loophole is used day to day is a story told by one of my colleagues. When he was in practice he finalised a will for a client. As it was executed he said to his client, "You've left out your major asset, your house." His client replied, "Don't worry. My son's name is identical to mine. I'll just give him the deed."

Allow me once again to elaborate on how this legal loophole can provide a cash haven for criminals and identity frauds. When I buy a block of land, I ask the real estate agent to issue a contract. His sale notes and the purchaser's name that appears on those notes form the basis of the information that the vendor's solicitor needs to issue a contract. The vendor's solicitor has no idea of a purchaser's true identity and the agent is only interested in his next commission. I do not doubt that I could find a solicitor or conveyancer who will act for me without being suspicious and without really knowing who I am. I use a bank cheque for the deposit, and the transfer and certificate of title would have the name appearing on the contract as purchaser and owner. I would settle the purchase with a bank cheque and walk away with a valid certificate of title and nobody really knows who I am. With a title deed, I would get a council's rates notice and probably utility bills. I am sure that with a bit of finetuning I could open a bank account in my alias, my new identity. This may have been sufficient in 1900 when the Real Property Act was introduced, but in 2010 it is ludicrous and rife with danger. It is a very easy way to hide or launder money.

The Government knows that this problem exists so it should no longer ignore it. I also raised this issue when we were debating the Births, Deaths and Marriages Amendment Bill that went through Parliament last year and when the Real Property Act was amended last year. However, I am still waiting to see this Government amend legislation to close that loophole. There is still no action. It was certainly wishful thinking on my part. I gave notice of a motion 12 months ago, and here we are debating the issue today. I appeal to Government members to put aside politics and support this simple and straightforward motion that could ultimately save taxpayers and homeowners a great deal of money.

Government members who vote against this motion are basically admitting they have no intention of improving the running of this State. They have no intention of protecting taxpayers from possible compensation payouts and saving property owners from losing their property. The Government must address the ridiculous practise of issuing title deeds without recording basic personal information. People have to show more proof of identification to join a library than to purchase a property in New South Wales. I would be surprised if the Land and Property Management Authority could even contact owners without relying on council's rate databases, as the Valuer General already does. With such loose requirements for issuing a title deed, what is to stop a criminal from identifying a neglected block of land, searching for owner details, filling out a statutory declaration in the owner's name to have the Land and Property Management Authority replace his lost title deed, and with that title deed proceed to sell that block of land?

If I had a criminal intent, I would also probably keep an eye on death notices and look for a recently deceased person without family, preferably elderly. I would keep an eye out for death notices submitted by RSLs, bowling clubs and so on, without a family notice for the same person. A simple check of the Land and Property Management Authority database, which is a public database, would show me whether the deceased

owned any land. If there were a match, I would make a statutory declaration to get a replacement title deed, and a quick sale. If the person does not have a mortgage or close family, it probably would not be noticed for quite some time. If Government members have any intention of fixing just some of the extensive problems in New South Wales, in what are shaping up to be their last few months in government, I urge them to do the right thing by the people of New South Wales and support this motion.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [11.13 a.m.]: The Torrens system of land title in New South Wales is one of the most efficient in the world. It provides the people of this State with secure land ownership and a cheap and efficient conveyancing system. In the past I purchased a house under the old systems title, and I can vouch for the fact that Torrens title is a considerable improvement on what existed previously. It is cheap, efficient and secure. The Torrens system is overseen and operated by the Land and Property Management Authority. That authority operates the largest centralised land title registration authority in Australia and is widely acknowledged as a world leader in land records management, with the proven ability to keep pace with increasing demand for efficient access to land information.

A range of legislation governs the system of land ownership in New South Wales. The principal Acts are the Real Property Act 1900 and the Conveyancing Act 1919. There is also legislation covering strata and community title. A core underlying principle in all this legislation is the requirement to accurately identify parcels of land and maintain current records of ownership and other interests for each parcel. The current owner of each parcel is already recorded on the certificate of title. The Government is firmly of the opinion that there is therefore no need to introduce further specific legislation, as those opposite have raised. I look forward to the member for Port Stephens in his reply committing the Coalition, if it ever comes into government, to introducing legislation along the lines he suggested. I look forward to his firm commitment of the legislation and an outline as to how it will work. The Government opposes the motion.

Mr ANTHONY ROBERTS (Lane Cove) [11.15 a.m.]: It is with great pleasure that I support the motion moved by the member for Port Stephens and, in doing so, I thank him for bringing such an important issue to the attention of the House. The member for Port Stephens has identified an issue that is causing grief and extensive legal battles for many victims within the broader community. What is the Government's response? Once again, it ignores the problem. This Government ran out of excuses for ignoring the community of New South Wales about eight years ago. I understand that there are only 197 days before the next election. This State will be able to breathe freely when it has a government that will put in place good legislation to protect it.

When the member for Port Stephens asked for support of his motion I did a double-take and wondered what on earth it was about. What did he mean that the deed of a property did not even identify its owner? Surely it was a mistake. However, unlike the Government, I looked into the problem. The member for Port Stephens, who should be commended for moving this motion, showed me example after example of people who have lost out due to confusion over property deeds. As the law currently stands, a certificate of title need only show the name of the property owner. In the cases highlighted to me by the member for Port Stephens, this has led to a plethora of issues surrounding the ownership of property.

In the view of members on this side of the House, ownership of property is a key platform in our society. Homes are normally the average person's major asset. There are stories of people having to fight lengthy legal battles after their property has been mistakenly taken following the bankruptcy of another citizen with the same name. This case was obviously fought vigorously by the rightful owner of the property and the man managed to retain his property. The sad ending to the story is that he is now nearly \$15,000 out of pocket in legal fees and does not look likely to recoup those losses because this Government cannot devise a method to uniquely identify property owners. It is little wonder that the people of this State cannot trust the Government to deliver on even basic services when it cannot deliver the right of a person to the safe possession of their own home.

There have been stories of people being refused the first home owners grant or stamp duty relief because of confusion by the Federal bureaucracy as to whether that person has previously owned property. That has resulted in people having to make statutory declarations to detail the circumstances of their past and present property ownership. The situation is simply absurd. There have even been cases where property has been left out of a will by parents as they simply chose to give the deed to an offspring with the same name. Those circumstances are all, obviously, unacceptable and ones that one would expect in a Medieval society prior to the printing press, rather than in a modern society like that of New South Wales. With a commonplace names like mine—

Ms Noreen Hay: You're not common!

Mr ANTHONY ROBERTS: The member for Wollongong is most gracious. I must be careful. The Government needs to take action urgently on this issue to stop more situations such as those I have detailed to the House from arising. I urge the House to support this motion. Together with members representing the electorates of Cronulla, Ryde and Baulkham Hills, I pay tribute to and acknowledge the fine work of the member for Port Stephens in relation to his motion. I acknowledge also the member for Wollongong and the member for Macquarie Fields. I urge the House to support this motion. I ask the Parliamentary Secretary to seek further advice because while there may not be a large number of these sorts of cases they are very important.

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [11.19 a.m.]: I have listened carefully to the debate. Whilst it is very interesting listening to Opposition members seek to pre-empt what the electorate may or may not decide to do at the next election, I think it is a bit rude to suggest that voters know what they are going to do. My colleague the member for Macquarie Fields has just explained that the Torrens system of land title already provides the people of this State with secure ownership of their land. The system relies on the professionalism of the conveyancing industry—legal practitioners, conveyancers, financial institutions and the like.

Every property transaction must be supported by legal documents signed and witnessed by all parties. It is these documents that certify the identity of purchasers of land. The Land and Property Management Authority register these documents and new certificates of title are issued to reflect changes in ownership or other interests on title. It is inevitable that a number of people within our society will share identical personal details, such as names. Individuals are regularly called upon to verify their identity and prove that they are who they claim to be. This is no different for owners of land. I would be interested to hear the Opposition outline its proposed legislation. I would also be interested to know whether there are differences between its proposed legislation and the motion we are debating today.

Mr WAYNE MERTON (Baulkham Hills) [11.21 a.m.]: I support the excellent motion moved by my friend the member for Port Stephens, a member who during the period of his participation, elevation and election to this House has served the people of Port Stephens with great distinction. I admire him and I appreciate and respect his tenacity in pursuing this important issue. Both today and previously he has given the House first-hand illustrations of what has happened to people in cases of mistaken identity or, in some cases, assumed identity. It is a major problem.

I ask members to imagine the distress of the Newcastle man who went to his bank seeking to obtain a loan to buy a car and was told by the bank manager, "I'm sorry, we can't help you because you already owe \$3 million." I am sure that many of us would have fainted on the spot. That was the situation that confronted a constituent in the Newcastle area when he applied for a loan to buy a car. The reality was that he did not owe the bank \$3 million and that his property had been, by virtue of mistaken identity, subject to a writ called 5A, as I remember. It is a writ of sale lodged against a person's title pursuant to a judgement and thereby the property can be sold to recover the unpaid judgement debt. The motion moved by the member for Port Stephens proposes that a stricter form of identification when people purchase property so that there cannot be confusion or a mistake insofar as identity is concerned. That is an excellent idea.

Dr Andrew McDonald: Tell us about the legislation you are going to bring in.

Mr WAYNE MERTON: I really admire the member for Macquarie Fields. Perhaps he would like to talk about the change of government; I would be only too pleased to accommodate him. I remind him of the 25 per cent swing in the recent Penrith by-election; people decided they had had enough of the Labor Government and wanted a change. Likewise, I look with great confidence to my dear friend the member for Ryde—unfortunately, he achieved only a 23 per cent swing towards him during the by-election in his electorate! He feels somewhat inadequate when comparing the 25 per cent swing—

Ms Noreen Hay: He is inadequate.

Mr WAYNE MERTON: He is not inadequate at all; I know the member does not mean that. When I look across at my friends on the other side of the House, I recall that they once held safe seats. They were the pillars of Labor's heartland—

Ms Lylea McMahon: And continue to be.

Mr WAYNE MERTON: Well, the wheel of time has turned—and the great political wheel turns, as we have all seen. Only a few months ago the Federal Labor Government had a majority of 15. It did an excellent job, but somehow it did not quite get the votes and it lost a lot of seats. But getting back to the subject—

Ms Lylea McMahon: Point of order. I ask my colleague the member for Baulkham Hills to resume his seat while I take my point of order.

Mr WAYNE MERTON: I would be pleased to do so.

Ms Lylea McMahon: I find his commentary enormously entertaining so I take my point of order with great reluctance. He has strayed somewhat from the topic at hand. I would like him to be brought back to the leave of the motion.

Mr WAYNE MERTON: In essence, realistically when there is a transfer of land the date of birth of the transferee should be inserted in the transfer document and form part of the record so that cases of mistaken identity can be reduced dramatically. That would be a step in the right direction. I support the motion.

Mr CRAIG BAUMANN (Port Stephens) [11.26 a.m.], in reply: I thank the member for Macquarie Fields, the member for Lane Cove, the member for Wollongong and, in particular, the member for Baulkham Hills—who found out about my motion three minutes ago—for their contributions to the debate. The member for Macquarie Fields said exactly what I am saying. He said that under the current legislation the owner is recorded. I am not disputing that. All I am saying is that we cannot be sure who the current owner is. There is always a current owner on a certificate of title, but we cannot be sure who that person is. He is asking for a commitment from an Opposition backbencher and, although I would like to give that commitment, I am not in a position to do so. However, I am doing all I can to fight for this change.

The member for Wollongong mentioned security of ownership of land. I completely agree. It is something we should be able to take for granted; we should be secure in our ownership. Many conveyancers and solicitors may not be as thorough or as experienced or as professional as our colleagues in this place. I, for one, have dealt with many lawyers of varying standards during my career. Some of them are probably still using the Real Property Act 1800—if there was one then!

My motion is relatively simple. It is important that individual owners of property are uniquely identified, and that is all we are calling for. It is not too much to ask. I have cited cases where owners experienced expense and great stress due to confusion about ownership. I am particularly worried because the system could easily be used by criminals to launder funds. These days property, by its very nature, is reasonably expensive. It is not transportable, but it can be rather valuable. I am quite sure that anybody wanting to get rid of large amounts of cash could use the system to purchase land without anybody ever being able to track it. I ask the House to support my motion.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 38

Mr Aplin	Mr Hartcher	Mr Roberts
Mr Ayres	Mr Hazzard	Mrs Skinner
Mr Baird	Ms Hodgkinson	Mr Smith
Mr Baumann	Mrs Hopwood	Mr Souris
Ms Berejiklian	Mr Humphries	Mr Stokes
Mr Besseling	Mr Kerr	Mr Stoner
Mr Cansdell	Mr Merton	Mr J. H. Turner
Mr Constance	Ms Moore	Mr R. W. Turner
Mr Debnam	Mr Page	Mr J. D. Williams
Mr Dominello	Mr Piccoli	Mr R. C. Williams
Mr Fraser	Mr Piper	<i>Tellers,</i>
Ms Goward	Mr Provest	Mr George
Mrs Hancock	Mr Richardson	Mr Maguire

Noes, 45

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

Pairs

Mr O'Dea	Mrs Perry
Mr O'Farrell	Mr Rees

Question resolved in the negative.

Motion negatived.

ILLEGAL FIREARMS

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [11.39 a.m.]: I move:

That this House:

- (1) congratulates the Government and the Minister for Police on the recent successful operation which saw a cache of 12 illegal firearms seized in the Wollongong area;
- (2) acknowledges the hard work and continued commitment of the Wollongong Local Area Command in arresting a number of people over the sale and possession of illegal weapons including a World War II machine gun; and
- (3) notes that the success of this operation is a serious blow to criminals in the Wollongong local area and is the result of extremely good police work.

I am saddened by the death of a young policeman, Constable William Crews, who died this morning after sustaining injuries whilst carrying out his duties. I extend condolences to his family and loved ones. My motion acknowledges the great work of the Wollongong police. However, it is important to place on record that sometimes members of the community take for granted the great work that is done by our police men and women who every day put their lives on the line. I am advised that the young man who paid this ultimate price was only 26 years of age—a very young age to be out on our streets and protecting the community. I express gratitude to every police officer in New South Wales for the work that they do.

In September last year, Wollongong police arrested three men over the sale and possession of illegal firearms, including a World War II machine gun. After several weeks of investigation, police seized a cache of 12 firearms, including a World War II Bren light machine gun, a homemade machine gun, a 12 gauge shotgun and a number of pistols—a total number of 26 firearms. Let me give this matter some context. The Bren gun, which is capable of firing up to 520 rounds a minute and has a maximum range of 1.5 kilometres, is hardly necessary for any of the genuine reasons such as primary production or pest control, which this Government's extensive controls on firearms require in issuing a permit to acquire a firearm. Weapons of this nature are built for one reason only, that is, to hurt people.

In addition to seizing illegal firearms, police found eight motor vehicles, \$47,000 in cash, steroids and prohibited drugs. A further search of a storage facility at Padstow revealed 60 firearms, two police ballistic

vests, a camouflage ballistic vest and a large quantity of ammunition. I am pleased to inform members that the seizure of these firearms has been a serious blow to criminals in our area and the result of very good police work. Today I pay tribute to detectives in Strike Force Bowl, who have been focused on investigating the supply of illegal weapons in Wollongong. Last year's seizure shows that local police are being proactive in trying to cut off the supply of weapons as soon as possible. At the end of the day it is not just about responding to crime; it is about preventing it in the first place.

I commend the continued hard work and commitment of the Wollongong Local Area Command. I congratulate in particular detectives in Wollongong for this enormously successful investigation. I am proud that this Government has put in place a strong legislative and administrative framework that governs the use of firearms in this State. The Firearms Act 1996 makes it clear that firearms possession and use in New South Wales are a privilege—a privilege that is conditional on the overriding need to ensure public safety. The New South Wales Act is the gold standard for States across the nation, setting some of the toughest regulatory regimes for firearms in the country. The Act continues to incorporate the principles of the National Firearms Agreement formulated in 1996 after the Port Arthur massacre.

Key features of the National Firearms Agreement and the Act include the introduction of a total ban on military-style automatic and semi-automatic firearms; limiting the availability of non-military style semi-automatic rifles and shotguns to primary producers, professional vermin exterminators and a limited class of clay target firearm shooters. In addition, the key features include the introduction of registration for all firearms, including long arms, grouping firearms into five broad licensing classes—A, B, C, D and H, with varying controls for each category. Further, it requires that all licence applicants must establish a genuine reason for firearms ownership; requires all licence applicants, other than those applying for category A firearms, to establish that in addition to genuine reasons they have a genuine need for the particular category of firearm. Furthermore, it includes the introduction of permits to acquire for all new firearm purchases with a mandatory waiting period of not less than 28 days; strict storage requirements for all firearms; and requires all sales to be conducted by or through licensed firearms dealers.

In 2002 this Government moved again to strengthen the regulation of firearms. Following another horrific incident in Victoria, in 2002 the National Handgun Agreement sought to restrict the availability and usage of handguns, in particular, concealable weapons. The provisions of this agreement were incorporated into New South Wales law, and included a system of graduated access to handguns for legitimate sporting shooters based on training, experience and event participation; giving shooting clubs greater access to information by requiring a prospective member to produce a police clearance prior to acceptance as a member, information on other shooting clubs a person belongs to and his or her current ownership of firearms; more stringent requirements to prevent club shopping by potential members of gun clubs, including better access for clubs to information from licensing authorities; and allowing the Commissioner of Police in each jurisdiction, subject to appropriate safeguards, to refuse and revoke firearms licences and applications on the basis of criminal intelligence and other relevant information.

This robust regulation of firearms in New South Wales has protected and continues to protect families in Wollongong and around this State from the worst kind of crime, that is, gun-related crime. This tough regime has contributed to some outstanding national results in gun crime that are confirmed by academic research. According to research published in June 2007 by Andrew Leigh and Christine Neill from the Australian National University Centre for Economic Policy Research entitled "Weak Tests and Strong Conclusions: A Re-Analysis of Gun Deaths and the Australian Firearms Buyback", the removal of 600,000 guns from circulation since 1996 has resulted in a sharp reduction in suicide and murder rates across the nation. This has resulted in 250 fewer firearm deaths per year after the implementation of the National Firearms Agreement principles in State law than would have otherwise been expected.

According to the University of Sydney, this means that the risk of dying by gunshot has halved over the past 12 years. In addition—according to the Australian Institute of Criminology—between 1996 and 2007 gun theft dropped by 70 per cent. In the 18 years prior to the Port Arthur massacre there were 13 mass shootings whilst in the 14 years since there have been none. At the end of the day, what matters more than academic research are the results on the ground. I am pleased that this motion has arisen in such a timely fashion to coincide with the release yesterday of the latest statistics on major categories of crime by the Bureau of Crime Statistics and Research—the State's independent crime statistician. Yesterday members heard that in the 24 months to June 2010 this year crime was stable or falling in all of the 17 major categories of crime across the State. I am particularly proud that this trend was reflected in my home town.

The June quarterly report of the Bureau of Crime Statistics and Research showed that in the two years to June 2010 crime had fallen or remained stable in all 17 major crime categories in the Wollongong Local Area Command. In the Wollongong Local Area Command, the categories to record major drops in crime include: assault, non-domestic violence related, 35.1 per cent; break and enter non-dwelling, 16.6 per cent; and malicious damage to property, 14.7 per cent. This is fantastic news for our community, and our local police deserve to be congratulated on the result. This demonstrates what happens with a Government happy to support police by introducing laws needed to regulate and control the possession and use of guns and other accessories that facilitate crime. Our police are out there every day protecting hardworking Wollongong families, and they should take pride in these results. The New South Wales Government is committed to supporting police in their efforts to reduce crime in all the major categories to make New South Wales and Wollongong safer places in which to live and work. [*Time expired.*]

Mrs SHELLEY HANCOCK (South Coast) [11.49 a.m.]: We are probably all singing from the same songsheet this morning. I commend the member for Wollongong for moving this motion. I join her in expressing profound sadness at the death of the young police officer in Bankstown last night resulting from a drug raid. As the mother of a police officer, every day I am concerned about his safety and that of his colleagues. This place must debate at some stage how we can better protect the men and women of the New South Wales Police Force. While we are all tucked up safely in our beds at night, few of us really appreciate what is happening on the streets and the dangerous situations in which our police men and women are involved. They need to be congratulated and protected. We must do whatever we can to punish the perpetrators of the crime committed last night by bringing down upon them the full force of the law.

The message needs to be strongly conveyed to the community that if you assault, shoot or kill a police officer, the full force of the law will be brought upon you. The member for Wollongong indicates her agreement, as I knew she would. Many members of this place have relatives in the New South Wales Police Force and we think about their safety every day. At some future stage, we need to consider strengthening police protection in a bipartisan fashion. I support the motion, but I move an amendment that slightly affects the wording of paragraph (1). I move:

That the motion be amended by leaving out the words "congratulates the Government and the Minister for Police" in paragraph (1), and inserting instead:

congratulates the men and women of the NSW Police Force.

Paragraph (2) certainly acknowledges the work of the police in the Wollongong Local Area Command, but as I stated during debate last week with the member for Kiama, with any successful operation, as clearly occurred in Wollongong, we should first congratulate the men and women of the New South Wales Police Force, and particularly the local area commander. The member for Wollongong advises me that Kyle Stewart, the former wonderful Shoalhaven local area commander, is still the Wollongong Local Area Commander. Our loss is their gain and the member for Wollongong is fortunate to have him in her area. I note also the presence in the House of the member for Shellharbour, whose electorate falls under the same local area command.

We have been blessed with quality local area commanders over many years. Often they swap and change commands but they bring fantastic leadership to all areas and have done for a long time—people such as Wayne Dedden, the local area commander of Shoalhaven and then Wollongong, and now of course Kyle Stewart at Wollongong. My proposed amendment does not change the motion, but the Government or the Minister for Police should not take credit for what is essentially a police operation as they probably had little knowledge of it. Obviously, the Government is responsible for resourcing the Police Force, but it was not responsible for this particular successful operation that resulted in the seizure of the cache of 12 illegal firearms in the Wollongong area. Those involved took part in an extremely dangerous operation when dealing with people possessing illegal firearms. I appreciate the comprehensive rundown by the member for Wollongong of legislation with respect to illegal firearms in this State. As a community we need to work harder to ensure that illegal firearms are wiped out because they perhaps were used in the death of the young police officer last night—I do not know.

This brings me to my favourite subject of police resourcing. I spoke twice about this subject last week in a debate with the member for Kiama and in a private member's statement. This week the Government cited Bureau of Crime Statistics and Research statistics to demonstrate that crime is down in every category we have been discussing. That is not exactly the case with domestic violence or drug matters such as cocaine use.

Some categories are of concern and we simply cannot gloss over past issues in our electorates. In my electorate of South Coast the Police Association has expressed concern at the lack of police strength numbers.

I am sure that the police men and women in your electorate of Baulkham Hills, Mr Acting-Speaker, would be concerned about the lack of police resources. Every local area commander wants increased strength numbers in their commands, so it is time we started listening. Morale is low amongst the men and women of the New South Wales Police Force, who carry out these dangerous duties daily.

The New South Wales Police Association told me about difficulties in filling rosters not just in my local area command but also in others across the State. We can talk all we like about actual and authorised strength numbers, but unless we understand the operational strength, which is the real number of police men and women not available for duty on a daily basis, we are hiding the real availability of police men and women to fight crime on the streets. Up to 30 officers out of 138 in the Shoalhaven may be on sick leave, stress leave or parental leave and cannot be counted in the operational strength of the command. This is leading to the morale problem and to the Police Association expressing as it did last week in the *South Coast Register* that the Shoalhaven local area command is critically short of numbers.

Of course, we welcome new police recruits from Goulburn Police Academy to every electorate. We always like to meet new probationary constables, but they will not make a difference to our authorised strength because when their probationary period is completed they may be, and often are, transferred elsewhere. We must examine the resources across the State, especially in rural and regional areas like Shellharbour and Wollongong where the tyranny of distance leads to police resourcing crises. Obviously, if an incident occurs in an outlying village, it could take an hour and a half in those regions before a police officer is on the doorstep, even for a critical incident.

We must consider whether police resources have been allocated adequately and appropriately to local area commands, not just based on crime statistics but on other issues such as geography. That is why the country members in this place who represent rural and regional electorates talk daily about resource problems within their local area command. We must engage in real debate about police resourcing as this issue can no longer remain hidden. Whether it is the member for Wollongong, the member for Shellharbour, the member for Kiama or myself, we have to determine whether we are being resourced fairly because we are in different situations compared to the local area command of Sydney, for example, which covers a much smaller geographical area.

We want our fair share of police resources. We do not want the men and women of the Police Force telling us about morale problems. More importantly, I do not want a repeat of the Police Association threatening industrial action because of morale, which has happened twice in the Shoalhaven Local Area Command. The situation has become so serious that the association talks about taking industrial action. That is a fairly unprecedented step in the New South Wales Police Force. The association knows its members have a dangerous job to do and threatening to take industrial action is a serious step. We must listen to our Police Force.

In my view we have not been listening. Instead we have been trying to take credit for driving down crime statistics and for a successful police operation in Wollongong, to which the member for Wollongong alluded. However, we can no longer ignore what police on the beat are telling us. As I stated at the outset of this debate, we must have a debate about protecting our men and women of the New South Wales Police Force at all costs, and at every cost. Whatever we can do to protect them when they are out on the streets fighting crime at three o'clock or four o'clock in the morning we must do. I commend the member for Wollongong for her dedication to the men and women of the New South Wales Police Force, but I urge members to vote in favour of the amendment because first and foremost we should congratulate our police officers.

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [11.59 a.m.]: I acknowledge the sad circumstances that resulted in the death of a police officer this morning and extend my condolences to his family. I recognise the bravery of not just that police officer but of all officers of the New South Wales Police Force. I admire the bravery they exhibit every day when they place themselves in dangerous situations to protect and safeguard our community.

I thank the member for Wollongong for her concern about illegal firearms in Wollongong and throughout other areas of the State. I note that the crooks caught by the police in Wollongong last year had been involved in the biggest illegal firearms trafficking operation ever detected in the Illawarra. Between June and August last year some of the crooks allegedly pocketed \$71,000 from the sale of prohibited weapons, including submachine guns, pump-action shotguns and ammunition. Their activities were uncovered only when they sold guns to undercover police officers. As my colleague mentioned, one of the weapons was a Heckler and Koch nine millimetre submachine gun capable of firing 800 rounds a minute.

I am pleased to note that the work of police last year in seizing those illegal firearms was not restricted to Wollongong. In addition to the outstanding work undertaken by police at the local area command level to target illicit firearms, a specialised squad within the State Crime Command also is focused on this issue. The firearms and organised crime squad, as its name suggests, focuses on trade in illicit firearms for the purposes of organised crime right across New South Wales. Now boasting a strength of 49 authorised sworn personnel, the squad is achieving some impressive results in removing significant quantities of firearms from the hands of people who seek to use them to engage in crime.

For example, Strike Force Comrie, which ran between November 2008 and February 2009 across Sydney and Horningssea Park, resulted in two arrests, six charges being preferred, and the seizure of 13 firearms as well as ammunition, handcuffs and other prohibited weapons. The charge carries a maximum penalty of 14 years imprisonment. Strike Force Maccabe in September 2007 and April 2008 across Woonona, Liverpool, Cabramatta and Green Valley resulted in four arrests and 43 charges were preferred. The offences included four counts of selling a firearm to a person not authorised to possess it and eight counts of supplying a commercial quantity of a prohibited drug. Three firearms, as well as approximately \$10,000 worth of jewellery and a quantity of ecstasy, were also seized.

Strike Force Ancona ran between October 2008 and January 2009 across North Balgowlah and Razorback. As a result of that operation one arrest was made and 23 charges were preferred, including 14 counts of possessing an unregistered firearm. A total of 18 firearms were also seized, including three handguns, as well as ammunition, almost 25,000 in cash, and a supply of cannabis. Strike Force Clough ran from April 2008 to May 2009 across Ingleside and Campbelltown. As a result of that operation two arrests were made and 61 charges were preferred, including four counts of possessing an unauthorised prohibited firearm. The charges carry a maximum penalty of 14 years imprisonment. A total of 25 firearms were seized, including three handguns as well as ammunition, firearm magazines and a crossbow.

The brief summary I have given highlights the important work undertaken by the firearms and organised crime squad. The summary illustrates the very specialised police work that can be undertaken when police are given the staff and resources to stay ahead of crooks. I am proud to state that the Government constantly backs up the police with resources they need to ensure that their operations are successful. Police recruits are joining up in record numbers, and they are staying in the force longer. The Government is delivering record police numbers to New South Wales, and our police strength now stands at 20.5 per cent more than when the Coalition was in government.

Mr MALCOLM KERR (Cronulla) [12.04 p.m.]: Before expressing support for the amendment moved by the member for South Coast I extend my sympathy and the sympathy of people who live in my electorate to the family and friends of the police officer who died this morning. I am sure I speak for all members of the House when I say it shows the price paid to enable citizens of the State to live in an ordered society. We should never forget the sacrifices that police officers may be called upon to make on our behalf, that any one of them may be called upon to sacrifice his or her life at any time, and that police officers suffer serious injuries in performing their duties. For those reasons I ask all members to support the amendment moved by the member for South Coast.

The New South Wales Police Force has very little for which to thank the Government in terms of resources and powers provided to ordinary serving officers. The 1995 budget of the Coalition government provided for the upgrading of the Cronulla police station. Yet in 2010 police officers who are attached to the Miranda Local Area Command are forced to work in appalling conditions in Cronulla. The summer season approaches, with the concomitant increased activities in my electorate and a good deal of misbehaviour as well as criminal activity. In spite of that, police officers in my electorate have not been provided with adequate resources to cope with the increased criminal behaviour that is likely to occur. Cronulla attracts like a magnet people from all areas of Sydney and interstate in the summer months.

Unfortunately, we have witnessed today an attempt by the Government to take credit for reduced incidences of crime that actually should be attributed to hardworking police officers. While the improvement in overall crime rates is welcome, I hesitate to mention the term "overall" because statistics and averages can be quite misleading and demonstrate no real connection with what is happening on the streets or in local neighbourhoods. As the member for South Coast stated, the cocaine trade, which is a very serious problem and poses a serious threat to every citizen of New South Wales, is increasing. It is not just drug taking or drug trading that is involved; the cocaine trade spills over into a whole range of criminal offences. As the member for Keira knows, the drug trade is responsible for a large number of robberies and assaults when desperate addicts try to obtain funds for their deals.

As stated in the amendment moved by the member for South Coast, the Government should be providing additional resources for police. The real test of the effectiveness of any police force is reflected in operational statistics. The member for South Coast referred to the spectre of industrial action looming in her electorate because of inadequate police resources. Members who speak in this debate will pay tribute to the New South Wales Police Force and the calibre of the officers serving in it. The raising of the threat of industrial action shows how desperate the situation has become. Police feel that their only recourse to draw attention to the desperate situation and to alert their fellow citizens about how badly the situation has developed is to take industrial action. That response would be opposed to the instincts of all serving police officers, yet they see it as being for the greater good.

Mr DAVID CAMPBELL (Keira) [12.09 p.m.]: I support the motion moved by the member for Wollongong and I place on record my support for and congratulations to the hardworking police across New South Wales. At the moment the New South Wales Police Force has a sworn authorised strength of 15,556—record numbers of police—with another 400 to come by the end of the next calendar year. Those police are allocated operationally by the Commissioner of Police, as is appropriate. I endorse and support the work of the commissioner and the Police Force. I extend my sympathy to the family and friends of the late Constable William Crews, who died in the line of duty overnight. I am pleased that the police are interviewing a suspect and potentially laying charges. I extend my sympathy and support not only to the family and friends of Constable Crews but also to the police family, because I understand that it is a challenging time when one of their own is lost in the line of duty, as we saw overnight.

Because of the efforts of that record number of 15,556 police, crime is on the back foot in New South Wales. That fact is borne out by the latest figures from the Bureau of Crime Statistics and Research. Those statistics speak for themselves, with the figures in 17 categories of crime stable or falling, as measured by the bureau. Those latest figures highlight the positive record achieved by police in relation to tackling, for example, firearms-related crime over the past 14 years. For example, 26 murders involving a firearm were recorded in 1997. For the first six months of 2010 this figure was down to five. In 1997, 210 assaults involving a firearm were recorded. For the first six months of 2010 that figure stands at 82. I accept that that is 82 too many. In 1997 there were 1,224 robberies involving a firearm recorded by police. In the first six months of 2010 this figure has fallen dramatically to 174.

If more proof were needed of the improvement in the past year alone, I ask members to note that between April 2009 and March 2010 police recorded 737 criminal incidents involving a firearm—down from 865 incidents for the same period during 2007-08. This remarkable record is due to a range of factors, including the Government's strong commitment to implementing the national firearms and national handgun agreements. These agreements and the associated government-funded buybacks of firearms saw many thousands of guns removed from local communities, making firearms more difficult to access. In fact, in the first three months of this year alone New South Wales police destroyed 3,120 dangerous weapons and almost 1,575 kilograms of ammunition. Over the past three years 50,000 weapons and more than 21 tonnes of ammunition and dangerous goods have been destroyed by the police weapons ordinance and disposal unit.

That is because the Government and the police are committed to getting dangerous weapons off our streets. The message from this Government is simple: register your firearms or if you are caught they will be seized and destroyed. I commend the police for continuing to seize and destroy these illegal weapons to protect the community. I also note that ensuring that the guns in our community are stored safely and registered to responsible owners plays an important role in driving down gun-related crime. The majority of responsible gun owners have heard the Government's message loud and clear: own a firearm lawfully or you will not have one at all. That is why we have supported the national reform by maintaining strong firearms laws with severe penalties for unauthorised possession and misuse of firearms.

New South Wales police are undertaking a range of audits relating to the safe storage of firearms. That follows the successful amnesty conducted in 2009, which saw more than 8,000 firearms and prohibited items surrendered to police for destruction, as well as a comprehensive audit of the New South Wales Firearms Register. As I said, New South Wales has record numbers of police on the beat day in and day out. They are doing the job with the support of the Government. The outcome of that work is seen in the latest Bureau of Crime Statistics and Research figures.

Ms NOREEN HAY (Wollongong—Parliamentary Secretary) [12.14 p.m.], in reply: I acknowledge the contributions of the member for South Coast, the member for Shellharbour, the member for Cronulla and the

member for Keira. At the outset I indicate that I take on board the comments of the member for South Coast. I appreciate that a member of her family is a policeman. As I said earlier, we should appreciate the work done by police all the time because they put themselves on the line—

Mrs Shelley Hancock: Do you accept the amendment?

Ms NOREEN HAY: It is difficult to compliment the member for South Coast for her contribution when she is interjecting. I am trying to agree with some of her comments. I do not accept the member's amendment. My motion congratulates Wollongong Local Area Command, which looks after my electorate of Wollongong. As members opposite continue to say in this place, at the end of the day the Government and the Minister for Police take responsibility, and what has been happening is a team effort between the Government, the Minister for Police and Wollongong Local Area Command.

Mr Thomas George: Point of order: I point out to the Parliamentary Secretary that the wording of the motion is "acknowledges", not "congratulates".

ACTING-SPEAKER (Mr Wayne Merton): Order! There is no point of order. The member for Wollongong will proceed.

Ms NOREEN HAY: If the member for South Coast wanted to change the word "acknowledges", she should have moved an amendment to that effect. However, she did not do so. Nonetheless I am happy to place on record—as I do publicly many times, not only in this place and not to score political points—that I acknowledge and congratulate Wollongong Local Area Command on its record. Also, I work closely with the Wollongong Local Area Commander, Kyle Stewart, who is acting as regional commander at the moment. I have good relations and regular discussions with Wollongong Local Area Command, as I do with Lake Illawarra Local Area Command. Mick Whelling and his guys do a magnificent job. It is a great shame that the member for South Coast could not support a motion in the spirit in which it was intended, that is, to congratulate Wollongong Local Area Command—

Mrs Shelley Hancock: Accept my amendment!

Ms NOREEN HAY: The member for South Coast will have noted that I congratulated Wollongong Local Area Command. I will not do what the member did, that is, play politics by trying to remove the references to the government of the day and the Minister of the day, as if they were irrelevant to what is happening. The Government is delivering record police numbers, which now stand at 15,556.

Mrs Shelley Hancock: That's 120 less than last month.

Ms NOREEN HAY: The member for South Coast should not make me remind members of what the police got under the Greiner Government. There has been an increase of more than 20.5 per cent since the Coalition was in power. Another 400 police positions are on the way by December 2011, bringing the contingent to nearly 16,000. This year's Police budget has an additional \$34.9 million set aside to fund the extra 250 authorised strength positions which come on line in January. With the fourth largest police force in the English-speaking world, this Government has been successful in driving down gun-related and other crimes throughout New South Wales by resourcing and working with the New South Wales Police Force. I also congratulate the Commissioner of Police.

I reiterate that according to the latest crime statistics from the Bureau of Crime Statistic and Research, crime is falling in all 17 major categories across New South Wales. Whilst I congratulate my local area command, it is pathetic that the member for South Coast is trying to remove her pinnacles, for example, whether we recognise the Minister who takes responsibility for the portfolio. She diminishes the whole argument about the Government, the police and Ministers working together as a team to benefit the New South Wales community.

Question—That the words stand—put.

The House divided.

Ayes, 45

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

Noes, 39

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

Pair

Mrs Perry

Mr Piccoli

Question resolved in the affirmative.**Amendment negatived.****Motion agreed to.****COMMITTEE MEMBERSHIP****The SPEAKER:** I report receipt of the following message from the Legislative Council:

Mr SPEAKER

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

1. That Dr Kaye be appointed as a member of the Joint Standing Committee on Electoral Matters in place of Ms Rhiannon, resigned.
2. That Mr Shoebridge be appointed as a member of the Committee on the Office of the Ombudsman and the Police Integrity Commission in place of Ms Hale, resigned.
3. That Mr Shoebridge be appointed as a member of the Legislation Review Committee in place of Ms Hale, resigned.

Legislative Council
9 September 2010KAYEE GRIFFIN
Deputy President

QUAKERS HILL POLICING

Mr RAY WILLIAMS (Hawkesbury) [12.31 p.m.]: I move:

That this House:

- (1) notes the restaurant in Quakers Hill, which was held up and blown up by two unknown criminals on 8 September 2009;
- (2) notes the appalling amount of graffiti on this shop and surrounding shops in this area, which has been highlighted by local councillor Nick Tyrrell;
- (3) calls on the Government to immediately review staffing levels at Quakers Hill police station, which is less than 50 metres from this restaurant, and ensure this police station is adequately resourced to combat this crime wave; and
- (4) condemns the member for Riverstone for yet again failing to deliver appropriate resources and services for his community.

First, I acknowledge the very sad passing this morning of the 26-year-old police officer, a member of the Middle Eastern Organised Crime Squad—one of New South Wales' finest—who was savagely cut down in the prime of his life and shot last night when entering a building. As the father of a son who is almost the same age and wanted to enter the police force, I know it must be every parent's worst nightmare. When we see the Government patting itself on the back—as it did yesterday about the Bureau of Crime Statistics and Research figures and how it has lowered the incidence of crime in this State—we should never forget that our finest police officers are the ones who are out on the street dealing with crime. They deal with incidents such as this on a daily basis and their lives are always put at risk. My sympathy and condolences go to the family of this young person who lost his life very tragically this morning.

I placed this motion on the *Business Paper* some 12 months ago because of a serious incident that happened in a restaurant in the Quakers Hill area. The restaurant was held up by two unknown criminals and blown up savagely. This restaurant is less than 50 metres from the local police station at Quakers Hill. One has to ask: If crime in a building or business only 50 metres away from the police station cannot be constrained, what chance does the rest of society have? I am not saying that we have homes being blown up, but certainly when this sort of serious crime is taking place right under the nose of the police station one has to question whether the police station has adequate resources. Obviously, it has not. Yesterday the Minister for Police beat his chest and proudly said that the Government's policies had lowered the crime rate, but that is simply not the case. The actions of hardworking police officers—one of whom sadly lost his life this morning—are making the difference, and the police need to be adequately resourced.

There is now a strong suggestion that Quakers Hill police station is to be closed and new premises are to be built at Riverstone. This is almost a case of *déjà vu*. In 2002 when I ran as a candidate for the seat of Riverstone, which is my neighbouring electorate, the Riverstone police station was closed. It was only a shopfront and people were directed to Quakers Hill police station. At that time the police were challenged with their numbers, and the lack of police in the area led to an increase in malicious damage. Windows were being broken, there was an increase in graffiti and crime was really quite out of control because the police station at Riverstone had closed down. The first I knew that Riverstone police station had been closed was when I was contacted by a person who knew me only as the candidate that had put my hand up for that seat. She had been assaulted by some lout less than 100 metres from the Riverstone police station.

She went to the Riverstone police station, quite shaken and injured, to make a complaint and was directed to take her concerns to Quakers Hill police station, where she went and filed a complaint. She was distressed by the fact that Riverstone police station was not open. She contacted me and said, "I don't know whether you're aware, but our local police station has been closed down. I have been assaulted just up the road." I am not sure whether the person who assaulted her was ever captured. The issue received some attention in the local papers and I campaigned on the issue. As a result of the campaigning and the raising of that particular issue, the police station was resourced—albeit with highway patrol, but still a visible police presence. The crime rate lowered once there was visible police presence at Riverstone.

Now the situation has been turned around. I note that Minister Daley has proposed that Riverstone police station be upgraded. That is a great thing; it is terrific to have the police station upgraded. We support that and I would like to acknowledge that that is happening. I give full credit to the Government for doing it. However, it should not close down Quakers Hill police station. It should not close down the very police station behind the intent of this motion—a police station that is 50 metres away from a business that was blown up. Let us keep both.

The Government started to back pedal and say that there is no suggestion of that, but if one reads some of the press releases of Minister Daley, one sees that he suggested that once the new \$17 million Riverstone police station is complete it will be a valuable asset for police from the Quakers Hill Local Area Command. Nothing could be clearer than the closure of Quakers Hill police station when one hears comments such as that from the Minister for Police. He said that it is going to help the police of the Quakers Hill Local Area Command. They know that the rug has been pulled out from under them. They know that they are going to have to go to Riverstone once it is complete.

As the member for Riverstone would know, the other issue is that the Riverstone police station is located in a flood-prone area. It is going to be a three-storey building, which is terrific because if we get another flood—I am sure that some day we will—the top two floors will probably be safe, but the one downstairs will be under water. Blacktown council—an Australian Labor Party controlled council—has argued about the development of the police station going ahead because it is located in a flood-prone area. We have conflicting stories. The Minister has said that the new police station will be constructed and will support the Quakers Hill Local Area Command. I think that is an acknowledgement that the Quakers Hill police station is going to be closed down.

We have Blacktown council saying, "You should not proceed with that police station because it is in a flood-prone area." I note that Blacktown council will not be the consent authority because it is going to a Joint Regional Planning Panel for decision. That is interesting because the Government has control of the Joint Regional Planning Panel. As I have said, the poor old police officers sitting in that station could be trapped if we happen to get a flood. The worst and most important thing about it is that if a police station cannot be used when there is a flood, what is the point in having a police station?

It is important that Quakers Hill police station stays where it is because Quakers Hill is littered with graffiti. That makes me very sad because for a short time I owned a home in Quakers Hill and it was a great area. I am talking about 25 or 30 years ago. It is still a great area, but I have to say it is blighted by graffiti. I do not think one could find worse graffiti than that in the Quakers Hill area. I have spoken to many of the shop owners and the local councillor, Nick Tyrell, who has led a campaign for some time to clean up graffiti. He has done a great deal of work with the community going out on regular patrols and cleaning it up. When one sees the graffiti that is sprayed on the shops it indicates an increase in crime in that area. It is a blight on the area and it certainly suggests there is a lack of police resources in the Quakers Hill police station. I will reserve further comments for my reply to the debate.

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [12.41 p.m.]: I extend my condolences to the family, colleagues and friends of the police officer who tragically lost his life in performing his duty last night. In doing so, I recognise the outstanding heroism of all members of our police force who put their lives in danger every minute of every day so that we can feel safe in this society. It is a great personal tragedy for those who knew the constable and it is also a great tragedy for all of us in New South Wales and Australia who hold in high esteem the police personnel who daily do such outstanding work on our behalf. I challenge a number of the issues that have been raised by the member for Hawkesbury and will seek to amend his motion. I move:

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

this House:

- (1) congratulates the police of the Quakers Hill Local Area Command for their timely and professional action in relation to a reported fire and robbery at a supermarket in Quakers Hill on 7 September 2009;
- (2) congratulates the Government on delivering record police numbers to New South Wales which now stand at excess of 15,550, including the additional police for the Quakers Hill Local Area Command;
- (3) notes the commitment of the Government to build the NSW Police Force by a further 400 positions by December 2011, taking police numbers to nearly 16,000;
- (4) condemns the member for Hawkesbury for his continual inaccurate and inappropriate statements in media and public forums concerning police resources and police numbers in New South Wales; and
- (5) calls on the member for Hawkesbury to apologise to the Quakers Hill Local Area Command personnel and to publicly acknowledge that in relation to this instance he got it wrong.

I note that it is a supermarket, not a restaurant as referred to in the member's motion. The issue that the member for Hawkesbury raised relates to an event that took place on 1 September last year in which three unknown males entered the Punjabi Supermarket on Railway Road in Quakers Hill and allegedly stole \$3,000 from the

register and set the premises on fire, leaving a store attendant lying on the footpath outside the premises. The fire brigade, ambulance and police responded immediately. I stress that because this issue was raised by the member for Hawkesbury in the local media at the time, implying there had been some sort of delay. The store attendant was treated at the scene by ambulance officers and then conveyed to Blacktown Hospital for treatment. Quakers Hill detectives attended with forensic investigators, established a crime scene and completed an investigation.

However, following subsequent inquiries and an investigation by the New South Wales Police Force's State Crime Command property crime squad, as well as expert evidence provided by medical staff, the fire brigade and the Forensic Service Group, New South Wales police have advised that the two owners of the business and the store attendant have been charged by police with a number of offences in relation to the arson of the premises. At the time the member for Hawkesbury made out—I have media reports to this effect, and it continued today—that this was some kind of crime wave. In his words, the restaurant—in reality a supermarket—was 50 metres away from a police station. It is substantially more than 50 metres away, but that is a matter of conjecture.

He suggested that the police were so under-resourced that they could not stop this situation from happening. Yes, there was some silence from the police for some time after the event because of the sensitivity of what was being investigated and how the investigation was being carried out. But the facts are that when the police investigated the matter they found that the people who committed the crime were the owners of the store and the attendant. It was a fraud, and those people have been charged and will go to trial in November. As the matter is currently before the courts I cannot enter into further details. That is the reality of the matter. Despite the fact that those details became known fairly quickly after the event it did not stop the member for Hawkesbury from going on with his campaign of scaremongering in relation to this matter. I have media statements quoting the member for Hawkesbury in which he stated:

The incompetent State Labor Government and out of touch Labor Member John Aquilina have failed to deliver the resources that hard-working local police officers need to keep the community safe ...

Quakers Hill Police Station is just 50m from the restaurant which was robbed and blown up by criminals this week.

Again he refers to a restaurant. The reality is that when I contacted the police commander he said, "We could have been five metres away. How are we going to know that people have a criminal intent? It doesn't matter whether we are right next door or 50 metres, 500 metres or for that matter 5 kilometres away. If people want to commit a crime they will commit a crime." I received a response from the local area commander at that time who said:

In relation to the actual incident that [your correspondent] referred to ... you will be pleased to know that the offenders have been arrested and charged, but you might want to highlight to [your correspondent] that the offenders were the actual owners of the business and that this matter is now before the court.

Apart from everything else, the member for Hawkesbury feels that police should be clairvoyants as well. They should be able to predict when crime is going to take place. He deliberately set out to try to establish a feeling in people's minds that there was some kind of crime wave going on in Quakers Hill at the time. Nothing could be further from the truth. The same applies to his comments about graffiti. Yes, there is a problem with graffiti in that area as there is with graffiti in a number of other areas. I might say that this was before the New South Wales Government changed its legislation in relation to graffiti, which has had a marked effect as well.

The Government has since then doubled penalties for graffiti vandalism to 12 months in prison; given police the power to confiscate spray paint from unsupervised juveniles in public; set up the Police/Rail Counter Vandalism Taskforce to target graffiti and vandalism on the rail network; and made it illegal for juveniles to carry spray cans unless for education, employment or legal art. More graffiti vandals are to be ordered by courts to clean up their crime, there is \$1 million in grants from the New South Wales Government each year for anti-graffiti design at hot spots, and planners of all new State Government buildings will soon be required to take graffiti prevention measures into consideration. There is no crime wave in Quakers Hill. There was also an attempt by the member, which was quoted in the media, to make this out to be some kind of racist outbreak and targeting of the store by racists because it was a Punjabi store.

Mr Ray Williams: That is not true, John.

Mr JOHN AQUILINA: It is in the press. The Quakers Hill Local Area Command is well resourced. In fact, the incidences of crime in the Quakers Hill Local Area Command area are among the lowest in the State.

That is a tribute to the outstanding work of police personnel at Quakers Hill. Earlier the member referred to the closure of Quakers Hill police station. The member for Hawkesbury is not one to let the facts get in the way of a good story. At no time has any statement been made about the closure of Quakers Hill police station. The Government said it had made an application to build a three-storey police station at Riverstone, which I welcome.

I know that some issues are involved, but I am confident that we can resolve them. As I said earlier, nothing has been said about the closure of Quakers Hill police station and I am not aware of any proposals by the Minister to close that station. The member for Hawkesbury has again been caught out for generalisations and for tweaking the truth. The facts always seem to get in the way of any story that he gives to the media or to the public. He should return to the facts and trust those who are on the ground—namely, police personnel. He should seek their advice and information, and ensure that his information is accurate when he peddles it to the media and in other places.

Mr JONATHAN O'DEA (Davidson) [12.51 p.m.]: I join other members in offering condolences to the family of the recently deceased police officer. I share also a sense of admiration for and congratulate the police on the excellent work that they do, including in my area, which encompasses the local area commands of Ku-ring-gai, North Shore and the Northern Beaches. I, too, congratulate and acknowledge the work done by our police officers. However, I was dismayed by the Government's refusal to accept an amendment to an earlier motion that sought to congratulate our police men and women. I was pleased to hear the sentiments expressed earlier by the member for Riverstone, who congratulated our police—a bipartisan sense of appreciation of police men and women, which is, unfortunately, at times called into question by other Government members.

The hardworking members on our police front-line increasingly are being challenged while performing their role. Police officers are finding it hard to get to work and they are facing failing infrastructure and spiralling costs of living, and that is making it more difficult for them to pay the bills. Many police officers who service the three local area commands in my area to which I referred earlier have to travel from the Central Coast. I know that they experience enormous frustration in regularly navigating that journey. I make it clear that the Liberal-Nationals Coalition does not extend congratulations to the New South Wales Government, which has closed a number of police stations.

It is understandable for both the member for Hawkesbury and for others—as reported in newspaper articles, including the *Blacktown Sun* on 25 May 2010—to have called into question whether or not Quakers Hill police station will stay put as a number of police stations have been closed by this Government during its term in office. The two police stations on the north side that have been closed are Brooklyn and Berowra. Newspaper articles in the *Hornsby Advocate* as recently as 12 August this year somewhat vindicated residents in their predictions of increased crime rates when the station at Brooklyn closed 12 months ago. They said that the crime rates would rise and I understand that they have risen in that area. Brooklyn, Berowra and other stations that have closed have contributed to an environment in which people rightly question whether Quakers Hill will stay open. If this Government can state unequivocally that it will stay open, let it state that today.

I will use the time remaining to me to refer to the subject of graffiti. For some time the Quakers Hill area, which is referred to in the motion moved by the member for Hawkesbury, has been the target of graffiti vandals. Earlier this year I took part in Graffiti Action Day and I assisted local Rotary clubs in their ongoing campaign to rid suburbs of this unsightly mess. Over one weekend a 400-metre stretch between St Ives and Turramurra was cleared, with my support and that of the Federal member for Bradfield, Paul Fletcher. Over the past two years the Turramurra Rotary Club alone has cleared more than 400 sites. An additional number of clubs have joined those efforts, including Lindfield Rotary, of which I am an honorary member. I congratulate Rotary on its efforts and thank Ku-ring-gai Council for its support for this initiative.

Clearly more must be done as graffiti imposes a real cost on businesses, individuals and local councils, estimated at about \$100 million a year. I urge the State Labor Government to adopt the New South Wales Liberal-Nationals Coalition's strong action plan to help to prevent this unsightly and costly crime in Quakers Hill and elsewhere in New South Wales. Our plan to tackle graffiti in local communities balances penalties for young people who do the wrong thing and offers positive incentives to break a developing juvenile habit.

The New South Wales Liberal-Nationals Coalition will require juvenile graffiti vandals to appear before court for a graffiti offence; empower the courts to suspend convicted graffiti vandals' drivers licences, or

extend the time spent on learners and provisional licences; legislate for courts to impose community service orders on offenders to make recompense and to clean up the graffiti; and encourage the formation of voluntary graffiti removal squads in local areas, in partnerships with local government and with local communities. Valid examples of those are the ones I mentioned in Ku-ring-gai and that of Councillor Nick Tyrrell, and they are mentioned in the motion. I again congratulate all those who have made an effort and who have undertaken positive measures to address the scourge of graffiti.

Mr RAY WILLIAMS (Hawkesbury) [12.56 p.m.], in reply: It is amazing that no other Government members spoke in debate on a motion that was moved to congratulate our hardworking men and women in the New South Wales Police Force. If they had done so, they might subsequently have been embarrassed by anything that they put on the public record coming back to bite them. When the men and women in the New South Wales Police Force see statements by Government members in *Hansard* or in the paper that their local area commands are adequately resourced they will be aware that they are not. I am aware that these local area commands are not well resourced because I have been informed of that fact by police officers who have leaked documents to Opposition members relating to the manning of the new Windsor police station.

I welcome the recently announced upgrade and funding for Windsor police station. The documents that were supplied to the Leader of the Opposition and to me clearly stated that there were 15 fewer police officers than were necessary to man the new Windsor police station. Ironically, six of the officers that are required to run Windsor police station are now required to man the custody unit, or the cell lock-up. If an inadequate number of police officers are available to man that custody unit, officers who are performing other duties will be drawn from another local area command. Crime increases when the number of police officers who are on the street is diminished. There is no greater example of that than the lack of a police presence in Quakers Hill. If an adequate number of police were located at Quakers Hill police station, there would be less graffiti in that town.

Graffiti, which is a blight on society, is an embarrassment to those who live in Quakers Hill. Whenever I drive into an area and I see graffiti I know that there has been a breakdown in law and order. Antisocial behaviour increases with any breakdown in law and order. The only way to address that problem adequately is to have front-line police or a police presence on the street. We do not have enough police resources in New South Wales.

I remind members of this Government's proposal to install half a dozen speed cameras across New South Wales. Those speed cameras will catch people travelling five kilometres above the speed limit on safe six-lane roads such as Windsor Road, which has lay-off lanes for left-turning and right-turning vehicles. Members would not be surprised to learn that the first of those speed cameras was located on Windsor Road. This camera will catch hardworking people from north-western and western Sydney families and strip them of their hard-earned cash because they travel at probably five kilometres over the speed limit.

As I have said on many occasions, if the Government wanted to install speed cameras effectively, it would put them on rural roads that have been the scenes of massive increases in serious accidents and tragedies involving young people, particularly those between the ages of 18 and 25. I point no further than the particular speeds recorded on roads in my electorate such as Boundary Road, fatalities on roads such as Annangrove Road and significantly high speeds on Pitt Town Road. Those particular areas certainly would benefit from speed cameras, but this Government will install speed cameras in areas of high traffic in order to recoup as much money as possible to prop up its coffers.

The member for Riverstone said Quakers Hill has not been subject to an outbreak of crime. If he took the time to knock on the doors of the small businesses in Quakers Hill—the hairdressers, the real estate agents and the fast food shops—they would soon tell him whether there was an increase in crime in the area. Every morning they face graffiti smeared all over their shop windows from top to bottom. It is an absolute disgrace. It denotes an increase in antisocial behaviour in the area. The member for Riverstone can deny it, but good people like Nick Tyrrell are forming community squads and cleaning off the graffiti for shop owners. There is an increase in crime. We acknowledge the hard work—[*Time expired.*]

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 48

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

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

Ms Moore
 Mr Morris
 Mr Pearce
 Mr Piper
 Mr Sartor
 Mr Shearan
 Mr Stewart
 Ms Tebbutt
 Mr Terenzini
 Mr Tripodi
 Mr West
 Mr Whan

Tellers,
 Mr Ashton
 Mr Martin

Noes, 36

Mr Aplin
 Mr Ayres
 Mr Baird
 Mr Baumann
 Ms Berejikian
 Mr Besseling
 Mr Cansdell
 Mr Constance
 Mr Debnam
 Mr Dominello
 Mr Fraser
 Ms Goward
 Mrs Hancock

Mr Hartcher
 Mr Hazzard
 Ms Hodgkinson
 Mrs Hopwood
 Mr Humphries
 Mr Kerr
 Mr O'Dea
 Mr Page
 Mr Piccoli
 Mr Provest
 Mr Richardson
 Mr Roberts
 Mrs Skinner

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

Tellers,
 Mr George
 Mr Maguire

Pairs

Mrs Perry
 Mr Rees

Mr Merton
 Mr O'Farrell

Question resolved in the affirmative.

Amendment agreed to.

Question—That the motion as amended be agreed to—put.

Division called for and Standing Order 185 applied.

The House divided.

Ayes, 49

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

Ms Gadiel
 Mr Gibson
 Mr Greene
 Mr Harris
 Ms Hay
 Mr Hickey
 Ms Hornery
 Ms Judge
 Mr Khoshaba
 Mr Koperberg
 Mr Lalich
 Mr Lynch
 Mr McBride
 Dr McDonald
 Ms McKay
 Mr McLeay
 Ms McMahon

Ms Megarrity
 Ms Moore
 Mr Morris
 Mr Pearce
 Mr Piper
 Mr Sartor
 Mr Shearan
 Mr Stewart
 Ms Tebbutt
 Mr Terenzini
 Mr Tripodi
 Mr West
 Mr Whan

Tellers,
 Mr Ashton
 Mr Martin

Noes, 36

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

Pairs

Mrs Perry	Mr Merton
Mr Rees	Mr O'Farrell

Question resolved in the affirmative.

Motion as amended agreed to.

DISABILITY SERVICES

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [1.12 p.m.]: I move:

That this House:

- (1) commends the Government for its record investment of \$2 billion providing support to New South Wales families in the area of ageing and disabilities;
- (2) congratulates the Illawarra Disability Trust and the Minister for Disability Services on the opening of a new respite service in the electorate Shellharbour, providing after school care and vacation care to teenagers;
- (3) notes that the service "Teen Time" provides much-needed respite care for working parents who have a teenager with a disability;
- (4) congratulates the staff of the Illawarra Disability Trust and Peterborough Public School as well as the families and friends of the residents on providing such wonderful care and support; and
- (5) notes the significant changes in the community's attitude and model of care provided to young people with a disability living in our community that have occurred over the term of this Government.

I congratulate the New South Wales Keneally Government on its support of New South Wales families through Stronger Together. In 2006 the Government released "Stronger Together: A new direction for disability services: 2006-2016". This 10-year plan, which is now at the halfway mark, is providing greater assistance and long-term practical solutions for people with disabilities. Stronger Together committed \$1.3 billion in new funding in its first five years. In the 2010-11 financial year, the budget for Ageing, Disability and Home Care has increased to a record \$2.5 billion. This is an increase of \$206 million over the previous year's budget.

The 2010-11 New South Wales budget delivered \$118 million for Ageing, Disability and Home Care in the southern region, which is an increase of 13 per cent on 2009-10 and an increase of more than 67 per cent since Stronger Together was introduced in 2006. Through increased funding, we can see measurable increases in services and support making a real difference to people with a disability, their families and their carers. But Stronger Together is not just about additional funding: it is also about doing things better.

In partnership with the private sector, Ageing, Disability and Home Care is not only working on increasing the capacity of the service system, but also towards a system that does not assume one size fits all. Our focus is on providing a more flexible and innovative system for people with a disability, their families and carers, and one that is client focussed. We are continuing to make new services available in the most effective,

efficient, accessible and equitable way. Through Stronger Together we are improving coordination between services, improving the use of resources, improving the service mix and spread within communities, and improving partnerships between three levels of government within the human services sector. These combined strategies will offer people with a disability, their families and carers better access to the service system and enhance their quality of life.

This motion seeks to congratulate the Illawarra Disability Trust and the Minister on the opening of one service in particular. The opening of a new respite service in the electorate of Shellharbour will provide after-school care and vacation care to teenagers. The Teen Time Program gives parents of teenagers with an intellectual disability respite, enabling them to take up study or job opportunities. Parents of teenagers with an intellectual disability are being supported through a unique New South Wales Government program that provides much-needed respite. Peterborough Special School at Warilla received \$115,000 for the Teen Time Program.

The Teen Time Program is delivered by the Disability Trust. It provides an important helping hand for parents so they can use the extra time to concentrate on getting a job, keeping a job, or taking up study to help them qualify for a job. Teen Time reflects an understanding of the increasing needs of carers of secondary students who have an intellectual disability. Teen Time not only provides parents with much-needed respite but also gives students with an intellectual disability meaningful leisure activities after school in the school environment. I take this opportunity to outline a real life experience of a young man who attends both the after-school and vacation-care components of the Teen Time service in the Illawarra. His experience clearly illustrates the benefits of this vital service.

Prior to the establishment of the Shellharbour Teen Time service, his mother had to be at home to collect her son after school and had to stay with him during the school holidays, which made it difficult for her to find work. Teen Time has enabled the young man to participate in a variety of fun and exciting activities both at Peterborough and in the community, including trips to St George Illawarra Dragons training, trying circus skills with Circus Monoxide, playing Nintendo Wii, going tenpin bowling and going to the movies—to name just a few afternoon activities. As a result of attending the Shellharbour Teen Time service, the young man's mother has been able to return to part-time work.

I have been told of another family with two siblings attending Teen Time who have become much happier. Their mother has now been able to re-engage with her studies and with part-time employment. Teen Time offers the opportunity for partnerships between community groups, business and government. The heartwarming examples I have cited are an indication of why the New South Wales Government has built on success of the Teen Time pilot by providing an additional 377 places in more than 27 sites across the State, making a total of 460 Teen Time places at an annual cost of more than \$2.5 million. I am proud to say that this funding is continuing. I particularly thank the Illawarra Disability Trust and its managers and staff who, in partnership with the New South Wales Government, deliver a full range of support services to families in the electorate of Shellharbour.

Other examples include group homes at Conway Crescent and Barrack Heights, where units are currently under construction. I take the opportunity to note the significant changes in the community's attitude and model of care provided to young people with a disability living in their community that have occurred over the term of this Government. I am proud to say that the New South Wales Government, through Ageing, Disability and Home Care, has been quick to adopt the international trend away from program-driven service provision to a system that places the person with a disability at the centre of decision-making about their lives and the support they receive. People with a disability and their families are increasingly advocating for a system that offers choice and flexibility, and places the person with a disability at the centre of the decision-making. And the Government has responded appropriately.

The central concept is that people with a disability should be able to identify, design and oversee the support and resources they require, and that these supports are tailored to and directed by the individual and their families. This emphasis on the rights of people with a disability and the importance of person-centred approaches to the development and delivery of service responses is an international trend, and we in New South Wales are abreast of and are embracing that international trend. It is of note that Australia is a signatory to the United Nations Convention on Rights of Persons with Disabilities, which aims to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms for people with a disability, and to promote respect for their inherent dignity. This person-centred approach is an important part of how we meet our obligations under the convention. This approach enables people with a disability and their families to have greater control and input in all interactions with the service sector and, as a result, their own lives.

The approach also includes increasing the capacity and use of informal and existing community supports so that people with a disability can enjoy a good life in the same way as other members of the community. In keeping with this trend, the New South Wales Government recognises the need for age-appropriate accommodation services for younger people with a disability, and it shares the community's concern that residential aged care is generally not suitable accommodation for younger people. The Government also strongly believes that while everyone has differing needs it is important to give younger people with a disability the opportunity to live in a community setting with people of similar age and common interests. That is certainly the case in the Shellharbour electorate, where we opened the Conway Crescent group home. Four young women with disabilities are living together, determining what happens in their day-to-day lives, and they are happily making a worthy contribution to our community. [*Time expired*]

Mr ANDREW CONSTANCE (Bega) [1.22 p.m.]: First, I thank the member for Shellharbour for moving this motion. More than anyone in this Parliament, I know the views of the sector in terms of ensuring bipartisanship as much as possible when it comes to the provision of disability services and support for the disability sector. I agree wholeheartedly with the comments of the member for Shellharbour about the Teen Time program and the enormous benefits families are deriving from it. The program is changing the lives of families by providing more flexible respite arrangements for their children to enable people to return to part-time work, and quality of life outcomes have improved as a result. I am pleased that the pilot program is being expanded. It should no longer be a pilot program; it should become a major part of program-specific delivery through the department. I am pleased that the Illawarra Disability Trust, which provides the service, is arranging to provide more services further down the coast beyond the Illawarra to the far South Coast. From my perspective as a local member, I am pleased to hear about the success of the program run by the Illawarra Disability Trust.

I need to address a couple of issues raised by the member for Shellharbour. First, the Liberal-Nationals Coalition has expressed ongoing concern that the Stronger Together funding for the final five years of the 10-year disability services plan is not in place. It was not provided for in the forward estimates of the State budget handed down in June, and as a result there is a lot of nervousness in the sector as to the funding arrangements for disability services from 2011 to 2016 as part of the 10-year plan. The sector has expressed its concern directly to the Government. I have yet to see any indication from Premier Keneally or Minister Primrose as to what is happening about funding. I have heard a lot of background noise about Treasury being the fly in the ointment in terms of getting funding approval.

I appreciate that the Australian Services Union is lodging a pay claim that will be dealt with in October, which might be a reason for the Government to consider the total funding plan. However, at the moment the Government has not given a strong indication that Stronger Together funding will be part of the budget forward estimates for the years 2011 to 2016. That must be fixed. It must be sorted out as quickly as possible. We cannot be six months out from the end of the Stronger Together plan without that funding certainty in place. I appreciate and echo the sentiments—I think this is obviously strengthening as a wider view among public policymakers—that the funding for the Stronger Together plan will see the State Government get through to the end of that plan and then it will very much need the national disability insurance scheme to take over to provide lifetime funding cover for people with a disability.

We have passed the tipping point in terms of the ability of New South Wales to meet the unmet need in the community, particularly when it comes to accommodation services. I am pleased the member for Shellharbour raised the issue of young people in residential aged care. I again point out to members that a program has been in place for three years—an \$80 million program—jointly funded by the Commonwealth and the State, to relocate some of the 2,400 young people with disabilities who currently reside in residential aged care. In that time the State Government has managed to relocate only 10 people. It has been noted in budget estimates hearings by previous Ministers that that has been unacceptable. We have to do better. We have to do better across government and across the community to have these places made available.

Another point I make in terms of the accommodation crisis beyond young people in residential aged care is that last year 1,771 people applied to the Government for supported accommodation, but only 64 people were found a place. Less than 4 per cent of people who applied for supported accommodation were successful in getting it. This is out of the number of people who applied. According to the Australian Institute of Health and Welfare, some 8,000 people in New South Wales will require supported accommodation by 2012. Having to find supported accommodation for that number of people will create pressure.

Young people in residential aged care create another pressure. And yet a further pressure is the devolution of large-scale residential institutions, which the Government has indicated will be closed by 2010.

According to the Government, this will ensure greater flexibility, innovation and options for people with disabilities in terms of their accommodation needs. Instead, we still have 1,600 people with disabilities remaining in large residential institutions in this State. I worry enormously that the supported accommodation crisis is not getting the attention it deserves. It is key that that take place. The Liberal-Nationals Coalition supports the comments on the Illawarra Disability Trust, Teen Time and obviously the arrangement between Peterborough Public School and the Illawarra Disability Trust.

I note that there is no certainty around funding to which the member for Shellharbour alluded. Obviously I am keen to see what can be done to ensure that that certainty is put in place. Other programs and suggestions are being brought forward by the sector. The Government needs to give serious consideration to the suggestion by Family Advocacy in relation to the supported living fund. We need to see what is possible in order to provide more innovation and flexibility to the sector. I agree wholeheartedly with a person-centred approach referred to by the member for Shellharbour. I draw her attention to the fact that 18 months ago the Coalition put out a discussion paper called "Personalising service delivery".

Whilst the Minister was very critical of it at the time, I am pleased that the Government has changed its mindset in terms of innovation and flexibility that should be derived from having such a person-centred approach in place to enable people with disabilities to have flexibility and decision-making capacity to enable them to get by every day. People are fed up with being dictated to by bureaucrats on how they are to live their lives. By moving to such a model we empower people to be able to have the choice, voice and control over their future and daily lives. The Coalition believes that is an important step for moving forward.

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

[The Assistant-Speaker (Mr David Campbell) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

ADMINISTRATION OF THE GOVERNMENT OF THE STATE

The SPEAKER: I report the receipt of the following message from Her Excellency the Governor:

MARIE BASHIR
Governor

Office of the Governor
Sydney, 9 September 2010

Professor Marie Bashir, Governor of New South Wales has the honour to inform the Legislative Assembly that she re-assumed the administration of the Government of the State, at 5.15 a.m., on 9 September 2010.

DEATH OF CONSTABLE WILLIAM CREWS

Ministerial Statement

Ms KRISTINA KENEALLY (Heffron—Premier, and Minister for Redfern Waterloo) [2.17 p.m.]: Just yesterday I was telling this House that our police are the strength behind every New South Wales family and community. Some days we see the very personal cost of that strength, and today is such a day. As members would be aware, last night Constable William Crews was killed. I express my deepest sorrow to Constable Crews' family, to his parents and to his siblings. They have lost a brother and a son and a much loved member of their family. They have lost him in the most unimaginable way and we today, as a State, stand behind them in support.

I also express on behalf of the Government my sympathy and my condolences to Constable Crews' other family, the NSW Police Force. They have today lost a workmate, a colleague—they have themselves lost a member of their family. What they lost in Constable Crews was not just a workmate and colleague, but a man who was a man of courage. Indeed, our police every day go out and put their lives on the line; our police every day put themselves in difficult situations on behalf of all of us in this State. While the rest of us enjoy a safe society, while the rest of us enjoy a peaceful night, our police officers are out there on the beat in difficult and often dangerous situations ensuring the safety of every family and every community in New South Wales. What we saw last night was a constable who was doing just that. He was doing work he chose to do willingly and chose to do courageously on behalf of all of us in New South Wales. He did so to make our city and our State a safer place to be, and last night he paid the ultimate price.

Our NSW Police Force, the men and women who serve in it, are people of courage, they are people of resolve, they are people who will today be supporting one another. And they are people today who are back out

on the beat, back out on the job, because they choose to do so, because they choose to say, "I will stand for what Constable Crews stood for and I will continue the work that he was doing." I want to thank several people who were involved in assisting last night. I acknowledge those brave police officers who, in the midst of a very difficult operation, one that was continuing to be dangerous, provided medical assistance to Constable Crews. I want to thank the ambulance officers who worked diligently to save Constable Crews. I want to thank the staff at Liverpool hospital who worked late into the night to save his life. Alas, they were unable to do so and, as a result, the Crews family, the NSW Police Force and the State of New South Wales have lost one of its finest, but we thank those emergency services workers, we thank all of those people who were involved last night, not just in an operation to improve the safety of our community, but indeed in the effort to save Constable Crews' life.

I would like to acknowledge the support that the police have received since the events of last night from, first of all, the local Bankstown community. This morning I was at Bankstown police station with the member for Bankstown and with the Minister for Police. We were briefed on last night's operation and the ongoing investigation. I would like to acknowledge that the police at Bankstown have received many messages of support from the local community and I thank the local community for their support of the police. I would also like to acknowledge that the Commissioner of Police, Andrew Scipione, has received messages of support not just from across the State and across Australia, but indeed from across the world. The worldwide fraternity of police is supporting police in New South Wales in one of their most difficult times.

Tragic incidents such as this remind us that our police put themselves in very dangerous situations for the benefit of the whole community. Today, on behalf of the Government and I believe on behalf of all of us here and the State of New South Wales, I am confident in saying we stand behind the Crews family and we stand behind the New South Wales police in this time of sorrow and tragedy for them.

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [2.24 p.m.]: Every single day police and their families deal with the risks that come with their jobs. No matter how sophisticated the training they receive, nothing can remove the dangers inherent in the roles they undertake on our behalf. It is a tribute to the dedication and bravery of the men and women of the NSW Police Force that they willingly accept these risks. Nevertheless, the tragic death of 26-year-old Constable William Crews is a reminder to every one of our police officers and every member of their families of the deadly risks they face on our behalf every day.

I join with all my colleagues, and I am sure the Independents, and with the Premier in expressing our condolences to Constable Crews' family, his parents and his siblings. In a nation where some still wrongly glorify an outlaw who murdered three police at Stringybark Creek it is timely to remember that William Crews died protecting the safety and security that so many of us take for granted. He died in the month in which we commemorate, on 29 September, Police Remembrance Day, a day to pause and remember all those who have made the sacrifice of their life in defence of the community. It is a day to remember slain police, like William Crews, whose only desire was to do their duty for us and who leave to us the responsibility for making the laws they enforce and for caring for those they leave behind.

The SPEAKER: I join with the Premier and the Leader of the Opposition in passing our condolences to the Crews family. They are from Glen Innes in my electorate. I met Constable Williams Crews' father, Sergeant Kel Crews, some years ago at the Glen Innes police station. They have made an enormous contribution to policing our State.

Members and officers of the House stood in their places as a mark of respect.

QUESTION TIME

[Question time commenced at 2.28 p.m.]

MANDATORY SENTENCES

Mr BARRY O'FARRELL: My question without notice is directed to the Premier. In light of the tragic death of Constable William Crews, will the Premier join with the New South Wales Liberals and Nationals and support legislation to ensure that criminals who murder police receive mandatory sentences?

Ms KRISTINA KENEALLY: I was asked this question at today's stand-up and provided an answer, and I will do so here. I think that out of respect for Constable Crews, particularly the bereavement his family is

undergoing, not to mention that the police have not yet concluded the forensic examination of the crime scene or concluded the examination of what occurred last night, this is not the most appropriate day to have raised this issue.

The SPEAKER: Order! Members will come to order.

Ms KRISTINA KENEALLY: However, given that the Leader of the Opposition has exercised his right as the Leader of the Opposition in this State to put the question to me, I will answer it. What we know is that juries are reluctant to convict when there is the threat of a mandatory sentence. We know from studies that have been conducted and from advice that we have received that juries are more reluctant to convict someone when a mandatory sentence is involved. In New South Wales, it is an aggravating factor when there is a threat or an attack against a police officer. When the victim is a police officer that is also an aggravating factor in sentencing. For the murder of a police officer the non-parole period is 25 years. Opposition members referred also to the policy direction suggested today by the Leader of the Opposition. I know that some Opposition members have argued also against that policy direction. I do not believe that today is the day to have this debate. However, as I respect the position of the Leader of the Opposition in this House I was willing to provide that answer.

CHILDREN'S HEALTH SERVICES

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

Ms CARMEL TeBBUTT: I acknowledge the close interest of the member for Menai in health care issues and children. The Government has a strong commitment to improving outcomes for children and young people. It is outlined in our State Plan with targets across health, education, personal safety and access to services. The Government recognises that access to paediatric medical services plays an important role in providing a strong foundation for people's health throughout their lives. No-one likes to see a child sick or injured: we want to ensure that children have access to the best possible care and support. The establishment of a new statutory health corporation, the Sydney Children's Hospitals Network at Randwick and Westmead, will better coordinate care so that children and young people in New South Wales, no matter where they live and no matter what their circumstances, will have access to the best possible health care.

The Sydney Children's Hospitals Network will be governed by a single advisory council and a single chief executive, and will advise on planning, priority setting, policy development and monitoring activities. I have referred previously in this House to Mr Roger Corbett, the current Chair of the Children's Hospital Westmead Advisory Council, who will chair the advisory council of the combined new public health organisation. I thank Mr Corbett for his longstanding commitment and dedication to improving children's health services. Today I am pleased to be able to provide members with an update relating to further appointments.

The Government has now appointed members of the advisory council—17 respected individuals, including university professors, clinicians and academics—with expertise in children's health, management and finance. Obviously, that advisory council will play an important role. Those members include Professor Louise Baur from the Sydney Medical School's discipline of Paediatrics and Child Health; Dr Michael Fasher, a general practitioner from Blacktown; Mrs Renata Kaldor, a current member of the Children's Hospital Advisory Council; and Mr Justin Milne, a board member of the Sydney Children's Hospital Foundation. Those are just four of the 17 respected individuals who will comprise the advisory council. For the first time ever New South Wales will also have a new chief paediatrician—someone who will be a clinical leader and a champion for children's health needs across this State. Professor Les White—

Dr Andrew McDonald: He is a good man.

Ms CARMEL TeBBUTT: He is a good man.

[Interruption]

The Parliamentary Secretary is a good man but he is not eligible to be appointed as the chief paediatrician.

The SPEAKER: That is a whole other question!

Ms CARMEL Tebbutt: On a serious note, the Parliamentary Secretary does much to advance the interests of children's health in New South Wales—something that is recognised by everyone in this place. Professor Les White has been appointed the first chief paediatrician in New South Wales. Professor Les White is well known as the executive director of the Sydney Children's Hospital, Randwick—a position that he has held since 1996. Professor Les White is well regarded and he has had a distinguished career in research for over 25 years. Professor White will serve also as a member of the advisory council.

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

Ms CARMEL Tebbutt: Professor White will work with a new branch in the Department of Health with responsibility for child and youth health to guide coordination of services for children and young people. He will also work with a new network of directors of children and young people's health across the State. It must be remembered that many of the health services upon which children and young people rely are not delivered by our premier children's hospitals, whether we are talking about Randwick, Westmead or John Hunter hospitals. In fact, they are delivered through health services that are located across this State. The role of the chief paediatrician will include also continuing involvement, one day a week, in clinical practice and research. I believe that Professor White's experience will make him an excellent champion of children's health services in New South Wales and I welcome him to that important position.

Ms Elizabeth Koff will be the new chief executive of the Sydney Children's Hospital Network. For the past three years Ms Koff has held the role of Director, Clinical Operations, South Eastern Sydney and Illawarra Area Health Service. She will bring to her new role extensive experience in clinical service development and strategic planning, and a strong commitment to improving health services for children. I take this opportunity to place on record and to thank formally Dr Tony Penna for his efforts as Chief Executive of the Children's Hospital at Westmead since 2006. Doctor Penna is well known to many members in this place. His invaluable clinical experience in paediatrics and his strong leadership have helped to turn the Children's Hospital at Westmead into one of Australia's leading paediatric hospitals. I place on record my thanks to Dr Penna.

The changes that are underway in NSW Health will pave the way for new clinical networks, new models of care, and a sharing of resources in children's health. They will build on the strong platform that we already have that aims to give children the best possible start in life through comprehensive services that begin in pregnancy. These services include support offered to mothers, babies and children in this State through things such as universal hearing and eyesight screening for newborns and preschoolers respectively; universal home visits by child and family health nurses; and the services offered by our fantastic early childhood health centres. New South Wales also offers many targeted programs, including culturally appropriate child and family health services to Aboriginal families, and sustained health home visits for vulnerable families.

I am confident that the changes we are making in children's health will see a strengthening of services for children right across this State. We will continue to ensure that we give children the best possible start to their lives, and we will continue to support them in their ongoing development and transition into adulthood. I welcome the new appointees to their positions, congratulate them, and look forward to their ongoing commitment and contribution to children's health services.

INNER WEST BUSWAY PROJECT

Mr ANDREW Stoner: My question is directed to the Minister for Roads.

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

Mr ANDREW Stoner: Did the Minister mislead the House or was it just his incompetence when he claimed that the Iron Cove Bridge duplication was on budget and on time at a cost of \$175 million and not due for completion until 2011, yet former Premier Morris Iemma promised in a media release that it would cost \$100 million and be completed by 2009?

The SPEAKER: Order! Government members will come to order. The Minister has the call.

Mr DAVID Borger: Opposition members want to talk about roads policy and about infrastructure projects in this State. However, when it comes to road policy, Victoria Road, bus corridors, rapid busways and improvements that this Government will make they should hang their heads in shame. They have no roads policies. The other day when I checked the Opposition's website I found only four pages of re-hashed and regurgitated policies from other people.

The SPEAKER: Order! Opposition members will come to order.

Mr DAVID BORGER: The \$175 million inner-west busway project along Victoria Road will improve bus services through Drummoyne and Rozelle. I visited the site on two occasions recently. Baulderstone and the other companies involved in the project are making great progress at extending the bridge from one side to the other: it is almost completed. The bridge is expected to be completed in early 2011 and, I can confirm, on budget at \$175 million. This project will improve bus travel times and reduce congestion and vehicle emissions by encouraging more people to use public transport. One bus can remove 40 to 50 cars from the road. One lane on the Sydney Harbour Bridge can carry all of the other lanes.

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

Mr John Williams: It won't save the member for Drummoyne.

The SPEAKER: Order! The member for Murray-Darling's concern for the people of Balmain is noted, but he will come to order.

Mr DAVID BORGER: The first section of the new bus lane city bound between Terry Street and the Present was opened in the December 2009. Bus travel time surveys show that the first new section of the bus lane delivers travel time reduction, reliability and efficiency in Rozelle in all traffic conditions during the morning peak.

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

Mr DAVID BORGER: We know the Opposition does not support public transport or buses on Victoria Road. I know that because I saw the Leader of the Opposition cut a lonely figure at a small protest march opposing investment in public transport along Victoria Road.

Mr Andrew Stoner: Point of order: I refer to Standing Order 129 regarding relevance. This is a serious matter. I have a copy of the *Hansard* of when the Minister claimed this project was on time and on budget. I also have the media release from the former Premier. The Minister is not answering the question.

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

Mr DAVID BORGER: The new Iron Cove Bridge will consist of 11 spans, of which three over land will be precast and lifted by crane. The remaining eight spans will be cast in Rozelle and will be launched across the river in 16 segments. The twelfth segment was launched on 17 August 2010. This is an exceptional example of leading-edge technology. The German Eberspacher lifts will raise entire sections by two millimetres and launch them across the Parramatta River. We believe in improving public transport on that corridor. The potential time saving for bus commuters at the height of the morning peak from Gladesville to the city could be as much as 18 minutes. As I have said previously, this project is on time and on budget.

SCHOOL INTERNET ACCESS

Ms ANGELA D'AMORE: My question is addressed to the Minister for Education and Training. How is the New South Wales Government improving Internet access in our schools?

Ms VERITY FIRTH: I thank the member for Drummoyne for her ongoing support of public education. In November last year the Government signed a \$280 million contract with Telstra to provide faster, more reliable broadband for over 2,400 schools and TAFE colleges across the State. The sheer size of this rollout is record breaking: 4,500 kilometres of fibre to benefit more than 1.2 million students. The rollout makes this broadband network the largest in Australia and the second largest in the Southern Hemisphere. I am pleased to announce that after the successful rollout of the network New South Wales public schools now have access to fantastic, high-speed Internet services, which benefits many regional schools. This means our students will have unprecedented access to new learning technology.

This massive investment is in addition to the Commonwealth's Digital Education Revolution and our \$158 million Connecting Classrooms initiative. The Connecting Classrooms program provides interactive whiteboards and videoconferencing equipment for every public school in New South Wales. This means that every student in the State, including those in rural and regional areas, is now connected to the world. Connected

Classrooms is a true teaching revolution. On many of my visits to schools I have seen firsthand how this has engaged our students. Lessons now can involve virtual excursions to NASA, the Great Barrier Reef, Taronga Zoo or the ruins of Rome. Students in Sydney can ask questions of Aboriginal elders in far western New South Wales via videoconferencing.

The SPEAKER: Order! Members will cease interjecting.

Ms VERITY FIRTH: It has allowed us to set up a virtual selective high school where gifted and talented students from different schools in regional areas are taught together through the Internet and via videoconferencing. I congratulate Telstra on the successful rollout and its chief executive officer David Thodey, who has described broadband as the blackboard of the twenty-first century. I love the moans and groans from those opposite about broadband. It is all a bit too modern for them: "This new age, new-fangled technology is all a bit too new wave. I don't know if I can trust this! I don't know about this new stuff they're talking about all the time."

The SPEAKER: Order! Members will cease moaning and groaning.

Ms VERITY FIRTH: This is called broadband technology. Telstra tells us that the new network will give New South Wales students the same broadband speeds that are used in many of Australia's largest companies.

The SPEAKER: Order! Members will cease interjecting.

Ms VERITY FIRTH: The other benefit of a single statewide contract is its flexibility in allowing bandwidth to increase or decrease depending on the demand at each school. Bandwidth provided to schools can be increased or decreased to meet temporary spikes in demand as well as fluctuations in student populations. Some of our previously disadvantaged schools, particularly in remote and rural New South Wales that have had to rely on satellite services, will see the speed of their Internet services become up to 20 times faster through this rollout. This network opens up greater opportunities for teachers and students. For example, in western New South Wales teachers from multiple schools are delivering higher school certificate courses through Connected Classrooms. Students who cannot get at their school the higher school certificate course they want can access it over the Internet with a real person providing interactive lessons via videoconferencing. This means students get to choose from a wide range of courses.

The Government is committed to ensuring that all New South Wales teaching staff and students have access to high-speed digital learning resources, the Internet and email. We have determined from our regional results that technology can help beat the tyrannies of distance that so often impact on educational outcomes. High-speed broadband breaks down geographical and social barriers by connecting students to each other and to the rest of the world. This new network will revolutionise the delivery of digital education to all public schools and TAFE institutes.

TILLEGRA DAM

Mr GREG PIPER: My question is addressed to the Minister for Water. With the Minister for Planning recently stating in the upper House that the proposed Tillegra Dam would supply water to the Central Coast, will the Government now reconsider the limitations placed on funding arrangements to include equitable contributions from all prospective users?

Mr PHILLIP COSTA: I thank the member for his important and timely question. I will address some matters that have been circulating in the wider community to put the record straight. I reiterate that the Government has a robust plan to secure the future water supply for the lower Hunter to provide for many generations to come. With 160,000 people forecast to be living in the Hunter by 2031, Tillegra Dam is the most cost-effective and sustainable way to secure the future water supply for the Hunter for the next 50 years. We have undertaken considerable studies on the project and have concluded that by far the dam is the most cost-effective solution.

We know that the Hunter is vulnerable to drought and that in its previous severe drought between 1979 and 1981 water storage levels plummeted from 100 per cent to 32 per cent capacity in just 18 months. We cannot afford to put at risk a community the size of the Hunter by allowing it to run out of water. This

Government will not allow the Hunter to run out of water. This is very large infrastructure. The Government has been developing the project in conjunction with Hunter Water for some time.

The Tillegra Dam project will create hundreds of jobs, improve water security and ensure that the region continues to prosper and develop in the future. A study by Monash University indicates that the Tillegra Dam will generate an increase in aggregate investment in the Hunter of \$588 million and increase gross regional product by approximately \$1.18 billion over 25 years. The dam will create approximately 280 direct construction jobs out of a total of at least 1,850 jobs, and represents a huge boost to the Hunter's economy. The Hunter business community strongly supports the project. The Hunter Business Chamber stated:

... the region's future will depend on its ability to provide business, industry and residents with a sure and water supplies.

"That means we need to get on with the construction of Tillegra Dam."

We all know that the environmental assessment for Tillegra Dam was completed and released for public comment last year. The community was given a month to provide comments; in fact, we doubled the usual exhibition period. The Hunter Water has formally lodged its submissions report to the Department of Planning in response to the issues raised during the public exhibition.

I turn now to deal directly with the question that has been asked. Hunter Water's report thoroughly and comprehensively addressed every issue raised during the public exhibition period and committed to an additional package of offset measures for the Hunter community. People who read the report will agree that the package is of critical importance to the community. For example, there will be increased water allocations for environmental flows and increased land made available for national parks, among other benefits. Those measures must be considered in addition to a \$26 million offset package proposed as part of the environmental assessment. As the Minister for Water, it is my responsibility to work in conjunction with Hunter Water in the development of this project.

Mr Greg Piper: Point of order: My point of order relates to Standing Order 129, which refers to relevance. The Minister has not even touched on the question I asked, which related to cross-subsidies.

The SPEAKER: Order! I will hear further from the Minister. I am sure he will focus in his response on that issue.

Mr PHILLIP COSTA: I appreciate the content of the question of the member for Lake Macquarie. I take this opportunity to reiterate my position in relation to the Tillegra Dam. An independent body is assessing the project as I speak. But, in direct response to the question, I point out that although comments have been made recently, and in the past, they were not made by me, the Minister for Water. What I am about to say is from the horse's mouth.

Mr John Williams: And you are the horse.

Mr PHILLIP COSTA: I must offer this rejoinder: my Christian name in Greek means a lover of horses, so I am at liberty to use that metaphor.

The SPEAKER: Order! I suspect a point of order may be taken. I urge the Minister to conclude his answer.

Mr PHILLIP COSTA: Mr Speaker, with your indulgence, I wish to speak directly to the member. Hunter Water has an agreement with the Central Coast councils up until 2026 for the supply of water. That commercial agreement has been in place for some time. As I speak, water is available to the Central Coast from the Hunter via a pipeline. That has always been the case. The Central Coast is simply another customer of Hunter Water. The Central Coast will continue to be a customer of Hunter Water.

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

Mr PHILLIP COSTA: The purpose of Tillegra Dam is to secure a water supply for the Lower Hunter. If the Central Coast needs more water at some stage in the future, the Central Coast councils will buy it, just like any other customer. That is the arrangement. Recently I visited the Central Coast.

Mr Chris Hartcher: Why was I not advised?

Mr PHILLIP COSTA: I missed the member for Terrigal. I was given a comprehensive guided tour by representatives of the Central Coast community.

The SPEAKER: Order! The House will come to order. I am sure the Minister is about to conclude his answer.

Mr PHILLIP COSTA: The representatives of the Central Coast proudly showed me the infrastructure that will secure the region's water supply. The Central Coast is a good example of exactly what we are trying to do for the Hunter. The Central Coast is securing its water supply. We are in the process of providing a secure water supply for the Hunter.

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

Mr PHILLIP COSTA: They are two projects serving two local communities. If the Central Coast requires water resources in the future, like any other customer it will buy that from Hunter Water.

HUNTER EXPRESSWAY

Mr MATTHEW MORRIS: My question is addressed to the Minister for Roads. What is the latest information on the Hunter Expressway?

Mr DAVID BORGER: I thank the member for Charlestown for his question and for taking a strong interest in this monumentally transformative project, which will deliver significant benefits for the Hunter region, particularly to the people of Wallsend, Newcastle, Maitland and Charlestown. It might even deliver benefits to friends of the member for Upper Hunter. I am delighted to advise the House that construction of this major nation-building project is now well underway. Major construction on the Hunter Expressway project began in August this year.

The \$1.7 billion Hunter Expressway project is the largest road infrastructure project the Hunter has ever seen. The project involves the construction of a four-lane freeway link between the F3 near Seahampton and the New England Highway west of Branxton to provide a new east-west connection between Newcastle and the lower Hunter. In recognising the strategic significance of the lower Hunter to the New South Wales and Australian economies, the Federal Labor Government committed \$1.45 billion to the Hunter Expressway project from the Building Australia Fund.

Mr Brad Hazzard: What about the Liberal-Nationals Coalition? What about what they did?

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

Mr DAVID BORGER: I know the Opposition would like to have a debate on a comparison between road and rail infrastructure projects that Federal and State Labor governments have delivered in New South Wales and the appalling effort of the former Howard Government, which delivered very little for country New South Wales and very little for the Pacific Highway. We can have that debate on any day of the week, but today we should recognise this important infrastructure project that will bring benefits to all the people who live in the Hunter and to the State's economy.

The Hunter Expressway will provide a direct boost to the New South Wales economy by creating more than 800 direct jobs and 2,400 indirect jobs throughout the Hunter subregion. This key piece of new road infrastructure will improve the efficiency of the national transport network between Sydney, Newcastle and Brisbane. It will relieve congestion on the New England Highway, particularly between the major growth areas of Newcastle and Maitland. It will provide a more direct, safe and efficient route for the movement of freight between central Queensland, northern and central western New South Wales and, importantly, the booming port of Newcastle. Further, this new road infrastructure will provide a transport artery between the regional centre of Newcastle and urban growth centres in the lower Hunter, and will promote tourism in the Hunter, particularly for the vineyards, restaurants, cafés and venues that increasingly host major entertainment events.

When this great Labor Government infrastructure project is completed in 2013, the iconic new 40 kilometres of highway, which will connect other important highways, will provide a high standard dual divided east-west carriageway between Newcastle and the lower Hunter. Among its key features will be six grade-separated interchanges and 53 bridges. Those bridges are important because with freeway and highway

construction we always want to maintain the connectivity of the local road system so that it does not impact on the economy of those precincts. The Roads and Traffic Authority is using the best skills and expertise of the Government and the private sector to deliver the Hunter Expressway.

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

Mr DAVID BORGER: The Hunter Expressway is being constructed in two sections: the 13-kilometre eastern section, which is the F3 freeway to Kurri Kurri, and the 27-kilometre western section from Kurri Kurri to Branxton. This infrastructure is being supported by local communities and by Federal and State Labor governments. This expressway will provide essential connections to support the current and, importantly, the projected growth of the lower Hunter region. It will take about half an hour off the journey for people travelling north to Branxton. That important time saving will help the tourism industry. It will take trucks off the existing New England Highway, which runs through Branxton and Maitland. This is about strengthening the national highway network and connecting the Hunter with Sydney and Brisbane. It is a Nation Building project. That is why the Keneally Government is pleased to be working with the Federal Labor Government in delivering these major new road and rail projects across the State.

ELECTION CAMPAIGN FINANCE REFORM

Mr BARRY O'FARRELL: I address my question to the Premier. It has been a month since it was reported that finally Cabinet was considering campaign finance reforms. It has been four weeks since my call offering the Premier bipartisan support provided third-party expenditures were included. So why are we still waiting for an announcement on this important issue, especially given the lack of public confidence in public decision making and Labor's decisions-for-donations culture?

The SPEAKER: Order! I call the member for Mulgoa to order. The Leader of the Opposition will resume his seat. The House will come to order. I call the Minister for Police to order. The Premier has the call.

Ms KRISTINA KENEALLY: I thank the Leader of the Opposition for his phone call several weeks ago, in which he and I agreed in a conversation that we would continue to discuss this matter. I acknowledge that he offered bipartisan support, although he raised a number of matters that he would like Cabinet to consider, and I gave him an undertaking that Cabinet would consider them. The Cabinet discussions are still underway. I gave the Leader of the Opposition an undertaking that I would come back to him before an announcement was made and provide him with a full briefing on what Cabinet had decided. I made it clear to him that I was keen to work in a bipartisan way with him. The Leader of the Opposition initiated that phone call. If he was concerned about the pace with which the decision was being made, he could have made another phone call to my office.

Indeed, he could have raised the matter in the meeting he has scheduled with me tomorrow to discuss parliamentary procedural changes. But he chose to raise it here in question time. Again, I recognise that the Leader of the Opposition has the right to raise those matters, and I am more than happy to provide that information to him. I would be remiss if I also did not respond to—let us be frank—the allegation put by the Leader of the Opposition in his question. He alleged that there is a decisions-for-donations culture in New South Wales. This Labor Government has brought in the bodies and processes that have depoliticised planning decisions: the Planning Assessment Commission, the joint regional planning panels, new rules about the declaration of donations in relation to those who put forward development applications and those who are making submissions on development applications.

This Government has instituted those transparency measures, which have taken the politics out of planning decisions. These changes came in as a result of legislation brought before this Parliament by the Minister for Climate Change and the Environment when he held the Planning portfolio and by decisions taken by me when I held the Planning portfolio. When I held the Planning portfolio, I had the opportunity to debate the shadow Minister for Planning, the member for Wakehurst. In that debate, at a function, Mr Hazzard continually raised—

Mr Brad Hazzard: It's the member for Wakehurst to you.

The SPEAKER: Order! Members will remain silent. The Premier is answering the question.

Ms KRISTINA KENEALLY: In that debate the shadow Minister, the member for Wakehurst, raised on several occasions the allegation that there is a decisions-for-donations culture. At that time I presented him

with several folders that constituted every decision taken by me when I was the Minister for Planning and I challenged him specifically to name which donation and which decision. Which donation did he say had influenced a decision and which decision had it influenced? To this day he has not named one.

Ms Virginia Judge: Put up or shut up!

Ms KRISTINA KENEALLY: Exactly! It is time for the Opposition, on this question, to put up or shut up. Members opposite come in here with nothing more than a smoking bomb, sound and fury, signifying nothing.

DENTAL SERVICES FOR FOSTER CHILDREN

Dr ANDREW McDONALD: My question is addressed to the Minister for Community Services. How is the New South Wales Government improving dental services for foster children in western Sydney?

Ms LINDA BURNEY: I recognise the member for Macquarie Fields, who has a longstanding personal and professional interest in this issue.

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

Ms LINDA BURNEY: This week is Child Protection Week and next week is Foster Care Week—a time to recognise those generous families that open their homes to children who can no longer live safely with their families. There has been much discussion this week in this House about children. Members of this House have noted the importance of preventing child abuse, of putting the needs of children first—children who have been placed in care and children who have already suffered. Once in care, our responsibility collectively is to prevent further disadvantage. It is a sad reality that many children enter care with poor oral hygiene. There are many reasons for this, for example, they come from a background of neglect, where they or their parents may know little about looking after teeth or they have never gone to a dentist. Some children in care have straightforward problems, but others need extensive specialised dental treatment.

The Keneally Government recognises the special needs of these vulnerable children and young people. In March last year we established a trial dental clinic in Ingleburn as a joint venture between Community Services and the Sydney South West Area Health Service. This clinic is especially for children in foster care. Two kinds of treatment are available. First, children entering care come in for an assessment. Some are very young, and for many it is the first time they have been to the dentist. That is why the clinic is a paediatric service specialising not only in the specific dental needs of children but also having the right kind of bedside manner to ensure that young children are confident to come back.

The clinic is spoken of fondly, which is a major achievement for a dental clinic, by both carers and children. We have had great feedback from carers in particular. This means that they and the children are happy to come back next time, which gets them on the road to good habits for long-term dental health. The clinic helps those children learn about how to look after their teeth themselves. Many carers say that the service works in this way for prevention as well as treatment.

The second way the clinic helps is when a child needs more substantial attention. This can lead to priority treatment or having the child referred to other health services, such as speech pathology. In extreme cases the clinic can spot an issue and get specialised attention immediately. For instance, a five-year-old girl needed seven teeth extracted and had to be hospitalised for this serious procedure. The girl already had significant dental problems, but if the clinic had not fast-tracked her into hospital her problem would have become much worse. We all know that rotting teeth can lead to dreadful other medical conditions. More than 160 foster children have benefited from treatment at the clinic so far.

A formal evaluation has occurred and the result has been very positive. This means the service will now be available for more children in care across south-west Sydney. Those benefiting from the expansion will be foster children in Bankstown, Liverpool, Fairfield, Tahmoor and, as I am sure the member for Goulburn will be pleased to hear, Bowral. This funding means that more than 400 additional appointments per year will now be available to foster children in the south-western parts of Sydney. This is a good outcome for children in New South Wales.

MINISTER FOR FAIR TRADING

Mr ADRIAN PICCOLI: My question is directed to the Minister for Fair Trading. Will the Minister confirm that all her dealings as Minister have been in accordance with ministerial guidelines?

Ms VIRGINIA JUDGE: The answer is yes

LAKEMBA ELECTORATE AFFORDABLE HOUSING

Mr ROBERT FUROLO: My question is addressed to the Minister for Housing. How is the Government increasing the supply of affordable housing in the electorate of Lakemba?

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

Mr FRANK TERENCE: I thank the member for Lakemba for his interest in affordable social housing in his electorate. This gives me an opportunity to tell my colleagues and, indeed, the Opposition about what the Government is doing in relation to affordable housing in New South Wales. Some time ago the Government came to the view that a new approach was needed for proper affordable housing. It involved making sure that social housing estates were deconcentrated, salt and peppered throughout the community, a seamless construction in the community of these new social housing constructions, close to transport and services, and architecturally designed. Housing NSW is winning awards for its architecturally designed homes, which is a great endorsement of this Government's affordable housing policy. This Government has made sure that it provides proper affordable housing to those in need.

Last Monday, with the member for Lakemba, I attended his electorate and announced a \$100 million Riverwood North urban renewal initiative. The Riverwood North project involves redevelopment of a four-hectare precinct by demolishing 156 existing social housing units and developing a possible 600 new dwellings. Of those 600, 150 will be social senior living units and up to 450 will be private and affordable units. Riverwood North is seen as an ideal site on which to give Sydney much-needed, new, affordable houses and, at the same time, revitalise the supply of social housing with new, modern, state-of-the-art, well-designed units that match private dwellings. This is truly an innovative and historic development as a result of a partnership between Housing NSW and Payce Communities, the winning tender for this \$100 million development. Turner and Associates, architects, will ensure that the designs are environmentally friendly and innovative to match the needs of the community.

The Opposition does not want to hear about this \$100 million development because it is good news. The New South Wales public wants to hear about it. It is a true partnership between the Government, Payce Communities, Canterbury City Council and the Riverwood community. I congratulate the member for Lakemba and Canterbury City Council on their great work.

The SPEAKER: Order! The House will come to order. Hansard cannot hear the Minister.

Mr FRANK TERENCE: This is an important development. I will come to exactly what the Opposition is doing in a minute. As the Minister for Housing, I was particularly impressed by the energy and water savings and low-maintenance design elements of the constructions that Turner and Associates included in all the units. There is also an abundance of open space, communal and private space, attractive streetscapes, pathways, parks and landscaped areas to provide a safe, secure green heart for the enjoyment of residents. The member for Terrigal is complaining that he cannot hear me, but all the noise is coming from that side of the House.

The SPEAKER: Order! Members will come to order, particularly Opposition members.

Mr FRANK TERENCE: He is still thinking about his trip.

The SPEAKER: Order! I am sure the Minister is concluding his answer. Members who continue to interject will be called to order. I have extended a degree of latitude today. However, I will no longer tolerate such behaviour.

Mr FRANK TERENCE: We must ensure that the people of New South Wales are aware of the alternative. This Government is spending record amounts of money on affordable housing and homelessness.

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

Mr FRANK TERENCE: We are making sure that we provide affordable housing. What does the Opposition offer?

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

Mr FRANK TERENCE: I note that the Leader of the Opposition has a shadow Minister for Housing Strategy.

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

Mr FRANK TERENCE: I looked to see exactly the strategy by which the shadow Minister is operating. He is a former top-flight commercial lawyer, living in the central business district in a high-rise apartment, sipping his latte—nowhere near western Sydney—who has a photograph on his website next to some terraces, only a few doors down. I make the following offer to the Leader of the Opposition: I will take the shadow Minister to western Sydney any time that he wants to have a look at what is going on out there. I will show him the strategies that are being applied by this shadow Minister. The newsletter on his website was last updated in August 2009! If the shadow Minister were called the shadow Minister for no housing strategy then I would accept that. We have nothing from those on the other side of the House—no policies. In the meantime, we on this side of the House will continue to make sure that we provide affordable housing for people in New South Wales.

INNER WEST BUSWAY PROJECT

Mr DAVID BORGER: For the benefit of the Leader of The Nationals I wish to clarify that the Inner West Busway project appears in the budget papers for both this year and last year. In the 2010-11 budget papers it is in volume 4 at page 4-45. In the 2009-10 budget papers it is in volume 4 at page 4-56. In both instances it indicates that the cost of the project is \$175 million, to be completed in 2011. I suggest that in future the Leader of The Nationals refer to his budget papers.

Question time concluded at 3.20 p.m.

PARLIAMENTARY REMUNERATION TRIBUNAL

Report

Mr John Aquilina, on behalf of Ms Kristina Keneally, tabled, pursuant to the Parliamentary Remuneration Act 1989, the annual report and determination of the Parliamentary Remuneration Tribunal on Additional Entitlements for Members of the Parliament of New South Wales, dated 21 June 2010.

BUSINESS OF THE HOUSE

Suspension of Standing Orders: Order of Business

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [3.21 p.m.]: I move:

That standing orders be suspended to permit the consideration of the Legislative Council amendments to the Adoption Amendment (Same Sex Couples) Bill (No. 2) prior to the motion accorded priority and for this proceeding to take precedence of all other business until concluded.

Being Thursday, it is customary for the upper House to finish at about 5.00 p.m. It may well be that as a result of our consideration of the Legislative Council amendments there are changes to the legislation that would need to be considered in another place. Consequently, it would be appropriate for us to deal with the Legislative Council amendments in a timely manner to enable the other place to consider any changes.

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

Motion agreed to.

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**.

Wagga Wagga Hearing School

Petition requesting the establishment of a hearing school in Wagga Wagga, received from **Mr Daryl Maguire**.

Alcohol and Drug Services

Petition requesting increased funding for, and expansion of, inner-city alcohol and drug services, received from **Ms Clover Moore**.

Identity Concealment Legislation

Petition requesting support for the Summary Offences Amendment (Full-face Covering) Bill 2010, received from **Mr Daryl Maguire**.

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**.

Bus Service 389

Petition requesting improved services on bus route 389, received from **Ms Clover Moore**.

Inner Sydney Light Rail

Petition requesting the development of an integrated light rail network through inner Sydney, received from **Ms Clover Moore**.

Religious Education and School Ethics Classes

Petition opposing the proposed ethics classes and requesting continuation of the scripture classes, received from **Mr Daryl Maguire**.

Shoalhaven Police Station

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

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**.

Centennial Park and Moore Park Trust Land

Petition opposing any transfer of land from Centennial Park and Moore Park Trust to the Sydney Cricket and Sports Ground Trust, and requesting increased funding to the trust and proper public consultation on any future proposals that affect public access to the parklands, received from **Ms Clover Moore**.

Public Housing

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

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

Hurstville Precinct Project

Petition opposing the changes proposed in the Hurstville Precinct Project and calling for increased investment and consultation in relation to planning for Hurstville Public School and Hurstville Boys High School, received from **Mr Adrian Piccoli**.

Ku-ring-gai Chase National Park

Petition requesting that part of Ku-ring-gai Chase National Park be added to the special lease held by the St Ives Pistol Club, received from **Mr Jonathan O'Dea**.

Retail Electricity Pricing

Petition opposing the Independent Pricing and Regulatory Tribunal recommendations to increase retail electricity prices from between 44 per cent and 62 per cent, received from **Mr John Williams**.

Coffs Harbour City Council

Petition requesting an investigation into Coffs Harbour City Council under the Local Government Act, received from **Mr Andrew Fraser**.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Farming Conditions

Mr GERARD MARTIN (Bathurst) [3.22 p.m.]: My motion should be given priority today because it will send a strong and powerful message of support to people involved in the farming industry around New South Wales. It appears that we are at the dawning of a golden age, that we are coming out of the longest protracted drought since white man came to Australia. Debate on this motion will give me an opportunity to outline how the Government will be standing side by side with the farming industry to ensure that it gets the maximum benefits from what looks like being a record winter crop.

Government Performance

Mr ANDREW STONER (Oxley—Leader of The Nationals) [3.23 p.m.]: My motion deserves to be accorded priority because it is clear that, despite the spin from three Labor Premiers, absolutely nothing has changed in the New South Wales Labor Government. Despite the promise of a new direction from Morris Iemma, a red hot go from Nathan Rees and now a so-called fresh start with Kristina Keneally, it is still the same rotten and incompetent old New South Wales Labor Government. The Government can try to put as much spin and gloss as it can on it, but nothing has changed. It is still the same old State Labor soap opera with a revolving door of Ministers and a Government beset by scandal after scandal.

This motion should be given priority for debate today because Morris Iemma once said he had a ministerial scandal once every three months, but it now looks like Kristina Keneally is trying hard to beat that. In just the past few months she has lost a succession of Ministers, with the likes of David Campbell, Paul McLeay and Ian Macdonald resigning from her frontbench due to scandal. There is open speculation around this place about another Minister leaving under a cloud shortly. Let us not forget Karen Paluzzano and Kerry Hickey being in the news for all the wrong reasons. On 2GB this afternoon I heard that another Minister is leaving the sinking Labor ship—Frank Sartor is heading for greener pastures prior to the election, according to Chris Smith this afternoon.

Mr Steve Whan: Point of order: This is not a substantive motion about members of this place. It is inappropriate for the Leader of The Nationals to be making reference to individual members. He should be

establishing why his motion should be accorded priority. It is pretty awful to see the Leader of The Nationals opposing a motion about rural New South Wales and instead seeking to move a motion about this sort of rubbish.

The DEPUTY-SPEAKER: Order! I will hear further from the Leader of The Nationals.

Mr ANDREW STONER: My motion should be accorded priority because we have all been promised a fresh start, a red hot go, a new direction—we have heard it all—and nothing has changed. There is no sign of improvement achieved in the lives of the people that this Government has forgotten it is supposed to serve. Communities across New South Wales are still waiting for a new or upgraded hospital that was promised long ago by this Government, but it has still not been delivered. I refer to places such as Parkes, Forbes, Dubbo, Tamworth, Wagga Wagga, Bega and Port Macquarie for example. Members on this side of the House care about those people. People are fed up with seeing hundreds of millions of taxpayer dollars being wasted through bungled projects such as the BER, otherwise known as the builders early retirement fund. I refer also to the CBD metro, which has cost taxpayers more than \$500 million—and counting. Long-suffering commuters still have to deal with the roads and a transport system that lets them down on a daily basis, much like their State Government.

My motion deserves priority today because it is clear that, despite the latest Premier's promise of a fresh start, all we have had is more spin and more scandal. All we have had is an attempt to gloss over this Government's many failings. The people for whom this Government is supposed to deliver—to spend their dollars wisely, to listen to their needs and to improve their lives—know that unless there is real change, which they have often been promised but never had delivered, their lives will not improve. They know that Labor has been given too many opportunities to lift its game, to change its rotten culture and to make a real difference in this State. It is important for the House to debate my motion today. The people of this State know that real change will come only with a complete change of government. The Liberals and The Nationals are determined to stop the rot, to stop the spin and to make New South Wales No. 1 again.

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

ADOPTION AMENDMENT (SAME SEX COUPLES) BILL 2010 (No. 2)

Consideration in Detail

Consideration of the Legislative Council amendments.

Schedule of amendments referred to in message of 8 September 2010.

No. 1 Page 3, schedule 1. Insert after line 9:

[2] Section 45A

Insert after section 45:

45A Background information about prospective adoptive parents to be made available to birth parents

- (1) If an application to adopt a child is made by a couple, background information relating to the couple that is obtained by the Director-General or principal officer in connection with the application is, at the request of the birth parents of the child, to be provided to the birth parents before any adoption order may be made in relation to that child.
- (2) In this section, *background information* relating to a couple includes information about the couple's social and cultural background, religious beliefs, domestic relationship and living arrangements, but does not include any information that identifies the couple.

No. 2 Page 5, schedule 2.1, line 6. Omit "Nothing in this Act affects any policy or practice of an organisation or person providing adoption services". Insert instead "Nothing in Part 3A or 4C affects any policy or practice of a faith-based organisation concerning the provision of adoption services".

No. 3 Page 5, schedule 2.1. Insert after line 15:

- (3) In this section, *faith-based organisation* means an organisation that is established or controlled by a religious organisation and that is accredited under the *Adoption Act 2000* to provide adoption services.

The DEPUTY-SPEAKER: Order! With the leave of the House I propose to deal with Legislative Council amendment No. 1 separately and amendments Nos 2 and 3 together.

Ms CLOVER MOORE (Sydney) [3.30 p.m.]: I move:

That Legislative Council amendment No. 1 be agreed to.

I stress to the House that we are dealing with amendments to a bill that has passed both this House and the other place, so these amendments seek to amend a bill that has already been approved. We are not voting on the bill now, we are voting on these specific amendments. The first amendment was moved in the upper House by Fred Nile, MLC, and will put into the legislation the current practice of providing relinquishing parents—birth parents—with background information about prospective adoptive parents including information about their cultural and social background, religious beliefs, domestic relationships and living arrangements. I support Legislative Council amendment No 1.

Ms KRISTINA KENEALLY (Heffron—Premier, and Minister for Redfern Waterloo) [3.31 p.m.]: I note the comments by the member for Sydney. She is correct. Both Houses of the Parliament have approved this legislation and we are now considering amendments to that legislation. The amendment moved by Reverend the Hon. Fred Nile in the other place confirms what is already happening in the rigorous practice of the adoption process. I am therefore willing to support this amendment.

Mr FRANK SARTOR (Rockdale—Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)) [3.32 p.m.]: I note the amendments carried in the Legislative Council last evening. I believe they were unnecessary but in order to try to resolve the matter I will seek to move a compromise amendment, of which I believe members have a copy. Before doing so I believe I should address some of the comments made, particularly by the Attorney General, in the Legislative Council, because I chose to be concise and brief when I moved my amendment here and I think I am entitled to respond to some of the issues that have been raised.

I have much regard for my colleague the Attorney General. I even count him as a friend, which is why I will forgive him for using what I regard as exaggerated language in relation to the amendment I moved and which was carried by this House last week. Learned he and his department may be but the moral values of lawyers are neither superior nor inferior to the values of the rest of us, and this issue is about values, especially the values of the community. I will briefly outline our points of difference.

The Attorney's first assertion was that the amendment carried by this House provided a blanket exemption that would allow adoption providers to discriminate on any ground for any reason, including reasons not related to the best interests of the child. I disagree with this assertion for the following reasons. Any discrimination is constrained by the Adoption Act, which already expresses 19 principles and matters to be considered in making an adoption decision. The interests of the child remain paramount in the Adoption Act. The adoption authority, after all, is with the Supreme Court of New South Wales. The second assertion was that it derogates the important principle underlying the Adoption Act that decisions must be made in the best interests of the child. In my view removing the restriction of the Anti-Discrimination Act on the process of selecting suitable adoptive parents makes the pursuit of the best interests of the child more rather than less likely.

The third claim is that a future director general could remove the delegation to non-government service providers and institute guidelines that permitted discrimination or could be directed by a future Minister to introduce discriminatory practices in relation to adoption. I find this quite implausible, even if it is theoretically possible. I understand where the Attorney is coming from, but I find it implausible. It seems to me we would have to have a director general at some time in the future who lost the plot. We would then have to have a deranged Minister who chose to start discriminating against people for heaven knows what motivation.

Then, of course, there would have to be an acquiescing Premier, Cabinet and Parliament and a meek and mild media who might in 20 years still be obsessed with attacking the Labor Party rather than focusing on other issues. Of course, the Supreme Court would have to let it happen because it makes adoption decisions and there would have to be a community that just did not worry about it. It seems highly implausible. The community has become more sophisticated and in my view those issues would have resolved themselves given the primacy of the Adoption Act and the principles of that Act.

The fourth claim is that the good work that has been done in relation to anti-discrimination would be undermined. The exemption as currently drafted applies to any policy or procedure, organisation or person

providing adoption services regardless of whether the policy is related to the adoption process. Then the Attorney cites employment practices as an example. I would agree with the Attorney General if this were true. The Attorney raised this with me and I consulted Parliamentary Counsel, who assured me the amendment I moved in this House last week did not extend to exemption of employment practices from the Anti-Discrimination Act.

I asked the Attorney General to confer with Parliamentary Counsel, which I believe he did. I also told him that if he remained concerned I was happy to instruct Parliamentary Counsel to amend my amendment to make it even clearer that the Anti-Discrimination Act still applied to employment practices of adoption service providers. I received no such request, yet the amendment has been criticised on these grounds, which I think is pretty unfair, given that I have no point of difference with the Attorney on this issue. As I said, there is no difference of intent here, nor do I believe there is any difference in effect, but I was happy to accommodate that.

The fifth claim is that exempting adopting agencies from the provisions of the Anti-Discrimination Act does not make the preference or wishes of birth parents any more or less relevant to the assessment of what is in the best interests of the child. I disagree with this and that is why I will move an amendment shortly to address this issue. I believe that the search processes for matching a child with adoptive parents will be influenced by the operation of the Anti-Discrimination Act, which will in some circumstances diminish the likelihood that the wishes of the child's parents are being met. Therefore, I reject the Attorney's conclusion in this regard.

His sixth claim was that the exemption moved by this House may have the effect of diluting the pool of potential adoptive parents and therefore undermine the pursuit of the best interests of the child. While this conclusion has superficial appeal, further examination would reveal it is unlikely either to dilute the pool of prospective parents or undermine the pursuit of the best interests of the child. This is because if an adoption agency is unable to satisfy itself that the pool of prospective parents corresponds to the wishes of the birth parents and finds the situation would not be in the best interests of the child it is free to extend its search. There is nothing in the amendment carried in the Legislative Assembly last week that limits this from occurring. In fact, I think the converse is true.

The seventh claim was that the Adoption Act has regard first and foremost to the best interests of the child and has a secondary duty to the wishes of the birth parents. While the Adoption Act does provide that the foremost consideration must be the best interests of the child, which is why it should be the only Act at play here, it is wrong to say it imposes a secondary duty to meet the wishes of the birth parents. The wishes of the birth parents are merely one of 19 considerations in section 8 of the Adoption Act and it appears to be of low priority.

The final claim made by the Attorney is that all service providers, including the Department of Community Services, may if they so choose discriminate against whomever they wish for whatever reason regardless of what is in the best interests of the child and what the birth parents may or may not want. With respect, I find this to be quite fanciful. The Adoption Act contains a host of its own discriminatory criteria, the paramount one being that adoption must be in the best interests of the child.

I remind members that the custodians of this process are the Attorney General's own colleagues in the Supreme Court of New South Wales. The Attorney General raised issues about which he is concerned and I believe that those issues are quite legitimate. I respect the legal prowess of the Attorney General but I am a bit concerned about the fact that this approach represents unnecessary red tape and the interplay of two Acts when that is unnecessary. I intend to amend the Legislative Council's amendment with a view to establishing whether or not we can arrive at a resolution that addresses most of our concerns. In this regard I note that a reasonable number of members in the upper House—the ratio was 22 to 15—agreed to amend our amendment. I note also that there was a unanimous acceptance of that amendment in this Chamber.

Nevertheless, in the spirit of resolving a conflict between the two Houses, I could achieve 80 per cent of what I sought to achieve through my previous amendment by moving a subsequent amendment. I remind members also, in particular because of the spirited views expressed by the Attorney General in the upper House, that the Western Australian Act was passed some years ago. This provision was put in place some years ago and nothing has been brought to my attention to suggest that there is a major problem. I refer, finally, to the assertion that the amendment that was moved in this House would empower the bureaucracy and disempower the community. I believe the converse to be true. It is really about giving the community more of a say. For the reasons that I have outlined I will move an amendment that involves accepting the amendments moved by Reverend the Hon. Fred Nile and the Attorney General, which are in the sheet of amendments that has been circulated to members.

There are three components to that amendment. By adding a further provision to section 45, that is, section 45B, adoption service providers will have to satisfy the wishes of parents who place their children up for adoption, whether or not they are birth parents, provided it is in the best interests of the child and without having to be concerned about being caught by the Anti-Discrimination Act. That was my main concern and that is what I sought to resolve. I would prefer to remove the red tape and the clutter. However, given the concerns that have been expressed by the Attorney General and others that discriminatory practices might emerge other than the already provided for statutory discrimination in section 8 of the Adoption Act, I will move an amendment, even though I prefer my previous formulation. I move:

That the Legislative Council amendment be amended as follows:

Insert at the end of Amendment No. 1 the following matter (for insertion after proposed section 45A):

45B Consideration of wishes of parents consenting to adoption

- (1) A general consent of the parent of a child to the adoption of the child, as referred to in section 53, may express the wishes of the parent as to the preferred background, beliefs or domestic relationship of any prospective adoptive parents of the child.
- (2) Nothing in the *Anti-Discrimination Act 1977* prevents the Director-General or a principal officer of an adoption service provider from identifying (consistently with the best interests of the child) prospective adoptive parents who reflect those wishes in the adoption selection process under this Part.

Members should note that my amendment does not delete the upper House amendments and it does not delete the amendment moved by Reverend the Hon. Fred Nile: it simply adds a further section 45B. It does not delete or touch the Attorney General's provision, which is the faith-based exemption; it simply adds a further provision. As I said, it will achieve a substantial measure of what I sought to achieve, that is, when two parents or one parent has to adopt out a child for reasons that are unavoidable—whether or not they are birth parents is irrelevant—their wishes must be given more weight. If a service provider believes that it can satisfy the best interests of the child and also the wishes of the parents it should seek to do that. If it cannot satisfy the best interests of the child test the search can be broadened.

It might mean, for example, that someone might wish to adopt out a disabled child. It might be that only some people in the community are interested in taking disabled kids. This will enable service providers to target and address that issue. If it ends up in Supreme Court the Supreme Court will have to form the view that it is in the best interests of the child. This amendment will meet a substantial part of what I was concerned about. In the spirit of resolving the matter I have moved my amendment which will simply amend the Legislative Council amendment.

Ms CLOVER MOORE (Sydney) [3.45 p.m.]: We are amending the amendment of Reverend the Hon. Fred Nile, MLC. I believe that this amending amendment describes what is happening in practice. As it does not impact on the intention of my bill, I am happy to accept it.

Mr RICHARD AMERY (Mount Druitt) [3.45 p.m.]: I support the Legislative Council amendment No. 1 and Minister Sartor's amendment to it. As the member for Sydney said, Reverend the Hon. Fred Nile's amendment in the upper House relates to existing practice. However, it recognises the role and the rights of a birth child. Minister Sartor's amendment adds to and clarifies that issue. As this amendment is not contentious I will not be voting against it.

Ms LINDA BURNEY (Canterbury—Minister for the State Plan, and Minister for Community Services) [3.46 p.m.]: I hope that all members are clear on this issue. The member for Sydney reiterated what this Government is doing. The amendment moved in the other place by Reverend the Hon. Fred Nile regarding disclosure of information about adoptive parents to birth parents confirms current adoption practice. Therefore, I have no hesitation in supporting Reverend the Hon. Fred Nile's amendment. Minister Sartor moved a further amendment in an attempt to confirm the right of adoption agencies to identify prospective adoptive parents who reflect the wishes of birth parents as long as the agency does so in the best interests of the child. I am happy to support that amendment. I reiterate that I support Reverend the Hon. Fred Nile's amendment and Minister Sartor's amendment to it.

Ms PRU GOWARD (Goulburn) [3.47 p.m.]: All members agree that Reverend the Hon. Fred Nile's amendment confirms existing practice. I think Minister Sartor's amendment also confirms existing practice. Some members might be uncomfortable with that idea. If we asked most parents, "Who would you like to adopt

your child", I am sure they would say, "Somebody incredibly rich and very nice." In practice, I am not sure about the extent to which people can qualify who should adopt their children. In light of the contentious nature of this debate and the argument that fewer people would be willing to put up their children for adoption because of their fear that they might go to families with whom they are not comfortable, I support the amendment moved by Minister Sartor.

Question—That the amendment to Legislative Council amendment No. 1 be agreed to—put and resolved in the affirmative.

Amendment to Legislative Council amendment No. 1 agreed to.

Legislative Council amendment No. 1 one as amended agreed to.

The DEPUTY-SPEAKER: The House will now consider Legislative Council amendments Nos 2 and 3.

Ms CLOVER MOORE (Sydney) [3.49 p.m.]: I move:

That the House agree to Legislative Council amendments Nos 1 and 2.

The amendments to my Adoption Amendment (Same Sex Couples) Bill 2010 (No. 2) that were moved by the Attorney General in the other place resolved some concerns relating to the amendments that were included in the bill that was passed by this House during the consideration in detail stage last week. The initial amendment moved by Minister Sartor, the member for Rockdale, introduced a blanket exemption for organisations or persons that provided adoption services from the provisions in the Anti-Discrimination Act. These initial amendments aim to ensure that the anti-discrimination legislation will not interfere with the adoption agencies achieving what is in the best interests of the child. But I believe they go further than what this House intended to support. They enabled all bodies providing adoption agencies, not just faith-based adoption agencies, to discriminate on any ground, including race, age or religion, and to hold a discriminatory policy even if it is not in the best interests of the child and contradicts the wishes of the birth parents.

The initial amendments also allowed adoption agencies to discriminate in any business they undertake, not just in providing adoption services but also in employing staff and using contractors, for example. The Attorney General has moved new amendments Nos 2 and 3 to ensure that only faith-based adoption agencies will be exempt from the Anti-Discrimination Act and that the exemption applies only when agencies provide adoption services. He is clarifying what I believe this House attempted to do. The grounds of discrimination will be delivered to homosexual and transgender discrimination in line with what faith-based adoption agencies have requested. We are doing what the faith-based agencies asked us to do.

Under these amendments the best interests of the child will continue to be paramount in the consideration of adoption agencies over and above any provision in the Anti-Discrimination Act. We are dealing with what is most important in the interests of the child. Relinquishing parents who, I remind the House, do not provide a service and, therefore, are not subject to the provisions of the Anti-Discrimination Act, will continue to have a say on who their child is given to and on issues like marital status, religion and sexuality. I support the amendments and commend them to the House.

Mr RICHARD AMERY (Mount Druitt) [3.51 p.m.]: I oppose the amendments. I understand the member for Epping may move a further amendment to change some words contained in the amendments. This is the crucial issue of the day and perhaps is the reason I am angry about the handling of this particular matter last week. During consideration in detail on this bill last week the Minister, the member for Rockdale, moved an amendment that was supported by everyone in this House albeit somewhat qualified and about which some comments were made. However, on the voices everyone supported the amendment of the member for Rockdale. Why? Because that was the only way the bill, which I opposed, could leave this Chamber. I repeat: the bill left this Chamber only because we accepted an amendment by the member for Rockdale.

Ms Gladys Berejiklian: You did too.

Mr RICHARD AMERY: Yes, I did and then opposed the bill. I am glad you are reading *Hansard*. The amendment by the member for Rockdale states:

Nothing in this Act affects any policy or practice of an organisation—

I emphasise the words "of an organisation"—

or person providing adoption services ...

It then goes on to refer to the Adoption Act et cetera. I believe the member for Rockdale addressed a concern of many members in this place and in the community that this bill, although said mainly to be about the interests of the child, perhaps focused too much on the interests of the adopting parents. Many members have raised that matter and I believe that to be the case. The member for Rockdale moved an amendment that to a certain extent actually removes the Anti-Discrimination Act in the adoption process for any organisation or individual. This House passed that amendment. The member for Rockdale said:

The amendment removes the Anti-Discrimination Act from the adoption process, except with regard to the rights of children.

He then went on to say:

The amendment I have moved is similar to an amendment that was carried in Western Australia some years ago and has been in operation since.

He referred to a letter sent to him from CatholicCare in the Wollongong diocese:

In response to your request for urgent feedback on the proposed amendments I can state the following. In our opinion and from the legal advice received by Anglicare, the Amendments proposed by Frank Sartor are most welcome by faith based agencies.

I have said already that that amendment was a vehicle to get the bill out of this House. That was my opinion of what happened and it was also the opinion of other members. Clover Moore, the member for Sydney, at the end of her comments about the amendment of the member for Rockdale said:

I understand that the support for my bill by some members relies on this amendment and I will not oppose it.

We realise now from the mover of this bill that the reason the amendment was passed last week was to get the bill through the House and into the Legislative Council—a comment repeated on many occasions. Minister Burney said that the amendment preserved the main objective of the bill. Daryl Maguire, the member for Wagga Wagga, said:

I believe this amendment further strengthens the bill.

I supported the amendment and then, of course, opposed the final vote on the bill. I will call the Legislative Council amendment the Hatzistergos amendment. What does it do? Not much except insert some crucial words. The Hatzistergos amendment is not significantly different in wording from the amendment of the member for Rockdale. It states:

No. 1 Page 5, schedule 2.1, line 6. Omit "Nothing in this Act affects any policy or practice of an organisation or person providing adoption services".

They were the critical words in the original amendment. The amendment continued:

Insert instead "Nothing in Part 3A or 4C affects any policy or practice of a faith-based organisation concerning the provision of adoption services".

That is the subtle difference. This House addressed the issue about whether this bill is about the interests of the child or the parents. Mr Sartor's amendment clearly distanced this process from the anti-discrimination laws. The amendment of Mr Hatzistergos reinstates the Anti-Discrimination Act for all adoption processes except faith-based organisations, which had been addressed already by the Cabinet and the bill. The procedure was all too cute and I do not believe the amendment of Mr Hatzistergos should be supported. I will vote in favour of a foreshadowed motion by the member for Epping to reinstate some aspects of Mr Sartor's original amendment. I hope I have clarified the matter for the House.

Ms PRU GOWARD (Goulburn) [3.57 p.m.]: I support the Hatzistergos amendments for two reasons. The first is that discrimination law works best when the exceptions to it are construed narrowly. That is an absolutely essential part of anti-discrimination law. If we make it possible for a whole industry to be exempt, not just from sections 3A and 4C of the Anti-Discrimination Act, that means every ground of discrimination, which can include age, care responsibilities and many other things—

Mr Richard Amery: That is not in the amendment.

Ms PRU GOWARD: It is. That is exactly what we did last week. This is why this House should not do things in haste, but that is a discussion for another time. There were many months in which to prepare these amendments, but I leave that for now. If we pass the bill in its present form, if we do not accept the Hatzistergos amendments, basically we are sending a green light to any industry—the aged care industry, any industry—that wants to discriminate against any service, client or service provider because we would have now created a great big black hole in the anti-discrimination laws of this State. That would be a disgrace. My first ground for supporting the Hatzistergos amendment is that we must do this to preserve our effective anti-discrimination law, which is reflected in every State and Territory and at Commonwealth level. The second reason I support the Hatzistergos amendments is that I, as do other members in this House, regret that we passed it in haste last week. I regret amending the bill in haste last week in our anxiety to address the concerns of the faith-based agencies. It is a respected and accepted exception to discrimination law that faith-based organisations enjoy certain exemptions.

For example, under Commonwealth law religious faith-based organisations do not have to be equal opportunity employers of priests, much to the relief of the Catholic church and parts of the Anglican church. There are many reasons based on culture and tradition that faith-based organisations have always been entitled to exceptions in anti-discrimination law. In a faith-based country, irrespective of whether the faith is Islamic or Christian, we accept that as a general principle. We accept the role of culture, tradition and religion in this country's make-up. On that basis we are perfectly able to support the exception for faith-based agencies. However, not supporting others is a hugely retrograde step when it comes to anti-discrimination law. If that happens what will be next? There are a number of other industries that would be very happy to line up for a similar exemption.

Ms LINDA BURNEY (Canterbury—Minister for the State Plan, and Minister for Community Services) [4.00 p.m.]: I support the Attorney General's amendments, and my support is very much on the bases outlined by the member for Goulburn. For five years I was a member of the New South Wales Anti-Discrimination Board. I understand very well anti-discrimination laws, the history of those laws, and their significance. The debate of this legislation is very important, but what remains most important is the best interests of children. The most important objective remains the removal of discrimination against children of same-sex couples, by allowing both their parents to adopt them, and the protection of religious freedoms of faith-based organisations.

I have been the Minister for Community Services for 20 months. Along with other members of the House, I am deeply aware that the plight of some children in this State is absolutely desperate—it is beyond the imagination of most ordinary people. Essentially, my motivation throughout all of this is particularly to ensure that foster children who are in loving and stable same-sex families get their chance at absolute stability and proper recognition. Let us not forget the objective of this discussion. It is not about backing ourselves into different camps. It is not about getting cross and voting while being cross. It is about voting for these children. In my view part of that lies very much in supporting the Hon. John Hatzistergos's amendment, as outlined by the member for Goulburn, who knows about these matters in a very real way, to avoid opening up a capacity for further discrimination on any basis in the State. That is why support for the Hon. John Hatzistergos's amendment is so very important.

I urge all members to think about that, to think about how proud we are of our anti-discrimination laws in this State, how hard they were fought for, what they mean for decency and fairness, what they have done to support decency and fairness for many years, and, most importantly, the objective of making sure that we give children the very best chance in life. Rearing children is not about whether or not we are gay. It is about making sure that parenting adults love them, give them stability and give them a chance for a normal life. I urge members to think about those factors and support the Hon. John Hatzistergos's amendment.

Mr GREG SMITH (Epping) [4.04 p.m.]: I move:

That Legislative Council amendment No. 2 be amended by leaving out "Nothing in part 3A or 4C affects any policy or practice of a faith-based organisation concerning the provision of adoption services" and inserting instead:

Nothing in part 3A or 4C affects any policy, practice or genuine belief of an organisation or person concerning the provision of adoption services.

Although the issue was not put to a vote, in effect this House unanimously supported the amendment moved by the member for Rockdale, Frank Sartor. The reason is that this bill is a private member's bill, in contradiction of

a promise made by the Minister that the Government would not be proceeding with recommendations of the Standing Committee on Law and Justice because of a split in the community. A large number of letters and petitions had been received indicating opposition to same-sex adoption.

The closeness of the two votes taken in this House reflected community concerns and there was no consensus on the issue. As the people's House we were reflecting the attitudes of people in our electorates throughout the State, not just the opinions of those who live in inner-city areas of Sydney. That is why the House acted prudently, in view of almost a majority of members who were against the bill, in accepting the amendment, thereby ensuring protection in the legislation from discrimination. One of the problems with discrimination that could occur, and why my amendment is necessary, is that people who are working for the Department of Community Services, Barnardos and other adoption agencies may well genuinely feel that it is in the best interests of a child to place that child with a married couple or a heterosexual couple because of background reasons. Equally, it may well be that there is a policy or attitude in the department that favours same-sex adoption. That is not so strange.

Many of us have tried to keep that issue out of the debate, but one wonders whether, as a result of some of the heat the issue gathered in caucus, it really is out of the debate. Some members, including the Minister for Education and Training, have a list of all the advantages that the Government and its predecessors, the Wran and Unsworth governments, achieved for same-sex couples. What does that have to do with adoption? Everyone said, "Oh, no, that has nothing to do with adoption. We are looking at the best interest of children." The reason I moved the amendment is that I believe the Hon. John Hatzistergos's amendment is just too narrow. He has taken out what we were after. He has removed anti-discrimination provisions that ensured relinquishing mothers and their husband or partner had a good say in what happened to their child because they love that child and do not want that child to go into a lifestyle that their family would not accept and that they would not accept.

All the members of this House are part of a family. All of us had a mother and a father: we are too old for IVF to have generated any of us. Most of us loved our mother and father, and most of them loved us. Why should employees of the Department of Community Services and Barnardos not be allowed to take into account that there are a lot of people who allow their child to be adopted but who want to make sure that their child has a mother and a father? Limiting the relaxation of anti-discrimination laws only to faith-based agencies discriminates against people working in other agencies: it does not give them the same rights.

As I understand it, the Attorney General heard Mr Sartor's amendment in caucus. I believe he would have heard it in caucus because I understand the amendment was discussed in caucus. He knew the implications of the amendment, yet he waited until the Sartor amendment was passed by this House so that he could get the bill across the line. He got the bill across the line.

Mr Michael Daley: He did not have much choice. He was in the other House.

Mr GREG SMITH: It was in the other House—that is true—but he has influence. And he had briefings with his staff. He was offering briefings. This is a private member's bill!

Mr Gerard Martin: It's a conscience vote, too.

Mr GREG SMITH: A conscience vote! When do we get briefings from a Minister of the Crown, using the prestige of his office, on his amendment? He has an agenda, that is, to push for same-sex things, which he is entitled to do. However, we are supposed to be dealing with our consciences, not a caucus decision or party policy. Our consciences will be satisfied if the Hatzistergos amendment is changed in the way I suggest so that any policy, practice or genuine belief of a person is respected. If people genuinely believe that it would be in the best interests of the child to assist a couple to find a similar couple why should they not be protected from any challenge as well? We know that challenges take place. We know that exemptions are tested from time to time. In the Wesley Mission case a gay couple tried to foster a child, knowing that the Wesley Mission did not allow same-sex fostering. That case has been to the Court of Appeal and it is going back there. If we do not protect staff and departments, as well as faith-based organisations, there will be further testing of discrimination in terms of whether proper attitudes have been applied.

Ms CLOVER MOORE (Sydney) [4.11 p.m.]: I oppose the amendment moved by the member for Epping to the amendments of the Attorney General because it is far-reaching and it allows for discrimination by all adoption agencies, including the Department of Community Services. Only faith-based agencies have asked for an exemption from anti-discrimination legislation on the grounds, as we have just been reminded, of the

religious beliefs of those organisations. The amendment moved by the member for Epping is unnecessary and inappropriate. It may be contrary to the wishes of the relinquishing parent and it may not be in the best interests of the child. The Legislative Council's amendments—that is, the amendments by Fred Nile and the Attorney General—plus the one from the member for Rockdale, which we have agreed to, will ensure that faith-based agencies do not have to provide adoption services to same-sex couples and that relinquishing parents will not be forced to give up their children to same-sex couples. I urge the House to reject this amending amendment.

Mr RICHARD AMERY (Mount Druitt) [4.12 p.m.]: First, I ask members, particularly Labor members, not to judge the amendment moved by the member for Epping based on his political references, attacks on our caucus and other such matters. I support his amendment and its wording, and I do so for several reasons. I shall put a few matters before the House. First, I wanted to see the bill defeated when we voted on whether it should be agreed to in principle. However, the bill was passed by this House: that debate is over. The bill got through this House and through the Legislative Council. Second, I wanted to see the bill that left this House last week become law.

Although I knew how I would vote on the bill, many members were torn because of the Sartor amendment. I have spoken with the Clerks and received advice on whether we can simply vote down this amendment and move another amendment. However, I discovered that the amendment moved by the member for Epping more or less restores the content of the Sartor amendment: there is hardly any difference in the wording. Therefore it would simply complicate matters if I moved an amendment with similar wording to that of the member for Epping. That is why I am supporting a Liberal Party member of this House. In effect, the member is simply restoring the original amendment.

I challenge the member for Goulburn to write on a whiteboard or blackboard the words of the member for Rockdale and the Attorney General and to fit in all the doom and gloom she put before the House about the implications of the amendment of the member for Rockdale. It is absurd. Basically, the difference is faith-based organisations as opposed to organisations. The member for Rockdale can speak for himself, but he addressed the issue raised by the member for Goulburn last week before a majority of members voted for the bill. So let us not have any nonsense about blood running in rivers and curses on first-born children should an amendment moved by the member for Rockdale become part of the Act. We voted on that last week. The member for Sydney and the member for Goulburn suggested that the adoption process already involves some discriminatory practices. The Adoption Act is probably one of the most discriminatory Acts and processes that we could ever have. Can two 70-year-old people on good incomes, in a stable home, with a great job and \$1 million in the bank adopt a newborn baby in New South Wales? Of course not. Why not? Because of their age.

Ms Pru Goward: Actually, grandparents do.

Mr RICHARD AMERY: The member for Goulburn knows what I am talking about. During the adoption process the potential parent or parents are assessed on whether they would be suitable. Age, stability of family life and income—in other words, all discriminatory considerations—are assessed to ensure that adoption is in the best interests of the child or that at least the child gets the best start, although we know that sometimes people's lives change. However, we have already passed the bill so that debate is finished. I do not believe the arguments put forward by the member for Goulburn and all the doom and gloom that has been spread around this place about the original amendment of the member for Rockdale have any validity.

As a personal explanation to Labor members, I support the amendment moved by the member for Epping because it is the closest thing to the original amendment of the member for Rockdale. If the amendment of the member for Epping is defeated I will vote against amendments Nos 2 and 3 from the Legislative Council—known in this debate as the Hatzistergos amendments. Overall, I reject the doom and gloom spread by the member for Sydney and the member for Goulburn and I support the amendment of the member for Epping. Of course, if the amendment is defeated I will oppose the Legislative Council amendments.

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [4.17 p.m.]: I remind members that this debate involves a conscience vote. Member with strongly held views will shape their vote according to their beliefs, their political philosophies, and their assessment of the views of the communities they represent. I supported the original passage of this legislation partly because of two amendments, the first of which exempts faith-based agencies. As I said in my contribution to the agreement in principle debate, I believe it is appropriate that the faiths that exist across our religion should be entitled to practise those faiths and not be forced by the State to do otherwise. I also voted for the amendment moved by the member for Rockdale, although for me it was about the consent of birth parents. The House has just passed an amendment that respects parental wishes. I am happy with that.

As much as I admire and respect the member for Epping, and as much as I acknowledge at least the legal skill of the Attorney General, this must not be allowed to become a he said, she said legal debate, absent the views of the child. Therefore, I cannot support the amendment moved by the member for Epping. I do not believe it will allow faith-based agencies to practise what they believe. For instance, it would have protected Wesley Mission from the case that has been brought against it. I have enormous sympathy for Wesley Mission and I am pleased that, belatedly, the Attorney General sought to intervene in order to assist it. I say to the member for Mount Druitt that we should not try to use debate on this amendment, no matter if we start each sentence with the claim that we are not redebating the bill, by rehearsing all the arguments against the bill. Let us just address the amendments and vote according to our conscience and not cloud the issue.

Mr FRANK SARTOR (Rockdale—Minister for Climate Change and the Environment, and Minister Assisting the Minister for Health (Cancer)) [4.20 p.m.]: I will briefly clarify a couple of matters. I will not support the amendment moved by the member for Epping because in my view it is a poor imitation of the amendment I moved last week. It seems to focus just on same-sex, homosexual and transgender couples. My amendment was much more generic and basically said that under the Adoption Act 17 matters and principles have to be followed. A Supreme Court judge will stand guard on the process and responsible agencies have a delegated authority through the Director General of the Department of Community Services, and they should not be burdened by having to worry about all these other issues.

Adoption agencies and I were concerned, for example, that we might end up with a quota system and if they did not do enough of this type or that type they might end up somehow being seen to be discriminatory. I believe I am correct in that position. I say to the member for Sydney that I also believe my amendment did not affect employment practices. I got that assurance from lawyers. It was never my intention to affect employment practices and I believe my amendment would not have done so. I cannot accept the amendment of the member for Epping because it focuses on homosexual, transgender-type discrimination issues and broadens the scope beyond the faith-based organisations. My amendment was about having a primacy of the Adoption Act and adoption issues.

The member for Goulburn may feel this is rushed but I spent three days working on the amendment. I discussed it with the Attorney General several times. I made two amendments based on his comments to me, including making sure that the child was still caught by the Anti-Discrimination Act. I would have made more amendments had the Attorney General kept engaging with me. I believe that we did have time to consider clearly what we were doing. I do not agree that it was something that I thought of on the way in because I wanted to have something to say. I feel very strongly about this issue. I dearly love my lovely kids. I have got two grown-ups as well. I have a very strong view about this matter.

I have said that I will support the Hatzistergos amendments not because I agree with them but because a representative democracy is fundamentally about compromise. The upper House has expressed a clear view one way—its members are probably more stubborn, and less sensible and balanced than we are. Some people even refer to them as an unrepresentative something or other, but I would never repeat that. It has expressed a strong vote in a certain direction. I thank Parliamentary Counsel for his hard work for all members, and with his help I have formulated an amendment that at least achieves a situation different from current custom and practice so that the wishes of people adopting out their children, birth parents or otherwise, can be now considered and acted on without having to worry about the Anti-Discrimination Act. That is why I will support the upper House amendments, even though I do not actually agree with them.

Mr GREG SMITH (Epping) [4.23 p.m.]: Could I just change my—

Ms Linda Burney: Are you changing your mind?

Mr GREG SMITH: No, I constantly give review to these matters but I have not changed my mind. I inform the House that in two places "this" before "part 3A" should be deleted from my amendment as originally drafted. If my amendment is passed I foreshadow that I will move a consequential amendment to amendment No. 3.

Ms LINDA BURNEY (Canterbury—Minister for the State Plan, and Minister for Community Services) [4.24 p.m.]: I will not rehash what I said earlier. However, I say clearly that I do not support the amendment of the member for Epping, and that is enough said, sir.

Mr DARYL MAGUIRE (Wagga Wagga) [4.25 p.m.]: I said that I would support the amendment moved by the member for Rockdale and the bill on the proviso that the amendment was successful. It was

passed in this House by just two votes. I have listened intently to this debate. Some members have said that the amendment moved by the member for Rockdale will open up all sorts of claims by other groups. If the provision is so bad why has that not happened in Western Australia? This legislation is a mirror of that of Western Australia, where that has not happened. This House agreed to the broad amendment moved by the member for Rockdale. I say that we should reject all these amendments, including the amendment of the Attorney General, and stick with the one that we agreed to. If a problem occurs we can send it back to the Legislative Council and if agreement cannot be reached this Parliament has mediation mechanisms to sort it out. I support the original amendment moved by the member for Rockdale and I urge other members to do the same.

Ms KRISTINA KENEALLY (Heffron—Premier, and Minister for Redfern Waterloo) [4.26 p.m.]: I support the amendment moved by the Attorney General in the Legislative Council and oppose the amendment moved by the member for Epping. I do not intend to canvass all the arguments as they have already been canvassed. In relation to what the member for Wagga Wagga said, I am advised that the difference is that there is only one adoption agency in Western Australia and it is provided by the State. That is a clear difference between our systems and may account for the differences that the member says we should examine. I say we should be mindful that we are not talking about a comparison of apples with apples in relation to New South Wales and Western Australia but about a comparison of apples and oranges.

Last week a number of members spoke to the bill and to the amendments moved by the member for Rockdale. Both Houses of Parliament have expressed a view that the Adoption Act should be amended to allow same-sex parents to adopt. We are now debating—as we debated with the amendment last week and with the amendments in the upper House—how an exemption should be provided to faith-based organisations. Nobody on either side is credibly arguing that an exemption should not be provided to faith-based organisations. I looked at the speeches last week and I interpreted that members who wanted to support the amendment to the Act clearly accepted wholeheartedly that an exemption should be provided to faith-based organisations. Some members who spoke in the debate on the amendment made clear that, while they may not support the amendment to the Adoption Act, they support an exemption to be provided for faith-based organisations. We are now debating precisely the form that exemption should take.

We are all trying to grapple with what may or may not be consequences that might flow from how that exemption is structured. I have not yet heard anybody substantially argue that there should not be an exemption provided for faith-based organisations. In this debate on the amendment we should bear that in mind. The risk is that an amendment to the Adoption Act that was passed in this Legislative Assembly and the Legislative Council now risks failing because we are having a debate over the form an exemption should take. I understand and respect that there are various views about how that exemption should be provided. We have heard very clearly from the movers of amendments, particularly from the member for Rockdale.

I remind members that we are voting on something we primarily all agree with: that there should be an exemption for faith-based organisations. I urge members to consider the words of the Leader of the Opposition, that this should not become a debate about he said, she said, who said, which legal opinion prevails? We should all remember what we are seeking to do, that is, provide and support an exemption for faith-based organisations. How that occurs is the subject of this debate, but we should be very mindful that what is at risk is overturning the decision taken by both Houses of this Parliament.

Ms PRU GOWARD (Goulburn) [4.30 p.m.]: I think there are a couple of points that we need to agree about. I agree with the Premier that everybody here is saying that faith-based organisations should be exempt, but the consequence of today's amendment moved by the member for Epping is that all adoption agencies be exempt. When we passed the amendment last week I think we all believed that this was about birth parents' rights to have some indicative say in what happened to their children. The amendment of the member for Epping, if passed, takes away the faith-based principle of exemption that has underlain the Anti-Discrimination Act. It very definitely does that. We are not now debating the adoption law; I think we have all agreed on the adoption law. We are now debating what sort of anti-discrimination law we want.

I understand why my good friend the member for Epping has moved the amendment. He believes that individuals in those organisations have the right to express their conscience. If they have religious beliefs and they happen to work for the Department of Community Services they are denied the opportunity to reflect their views. That is true, but that is true in all forms of anti-discrimination law. It applies to organisations, not to individuals. If you work for an organisation that has as part of its principles of operation that it will not discriminate on this basis and you are a faith-based person who has contrary beliefs, you have every right to choose not to work for that organisation. That has to be the way that anti-discrimination law works or it would be unworkable because individuals could challenge the organisation for which they work.

Anti-discrimination law has always been based on the principles of organisations, assuming that people have free right of movement between organisations, so they can work for or be part of an organisation that reflects their values. Let there be no doubt: If a non faith-based organisation did not want to allow same-sex adoption it could just reconfigure itself as a faith-based organisation. There are lots of ways around it, if that is what the organisation wants to do. But this does not help the strength of the anti-discrimination law.

What we have to appreciate is the effect, in a sense inadvertently, of the amendments of the member for Rockdale last week and, for other reasons, the member for Epping today. There are other ways of dealing with the rights of individuals who work for non faith-based organisations. They have the right to withdraw from adoption or to seek employment elsewhere. But if we allow this exemption to be as broad as is proposed then I can see no reason why any company in New South Wales could not go to the Anti-Discrimination Board and seek similar changes to the law so that it can be reflected in its industry. And that is not fanciful. That is why the anti-discrimination law is always held to be as narrow in exemptions as it can be: in order to stop exceptions dominating the law. Anti-discrimination law must be based on general principles and not be driven by exemptions.

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [4.34 p.m.]: I refute explicitly the statement that has been made by the member for Goulburn in relation to the application of the Anti-Discrimination Act and how it may apply to any industry were this amendment to be passed. At the outset I say that it is with considerable regret that I was not in a position to participate in the debate last week. My views on these matters are well known and I take this opportunity to state them very strongly: I am totally opposed to the initial legislation. I felt, after reading *Hansard*, reading the arguments and discussing the matter with many members, that at least the amendment moved by the member for Rockdale in some way ameliorated some of the issues. I refute claims that have been made that, had I been present, my vote would in some way have affected the passing of the bill. In fact, members are aware that that would not have been the case, so I want to put that to bed.

I support the amendment moved by the member for Epping for a number of reasons. One is that, although this debate has come down to exemptions of faith-based organisations, I believe that the original intention of the member for Rockdale—and I hope I am not wrong in this—was to take that a little further. It was also to give some jurisdiction and rights to parents handing up their children for adoption in relation to being able to state who or what they wanted their child to be adopted to. I think it is important that we get back to that principle—that parents who hand up their children for adoption have every right to make a statement. Observing is one thing; giving organisations the opportunity and the legal right to make positive discrimination is something else. That is what the amendment moved by the member for Epping is all about, as I take it.

I think it is a very strongly held point of view that parents giving up their child for adoption should be able to mandate what type of parents they want their child to be adopted to and what kind of family they want their child to be adopted into, and that is basically what this is all about. That is what I understood the amendment of the member for Rockdale did last week, which we are now trying to change. I do not want to make this a long presentation, having come into the debate so late. However, I will be voting against the Hon. John Hatzistergos's amendment and, should that not be successful, I will vote for the amendment of the member for Epping.

Ms CLOVER MOORE (Sydney) [4.37 p.m.]: I remind the member for Riverstone that we are not dealing with Reverend the Hon. Fred Nile's amendment, which we have just supported. It ensures the current practice of providing relinquishing parents—that is, birth parents—with background information about prospective adoptive parents, including information about their cultural and social background, religious beliefs, domestic relationships and living arrangements. So what has just been expressed is already in the bill. It has already been agreed to in this House and in the other place. That is not what the member for Epping is putting up. The matters the member has just raised are already part of the legislation.

Mr GREG SMITH (Epping) [4.38 p.m.]: What I put up was a much milder wording of what the member for Rockdale put up. One would think from the response from some people who are opposing it that I have thrown the devil incarnate into the stadium, as it were. I am trying to stick to the amendment moved by the member for Rockdale, but limit it to the two parts of the Anti-Discrimination Act that the Hon. John Hatzistergos wants to limit it to. Why such outcry? As the member for Riverstone said, parents should have a say. This lets agency officers have a conscience. Why should they not have to work for a particular department because that department might slant adoptions a particular way? I am not accusing them of that, but it is always a possibility.

I am using the reverse of what the Hon. John Hatzistergos said. He said his fears about Mr Sartor's amendment were that some person might slant it towards the so-called redneck heterosexuals and start going against people on grounds of disability, race or whatever. Quite frankly, some might have said that was nonsense, but I would not say that. All I am trying to do is clarify the role of those who work outside faith-based agencies. Of course, my amendment includes faith-based agencies.

Ms LINDA BURNEY (Canterbury—Minister for the State Plan, and Minister for Community Services) [4.39 p.m.]: I want to try to bring this to a vote. Many members have spoken but I want to respond to the comments of the member for Riverstone because, with due respect to him, he is not right on this one. The existing practice is that birth parents are asked whether they want to be involved in the selection of adoptive parents. That happens now. They are asked about the kind of family they would like the child to grow up in. They are also able to make requests about issues such as religion, culture and the relationship status of the adoptive parents.

I ask members to listen to this. Birth parents already are part of the process and those are the things they can express a view about. I can assure members that their views are listened to. As I said, they are asked about the kind of family, about religion, and about the culture and relationship status of adoptive parents. The birth parents are given the opportunity to look at profiles of approved applicants judged as being suitable to parent their child. The non-identifying profile tells the birth parent about the adoptive parents' ages, family composition, educational levels, occupation, cultural background, religion, interests, hobbies and attitudes to post-adoption practice. It is absolutely there now. People really need to understand that. If the birth parents do not like any families being suggested they can ask to consider different families.

Giving birth parents background information about the adoptive family and involving them in the selection process are very important to the establishment of a positive future relationship between the birth parents and adoptive parents. It is about establishing that relationship and it goes to the very point that we are discussing—the best interests of the child. I can tell members from personal experience that you want to know who your parents are. This approach makes sure that it happens. I say to the member for Riverstone that that is what happens; it is the practice now. Openness and ongoing contact between the birth family and the adoptive family have proved to be critical to the adopted child's development and wellbeing. For those members who have doubts I can assure them that these things are considered very seriously in the adoption process.

Mr BRAD HAZZARD (Wakehurst) [4.42 p.m.]: As the former shadow Minister for Community Services I confirm, as the Minister for Community Services said, that that is how the process operates. I remind the House that we are concentrating on a very small group of children who go through the type of adoption process that seems to be the focus at the moment. As I understand it, that group numbers less than 20 in New South Wales. For that reason, when members are making their decision they should realise that in a sense what we are debating now is the tail wagging the dog, because the far greater number of people who will seek to use this legislation are those who in many instances include one partner who is the biological parent but has taken up a relationship with a person of the same sex. They number in the hundreds, at least, in New South Wales. Those are the groups.

Most of us would have had approaches as we struggled with our consciences on this issue. We know that in many instances there are people out there who are the biological parent of the child with whom they reside but they are now living with a same-sex partner. They want us to give them the right to let their partner adopt their child and in so doing give that child the certainty of maintenance and an entitlement to their estate if that person passes away. That is what we are doing.

I have the highest regard for the member for Epping. I have been delighted with his presence in the Liberal Party and in the Parliament, but on this issue I differ, with a great degree of consideration. I ask all members to think about only one issue: What is in the best interests of the child. That is the only issue—what is in the best interests of the child, not what is in the best interests of the parent who may be gay. Should that child have the capacity to look to that other person who is living in the house today, will be living in the house tomorrow and will be living in the house for years to come? Will we as a House and as a Parliament give that child the right to look to that person who is in the house with them—irrespective of anything we decide in this place that will continue—and allow the child to have a clear right to maintenance and to claim property entitlements against them, or will we be intimidated from following the right course?

Mr NINOS KHOSHABA (Smithfield) [4.45 p.m.]: I will be very brief. Last week I made my position very clear on the bill and it has not changed. The main reason for my stance is that I believe the best interests of

the child should come first and I am opposed to the idea of same-sex adoption. However, I think this whole thing is a joke. We as members of Parliament and as legislators need to spend some time consulting with all interested groups, whether they are faith-based or community-based, and our constituents, and try to come to some agreement that is in the best interests of the child, not the adult, before trying to push this bill through. I believe this has not happened.

I place on record that I disagree with this whole bill and the amendments to it. I will continue to oppose this issue and any amendment. I believe limited research and consultation was done before this bill was introduced. If members are fair dinkum about this issue the bill should be voted down and withdrawn. If the people of New South Wales think that this is such an important issue a new bill can be introduced at a later stage after extensive community consultation and research. This is a much too important issue for us to just rush it through. The only move I will support is the withdrawal of this bill. I strongly oppose the bill.

The DEPUTY-SPEAKER: Order! Before I call the member for Hawkesbury, I draw members' attention to Standing Order 76, relevance. We are discussing the amendments before the House, not revisiting the bill. Members cannot revisit the entire debate; that will not be tolerated by the Chair. Members will confine their remarks to the amendments before the House.

Mr Ninos Khoshaba: Point of order: For the record, I was talking about the amendment. I said I would not support any amendment to this bill.

The DEPUTY-SPEAKER: Order! I have referred members to Standing Order 76. Members will abide by my ruling.

Mr RAY WILLIAMS (Hawkesbury) [4.47 p.m.]: I will be brief, too, recognising that we are considering the bill in detail and everybody can probably speak 6,700 times and we will probably be here until March 2011 if we do not hurry it along a little. I will support the amendment moved by the member for Epping because it is, as the member for Mount Druitt pointed out, close to what passed by this House last week. Whilst I certainly oppose the bill on the basis of the issues raised by the member for Riverstone, and support his comments, I appreciate the clarification by the member for Mount Druitt. Anyone who is keeping up with the amendments that have been moved would qualify as a NASA technician. The debate is getting very convoluted and difficult to follow. However, I will be supporting the amendment moved by the member for Epping for the reasons I have given.

As the member for Mount Druitt clearly pointed out, we made a decision in this House and I believe that was accepted because of the amendment put forward by the member for Rockdale, albeit it passed by only two votes. The bill left this House in that form and went to the upper House. The engineers in the upper House have unravelled it. As any good bus driver will tell you, if you want to get a tyre changed on a bus you talk to a mechanic, not to an engineer. An engineer starts at the roof and pulls out the lights and blinkers. The bill passed through this place after consultation with people in the community. I did not agree with the bill, but it has gone to the upper House.

Mr ANDREW CONSTANCE (Bega) [4.49 p.m.]: I contribute briefly in debate to state why the Attorney General moved the amendment in the upper House. The intention of his amendment was to remove the blanket exception that existed, which would lead to discrimination against people with disabilities and the elderly. I support the amendment moved by the Attorney General because it will remove that blanket exemption. I have been contacted by organisations such as the Council for the Ageing, which said that if the Attorney General's amendment was not agreed to it would lead to broad-based discrimination, in particular, against grandparent carers.

I draw the attention of members to an article in the *Sydney Morning Herald* that refers to Lucy Porter, a 78-year-old grandmother who is raising four children. She refers in that article to a "journey in ageism" when it comes to taking care of her grandchildren. I voted against the bill in principle but I will support this amendment because it will remove that blanket exemption—the unintended consequence of debate that occurred in this Chamber a week ago—and ensure that discrimination against people with disabilities and seniors is removed.

Ms CLOVER MOORE (Sydney) [4.51 p.m.]: I will not restate the points that have been made already in debate, but I wish to respond to one matter that was raised by the member for Smithfield about inadequate opportunities for consultation. I remind members that back in 1997 this matter was recommended by the Law Reform Commission and there has been a Legislative Council committee inquiry in relation to it. Three months

ago I gave notice of my intention to introduce the Adoption Amendment (Same Sex Couples) Bill 2010 and it lay on the table for that whole period, which is a responsible approach when dealing with landmark legislation. I do not believe that all members consider this to be landmark legislation, but for the past three months the bill has been available for members to discuss with their communities. I hope that members will support this amendment to the bill, which has already been approved by both Houses of Parliament.

Ms VIRGINIA JUDGE (Strathfield—Minister for Fair Trading, Minister for the Arts) [4.52 p.m.]: Last week, when the Adoption Amendment (Same Sex Couples) Bill 2010 (No. 2) was introduced in this place, I spoke strongly about the intentions of the provisions in that bill and I voted against it. If this bill is passed it will be akin to throwing the Anti-Discrimination Act out the window. It is the view of some people that this bill will promote the rights of certain groups in the community—rights that they believe they should have. During debate on this bill members kept referring to the best interests of the child, a provision that is to be found in the Adoption Act and that has been there all the time. No effort has been made to remove that provision, so I do not know why members keep referring to the best interests of the child.

Let us compare that phrase with the word "reform", which could be interpreted as "non-reform", or "voluntary reform", which could well lead to being non-voluntary reform. It is a nice term to use. No-one will disagree with the phrase "in the best interests of the child". I am sure that every human being wants to do what is in the best interests of a child or children everywhere. The original bill contained a bit of this and a bit of that and, basically, it was going to afford some groups certain rights.

Ms Pru Goward: Point of order: Madam Deputy-Speaker, I remind you of your instruction to the House to debate the amendments.

Ms VIRGINIA JUDGE: I am talking to the amendments.

The DEPUTY-SPEAKER: Order! I uphold the point of order. I remind the Minister for Fair Trading that we are talking about a Legislative Council amendment relating to faith-based organisations.

Ms VIRGINIA JUDGE: It came to the attention of several members that the original bill and the amendments that were moved to it would breach the Anti-Discrimination Act. We do not want to breach the Anti-Discrimination Act, which was fought for long and hard by members of this Parliament and by members of the community. The provisions in this bill refer to a positive form of discrimination and state that specific subsets or religious groups should be exempted. I note that the member for Epping is nodding his head in agreement with me, and I am not even a lawyer. Those facts are glaringly obvious. I indicated that I would vote against this flawed legislative package when I contributed to debate on the bill.

The amendment moved by the member for Epping, which is far too broad, covers anything relating to the provision of adoption services—for example, human resources and managing the Department of Human Services, which has a responsibility for employing staff to make adoption decisions. That department might decide, because of a religious belief, to discriminate against carers, homosexuals or married people who would be exempt from the Anti-Discrimination Act. How far should we go? If that is what we believe why do we not just take the Anti-Discrimination Act and chuck it out the window?

If members vote against the amendment moved by the member for Epping and they vote for the amendments moved by the Attorney General in the other place, we will be faced with the original bill, which was amended, which I did not support. The member for Sydney included some amendments to the bill when she did not know what to do and when she wanted to ensure that she looked after those religious groups. This bill is fundamentally flawed, which is sad as it is an important bill. I cannot support these amendments.

Mr BRAD HAZZARD (Wakehurst) [4.57 p.m.]: I do not want to upset anyone, but is it appropriate at this point simply to put the question?

The DEPUTY-SPEAKER: Order! I was about to put the motion.

Mr Daryl Maguire: Before you put the question, could you explain to members the consequence of a yes or a no vote so that they understand the process?

The DEPUTY-SPEAKER: Order! The House will vote on the amendment moved by the member for Epping. If that amendment is lost, there will be a vote on the amendment moved by the Attorney General in the other place.

Question—That the amendment to Legislative Council amendment No. 2 be agreed to—put.

The House divided.

Ayes, 28

Ms Andrews	Mr Kerr	Mr Stewart
Mr Aplin	Mr McBride	Mr Stoner
Mr Aquilina	Mr Merton	Mr Tripodi
Mr Baumann	Mr Page	Mr J. H. Turner
Mr Collier	Mr Provest	Mr J. D. Williams
Ms D'Amore	Mr Richardson	Mr R. C. Williams
Mr Fraser	Mr Roberts	
Mr Harris	Mr Shearan	<i>Tellers,</i>
Mr Hartcher	Mr Smith	Mr Amery
Ms Hodgkinson	Mr Souris	Mr George

Noes, 60

Mr Ashton	Mr Gibson	Mr Morris
Mr Ayres	Ms Goward	Mr O'Dea
Mr Baird	Mr Greene	Mr O'Farrell
Ms Beamer	Mrs Hancock	Mr Pearce
Ms Berejikian	Ms Hay	Mrs Perry
Mr Besseling	Mr Hazzard	Mr Piccoli
Mr Borger	Mr Hickey	Mr Piper
Mr Brown	Mrs Hopwood	Mr Rees
Ms Burney	Ms Hornery	Mr Sartor
Ms Burton	Ms Judge	Mrs Skinner
Mr Campbell	Ms Keneally	Mr Stokes
Mr Cansdell	Mr Khoshaba	Ms Tebbutt
Mr Constance	Mr Koperberg	Mr Terenzini
Mr Coombs	Mr Lalich	Mr R. W. Turner
Mr Corrigan	Mr Lynch	Mr West
Mr Costa	Dr McDonald	
Mr Daley	Ms McKay	
Mr Debnam	Mr McLeay	Mr Whan
Mr Dominello	Ms McMahan	<i>Tellers,</i>
Ms Firth	Ms Megarritty	Mr Maguire
Ms Gadiel	Ms Moore	Mr Martin

Question resolved in the negative.

Amendment to Legislative Council amendment No. 2 negatived.

Ms CLOVER MOORE (Sydney) [5.07 p.m.]: I have been requested to remind the House about what we are voting on because some members were not present for the entire debate.

The SPEAKER: Order! I remind members that the member for Sydney is entitled to speak to her motion. I congratulate all members on their contributions to this difficult debate.

Ms CLOVER MOORE: I will briefly summarise the Legislative Council amendments before us. The Attorney General moved two amendments to ensure that only faith-based adoption agencies will be exempt from the Anti-Discrimination Act and that the exemption will apply only when agencies provide adoption services. The grounds for discrimination will be limited to homosexual and transgender discrimination in line with what faith-based adoption agencies have requested. Under these amendments the best interests of the child will continue to be of paramount consideration for adoption agencies over and above any provision in the Anti-Discrimination Act.

Question—That Legislative council amendments Nos 2 and 3 be agreed to—put.

The House divided.**Ayes, 46**

Mr Ayres	Ms Gadiel	Mr Morris
Ms Beamer	Ms Goward	Mr O'Farrell
Ms Berejikian	Mr Greene	Mr Pearce
Mr Besseling	Mrs Hancock	Mr Piccoli
Mr Borger	Mr Hazzard	Mr Piper
Mr Brown	Mr Hickey	Mr Rees
Ms Burney	Mrs Hopwood	Mr Sartor
Mr Campbell	Ms Hornery	Mrs Skinner
Mr Coombs	Ms Keneally	Ms Tebbutt
Mr Constance	Mr Koperberg	Mr Terenzini
Mr Corrigan	Mr Lynch	Mr R. W. Turner
Mr Daley	Dr McDonald	Mr Whan
Mr Debnam	Ms McKay	
Mr Dominello	Mr McLeay	<i>Tellers,</i>
Ms Firth	Ms Megarity	Mr Ashton
Mr Furolo	Ms Moore	Mr Martin

Noes, 43

Mr Amery	Ms Hay	Mr Shearan
Ms Andrews	Ms Hodgkinson	Mr Smith
Mr Aplin	Ms Judge	Mr Souris
Mr Aquilina	Mr Kerr	Mr Stewart
Mr Baird	Mr Khoshaba	Mr Stokes
Mr Baumann	Mr Lalich	Mr Stoner
Ms Burton	Mr McBride	Mr Tripodi
Mr Cansdell	Ms McMahon	Mr J. H. Turner
Mr Collier	Mr Merton	Mr West
Mr Costa	Mr O'Dea	Mr. J. D. Williams
Ms D'Amore	Mr Page	Mr R. C. Williams
Mr Fraser	Mrs Perry	
Mr Gibson	Mr Provest	<i>Tellers,</i>
Mr Harris	Mr Richardson	Mr George
Mr Hartcher	Mr Roberts	Mr Maguire

Question resolved in the affirmative.

Legislative Council amendments Nos 2 and 3 agreed to.

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

FARMING CONDITIONS**Motion Accorded Priority**

Mr GERARD MARTIN (Bathurst) [5.21 p.m.]: I move:

That this House:

- (1) notes that New South Wales farmers are set to deliver a record \$2.8 billion winter crop harvest after surviving the most protracted drought in New South Wales history; and
- (2) congratulates farmers and their workers across the State.

I am pleased to move this motion today. For almost the entire 11 years I have been in this House, whenever we have debated such issues basically we have talked about the problems experienced by the New South Wales farming community because of the horrendous, long-running drought that has occupied most of the past decade.

But we are now on the cusp of another good season, with record winter rainfalls across the State. While some isolated areas are still in drought or marginal, the great majority of the State is awash. Of course, too much rain could be a problem in some areas, but the winter crop sowings show every indication of a record crop and indeed record prices for many commodities. That is a double whammy for farmers. Not only does it provide them with a good winter harvest; it will also enable farmers to get out of debt, because many of them had to borrow to survive during the drought.

During the past decade the Government has spent quite a bit of good money on various support measures, including subsidised loans and rebates for water and the transport of stock. It is no surprise that regional New South Wales is abuzz. As I said, the prospect for this year is about to see off the worst drought on record. Many people across the State are showing great optimism, not only those on the land but also those in services industries that service farmers, such as machine operators and so on. In August the city of Bathurst recorded 102.8 metres of rain. That is more than twice the average rainfall. We had good rain leading up to that. I note the presence of the member for Orange. No doubt he is excited that Suma Park Dam and other storage dams in Orange are over-running. Lack of stored water has been a problem for Orange for a number of years.

Burrendong Dam, which is a massive dam in the Central West that holds nine or 10 times the amount of water in Sydney Harbour, has increased from about 10 per cent prior to Christmas to well over 50 per cent now. The water level in Wyangala Dam is slowly increasing. All of that means there is a good chance of water allocations for irrigators leading into summer. Lake Cargelligo is finally full; eight months ago it was bone dry. Experts predict that this year's crop will be more than double the annual average of the last drought-stricken decade. Livestock producers are already enjoying the spoils of the season, with prices skyrocketing. Recently in Wagga Wagga a pen of lambs set a national record of \$204 a head. If we had told farmers a few years ago that they would get \$200 for a lamb they would have laughed at us.

Grain prices have rallied in the past three months, which is unfortunate for our Russian cousins. The extreme drought in Russia is giving our farmers the opportunity to build on that misfortune. Back home in Australia the Australian Stock Exchange grain futures have rallied from \$215 a tonne in June to nudging \$300 in recent days. The official drought figures show that just 7.1 per cent of the State is currently in drought, although one-third of the State is still marginal. So we still have some concerns. The latest figures show that in my electorate of Bathurst, in the Tablelands Livestock Health and Pest Authority region, the move is from marginal drought to completely satisfactory, which is great news for the people in that area. With healthy prices, record plantings and a predicted best-ever 12 million tonne yield, the estimated crop income will be a major, long-awaited injection into the New South Wales regional economy.

The predicted \$1.8 billion wheat crop represents three-quarters of the overall plantings and almost two-thirds of the estimated harvest value, which would be the highest value wheat crop ever produced in New South Wales. The bumper crop this year comprises almost three million hectares of wheat, 316,500 hectares of canola, 782,000 hectares of barley and 337,000 hectares of chickpeas, which is one of my favourite foods. While there is still a way to go before the harvest is complete and the money is in the bank, this has been the best start for the winter crop in years. Even that august journal the *Sydney Morning Herald* declared last week that the drought had broken. The President of the New South Wales Farmers Association, Charles Armstrong, said:

Fields of glory promised as farmers look to life after drought.

That is poetic but apt. Mr Armstrong said:

People are beginning to see a future and are feeling a bit more buoyant and feeling better than they have in maybe ten years.

Cowra farmer Dan Cooper, who described 2010 as the perfect season, shares his optimism. He said that this year has a different feel that it did for the past 10 years. Every time they predict rain, it rains. John Seaman, a gentleman from Perthville who is well known to me—he is a long-term generational merino farmer and chair of the Tablelands Livestock Health and Pest Authority—is also in high spirits with the drought breaking and high livestock value. John has worked tirelessly behind the scenes during the drought, through the many hats he wears, to support the farming community. He should be congratulated on the leadership he has shown. There are some challenges ahead. We know that there may be an outbreak of locusts, but the Government has moved quickly to make \$18.5 million available. An emergency plan is well in hand to ensure that we protect these valuable crops if a locust outbreak occurs.

Mr THOMAS GEORGE (Lismore) [5.28 p.m.]: At the outset I indicate that the Opposition will not oppose this motion, which states:

That this House:

- (1) notes that New South Wales farmers are set to deliver a record \$2.8 billion winter crop harvest after surviving the most protracted drought in New South Wales history; and
- (2) congratulates farmers and their workers across the State.

I would include all families because many farmers have families at home supporting them. A bumper season is on the way, which is positive news not only for farmers but also for the State in general. I trust that we are not counting our chickens before they hatch. We face a possible locust outbreak, and the Government has provided assurances every day. Although it has been dragged kicking and screaming to provide funds for locust control, only long-running pressure from the New South Wales Liberal-Nationals pressured the Labor Government into providing assistance. Today the shadow Minister for Primary Industries in the other place, Duncan Gay, was briefed on a program to deal with an outbreak of locusts. We are pleased to know that the Government has a program in place to cope with any possible outbreak.

While reports of a record crop this season is positive news, we cannot forget that this Labor Government has continually ripped resources out of the department. I refer to what used to be the Department of Agriculture, then the Department of Primary Industries and now Industry and Investment New South Wales. One thing the shadow Minister wants to do—he has the support of all The Nationals—is to put agriculture back into agriculture. When this Labor Government is finished, we will certainly put agriculture back where it belongs—in agriculture. As I said, the shadow Minister has long been questioning exactly where and how many vital staff are affected by the Government's latest round of many rounds of job losses and voluntary redundancies that have taken place.

Last week I asked the Minister if the dairy cattle officer based at Kyogle will be replaced, but I do not know the answer to that yet. This week the *Northern Star* paid tribute to Kerry Moore, who retired after almost 40 years working with local dairy farmers, soybean growers and beef producers as an agronomist on the North Coast. The Department of Primary Industries, which should be named the department of agriculture, has supported farmers. Beef cattle officers, dairy cattle officers and agronomists need to be strategically placed around the State to assist farmers when the need is greater than ever.

The member for Bathurst and the Minister for Primary Industries are always first to take credit during the good times but are not so quick to come forward in times of need. A couple of positions are vacant on the Northern Rivers. Recently the beef cattle officer was replaced. The Northern Rivers is one of the few very strong dairy areas left in the State and it is of great concern that the dairy cattle officer and the agronomist have not been replaced. Having a big crop throughout the State will benefit the Northern Rivers area. We have a very big chicken industry with Sunny Brand Chickens and its 20-odd growers that use a lot of grain. Piggeries and chicken farms depend on grain, which is a major cost. Our bumper crop will have flow-on benefits for feedlots and other sectors of the industry throughout the State and the world.

I also pay tribute to Ridley Bell, announced by NSW Farmers as Farmer of the Year. Ridley is my neighbour and a horticulturalist who runs the Mountain Blue Blueberry Orchard with his wife, Mieke. Natalie and the rest of the family and employees do a wonderful job. The runner-up Young Farmer of the Year, Angus Stainley, is a sugarcane grower from Murwillumbah. Last Sunday I had the pleasure of presenting a trophy to the Hurford family, who won the award for Tree Farmer of the Year in New South Wales. This State owes a lot to industries that are involved on the land in agriculture. Finally we have the possibility of harvesting a great winter crop after surviving a very protracted drought.

Mr MATT BROWN (Kiama) [5.35 p.m.]: I am pleased to support the motion moved by my Country Labor colleague, the member for Bathurst. I am also pleased to hear that the Opposition supports this motion as we speak as one in this Parliament to celebrate the bumper crop of farmers this year. Our farmers have done it tough for the past 10 years, which was a decade of disappointment for them. The worst drought in the history of New South Wales has tested the resilience of our rural and regional communities. I have the pleasure of representing Kiama on the South Coast and a number of farms on the Southern Highlands. They have seen tough years, but our farmers and their communities have been tougher.

At the height of the drought nearly all of New South Wales was drought declared. Today we can see those dusty days behind us. Our farmers' hopes are pinned on a bumper end to this season, which has been a

dream so far. According to official figures today just 7.1 per cent of New South Wales is in drought. Across New South Wales there has been a change in fortunes—dust has actually turned into mud. From Tibooburra in the top corner through to Albury in the south, New South Wales is looking the best it has in more than a decade. Two weeks ago I was with my Country Labor colleague in Coleambally and in Orange. I was amazed at the green pastures because not too long ago they were very dusty and red. Even in the much lush fields on the South Coast, particularly at Kiama, its hills turned brown and dry during the drought. Today our dams are full, our creeks and rivers are flowing and we have a great lush winter crop. That has resulted in a real change in fortunes in country New South Wales—it is palpable and the mood is upbeat and positive.

Our farmers and farm workers who have worked tirelessly throughout these tough years are finally starting to smile again. I have heard commentary from irrigators and farmers, and in an article in the *Land* today livestock agent Peter O'Connor talked up country New South Wales, which is such a welcome change. Our farmers have been battling the drought for the best part of a decade and finally they are witnessing some well deserved relief. That is a great tribute to the resilience of our farmers, who appreciated more than \$500 million in drought assistance provided to them by this Labor Government that does give a damn about the bush. My electorate of Kiama has looked at a program that literally "bales out" country famers from the effects of drought with not just government money but also money raised by charities and groups such as the Hands Across New South Wales program, led by Mr Juan Alvarez, one of my fantastic constituents, his mate Frank Harris and their team. They have sent more than 2,000 bales of hay across the State to help drought-stricken farmers. We know that the cost of feed can be crippling for farmers, and that not-for-profit group has been a huge benefit to them.

The program saw farmers lock up a paddock, which was then cut and processed by Hands Across New South Wales, with support from State Government agencies such as the Department of Primary Industries and Country Energy, and much-needed gifts were spread right across New South Wales. Farmers doing it tough, perhaps suffering from emotional problems when seeing their business potentially going down the tube, were also provided with some respite. They went to the coast and saw their business from a fresh perspective. They were supported by their cousins on the coast to make it through the drought. Today we have made it through the drought. We will get a bumper crop and I wish our farmers in New South Wales all the best.

Mr RUSSELL TURNER (Orange) [5.40 p.m.]: The Opposition supports the priority motion by the member for Bathurst. We have heard good stories today about how farmers, for the first time in a number of years, are potentially going to have a bumper crop. Farmers in this State could produce an estimated 22 million tonnes of wheat this year. I hope that that eventuates. Sorghum and canola crops have been put in. It is an absolute picture throughout the country at the moment. Oats, barley, soybeans and, as the member for Bathurst mentioned, chickpeas have been planted. Farmers are also looking forward to putting away a record amount of hay this year.

Whether it is hay in the shed or silage in the ground or in bags, farmers will finally be able to catch up and have two or three seasons' storage in their paddocks or around their farm. I also note that because of extra irrigation allocations we will have a decent rice crop this year, or at least rice is going in, whereas in the past two or three seasons we have been a major importer of rice. It will be great to see rice going back into the paddocks again. Things are changing with the way our grain is being marketed. There has been mention today about the single desk, but traders are able to enter the market. Many farmers will be making deals with traders and keeping grain on farms hoping for even better prices later. Some have already forward sold a portion of their crop.

As we all know, unless farmers treat their farms as a business they will be at risk next time it gets a little tough. But, as has been mentioned, the potential harvest and record prices that farmers are going to get this year are only going to help some of those farmers pay back debts and loans they have taken to merely survive. The locust threat has been mentioned. The member for Barwon told me today that they are already banding and some have lifted in the north-west. We have had assurances from the Government that there will be enough chemical and I know that a number of aircraft are ready and on hold. In many instances farmers would get a much better kill on the ground but they are not able to get into the paddocks because they are too wet—which is potentially a great problem to have.

We call on the Government to ensure that there will be ample rolling stock to get the grain away from the farmers who choose to sell their grain out of the paddock. I hope that the Roads and Traffic Authority is sympathetic towards overloading of vehicles and does not get a bad name by fining farmers for little niggly overweights. I also hope it is sympathetic to farmers transporting their headers at night and does not ping a

farmer simply because he has one tail light missing or whatever it might be. I acknowledge some potential problems because of closed branch lines that the Government has not reopened, and I hope that sympathy will be shown to councils whose roads are going to break up.

Roads are already breaking up with the rain that we have had and, with the record harvest of grain that is going to come out of our farming areas, they are going to break up even more and become dangerous. I seek an assurance from the Government that there will be enough rolling stock and that the grain handling facility at Port Kembla will be able to handle the grain. The Government has got out of the financial handling of grain and being the owner of the grain with the Grain Elevators Board potentially being privatised. There is great potential. Let us hope that the grain gets to the silo and the money is in the bank from a record harvest. I look forward to farmers smiling and continuing to smile as they are at the moment.

Mr GERARD MARTIN (Bathurst) [5.45 p.m.], in reply: I thank the member for Lismore, the member for Kiama and the member for Orange for their support. In the spirit of bonhomie, I will not have a shot at members opposite claiming credit for getting the \$18.5 million for the locust campaign. That came after strong representations from Country Labor and a number of meetings with NSW Farmers, but I am quite happy to share that good fortune. That \$18.5 million is a direct grant. There will not be, as the shadow spokesman has been saying, a levy to get the money back next year. It is an absolute \$18.5 million grant on the table. There is already a heap of chemical in place. We have a fantastic emergency management plan. If the worst comes to the worst in terms of germination we will be off and running, and I am pretty sure that we will be able to combat that effectively. There would be nothing more devastating than to have the magnificent opportunity that the farming community has before it ruined by pestilence and locusts, which of course have been wreaking havoc for thousands of years.

I point out that we do have a Minister for agriculture in New South Wales: his name is Steve Whan, the member for Monaro. But whatever the names of the various organisations, our people on the ground in Industry and Development, and agriculture, do a magnificent job. It is through their support and their work with various farmers' organisations, individual farmers and the Livestock Health and Pest Authority that we can be vigilant, take opportunities and react to threats. In relation to whether there is enough rolling stock, I do not like to point it out to the Coalition, but I should, when it was last in power it closed many country railway lines. In retrospect, was it a good idea? That was the way the Coalition went about it, so before its members point the finger they must remember where they came from.

We are all euphoric about the opportunity that our farming community will have. It is ironic that Russia's misfortune with a massive drought and no wheat being exported has given our farmers the opportunity to receive prices of about \$300 per tonne—and we hope they do better than that. As the member for Kiama pointed out, we were recently at Coleambally for a climate control committee meeting with the member for Murray-Darling. While inspecting some properties we were knee-deep in clovers and pastures and the farmers were making the decision then, because of the allocations they have and because it is a good season, to convert back to rice. They have great flexibility.

It was very interesting to see the great work that the irrigation group down there has done with high-tech flumes and working with farmers. Not only have farmers had a good season with natural rain, but it looks like we will have much better allocations. It gives me great pleasure, as I drive over Evans Bridge into Bathurst, to see the mighty Macquarie River actually flowing and people being warned about the threat at low-level bridges. It is wonderful—something that has not happened for almost a decade. The water from Ben Chifley Dam is going over the spillway and all the other major water sources through the central west are topping up, although there is still some concern around Oberon. Lake Oberon is at 30 per cent of capacity but it is all heading in the right direction. I thank the members opposite and my colleagues for supporting this priority motion.

ACTING-SPEAKER (Mr Thomas George): Order! It being after 5.30 p.m., the House will now proceed to private members' statements.

PRIVATE MEMBERS' STATEMENTS

REVESBY STATION UPGRADE

Mr ALAN ASHTON (East Hills) [5.50 p.m.]: I am pleased to announce that work on the \$4 million upgrade of Revesby station will start this week. The upgrade will involve the construction of a fourth platform and an additional lift at the station as part of the \$774 million Kingsgrove to Revesby quadruplication project,

known in our area as the K2RQ. As part of this project, Revesby station needs to be modified to provide sufficient space for an additional track as well as an additional lift and stairs, which will be installed to provide accessibility from the Blamey Street side of the station. At the completion of the K2RQ project the new rail line alongside a newly established fourth platform at Revesby station will become operational. Not only will the project benefit existing rail users but it is a critical step in ensuring that the necessary capacity exists on the line for future services. I point out there have been some suggestions, maliciously spread I think, that the East Hills line will take rail freight. As members will know, a dedicated freight line is being built and improved, and the Revesby station and the whole East Hills line is a dedicated passenger line. It is only rarely used for freight when work is being done on the other freight lines. It is important that people note that.

Preparatory work to install the new track on the Blamey Street side of the station is underway—I can see it because my office is in Revesby—but station access needs to be modified to allow easy access for passengers. As part of the works the southern end of Revesby station on the ground level will be modified to allow for the extension of the overhead concourse. Once the platform has been modified the overhead concourse will be upgraded and easy access lifts and stairs will be installed at the new station entry point on Blamey Street. This will mean there will be four lifts at Revesby and four rail lines. It will take about 12 months to complete the whole project, but the spending of \$774 million on this project from start to finish is proof that the Government is spending on infrastructure. Work is being done.

As I have said, if I have a problem in my electorate to some extent it is that so much work is being done that many of the residents are inconvenienced because they have to take different roads to cross the railway line and there is disruption and lack of parking around the stations. I apologise for this. We are also building a new car park in Revesby, which will provide 735 parking spaces. It will provide short-stay parking for people who shop in the Revesby precinct and visit doctors and dentists and the like but the majority of the parking will be long-stay parking space for commuters to use. The commuter car park is expected to be completed by the end of the year.

The Kingsgrove to Revesby quadruplication project forms part of the Government's Rail Clearways Program, which has been going for some years. It is a Government initiative to improve capacity and reliability on the CityRail network. Members will recall that the whole idea was to separate the tangle of railway line intersections—the spaghetti lines—which caused East Hills trains to stop and wait for a southern train from Cronulla before they could continue. We are trying to construct dedicated lines so that if there is a problem on one line it will not cause a problem for the whole of the Sydney rail network.

The road bridge at Padstow has been closed until at least March next year and that has obviously caused an impact. Shopkeepers and residents have approached me about that situation. I made representations to the Transport Construction Authority [TCA], which used to be the Transport Infrastructure Development Corporation, and it has agreed to install extra signage around Padstow indicating how to get to the shops. I have encouraged people to continue to shop at Padstow, whilst recognising that there is a lack of parking because of the extra work being done on the railway lines. A site has been identified to enable extra car parking to be built in the Padstow shopping centre, which will be announced shortly. I was also responsible for having the TCA organise a brochure, which the shopkeepers helped put together, to be delivered in much of the Padstow shopping community so that people would continue to go there. I also called on Bankstown City Council to cooperate, as it has mostly done, when it is working in and around the Padstow area while this great railway project is being built. In the end it will be great news for every passenger and shopkeeper.

MARINE RESCUE SERVICES

Mr ROB STOKES (Pittwater) [5.55 p.m.]: My community of Pittwater is enormously fortunate to have some of the world's most spectacular waterways right on our doorstep. When Governor Phillip arrived in Pittwater in March 222 years ago he declared it to be the finest body of water he had ever seen, which I am sure all members will agree is an extraordinary statement for someone of his experience as a naval captain. We are also very fortunate to have a highly professional and dedicated marine rescue service on hand for when activities on the water do not quite go to plan.

Marine Rescue NSW is a fantastic volunteer-based organisation that coordinates marine rescue operations, radio communication and boat safety education in Pittwater and throughout New South Wales. It is an amalgamation of 57 units from three outstanding and long-serving volunteer rescue organisations—the Australian Volunteer Coast Guard Association, the Volunteer Rescue Association and the Royal Volunteer Coastal Patrol—unified as one to ensure the continued and comprehensive monitoring of New South Wales waterways.

In fact, I am very fortunate to have served in the past with the Broken Bay division of the Royal Volunteer Coastal Patrol, something I thoroughly enjoyed and saw immense value in. Having had this experience and worked alongside several divisional commanders such as Richard Cockman, Don Hope, Ken Hibbens, Mike Searle, Mike Stringer OAM, and Geoff Hatfield, who was my watch officer for several years, I can tell members that the more than 2,500 wonderful men and women who volunteer to make up Marine Rescue NSW do so out of their commitment to their communities, their respect for the ocean, their love of boats and their desire to assist others.

My community of Pittwater certainly appreciates the security and services that Marine Rescue provides and does not take for granted the fact that Pittwater, which is amongst the busiest recreational waterways in the State with the largest number of moorings, is served and watched over by two Marine Rescue bases, at Bayview and Cottage Point, and a communication base at Terrey Hills. Marine Rescue is our eyes and ears on the water, our saviour when something goes wrong and our educator regarding best boating practices. Its volunteers are a regular sight on Pittwater, supporting Water Police at events such as the Hawkesbury Canoe Classic and protecting people in the very popular ocean swims along Sydney's northern beaches.

Whilst the establishment of a unified marine rescue unit for New South Wales has been viewed as a practical and productive means of creating an expert organisation that will parallel the outstanding work done by other emergency organisations such as the State Emergency Service and the Rural Fire Service—I note the presence of a former commissioner of the Rural Fire Service in the Chamber—the process, unfortunately, has not been smooth sailing. Inevitably there are going to be management and organisational issues when amalgamating three longstanding and proud organisations with similar objectives. It is unfortunate, as I understand that disagreements have taken place and there has been failure to agree upon issues as part of the amalgamation of services. However, I am sure I am joined by other members in this place in commending Marine Rescue for its professionalism in helping to ensure that any interruptions to marine rescue services during this process have been minimised and that volunteers from all parties have been well supported.

What must not be forgotten in these situations is that it is the volunteers who make this and other valuable rescue organisations work, and work well. It is vital that the process respects the opinions and the needs of the volunteers because it is the volunteers who are the heart and soul of the organisation. They are its engine room and the basis on which it will ultimately succeed, and they cannot be ignored. It is volunteers in Pittwater such as Simon Deneen, John Duniam, Scott Kranenburg, Vic Lawrence, Peter Woods and David Harrison and so many others, including Mike Searle, who kindly donate their time to Marine Rescue, sacrifice other commitments and often risk their lives. The reality is that, without these volunteers and their invaluable input, Marine Rescue and the services it provides to our community simply would not be possible. We need to guard against top-down approaches that risk turning this great organisation with its proud heritage into a bureaucracy, which would undermine its purpose and the community support it enjoys and deserves.

The challenge for the State Government is to continue to use its influence and resources to ensure that any future negotiations and arrangements between rescue organisations with similar objectives are mediated and do not interfere with their primary purposes, discourage volunteers or disadvantage communities such as Pittwater that desperately depend on the continuation and expansion of the services that they provide. I understand the challenges that this presents and may continue to present, and I am aware that much work has already been done. However, without persistence in this matter the growth, expansion and success of our volunteer emergency organisations unfortunately might be hampered—a situation that we all hope can be avoided.

Mr PHIL KOPERBERG (Blue Mountains—Parliamentary Secretary) [6.00 p.m.]: I cannot let this opportunity pass without commending the member for Pittwater for his advocacy of Volunteer Marine Rescue—an organisation with which I have had the pleasure of dealing for many years. It has been a difficult transitional process, as these things always are. However, as the member for Pittwater said, the participants are to be commended for embracing the need for rationalisation. They knew that, at the end of the process, they would all be better off, that they would have additional resources, and that the competition for resources would be condensed. Having dealt with volunteer organisations for most of my working life, I can confirm that what the member for Pittwater said is true.

It is paramount for the volunteer voice to prevail whenever organisational change is being contemplated. Volunteers should have a significant say in the processes involved in such arrangements. It is true also that in many countries, including Australia, people take for granted that the eyes and ears for recreational and other boaters and sailors along our waterways and estuaries are volunteers. That is not fully understood or

appreciated, in the same way as fires are fought by volunteers and flood mitigation measure are performed by volunteers. Those volunteers have become so proficient that most of the community presumes they are salaried. As that is what they do for a living it is little wonder they are good at it. I commend the member for Pittwater for his advocacy of that fine group.

BLUE MOUNTAINS ELECTORATE AFFORDABLE HOUSING

Mr PHIL KOPERBERG (Blue Mountains—Parliamentary Secretary) [6.02 p.m.]: I speak today about homelessness and affordable housing in my electorate of Blue Mountains. I wish, first, to thank those members on the Blue Mountains and Nepean Interagency Task Force on Homelessness: Dr Andrew Marks, Major Colin Young, Mrs Marie Wood, Ms Stacey Howe, Ms Stephanie Brennan, Mr Nick Stable, Councillor Alison McLaren, Councillor Karen McEwen, Ms Mary Waterford, Mr John McMillan, Ms Margaret Malkovich, Ms Robin Cole and Ms Trisha Doyle, my electorate adviser, who worked tirelessly for almost a year on the compilation of strategies dealing with this most serious issue. As chair of that task force I express my heartfelt thanks for their efforts and for the expertise and passion that they have brought to the table.

The report and recommendations of the task force were submitted to the New South Wales Minister for Housing in May this year. I thank Minister Borger for this opportunity and I urge the new Minister for Housing, the Hon. Frank Terenzini, to consider seriously the recommendations of that task force. One important outcome of the deliberations of that task force was to further the cause and work of Project 40. Project 40 began its first stage of establishment in the Blue Mountains in late 2009 as a demonstration project seeking systemic reform. Inspired by Common Ground Project 50, where permanent housing with support is targeted to the most vulnerable, Project 40 represents a new way of responding to homelessness delivered through a collaboration of all key local homelessness services, both mainstream and specialised. Stage one of the project involved Wentworth Community Housing providing over 40 properties for the project, with brokerage support funding being sought through Homelessness Action Plan stage two funding.

Project 40 Blue Mountains in its demonstration phase has so far delivered housing for the majority of people, including families that have been referred to it, not just those allocated Project 40 supportive housing packages. A consortium of more than 50 homelessness services have partnered with Wentworth Community Housing to establish Project 40 and to develop a business case for funding. It is pleasing to note that the Federal Minister, Tanya Plibersek, and the New South Wales Minister for Housing, Mr Terenzini, announced funding for Project 40 on Thursday 29 July this year. The recently formed Western Sydney Housing Coalition held a forum. I will now refer to its efforts and recommendations. I consider some of the discussion points to be critical food for thought for all members of this House.

More than 200 housing advocates met at Casula Powerhouse in the week before the Federal election and called on Federal and State governments to increase their financial commitment to social and affordable housing in western Sydney. Keynote speakers at the forum were Associate Professor Michael Darcy, Professor Peter Phibbs of the University of Western Sydney and Mary Perkins, Executive Officer, Shelter NSW. Associate Professor Michael Darcy told the forum that the population of western Sydney is expected to grow at above average rates. He said, *inter alia*:

However, some major shifts in policy were needed if housing is to be something working households can afford. In the post-war period the low prices of western Sydney enabled many families to become home owners. This is no longer the case.

Professor Peter Phibbs said that the average household in many parts of western Sydney spent more than 30 per cent of its gross household income on housing costs, which is well above the Sydney average. Mary Perkins, Chairperson, Shelter NSW, reported at the forum that the continuing rise in house prices being seen across Sydney was the result of a high level of tax incentives granted to home ownership. This might seem somewhat paradoxical. Intended to make home ownership more accessible, the tax incentives appear to have done the opposite. By driving up prices they have apparently contributed to a significant reduction in the proportion of families owning their own homes.

Shelter NSW called for a review of the tax incentives for home ownership and for the maintenance of Federal Government investment in housing of the scale of that delivered through the stimulus package. National Shelter called for a minimum national target of 220,000 affordable homes by 2020. How governments deliver that outcome in conjunction with community organisations is a challenge to which they must rise. People must have the basic human right of a roof over their heads. Homelessness is a critical problem that needs to be addressed, and it needs to be addressed with a sense of greater urgency. I commend this process to the House.

BYRON BAY TOURISM

Mr DONALD PAGE (Ballina) [6.07 p.m.]: Most members would have heard of Byron Bay and many would have visited that region. Byron Bay is known for its beaches, its foods, its live music and its physical beauty, being Australia's most easterly point and having a unique blend of beach, and laid-back and alternative lifestyles. For many years it has been a popular destination for international tourists, in particular, backpackers. The close proximity of both the Ballina and Coolangatta airports make it a destination of choice for people wanting to escape the rat race, or just to get away for a couple of days to recharge their batteries. I live in Byron Bay, so I know what a fabulous place it is.

It seems as though international visitors just cannot get enough of it either, with Byron Bay recently receiving several prestigious accolades from the well-respected internet travel site Trip Adviser. Trip Adviser claims to attract more than 34 million visitors a month to its websites and it boasts 15 million members. It is a major player in international and domestic tourism. Trip Adviser recently announced its Traveller's Choice Awards for 2010 and Byron Bay won four top 10 awards in four separate categories. European travellers voted Byron Bay the number one destination in the world, which is a great accolade for the town and the Northern Rivers region. It was followed by San Francisco in California and Abu Simbel in southern Egypt.

Byron Bay was also named number three in the Best Beach and Sun Destination category. Byron Bay was then named the third best destination in the South Pacific behind Sydney and Queenstown in New Zealand. Finally, according to Trip Adviser, officially it is also the seventh most romantic destination in the South Pacific. Bora Bora in French Polynesia was named the most romantic. Once again, Byron Bay has captured the attention of the international travel market, which is a good thing for its economy and the economy of the whole Northern Rivers region. The tourism industry is important to the whole region, with visitors spending \$1.3 billion in 2008-09. Statistics collated by Tourism Research Australia also found that in that year the Northern Rivers region had 4.9 million visitors spending in the local economy, of which approximately two million visited Byron Bay.

In June 2007 the Northern Rivers area had 7,200 tourism-related businesses, the majority of which were small businesses. Tourism is important to the Northern Rivers economy, keeping people employed and generating opportunities for our young people. It also enables locals to enjoy a wider range of restaurants and entertainment than would be the case if there were no tourism industry. The recent accolades from Trip Adviser will generate extremely good publicity for Byron Bay and the Northern Rivers tourism industry. The tourism industry is vital to the future of our region, and I thank the European travellers who voted Byron Bay as the number one destination in the world. The awards given to Byron Bay by Trip Adviser are exceptional and are a boost, particularly for our local tourism operators.

With all the positive benefits of such awards to a region also comes a negative side. Increased tourist numbers place enormous pressure on local infrastructure. Byron Bay experiences serious traffic congestion, especially at its northern entrance. I have long advocated for a genuine Byron Bay central business district bypass down Butler Street, over the railway line and emerging at Browning Street. Therefore, I was disappointed to learn of Byron council's formal withdrawal of its development application to allow the bypass to proceed. What a short-sighted decision! It is becoming increasingly obvious that a future State government must address this issue so that the local Byron Bay population is not subjected to extensive traffic delays approaching the central business district, especially from the north.

Of course, at least half the tourists who arrive by car are travelling from Queensland to the north of Byron Bay and also get caught in these traffic snarls. The refusal of the State Government to enable a second crossing over the railway line, with or without a train, is farcical. Consideration could be given to imposing a visitor support charge similar to charges that operate successfully in Hawaii and other places overseas. The revenue raised would be spent on keeping local infrastructure up to scratch and all money raised in Byron Bay from such a surcharge would have to be spent there. It is not fair to expect local ratepayers to bear the full cost of providing infrastructure necessary for a large influx of tourists. Introducing a user-pays system is an efficient and fair means of subsidising the cost of vital tourism infrastructure. Experience in other countries has shown that travellers are generally happy to pay a small fee as they feel they are contributing to the local community they are visiting. This idea definitely needs further exploration as part of a solution to the infrastructural needs of Byron Bay.

TRIBUTE TO CONSTABLE WILLIAM CREWS

Mr TONY STEWART (Bankstown—Parliamentary Secretary) [6.11 p.m.]: Today was a day with news that no-one in Bankstown wanted to hear. Unfortunately, the people of Bankstown and the wider community heard first thing this morning the tragic news of the death of a 26-year-old police officer, shot in the

line of duty. This tragedy has deeply affected the people of Bankstown, who dearly love and support their local police officers. Constable William Crews was made of everything sterling about the New South Wales Police Force. He was courageous and made the ultimate sacrifice, which reminds us that every day our brave police put themselves in danger on the front line to serve and protect our community. We are forever grateful to them.

Constable William Crews was a member of the Middle Eastern Crime Squad and, with a number of other officers, was involved in a special residential search task at Cairds Avenue, Bankstown. I place on record my heartfelt condolences and sincere prayers to Constable William Crews' family and his colleagues in the wider police family throughout New South Wales who are grieving today. The Critical Incident Investigation Team has been established to examine the circumstances surrounding the shooting, but clearly today the New South Wales and Australian communities and 16,000 police officers and their families are grieving deeply over this tragic occurrence. Words cannot express the shock and grief we are all feeling as we attempt to digest the reality of this news. Today an officer went down while working to help and protect the Bankstown and wider community.

Unfortunately, nowadays these are the risks associated with being a police officer. That is why the community is totally indebted to the service he provided, and that others like him provide, through the New South Wales Police Force. I take this moment also to recognise the bravery of other officers involved in this incident. A number of them attended to Constable William Crews at risk of losing their own life in an attempt to save him. Their actions displayed the heroism and courage we expect from our police officers. I recognise that every day when I am in Bankstown, which is a great place. This sort of tragic incident is not indicative of the Bankstown area, where crime trends have fallen significantly over the past two years because of the great work of our police officers in Bankstown under the command of a great police officer, Commander David Eardley, and with the support of a wonderful team of officers who work in partnership with the local community in the Bankstown electorate and surrounding areas.

Today is a day I will wish forever had never happened, but it did. Through this experience we move forward to recognise the contribution that police make, but we will never forget that Constable William Crews died providing key services to the community of Bankstown, New South Wales and Australia. I offer my prayers to his family and wish them all the best from the people of Bankstown. Today I have received dozens of emails and phone calls commiserating over this tragic occurrence and passing on condolences to the family of Constable William Crews. The people of Bankstown are forever grateful for the sacrifice that this outstanding police officer made last night.

VICTORIA BRIDGE, PENRITH

Mr STUART AYRES (Penrith) [6.15 p.m.]: I draw to the attention of the House community concerns for the safety of cyclists, pedestrians and motorists using Victoria Bridge. Constructed originally as a rail bridge and the first rail crossing of the Nepean River, Victoria Bridge has played an important role in the development of the Penrith electorate due to its ability to link Emu Plains, Leonay and the lower Blue Mountains with the Penrith city and its suburbs. Unfortunately, this bridge now plays an important part in demonstrating how the Penrith region has been ignored and taken for granted for 15 years by the Labor Government. After years of talk, the Penrith community has seen nothing. In fact, today we still do not have so much as a feasibility study investigating what can be done to ensure that Victoria Bridge is safe for future years.

The people of Penrith are entitled to something more than endless spin and photo opportunities. With this in mind, I set up an independent Victoria Bridge task force. The task force is comprised of members of the local community—cyclists, pedestrians and motorists—people with the motivation to get things done. The task force includes Joe Grassi, Dal Hatman, Jim Cuthill, Estelle Davis and Andrew Wheeler. They all give their time voluntarily and I thank them for their commitment. Their job is to hold both me and the Government to account. Anyone who has crossed Victoria Bridge will understand why local families are worried. The only space available to pedestrians, prams and bicycles is a small strip of concrete not even a metre and a half wide with no dividing rail and literally no room for error. Two people cannot fit side by side on this bridge, let alone two prams. Any miscalculation on the part of anyone using the bridge has the potential to cause quite a serious accident, as Barry O'Farrell and I witnessed when crossing the bridge together in June.

Mr Grant McBride: Oh no!

Mr STUART AYRES: Yes, it is true.

Mr Grant McBride: How could you both fit on there at the same time?

Mr STUART AYRES: Because we were walking one behind the other. A runner jumped out to get around us because there was no space.

Mr Grant McBride: Around Barry?

Mr STUART AYRES: Yes. Unfortunately, this runner put his life at risk by jumping into the traffic to go past us, which is what runners do every day on this bridge. I have met with the Victoria Bridge task force numerous times. It is committed to seeing the Government implement its promised feasibility study by the end of this year. Within hours of the New South Wales Liberal-Nationals Coalition committing to a feasibility study the Minister for Roads announced a similar commitment for his Government. I hope that was not cynical Labor politicking but, rather, a genuine commitment to action.

The task force is committed to ensuring that the Government follows through on its by-election promise to take action and create a feasibility study that explores different options for Victoria Bridge, such as a cantilever design on both the northern and southern sides, a pedestrian bridge between the rail and road bridges, and whether a stand-alone bridge is a suitable option for making the bridge safer. The task force is committed to ensuring that the Government takes action and follows through on its commitment.

On behalf of the Victoria Bridge task force I wrote to the Minister for Roads. In July the Minister's office acknowledged my letter, but there has been no progress otherwise advised to me. I look forward to his response. I draw the attention of the House to a letter I received from the principal of the McCarthy Catholic College, a school located in Emu Plains that I formerly attended. In the letter the school's principal refers to the significant number of students who walk across Victoria Bridge and expresses concerns that Victoria Bridge is not safe. The letter states:

The safety of McCarthy students on the bridge both in the morning and the afternoon as they travel to school is paramount to the community, as pedestrian and cycle access is not safe on this bridge. The broader community needs an alternative access over the bridge away from vehicle traffic.

We desperately need an alternative or separate thoroughfare over the bridge, well away from the vehicle traffic.

The feasibility study is intended to address that issue. The people of Penrith have been calling for action to be taken in relation to Victoria Bridge. It is my intention to hold the Government to account in relation to its feasibility study and to work towards delivering a new bridge, if the Liberal-Nationals are elected next year.

CENTRAL COAST TRAINING AWARDS

Mr GRANT McBRIDE (The Entrance) [6.20 p.m.]: Recently the Central Coast Apprenticeship and Training Awards were held at Diggers at The Entrance, which is one of the largest clubs in my electorate. The Central Coast Apprenticeship and Training Advisory Committee, which conducts the awards, was set up in May 2005 in response to an identified need from industry, registered training organisations, employment agencies and State training services to promote apprenticeships, traineeships and vocational training on the Central Coast.

The objectives of the committee are to be a catalyst for bringing stakeholders together and to provide input at local and State levels to government departments and educational institutions. Chairperson Katrina Madden, Vice-Chair Phil Williamson, Treasurer Richard Cooke and Department of Education and Training representative Grahame Saunders comprise the executive, which conducts industry forums and hosts the regional training awards. They also work hand in hand with the Central Coast Training Desk, which has created a centralised webpage that outlines training opportunities across our region that include short courses and funded training.

The webpage—a partnership between Central Coast Training, Youth Connections and Regional Development Australia—offers firsthand information on jobs and training, and is aimed at streamlining options to reduce duplication and allow for better planning of training calendars. Each year the committee facilitates the Central Coast Training Awards, recognising training and vocational education. The awards are the precursor to the New South Wales State Training Awards. Over the years the event has developed and has become a night of celebrating the great achievements of the State's young people.

Last year Jessica Hughes was recognised as Trainee of the Year. Jessica works for the Gosford City Council. Melissa Paul was awarded Apprentice of the Year. They were great ambassadors for the Central Coast at the recent State awards. The girls have gone on to further their education at TAFE and university. The event featured a formal dinner, the presentations and entertainment provided by Tuggerah Lakes Secondary College, which is located in my electorate, and a local indigenous dance group. The guest speaker was Brenton Pearce, who was previously the Central Coast's School-based Apprentice of the Year. He went on to be awarded the State School-based Apprentice of the Year and was runner-up in the national contest. Brenton is a fantastic ambassador for the training awards. He was invited to assist in organising the State awards this year and has been sharing his experiences throughout the State by emceeing many events.

This year the committee recognised winners in the following categories: Business Trainee of the Year, Rhianne West; Business Administration, Claire Balken; Children's Services, Hannah Peachman; Employment Services, Elissa Bailey; Carpentry, Mitchell Arrow; Engineering, Aaron Krischer; Hairdressing, Katrina Burrows; Electrical, Ross McNair; Horticultural, Daniel Coy; Disability Student, William Koloamatangi; Aboriginal and Torres Strait Islander Student, Mathew Poole; Vocational, Gail Osborne; Vocational Education and Training, Claire Bodie; and School-based Apprentice, Ashley Grimes.

Rates of youth unemployment are extremely high on the Central Coast. For many young people, education and training will go a long way towards filling the gap between school and work. It is vitally important that we offer as much incentive as possible to encourage further training and learning opportunities for young people on the Central Coast. The awards ceremony is part of Australian Training Awards that were held in Canberra this year. The awards recognise the exemplary commitment made by businesses, organisations and individuals to our nation's training system, and reward them for their outstanding efforts in skilling young people everywhere.

The Central Coast Training Awards connect with people who actively participate in recognised training by rewarding excellence and by acknowledging their contribution to building a productive and prosperous economy. It has been a real pleasure for me to see and hear about the success stories of the inspired award winners whose commitment to vocational education demonstrates that personal and professional achievement can be realised through education and training programs in our communities.

COFFS HARBOUR HEALTH SERVICES FUNDING

Mr ANDREW FRASER (Coffs Harbour) [6.25 p.m.]: This week I had a discussion with Dr Alan Tinkel, who is the Chair on the Medical Staff Council of the Coffs Harbour Health Campus. With authorisation from the Coffs Harbour and District Hospital and his colleagues, he sent a letter to me, which states:

The Coffs Harbour Medical Staff Council met on August 23rd to consider the potential ramifications of the proposed Local Health Networks contained within the discussion paper "Health Reform in NSW". We note the proposal that Coffs Harbour will be joined with Port Macquarie along with Macksville, Bellingen, Dorrigo, Kempsey and Wauchope.

Coffs Harbour has never been well served by any of the previous governance arrangements. Head offices have been variously located in Taree, Port Macquarie and Lismore. These arrangements and structures have contributed to the inequities that the Coffs Harbour community has experienced.

Coffs Harbour has been historically underfunded for many years. While we have acquired coronary angiography and radiotherapy units in recent years, we remain very poorly served in terms of medical and nursing staffing which is significantly less per head of population than at comparable sites in Port Macquarie, Lismore and Tweed. We are also the only base hospital in the North Coast Area Health Service to lack a resident vascular surgeon. This represents a very significant gap in services for the people of Coffs Harbour.

We strongly believe that, as a gesture of good faith and in order to redress these historical inequities, the Chief Executive and supporting bureaucracy of this new network should be based in Coffs Harbour. This arrangement would be more likely to ensure that Coffs Harbour residents have an equitable share of available funding and resources which has not been the case in the past.

With regards to Grafton being placed in a network with Lismore, Grafton currently sends patients across a range of specialties to Coffs Harbour including cardiology, haematology, rheumatology, orthopaedics, anaesthetics, emergency medicine and psychiatry. There are established relationships between the GPs and specialists in Grafton and Coffs Harbour and these patients will continue to come to Coffs Harbour as Grafton is significantly closer to Coffs Harbour (90km, 1 hr 10mins) than Lismore (135km, 1 hr 45 mins). Thus Lismore will be funded for a population that includes Grafton yet Coffs Harbour will continue to be obliged to care for these patients without the requisite funding and to the overall detriment of the services that we would be able to offer our own population. There is a very real risk that we in Coffs Harbour will not be funded for a significant proportion of the work that we will continue to provide.

In conclusion, the Coffs Harbour Medical Staff Council submits that:

1. The Chief Executive and supporting bureaucracy of any new network should be based in Coffs Harbour.
2. If Grafton is to be in a separate network, funding must follow those patients from Grafton who will continue to be managed in Coffs Harbour.

Mr Acting-Speaker, as the member for Lismore, you will appreciate that the distance between Grafton and Lismore is significant. If Coffs Harbour is obliged to continue accepting patients and delivering the range of services to which I have already referred, and if networks are established as the Government intends, the funding must follow through. As Dr Tankel points out, the Coffs Harbour hospital has been chronically underfunded for years because it is recognised to be the most efficient hospital on the North Coast. When Ron Phillips was the Minister for Health and the Minister for Health Services Management, he asked for efficiencies to be achieved. The Coffs Harbour hospital produced those efficiencies, but was never rewarded. Part of the letter to which I have referred states:

... we remain very poorly served in terms of medical and nursing staffing which is significantly less per head of population than at comparable sites in Port Macquarie, Lismore and Tweed.

I have asked Dr Tankel for those figures but he does not have them. I believe that the figures put forward in the past by the Coffs Harbour health campus have not been acknowledged by the manager, Mr Chris Crawford. All we are asking for is equity. We are simply asking for nursing levels to be staffed on the same per capita basis as in the Lismore and Port Macquarie electorates. We are behind. We are also significantly behind on the stand-by rates for doctors and specialists who need to stand by on a weekend. Those doctors are paid a significantly lower stand-by rate than doctors in the Lismore and Port Macquarie electorates. If any nurse, doctor or anyone else wants to give me that information, I am prepared to bring it to the Parliament. I know the information is out there but we cannot get it from the Health Department. I believe we should have the equity in health services that everyone else in this State receives.

CHILD ABUSE AND PAEDOPHILIA

Mr PAUL GIBSON (Blacktown) [6.30 p.m.]: Tonight I speak on what is no doubt a sensitive subject. As politicians, we have a duty of care to protect the young kids in this State, and we should be willing and open to discuss this subject, which is rarely discussed. This morning I listened to Ray Hadley talk about paedophilia and what we are doing to look after our kids. I have been trying to get some information for some time. It is hard to get up-to-date figures about this subject. The 1996 report of the Australian Institute of Criminology stated:

Paedophilia refers to sexual attraction towards the very young. Although not a legally recognised offence as such, paedophilia invariably involves the commission of crimes such as sexual assault, indecency and offences relating to child pornography.

...

In recent times, the Australian public has been deluged with media reports of paedophile activity, both in this country and as a result of Australian involvement in Asian sex tours. Accusations of the sexual abuse of young male children by members of the clergy have also been rife.

Fourteen years later that is still the case. I tried to find research on this subject. Back in 1984 Burgess and Groth said:

It is estimated that approximately 71% of child sex offenders are under 35 and knew the victim at least casually. About 80% of these individuals fall within normal intelligence ranges; 59% gain sexual access to their victims through seduction or enticement ...

The 1988 report of the National Institute of Mental Health stated:

The typical child sex offender molests an average of 117 children, most of who do not report the offence.

In 1993 the Child Protection Council stated:

In 95% of cases, the sexual abuse offender is known to the child that is they are a relative or trusted friend. Only 5% of child sexual assault cases are "stranger danger".

In 2000 Smallbone and Wortley said:

169 child sex offenders who admitted having committed at least one sexual offence against a child later disclosed offences concerning 1010 children (748 boys and 262 girls) of which only 393 (38.9%) were reported to have been associated with official convictions.

The 2003 report of the Queensland Crime and Misconduct Commission stated:

Only about 17% of reported sexual offences result in a conviction, a figure consistent with data from other States and overseas.

The 2010 child abuse and neglect statistics put it into four categories: physical abuse, sexual abuse, emotional abuse and neglect. New South Wales had a total of 34,078 cases last year; Australia-wide we had a total of 54,621 cases. The 2009 statistics are not available until October this year, but the 2008 crime statistics show that 182 people were convicted, 131 of whom were imprisoned. Of those 182, 13 received a suspended sentence with supervision, 14 received a suspended sentence without supervision, seven received a bond with supervision, 11 got a bond, one got a section 10, and five had no conviction recorded. But the glaring fact is that people who went to jail served an average of 35.7 months for one of the most heinous crimes we can think about in this nation.

Judges are simply not hearing what the community thinks and expects. In a case reported today in America, the perpetrator got more than 20 years. An associate in Sydney, Australia, received a minimum of about three years. So there is an alarming difference. As at 15 November 2008, there were 3,201 people on the child protection register; of that number, 2,042 are currently registered. This figure is growing continuously. As members of Parliament we have a duty to find out how to better protect our young children because they need help and they needed it yesterday, not today.

ACTING-SPEAKER (Mr Thomas George): Further to what the member for Blacktown has said, Bravehearts held a dinner in Parliament House last night. Members on all sides of Parliament have now formed a bipartisan parliamentary committee to try to take these matters forward. I invite the member for Blacktown to be involved in that.

PORT MACQUARIE BASE HOSPITAL

Mr PETER BESSELING (Port Macquarie) [6.36 p.m.]: Many times in this Chamber fellow parliamentarians, speakers and those gathered in the public gallery have heard the plight of the Port Macquarie community in seeking the much-needed expansion of Port Macquarie Base Hospital. Indeed, for many in this Chamber, the town of Port Macquarie is now synonymous with the words "fourth pod". The pressures on the clinicians, nursing staff and administration at Port Macquarie Base Hospital have been well documented both within the Parliament and throughout the broader community, as has the inadequacy of the hospital infrastructure that was evident from the time of its very construction. The hospital has had a chequered political past. It was the subject of an experimental privatisation model that led to the reluctance by the State Government to actively engage in providing necessary public works and services for our rapidly expanding population. This in turn necessitated a costly public buy-back.

Among all the posturing, blame and recriminations, the one thing that was put at greatest risk was health service delivery to the general public provided through a base hospital that services not only Port Macquarie but areas such as Kempsey, South West Rocks, Comboyne, Wauchope, Lake Cathie, Bonny Hills, Laurieton and Kendall, to name but a few. That is why this week's Federal Government announcement, secured directly through the efforts of the Federal member for Lyne, Rob Oakeshott, to fund the construction of the fourth pod at Port Macquarie Base Hospital is so significant and a major milestone in the health and welfare of the future of our community. It brings to an end the persistent letters, applications for funding, submissions to State and Federal government health Ministers and health department administrators, meetings with chiefs of staff, doctors, nurses, specialists and community advocates, and the focused lobbying effort that predates the release of the hospital's master plan in 2006 that were all aimed at securing funding for this significant capital works project.

Of equal significance, is that this is the mere beginning of efforts to secure the services and infrastructure identified as forming part of the hospital expansion. I make particular reference to the cardiac catheter laboratory and further efforts to ensure that the processes and involvement of the New South Wales health system actively seek to support this project so it may proceed in the most direct and efficient manner. In May of this year, a compelling case for inclusion of a cardiac catheter laboratory at Port Macquarie was put to this Parliament. While not wishing to reiterate and pray upon each valid argument today, it is important to recognise that Port Macquarie remains the largest regional centre in New South Wales without a catheter laboratory. Compounding this situation are Bureau of Statistics figures that show that our electorate has the highest percentage of residents aged over 65—a situation that completely justifies the inclusion of a catheter laboratory in the fourth pod capital works project.

The Port Macquarie community welcomes the recent State Government funding of \$600,000 for planning that will allow the fourth pod project to proceed. I have been advised that the service procurement plan and the project definition plan are currently underway and due for completion by December this year. Given conservative estimates of two to three years for the construction of the fourth pod, there remains a need to find an interim solution to pressures placed upon the hospital staff due to the shortage of immediately accessible bed space. This issue is not easily solved, and I encourage the North Coast Area Health Service administration to continue to work together with hospital clinicians to examine all possible opportunities to deal with this difficult situation.

These continuing discussions highlight that there remain challenges for the hospital in dealing with patient care in the short term, notwithstanding the great news that funding has been allocated for the hospital expansion. I urge the Government and the Department of Health to give serious consideration to the urgency with which this hospital expansion is required, and to request that every possible effort is made to ensure that the processes and regulatory obligations required to complete this project are free from bureaucratic impediments. Given the funding support from the Federal Government, New South Wales has an obligation to ensure that this commitment to the people of Port Macquarie is fully supported in every aspect of its delivery.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.41 p.m.]: I thank the member for Port Macquarie for his private member's statement. Yet again with eloquence he has shown the way forward for all members of Parliament because his lobbying on behalf of the people of Port Macquarie is reasonable, realistic, persistent and highly effective. I congratulate the State and Federal members on obtaining the fourth pod. This is the most important day in the history of Port Macquarie Hospital since it was built. From personal experience—my brother has been a visiting medical officer at Port Macquarie for 20 years—I acknowledge that senior and junior medical staffing at the hospital is less than for a comparable Sydney hospital. I also pay tribute to the clinicians I have met in Port Macquarie when I have taught there.

I want the people of Port Macquarie to know that not only are they some of the finest clinicians one could ever meet but also they have a very enviable reputation among the clinicians of the rest of the State for their high-quality clinical care and commitment to the people with whom they share their lives. The fourth pod will allow for a significant expansion of clinical care but, most importantly, it will also allow for an increase in post and undergraduate teaching, which will be the future of medical care in Port Macquarie. That is why this is an amazing achievement by the members for their community. I congratulate them very much on their achievement.

RYDE ELECTORATE SCHOOL CROSSING SAFETY

Mr VICTOR DOMINELLO (Ryde) [6.42 p.m.]: I bring to the attention of the House an important matter in the Ryde electorate relating to pedestrian safety, and the safety of children. A dangerous situation occurs each and every school day as children from Ermington Public, Melrose Park Public and Marsden High schools attempt to cross the busy intersection of Victoria Road and Marsden Road on their way to and from school. On 3 February this year a concerned resident met with me in my office to bring this matter to my attention. She has a child at one of the schools. She walks to school with her, regularly using the intersection. She described her fear at observing children running to the middle of Victoria Road during breaks in traffic and huddling together on the small traffic island while cars whistle past them at 70 or 80 kilometres per hour.

A local newspaper article "Mum's fear of killer crossing", documented children as young as five balancing on the edge of the curb whilst cars flew past. On 3 February, the day I was first approached by the resident, I wrote to the mayor of Ryde and sought to have the matter raised before the Ryde Traffic Committee. On 11 February the mayor advised me that I should approach the Roads and Traffic Authority, as it was not a council responsibility. On 18 February 2010, I wrote to the Minister for Roads and requested that this issue be investigated with a view to implementing appropriate pedestrian safety measures. On 15 March 2010, I wrote a follow-up letter to the Minister seeking a response. On 18 March 2010, I raised this issue in Parliament during debate on another child safety issue in relation to Lane Cove Road, in which case a child was injured.

After my speech on 18 March 2010, obviously embarrassed by the lack of action, an assistant to former Minister Campbell wrote to me advising that the matter "had been made extremely urgent" and that "a response will be with you as soon as possible". On 4 May 2010, I received a letter from the Minister that indicated that the Roads and Traffic Authority had conducted a recent site inspection and was investigating the provision of a pedestrian fence together with other measures. On 11 May 2010, I wrote a further letter to the Minister and asked when the Roads and Traffic Authority would conduct its inspection. On 2 June 2010, I submitted a

petition to Parliament with more than 200 signatures, which sought the urgent implementation of pedestrian safety measures. On that day I also followed up my letter of 11 May 2010. On 28 June 2010, I informed each of the petitioners of my request for appropriate safety measures for children crossing Victoria and Marsden roads and my correspondence with the Minister to date.

On 5 August 2010, the Minister acknowledged my letter of 2 June 2010, but provided no substantive information. On 6 September 2010, I called the Minister's chief of staff and on that same day I was informed that he would ensure a prompt response. On 7 September 2010, I wrote a further letter to the Minister and expressed my concerns about his failure to provide the outcome of the promised investigation. As one can see, since this matter was first raised on 3 February 2010, I have contacted the various Ministers on no less than seven occasions, I have formally raised this matter in Parliament and I have tabled a 200-strong petition. Since 3 February 2010, more than seven months have lapsed, covering almost three school terms. I, and the concerned parents who have signed the petition, have not received the results of the promised investigation, let alone any tangible action to improve the safety of the schoolchildren who use this very busy intersection.

The very sad reality is that since the last State election in March 2007, we have had four different roads Ministers—Minister Roozendaal, then Minister Daley, then Minister Campbell and now Minister Borger. Since the March State election in 2007 we have had three Premiers, only one of whom was elected through the State election—Premier Iemma, Premier Rees and now Premier Keneally. I will provide a copy of this speech to all those who signed the petition. I call on the Keneally Labor Government and Minister Borger to immediately provide us with the results of the Roads and Traffic Authority investigation and to implement the necessary safety measures before term four starts on 11 October 2010. I urge the Minister and the Premier to take steps to look after the welfare of the kids in my electorate.

TORONTO TRAFFIC ARRANGEMENTS

Mr GREG PIPER (Lake Macquarie) [6.47 p.m.]: I refer to Main Road 217, Toronto. The chaotic 400-metre section of Cary Street between Thorne and Bay streets has five intersections, one of which has been the site of 64 collisions during the past three years. I have repeatedly raised the matter with the Minister and with the Roads and Traffic Authority and have spoken about it five times in this House. While I have been frustrated with previous responses, I wish to acknowledge signs of positive progress in discussions with the Roads and Traffic Authority. I particularly want to inform the House of recent community action on the problem and of previous planning that will contribute to improving traffic in central Toronto. Traffic flows were studied in detail in the Main Road 217 Route Development Study prepared by the Snowy Mountains Engineering Corporation in 1996.

A number of route options were identified for the area immediately north of central Toronto and they all rely on the existing Cary Street alignment between the Boulevard and Bay Street. The report considered a western bypass, but rejected this on economic grounds. The Snowy Mountains Engineering Corporation study showed on page 20 that crash rates on Cary Street are well above the State average of 50 per 100 million vehicle kilometres. On page 31, it rated the road's level of service as E, with an extrapolation that it would be at F, the lowest level, by 2001. Page 33 states:

... in the absence of capacity improvements, the level of service will be quite poor on most sections of the road.

Worse than this, it raises the likelihood that increasing congestion may contribute to a spreading of the peak, rather than deteriorating to the lowest level of service. Things have changed since this was written in 1996, as predicted, and, yes, the peak has grown and drivers have had to modify their trips because of congestion and delays. This road needed improving in 1996 and the problem is worsening in line with existing population growth, let alone what is to be generated under the Lower Hunter Regional Strategy. It is time to make central Toronto the top priority on Main Road 217 and commit to expediting the planning and construction of improvements. The public knows this and has taken initiatives in response.

On 11 August Ms Gail Ryan and Mr Bob Thorburn convened a public meeting of over 100 people who showed strong concerns about traffic in central Toronto and near Toronto Public School. The meeting called on the Government to urgently re-prioritise the works program to bring forward the immediate design and construction of widening between The Boulevard and Bay Street; include dedicated turning lanes, improved merging lanes and a 40 kilometres per hour school zone; and seek Federal funding assistance, study traffic flow, and propose alternative bypasses.

The need for widening and other safety measures in Cary Street is inarguable and should be top priority on Main Road 217. It is time to immediately start planning and design for specific construction funding under the next State budget. The proposed 40 kilometres per hour zone near Toronto Public School is important to many people since 16 June when three children were struck on a pedestrian crossing near the school. The Roads and Traffic Authority responded quickly with minor changes to the traffic lights, but this did not meet the expectations of the community. Federal funding would be welcome, but this is an urgent State issue in need of a rapid solution.

With the demands on the road and the momentum of regional growth, it is time to translate the longstanding plans into action. Main Road 217 has many problems and, sadly, this remains the case with the new traffic lights at the intersection of Toronto Road and Enterprise Way at Woodrising. While well intended, these works have created a new set of problems. There are now significant delays for southbound drivers and more rear-end collisions. It is impossible to disagree with drivers who claim these changes have made problems worse for more people.

The new intersection is an expensive piece of infrastructure that could provide a much greater benefit if it was modified slightly. There would be a huge benefit to southbound traffic if the traffic lights increased the waiting time for the few vehicles turning right from Enterprise Way. These traffic lights were installed to safely accommodate right-hand turns, but another result is increased delays and collisions caused largely by the way the traffic lights accommodate left-hand turns. This should be reviewed, the lights reprogrammed and the road remarked to allow left-hand turns without disrupting flow on Main Road 217, similar to what has happened safely for many years.

Much of Main Road 217 is a string of problem areas and the public will get the greatest benefit when the worst problems are targeted and the improvements carefully designed to maximise safe traffic flow. I have been greatly heartened by the recent response from the Roads and Traffic Authority, including the Minister's chief of staff and the acting regional manager, and I am looking forward to further progress at a meeting with the Roads and Traffic Authority and community representatives in my office tomorrow.

Private members' statements concluded.

**The House adjourned, pursuant to standing and sessional orders, at 6.52 p.m. until
Friday 10 September 2010 at 10.00 a.m.**
