

LEGISLATIVE ASSEMBLY

Thursday 12 March 2009

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

The Speaker read the Prayer and acknowledgement of country.

BUSINESS OF THE HOUSE

Notices of Motions

General Business Notices of Motion (General Notices) given.

CHILDREN LEGISLATION AMENDMENT (WOOD INQUIRY RECOMMENDATIONS) BILL 2009

Agreement in Principle

Debate resumed from 5 March 2009.

Ms PRU GOWARD (Goulburn) [10.14 a.m.]: I lead the debate on behalf of the Opposition on the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009. The Opposition does not oppose the bill but recognises that there is enormous community concern about the wellbeing of children in New South Wales. We will raise a number of serious concerns about the bill on behalf of the children and communities in our State. The bill seeks to amend various Acts and other legislation in line with certain recommendations in the report of the Special Commission of Inquiry into Child Protection Services in New South Wales, known as the Wood report.

The bill amends the Children and Young Persons (Care and Protection) Act 1998 to raise the risk of the harm reporting threshold to "significant". This aims to reduce the number of reports to the Director General of the Department of Community Services [DOCS] unless the circumstances causing concern for the safety, welfare or wellbeing of a child are thought to be significant. The bill extends the circumstances for reporting to include a situation where a child is not receiving an education as required under the Education Act. It also extends the circumstances to include a series of reports in addition to a single report. The bill provides for alternative mandatory reporting arrangements that allow an initial assessment with the mandatory reporter's agency, where they exist. It modifies the legislative framework for the provision of out-of-home care.

The bill authorises the exchange of information between certain agencies and the coordination of the services provided by those agencies. It amends the Children's Court Act to provide for the appointment of a District Court judge as the senior judicial officer in the Children's Court, to be known as the President of the Children's Court. The bill makes a number of other procedural changes to the Children's Court regarding access and alternative dispute resolution. It amends the Commission for Children and Young People Act 1998 to extend background check provisions. Finally, the bill changes oversight arrangements—including the removal of the Ombudsman's authority to review the deaths of children known to the Department of Community Services unless they have died as the result of abuse or neglect, or in suspicious circumstances.

This bill offers an opportunity to get child wellbeing and protection right in New South Wales. It is the opportunity of a generation to catch up with the rest of the world and move to a child wellbeing system in which protection is but a part, a system that actively promotes good outcomes for children and recognises the importance of ensuring their families are part of the solution. For the economists and bean counters that abound in the public sector, it needs also to be said that a shift in focus to active social policy and a focus on child wellbeing would be a significant contributor to better economic as well as social outcomes for the people of New South Wales. It means, over time, less strain on State finances as better outcomes in the early, less ugly stages of prevention and early intervention mean less needs to be spent at the expensive end of the system, where courts, prisons and out-of-home care are involved. Now is that moment: what we decide as a Parliament today can actually make a difference.

We can be comforted in the knowledge that we in New South Wales under this Government are not pioneers boldly treading where governments have not dared to venture before but instead, sadly, late adapters. Almost everything we will address today has already been done elsewhere. The Organisation for Economic Co-operation and Development [OECD] for example, in its report "Extending Opportunities: How Active Social Policy can benefit us all", provides a groundbreaking summary of social policy in European countries as well as countries such as Australia. The report makes the very strong point that social policy—active social policy that seeks to prevent harm, redress harm and aims for good outcomes—will do more than merely benefit the families directly at risk. It will do more than level the playing field of opportunity. It will in fact make life better for us all.

So often welfare agencies such as the Department of Community Services are treated as dumping grounds for the problems no-one else wants to deal with. My heart bleeds not only for the children of the department, their struggling foster carers, the lost souls and troubled parents, or the distressed grandparents and well-meaning aunts and uncles. My heart also bleeds for the good people who work for the department and who come to dread the phone calls and the headlines, the non-government organisations who find themselves spending more time on funding applications than they have staff for, the court staff blinded by the weight of numbers to the human beings they deal with, and the police who deal with the same families over and over. The system we have today is tough on everyone.

As far as the public is concerned, the child protection system in New South Wales is overwhelmingly seen as a huge and often pointless impost on the public purse. From time to time the mainstream media rounds on the amount of money spent on the system, describing the recipients as dead-beat dads, feral mums and the like. Communities sick of seeing the money being spent ineffectually will often support such diatribe. Then there are the horrible cases of death and separation, and those statistics speak for themselves.

In all, the truth is much larger and more complex than all this. Unhappy, dysfunctional families with children they cannot care for, or children with enormous problems they will carry throughout their lives, all represent—each and every one—a lost opportunity. These families not only depend heavily on State taxes to deflect resources from elsewhere but also they cannot contribute as they could and should. As the Organisation for Economic Co-operation and Development [OECD] reminds us, the purpose of active social policy is to ensure that we all benefit. Improving the wellbeing of children in New South Wales, in particular, those at risk, helps the wellbeing, including the economic wellbeing, of us all. The wellbeing of us all is a powerful argument around a cabinet table of competing interests where it is too easy to judge these children and their families as failures to be minimised and hidden, instead of success stories waiting to happen.

Let us take the socioeconomic and demographic outlook of New South Wales over the long run. The current profile of the New South Wales labour market is of an older and rapidly ageing workforce where young prime age workers are in short supply. The imperative for today's children is to attend school, be healthy, be able to learn, be able to accept authority, trust one another, fit in with the rest of the mob, get a job, stick to a task, care for their friends, and contribute to the happiness of others. Those imperatives have never been greater not just for the child—as if that were not enough—but, again, for the sake of us all. For the sake of social stability, security, prosperity and all our wellbeing we need to care for our children. That is the background against which we should debate this bill.

This bill has the capacity to affect the lives of us all and those of our children for the better. It must not only better protect children from harm; it must also make their lives better. These children and their families have to come in from the cold; they have to be part of the future. On balance, the Opposition welcomes this bill as the first step towards improving the protection of children in New South Wales, and recognises it is a comprehensive response to the Wood report. However, the Opposition has a number of concerns about various elements in the bill that represent either departure from the recommendations in the Wood report or inadequate responses to the report that I will address later.

The bill is the Government's first legislative response to the recommendations. The report and the inquiry that preceded it resulted from the deaths of two children in horrific circumstances. The Department of Community Services knew of both children. Widespread outrage about those deaths and ongoing concerns about the capacity of the New South Wales child protection system to care for the burgeoning number of at-risk children, that is, either children reported to the Department of Community Services, in out-of-home care or otherwise seen to be at risk, as well as Opposition pressure, eventually resulted in this wide-ranging inquiry by James Wood, also chair of the New South Wales Law Reform Commission. Legal action associated with the death of Dean Shillingworth, aged two, and Shellay Ward, aged seven, preclude information about those deaths from being publicly available, but I understand from the report that Commissioner Wood considers he has been privy to all relevant information, and that matters arising are reflected in his report.

It is not the first time that tragedies such as this have led to wide-ranging and widespread calls for reform and have stiffened the will of governments to depart from business as usual. I am advised that reform of the United Kingdom child protection system flowed from similar circumstances. Having said that, it is also true that no rocket science remains to be discovered when it comes to safeguarding the wellbeing of children. A number of the amendments and changes that we are contemplating today have already been effected in other jurisdictions such as Victoria, and there is worldwide evidence of and support for the approach encountered in this bill; it is not new anywhere else. It is now well-recognised that the old days of the welfare propping up families only when they start to fall and throwing money but never thought at the problems must be over. So must removing children as a measure of first, not last, resort and using prisons or juvenile detention centres for behaviour modification.

In other words, all members in this place know that taking punitive action and doing so only as the result of a crisis is the painful, expensive and, ultimately, least successful path to take. Instead, we know that we not only need better arrangements when children are in out-of-home care but also better ways of keeping families together—ensuring that parents are assisted, guided and also required to be responsible and able to provide the care that their children need. There is no such thing as the perfect parent and those who are struggling need never think that they are on their own. The Opposition, in particular, recognises the importance of the community sector in improving the lives of children. Non-government organisations, or NGOs as they are also known, have played a wonderful role in supporting and protecting children in need and their families. It has to be acknowledged that there have also been dark chapters in the history of involvement of non-government organisations, in particular, in orphanages and in the care that non-government organisations provided to indigenous children when they were taken from their families.

Fortunately, that was decades and generations ago; today there is no-one who does not recognise the outstanding contribution they make, both here and elsewhere. Their work is acknowledged around the world, including by the United Nations. The complexities and subtleties of loving and caring for children and meeting their needs, especially when their minds, hearts and, frequently, bodies have been broken, is a tough ask of any group of public servants. Public servants should not be expected to be world experts in child protection or child wellbeing, but they are expected to recognise the talents and capacities of others who are. That is why community lobbyists such Barbara Wellesley, Dorothy Scott and Andrew McCallum, among a vast array of other inspirational and passionate advocates for families and children, have worked so assiduously on the development of early intervention and prevention programs that produce better results, less painfully.

Interestingly, almost all these people are not public servants—they are academics and practitioners; they are people who have lived and breathed children in a way that often is not open to public servants. It is for public servants to engage with their work and to use their findings to inform public policy. That, of course, is what has happened to some extent with Department of Community Services family intervention programs under Brighter Futures. The work is carried out by non-government organisations [NGOs] and carried out well. The Opposition wants to see more of it and so, we believe, do our communities. NGOs do not turn away children and they do not turn on the answering machine at 4.55 p.m. While the Government says it recognises the need for early intervention and protection, it is also true that early intervention and protection take up a modest part of the government department's budget.

In any case, so many other features of children's wellbeing policy remain absent in New South Wales, until today. Why, when the rest of the world and the rest of the country have been moving towards this for years, has it taken this long and these tragedies for the Government to confront its failures in child wellbeing and protection? It is beyond comprehension. For a start, best practice means that we need to refocus our approach on child wellbeing, not child protection. We need to ensure that the rights of the child underpin our work—the right of the child to opportunity, happiness safety, comfort, good health, a decent education and some would even say the right to life. That is why we need to ensure that universal services are available to children and their families—universal services that ensure a minimum level of support for all families—no stigma and no finger pointing.

Universal services should also enable us to recognise early when families need help and ensure that they get it. It means the universal home visit service is available when the baby is three months old and is not gaining weight, when there is bad nappy rash and mum and dad are struggling to manage the house, or have drug and alcohol problems, or whatever else it is that is distracting them from the challenge and task of being parents. The home visiting service has an opportunity to ensure that the family is assisted at that time so it is not left until a child is an undernourished and brain-damaged two-year-old. In this case the universal service is provided by the health department and not by the Department of Community Services, which is the first

challenge to providing early intervention—the difficulty of ensuring public servants work cooperatively together, not only within a department but across them.

New South Wales Government departments have an unenviable reputation for lack of cooperation, recognised frequently by Justice Wood who, for example, considers the memorandums of understanding between departments to be scarcely worth the paper that they are written on. Interestingly, Justice Wood, familiar as he is with the shortcomings of the New South Wales public sector, makes a number of recommendations about improving cooperation, including making it a performance criterion in the contracts of agency chief executive officers [CEOs]. For this to happen we will need to see a clear demonstration of the will of the public sector to change and the determination of their political masters—the current Government—to keep them accountable for that improved cooperation.

How will we measure whether or not CEOs have achieved improvements in cooperation? Who will write the criteria and who will measure them? Other countries and other States have been much more direct in their changes. They have simply combined the functions of protecting and promoting child wellbeing, including education, into one department under, for example, somebody they call the children's Minister. It has forced them all to get on together and to get on with the job. But we all know that we need more than cooperation and early intervention to produce better outcomes for children in New South Wales. It is about more than working with community sector organisations and taking an integrated approach to family policy. It requires more than cooperation between State Government departments, and even more cooperation between the Commonwealth and State governments. Although on that point, one of the Wood recommendations adopted by the Government involved exactly that: cooperation between the Commonwealth and State governments.

Wood recommended that the State work with the Commonwealth on income support measures involving direct income management of families where children are obviously neglected because they are not fed, for instance. Vexed debate exists about the Commonwealth mandate of income management of entire indigenous communities. The Opposition understands that non-government organisations [NGOs] in particular would be opposed to that. The Liberal Party and The National recognise, perhaps better than most, the importance of preserving individual freedom and dignity, including the right to spend the money we receive as we see fit, whatever its source. But it seems extraordinary that we are prepared to allow a child to sicken from hunger and no medical care while family funds are, tragically, spent on drug or gambling habits or other activities that do not contribute to the wellbeing of the child.

Such families rely instead on charities to provide them with food parcels and free medication because they have no money left. Even that will happen only if they are willing to acknowledge that they need help and ask for it before it is too late and the child protection system begins to close in. We should acknowledge the strong link between child neglect and a household's lack of money for food and medical support, which is the result of a multiplicity of problems with the adult members of the household. While mandating income management is a big step for any Western democratic government to take, surely the development of voluntary income management measures with a suitable NGO would not be a bad pilot program for the Government to attempt. But I digress.

There is not much more we need to know about how to give kids a decent crack at life, whatever their beginnings. The jury is back on all the elements now recognised as being essential to a strong system for the promotion of child wellbeing and protection. Critically, we need a system that is focussed on early intervention and protection, and one that recognises that indelible harm may be caused to children within the first four years of life, when their brains—and with it their character, capacity for trust, and even their intellects—are growing and forming most rapidly. We must ensure also that our support programs take account of family factors that are strong predictors of child abuse and neglect. These are most commonly identified as domestic violence, drug and alcohol abuse, mental illness and intellectual incapacity.

Caring for children really means caring for families. If the Government ignores the needs and shortcomings of other family members then the child gains very little. That, again, is what joined-up social policy is all about: the whole picture, the whole family. It means employment creation, work readiness and skills training for women as well as men. It means drug and alcohol management, gambling treatment, and even decent public transport so that people can get to work, school, and training and treatment programs. It is all part of ensuring that adults can look after their children so the State does not have to.

There are two other features of the strong child wellbeing system that we need to recognise as being vital. The first is the importance of providing local services and support to local community groups and

organisations linked to the rest of the community—the people who know the families concerned and who know those who can help them. They can pick up the phone to contact a dentist, school principal or a nurse they know. That is the best way to get the right supports around a struggling family. The further our children are from big systems and formal proceedings such as children's courts and the closer they are to the communities, friends, relatives and people they know, the better off they will be.

Second, following the localisation of support services, the partnerships with non-government agencies, the dream of integrated service and interagency cooperation—I say "dream" because such things are extremely difficult to achieve—and the focus on prevention, a strong system for the promotion of child wellbeing must also have a strong external review mechanism to make sure that we are continually improving, not faltering. Holding special commissions of inquiry, such as the Wood commission, every few years can act as shock treatment, but there also needs to be independent surveillance of the child wellbeing system to ensure children are not slipping through cracks that could be mended and that children are not dying unnecessarily while others merely survive in a living hell. In New South Wales that independent surveillance, courtesy of the New South Wales Ombudsman, is about to be reduced. It will not even be maintained, let alone increased.

I turn in detail to the Government's response to the Wood report. The New South Wales Government released "Keep Them Safe" on 3 March. This was headed by a commitment to provide a further \$230 million over five years for the child protection system. It identified certain legislative changes, procedural and bureaucratic changes, and those recommendations it would not accept or accept only in part. The public sector gets more than half of that quarter of a billion dollars, while NGOs—which are supposed to take over the bulk of the care—get what is left. It is hard to see how that is progress, and a lot of this week's rhetoric is vaguely familiar—it was all said seven years ago. In 2002 the Government announced a \$1.2 billion package to fix exactly the same problems we face today. Then Community Services Minister Carmel Tebbutt said at the time:

DOCS has been the subject of a range of reports that have not always made pleasant reading, including those by the Ombudsman and the Legislative Council Social Issues Committee. They have set out what is wrong and this new funding is part of a carefully considered five-year strategy to address deficiencies and improve service delivery to frontline workers.

So, unsurprisingly, seven years and \$1.2 billion later, with a record number of children in out-of-home care, two tragic deaths and almost a third of a million reports of children at risk of harm coming to the Department of Community Services [DOCS] helpline each year, the Opposition, and I suspect the community, is wary of this current package of reforms. We know what to do to make the system work better for children today, just as we knew it seven years ago. Seven years and \$1.2 billion ago the science was in, as they say, just as it is today. So you cannot blame the Opposition and the community for being wary of the Government's promises today: we have heard it all before. The Government failed then, so why should it be believed now?

Although the Opposition recognises that the bill generally reflects the Wood report's recommendations and therefore does not oppose the bill, we have a number of specific concerns. Schedule 1 proposes to change the threshold level of harm for mandatory reporting from "risk of harm" to "risk of significant harm", in line with the report recommendation. This change is intended to reduce the level of mandatory reports to the DOCS helpline. Wood comments instructively:

Too many reports are being made to DOCS which do not warrant the exercise of its considerable powers. As a result much effort and cost is expended in managing these reports as a result of which the children and young people ... receive little in the way of subsequent assistance, while others who do require attention may have had their cases closed because of competing demands on the system.

According to the report, 13 per cent of the reports were not "risk of harm" reports as defined by the Act. The inference is that the 54 per cent of reports that failed to receive adequate responses, or indeed had their cases closed, suffered for the sake of those 13 per cent. Mathematically that is highly unlikely. As the report continues it becomes obvious that police referrals from domestic violence incidents are largely to blame for these unnecessary reports. The report specifically recommends implementing better arrangements between DOCS and the police, and changed police reporting protocols to address this issue. The Minister advises that the police are happy to do that, and I am happy to believe her.

That brings us back to the question of why. Why change a definition with potentially great symbolism to solve a problem that is already solved? If the Government, advised by the department, were genuinely concerned about over-reporting, why would it extend the circumstances under which a child must be reported, thus ensuring that there will be more, not fewer, mandatory reports? The answer, as is often the case with this Government, has to do with appearances. The department wants the number of reports it has to deal with to fall by much more than 13 per cent. Despite being given an additional \$230 million to deal with the problem, the

Government wants to legislate the problem away by changing the system to cut the number of complaints—a perfect bureaucratic solution. But there is a snag. That snag is that the reality will not change. In fact, with the new circumstances added to the definition of "harm", more children will have to be reported not just to DOCS but to schools, police, Housing New South Wales, the Department of Ageing, Disability and Home Care, and NSW Health. Child protection will become everyone's business, but we will not be told the numbers.

Under the new rules, mandatory reporters—mostly people employed in government departments—will not be able to refer directly to DOCS even a case that they are sure involves significant harm. Instead, they will report to their own special units. The special units, apparently known as wellbeing units, will be carefully staffed with assessment officers, who I understand will make the decision to refer cases to DOCS. If they decide there is no risk of significant harm, the legislation says that the assessment officer can take "other appropriate action" to safeguard the child or close the case. This approach is low on accountability, and involves big risks. The number and location of the wellbeing units is unclear and departmental resource shortfalls might limit the likelihood of a mandatory reporter's concern being followed up, just as the present system of central reporting to the DOCS hotline suffers from insufficient resources.

The legislation contains no requirement for the wellbeing units to collate their information, although I understand that the Key Information Directory System [KiDS] will be installed in the units. If that happens, children reported for more minor matters will remain within the DOCS information system. If this system really works, name matches for two or more reports will trigger warning bells—which would be an excellent outcome. For the sake of all children, we hope it does. If, on the other hand, KiDS is not robust enough these children most certainly will fall through the cracks and more lives will be lost. From this description one can observe plenty of uncertainties. Even with improved procedures and reporting formats, children may well not get the early attention they need from Health, the police or some other agency that is flat to the boards.

It just does not make good sense and it could be dangerous for children to change the definition of threshold risk without giving the other changes a chance to bed down. Yes, it solves the DOCS workload problem, but it might end up in another special commission. For the sake of the children, we should all want to proceed one step at a time, with the definition being last to change. Similarly, the capacity of wellbeing units to refer children and their families to appropriate services, including services within their own agencies, reading programs, breakfast clubs, anger management for parents and effective parenting programs, will be limited by available resources. I am sure that the community and the Parliament would be more comfortable if the legislation required wellbeing units to use standard reporting templates and for KiDS to be rolled out first.

Ms Linda Burney: And they will be.

Ms PRU GOWARD: I understand that standard reporting templates are being introduced. We would like to see that rolled out first. I turn now to chapter 16A, a new section in schedule 1 entitled "Co-operation and Co-ordination". Information, cooperation and coordination lie at the heart of these reforms. Without that it is difficult to see how we can effect change for good. As the chapter records, the need to provide services relating to the care and protection of children and young persons takes precedence over the protection of confidentiality or of an individual's privacy. The Opposition is pleased to support changes to information-sharing arrangements and also supports the safeguards provided in new sections 245D to 245I. Prescribed bodies that refuse to provide information must give written reasons for their decision, which again is welcomed by the Opposition and to which I will refer later.

We also support the inclusion of non-government agencies as prescribed bodies authorised to share information relevant to the wellbeing of the children in their care. This is an enormous step for the Government and if genuinely supported by government departments should enable a much more unified response to a child in need. A greater partnership between non-government organisations and government agencies is strongly supported by the Opposition parties. Their inclusion in the care of children at risk of harm can only enhance those children's chances. Without the inclusion of NGOs and information-sharing protocols it is difficult to see how Wood's vision of a child protection system in which out-of-home care is to be almost always provided by the non-government sector can be achieved. It will also enable early intervention and coordinated responses to children not in out-of-home care.

However, if NGOs are to be effective members of the child wellbeing team they will need more than access to information. As Wood recognises, they need to be funded adequately to provide services and be part of a collaborative approach. Chapter 16A makes extensive reference to the principle of collaboration underlying the coordination of services, which the Opposition welcomes. Improved cooperation is less persuasively

addressed. Although prescribed bodies, including NGOs, are required "to take reasonable steps to co-ordinate decision-making and the delivery of services regarding children and young people", there is a limit, apparently, on the amount of cooperation that NGOs, who will be the main service coordinators, can expect of DOCS.

Schedule 1, new sections 18 (2), 21 and 22 address requests for assistance by a parent of a child or young person or by a funded non-government agency. Specifically, under section 22 (2) the director general is not required to take any action "other than assessing the request for assistance". That is ridiculous. It is simply not good enough. Obviously, a let-out clause like this denies the possibility of a truly collaborative partnership with an NGO—even one in receipt of government funding. Given the history of relations between DOCS and NGOs, we believe any refusal by DOCS to provide assistance should be treated in a manner consistent with a refusal by prescribed bodies to provide information to one another. I refer again to schedule 1, new section 245D (5), which states:

If a prescribed body refuses to provide information ... it must provide the requesting agency with reasons in writing for refusing the request.

Frankly, it would be a good discipline if the director general were also to report regularly to Parliament on outcomes for requests for assistance from non-government organisations. It might just help the culture change.

Ms Linda Burney: How many more pages?

Ms PRU GOWARD: You will be here for a while. I actually care about this, and so does the Opposition. It should also be possible for relevant NGOs to request assistance from other agencies, and for the agency head to provide good reasons for refusing the request. But that, of course, is not relevant to this bill. One of the many Bermuda Triangles in this bill is the missing reference to the recommendation that NGOs take over the existing service delivery roles of the department in out-of-home care. The "Keep Them Safe" report puts this off until 2010. While this might recognise that smaller NGOs need capacity building, it surely does not apply to NGOs like St Vincent de Paul. It appears to be more about the difficulties that Wood anticipates from the Public Service Association than with NGOs.

I will make some observations about the work of NGOs and Opposition concerns that the great partnership might never eventuate unless there is capacity building in the NGOs and within DOCS. I am certain that the culture of DOCS needs to change to fit in with this brave new world, and I am sure that it will not be easy. DOCS will spend ever-increasing time managing contracts, and that too demands capacity building. The NGOs in my electorate of Goulburn do amazing work. They are the unsung heroes for everything from family relationships and domestic violence to low-interest loans and tax advice. Yet they are forced to go cap in hand with a begging bowl, looking for funds to keep them afloat. Wingecarribee Family Support, for instance, has an annual allocation of \$185,000 from which it is expected to pay not only one full-time and eight part-time employees but also its rent and insurance and look after the interests of 135 families. How will the New South Wales Government ensure that these smaller and extremely valuable NGOs scattered around New South Wales remain viable when faced with the additional pressures to be placed on them? We must not set them up to fail.

Another concern, of course, is the voluminous amount of paperwork that NGOs are required to submit for what is comparably a paltry amount of funding. One NGO gave me a document that looked like a small book but was merely an expression of interest for a grant application. While larger NGOs can employ someone to apply for funding—and many now do that—other smaller ones cannot. NGO staff take these mammoth documents home with them at night and burn the midnight oil around the kitchen table, dotting the i's and crossing the t's, making sure that all the boxes are ticked and that their application is valid. NGOs already have a high level of accountability. They know they have to account for all their actions and dollars spent. Unfortunately, while the New South Wales Government is keen to set up regional referral units as a function of NGOs and to encourage a relationship between them and the wellbeing units run by departments, it fails to mention how this relationship will be constructed and then managed.

I turn to the importance of an independent review of the child protection system. Commissioner Wood examined various options for providing the child protection system with adequate oversight and based his recommendations on the importance of streamlining the State's child death reporting systems, while ensuring that the oversight is independent, public and accountable. It is clear from chapter 23 of his report that there are strong areas of disagreement between the Ombudsman, who has a reviewable deaths function, the department, which conducts internal reviews of the deaths of children known to the department, and the Commissioner for Children and Young People, who heads the Child Death Review Team and conducts inquiries into other child deaths. The commissioner has only limited access to information regarding the deaths of children known to the Department of Community Services. If we add the role of the Coroner in investigating child deaths, four bodies are responsible in some way for reviewing the deaths of these children in New South Wales.

In these circumstances, Justice Wood had no difficulty in reaching his conclusions. He recommended that the Ombudsman take over responsibility for the Child Death Review Team and, on the weight of evidence before him, removed the Ombudsman's authority to include the deaths of children known to the Department of Community Services within three years of their death. In Justice Wood's words, these two recommendations together would ensure that the Ombudsman continued to oversight child deaths with a view to identifying systemic problems within government. In chapter 23.121 of the Wood report, he said:

Those deaths which do not meet the revised criteria—

that is, those children who are not known to the Department of Community Services—

will still be the subject of scrutiny by the CDRT. By transferring the role of convenor to the Ombudsman, information from those deaths can still inform child protection work.

Demonstrably, the commissioner, the community and any fair-minded person saw those two recommendations as being inseparable. But that is not how the Government saw the two recommendations. It cherry-picked and supported the recommendation that reduced the authority of the Ombudsman but did not support the recommendation that ensured adequate systemic review, despite the loss of authority by the Ombudsman. Public accountability in New South Wales is again the loser. Once before the Government reduced the authority of the Ombudsman to review child deaths. In this bill it has done so again. Schedule 3.2 of the existing Act provides for the Ombudsman to review child deaths annually. The amendment bill requires that the Ombudsman review all child deaths only biennially and that the death of children or siblings of children known to the Department of Community Services no longer be included in that review unless the child has died of abuse, neglect or in suspicious circumstances.

This represents a significant reduction in the capacity of the Ombudsman to identify systemic failings in the child protection system. It will reduce the review to an estimated 25 to 30 deaths each year and will be of insufficient sample size to identify systemic failings. Had the Government agreed to transfer responsibility for the Child Death Review Team to the Ombudsman, clearly the Ombudsman would have been able to retain systemic oversight. The deaths of children known to the Department of Community Services are reviewed by the department internally but the results are never identified publicly. The Ombudsman's report of reviewable deaths now will be tabled biennially, the next being due in accordance with present authority in 2009 and the first under the new authority estimated to be after March 2011.

What about public accountability? What about that source of wise advice previously available to government on ways to improve the care and protection it provides to the most vulnerable? Justice Wood spent some time assessing the worth of cases made by the various bodies and he drew particular attention to the significant number of improvements the Ombudsman's reviews and recommendations had been able to bring to the child protection system. Under this legislation some of those recommendation now may be impossible. That is why we so badly want the Ombudsman to appear before a parliamentary inquiry, so that he can advise the Parliament whether and how this will affect the advice he can give. We do not want the matter to rest with sly references to confidential correspondence from the Ombudsman to the Government supporting the Wood report, without clarifying whether that includes this bill. We may take it from his public remarks to date that he is most unhappy to see the Government reject such key recommendations.

As has been said before, this bill is a strange beast. There are many unexpected inclusions and omissions. One of particular concern is the scant regard paid to the role of foster carers in providing homes for children who cannot live with their families. The New South Wales Liberal-Nationals Coalition is concerned about the invisibility of foster parents in this legislation. Foster parents, as all members should know, are crucial cogs in the wheel of child protection. They open up their homes and their hearts to children, some of whom have suffered horrifically and tragically in their short lives. Most foster parents do this with goodwill and incredible commitment and determination to help make a difference. Yet, with what can only be called wicked indifference, the Labor Government has decided to reject a recommendation made in the Wood report in favour of an annual review of the foster carer allowance to help provide foster children with adequate access to basics, such as dental and medical care, schoolbooks, school shoes and sports shoes.

The Government announced recently that the \$25 million to be provided over five years for foster care assistance to enable foster parents to take in the siblings of children placed in out-of-home care would be shared between 500 children. It will work out at a minimal allowance that is expected to support children who possibly have high needs. We all know how important it is to keep brothers and sisters together. We also know that if one child is at sufficient risk of harm to be removed, there is a chance that brothers and sisters are also at sufficient

risk of harm. These foster parents, with their hearts of gold, will need more money to provide additional food, clothing, extracurricular support services, and dental and medical services. And for some it will require a larger car or a larger house. The additional money announced by the Government is equivalent to \$10,000 per child a year, which is about equal to the minimum foster care allowance that is available at present. The Government needs to make clear whether it will pay foster parents the full amount of additional allowance for the sibling, in addition to the provision of additional facilities, from this money or whether the allowances will be funded separately.

Foster parents not only are poorly supported financially but also are doomed to near invisibility in the Children's Court processes. They are bound and gagged, rather than being able to contribute their knowledge and understanding of the child and his or her relationship with the birth family for the court's consideration. To the puzzlement of many who know foster carers, neither Justice Wood nor the Government sees them playing a greater role in the proceedings of the Children's Court. It is certainly true that foster carers can seek to give evidence, but I understand from them that they are almost never told that their child will be required in court until the last minute. It is then much too late for them to participate. The bill does not refer specifically to indigenous arrangements, but the Opposition welcomes the recognition noted in the Wood report that kinship and family are important for all children and that linkages should be maintained—we would add, only when it is in the interests of the child.

Since Aboriginal children make up one-third of all children in out-of-home care in New South Wales, the Opposition looks forward to seeing a special package of measures for Aboriginal children being brought to the Parliament. We are disappointed that this is not seen as an urgent priority. The sheer size of the indigenous Department of Community Services population demands special measures. The Government should be reporting to the House on both its negotiations with the Federal Government over a shared approach and its determination to implement recommendation 10.5 of the Wood report, which mostly concerns services to indigenous families.

The New South Wales Liberal-Nationals Coalition encourages the new President of the Children's Court to recognise the role and contribution of foster carers and ensure their inclusion in proceedings. Registrars of the court, who are now tasked with alternative dispute resolution—which we welcome as being less adversarial—could be required to include foster carers in at least the preliminary stages of those alternative dispute resolution sessions. We will encourage the President to consider this issue closely. The Opposition does not oppose this legislation, but we believe a great opportunity for bipartisanship on this bill has been squandered by the Government for the sake of getting even with an Ombudsman whom it views as being too independent, non-government organisations that it has no time for, and foster parents whom it exploits without shame.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [10.59 a.m.]: The Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 will provide the foundation for a new way of caring for children and young people in New South Wales. This approach is laid out in the Government's "Keep Them Safe—A shared approach to child wellbeing" response to Justice Wood's "Report of the Special Commission of Inquiry into Child Protection Services in New South Wales". "Keep Them Safe" recognises that caring and supporting children is first and foremost the responsibility of parents, families and communities, and that when intervention in a child's life becomes necessary child protection is not the sole responsibility of the Department of Community Services but is a collective responsibility. As the saying goes, it takes a village to raise a child.

Currently many children who are reported to the Department of Community Services need help from their families or local communities but do not require intervention by the state. I recommend the late 2008 series on child protection in the *Lancet*, which is a medical journal, and which, in discussing the issues of when to notify concerns about a child, confirms that the conundrum is international. An excerpt from that series reports that the disadvantages of the current system in use in New South Wales are that child protection services are overloaded; that self-referrals by children and parents are inhibited because they fear the loss of control that may occur; that mandatory reporting systems can be reactive rather than proactive, which is against the contemporary understanding of the need to develop supportive communities for children; and that it "encourages professionals to pass the buck rather than to share responsibility".

The Department of Community Services helpline receives nearly 300,000 calls a year, which is far more calls than it can handle. Many of them are multiple reports or low level reports that do not require statutory intervention. To address over-reporting, the legislation raises the threshold for statutory intervention from risk of harm to risk of significant harm. This is a very important change because it will reshape the way the Department of Community Services operates its helpline and the way in which services are delivered to vulnerable families.

Raising the statutory threshold for intervention will help to free up the Department of Community Services and focus its efforts on supporting the most serious cases requiring immediate intervention. However, it is important that families who do not need statutory intervention, but who are struggling, receive appropriate services sooner so that their situation does not escalate in the future. As Professor Gilbert from the United Kingdom states:

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

For this reason the legislation establishes a new intake and referral framework to ensure that families who need assistance will be able to access the services they need when they need them and before their needs become more complex. To achieve this the legislation provides for alternative ways for families to obtain assistance. Reports can be made to the newly established child wellbeing units in mandatory reporting agencies, such as the Department of Health, the Department of Education and Training and the New South Wales Police Force. The new child wellbeing units will assist mandatory reporters to identify cases that meet the new statutory threshold of risk of significant harm and will report appropriate cases to the Department of Community Services helpline if the threshold is met.

That will allow staff on the ground to be able to work more collaboratively with people from their own organisation, to share in greater detail the information they have gained, and to more effectively provide and obtain feedback on the child's progress. For example, an hour-long consultation by a clinician, which currently may result in a notification to the helpline, inevitably will mean that the distillation of that consultation results in information not being shared. The new system will allow continuous sharing of information and feedback from within a department over a period to obtain a clearer picture of the degree of risk experienced by that family and that child. In poverty, the one thing that matters more than anything is continuity of care.

The bill's legislative changes recognise that and will assist in providing more accurate risk assessment. If a case does not meet the statutory threshold, a child wellbeing unit will assess whether the agency can assist the child or family. As part of that process, the child wellbeing unit also may refer the case to a regional intake and referral service for coordinated government and non-government services. In those ways, the child wellbeing units will better triage reports from mandatory reporters, relieving much of that burden from the helpline so that the Department of Community Services may better focus its resources only on cases that require statutory intervention.

Importantly, the general public will still be able to make reports directly to the helpline. It is also important to note that when a child clearly is at risk of significant harm—in particular, if harm is imminent—mandatory reporters also will be able to report directly to the helpline. The assertion by the Opposition earlier that that is no longer the case is just plain wrong. To ensure that families received well-coordinated services government agencies and non-government organisations need to be able to better share information. Amendments to the New South Wales privacy legislation aim to achieve that goal and enable government agencies and non-government organisations to know what type of services families have been receiving, who has been providing them, and what type of reports may have been made in the past about a family to the Department of Community Services helpline. This sharing of information applies only when there are concerns about the safety, wellbeing or welfare of a child or young person.

It is envisaged that building a picture of a family's service history and any reports that have been made to the helpline will enable cases of cumulative neglect to be detected and remedied more quickly. The new obligation of human service and justice agencies of coordinating decision making and delivery of services to children also will help to ensure that the right services get to children, young people and their families at the right time. The legislation also introduces a revised scheme of voluntary out-of-home care that will focus the system on those children in greater need of care and protection. As a package, the new legislation provides a solid basis for the other reforms embodied in the action plan. "Keep Them Safe" demonstrates the Government's commitment to expanded services and a focus on prevention and early intervention as well as a new partnership with the non-government sector.

Under the action plan government and non-government organisations will work better together to find new ways of strengthening Aboriginal communities and families. Importantly, Aboriginal organisations will be empowered to play a greater role in shaping service delivery by using their specialised knowledge and skills in understanding local needs. The most important thing I learned from my 10 years working at the Tharawal Aboriginal Medical Service is that the best care for indigenous infants comes from within their own community. Every day the foster carers from Tharawal are the true heroes of their communities. The "Keep Them Safe"

response and this legislation have been developed in a spirit of partnership. Caring for our children and young people is a shared responsibility. I make it clear to the House that we are in this together, regardless of political persuasion. This legislation will help us to achieve the stated goal of "Keep Them Safe", which is to deliver the best care and protection, early intervention and prevention service in the world. I commend the bill to the House.

Mr BRAD HAZZARD (Wakehurst) [11.08 a.m.]: In contributing to debate on the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 I point out the sad history of child protection in New South Wales under State Labor, which has managed to create a system that has become utterly and completely dysfunctional. Nothing I say should be construed as criticism of individual staff members of the Department of Community Services [DOCS]. I have the highest regard for caseworkers, who work under the most stressful circumstances as a result of the system that has been delivered by State Labor. Nor am I in any way critical of the teachers who often find themselves in the difficult position of having to determine whether they should report a child as being at risk of harm or of health workers, doctors and others who try to ensure that our children are kept safe.

The system created by Labor has been an absolute debacle. Back in 1995, when the Coalition was last in office, just over 5,000 children were in out-of-home care in New South Wales. After Labor came to office it presided over a system that saw the number of children in out-of-home care increase from 5,500 to just over 12,000 today. Ministers who have no great capacity—unfortunately, that is the type of Labor Minister we have had in this portfolio over a number of years—would argue that that in some way shows that we have a better child protection system. They would also argue, and have argued, that the fact that there were approximately 33,000 reports of children at risk of harm in 1995, the year the Coalition left office, and that that number has increased to more than 300,000 now is evidence of a system that is working. However, both of those facts are evidence of a system that has been in total meltdown.

Introduction of the mandatory reporting system and centralisation of the reporting system through the helpline were two pivotal factors that caused the system to spiral out of control. When the mandatory reporting system was brought in teachers, health workers, youth workers and others vested with the task of working with children and families were threatened with a \$22,000 fine for not reporting children at risk of harm. I do not believe that anyone has been fined up until today, but the threat caused organisations to be defensive and report everything that moved for fear of copping a \$22,000 fine if they did otherwise. That has contributed to the rapid escalation from just over 30,000 reports of child abuse to more than 130,000 reports of child abuse.

The centralised helpline service was an absolute debacle when it was introduced, and it was mind-bogglingly badly introduced. I remind the House that there are approximately 83 community service centres across the State. The new helpline removed all local relationships with Department of Community Service [DOCS] workers. Prior to the introduction of the helpline DOCS officers had a relationship with schools and health facilities in their local area, and they had the capacity to filter sensibly—a commonsense approach—which children needed urgent help and which children did not. For example, on Monday morning a teacher who observes a little girl with scratches up and down her legs and possibly other evidence of abuse must consider whether the child is at risk of harm. In the old days the teacher would ring the local DOCS office and tell a worker, "Little Mary Brown is here. She has presented with these indications this morning. What do you think I should do?"

In the past, if the child had been reported in the previous week by another organisation—perhaps the local girl guides—and DOCS had looked into the matter it would have instantly dismissed the need for the teacher to report the child. DOCS would not need to follow up because it may have found that the girl had been bushwalking with her parents and got scratched in that way, and there was no substantive cause for concern. When Labor got rid of local involvement, local self-filtering, and introduced mandatory reporting that was the start of an absolute cataclysmic downward slide. When that happened what did we get from the State Labor Government? We got denial after denial after denial, and many more denials. In the end not only people in the non-government sector but also faithful and hardworking DOCS officers, who felt that their system was being destroyed, ensured that the Opposition—I was the shadow Minister at the time—was aware of the situation. We then brought the matter to public attention.

However, the Government was still in denial. Faye Lo Po', who was the Minister at the time, and Carmel Niland, the then Director General of the Department of Community Services, both denied that there was a problem. That has been typical of this Government throughout its period in office. Finally there were two stories on child protection on *60 Minutes*—it was unheard of—and an episode of *Four Corners* on the issue. Mike Carlton's wife, Morag, won a Walkley Award for exposing the fundamental failures of DOCS. Good on

them, because it was necessary. What has happened since then? The Government's only response was not to correct the system—remember, that this is about eight or nine years ago—but to throw money at the problem. It threw \$1.2 billion at DOCS over a number of years. More proactive steps were taken in relation to early intervention. Good luck to the Government, because that is exactly what we said was necessary.

That was one small positive step, but the Government did not address the fundamental failings in the system. The Government has moved on. Between 100 and 200 children die each year after being reported to Department of Community Services, and the problems have continued. I congratulate Justice James Wood not only on being prepared to take on the inquiry he has undertaken but also on working through the complexity of the problems that face the child protection system in New South Wales. Justice Wood's recommendations are interesting because some of them reflect what we were talking about nine years ago, that is, recognising that an increase in the number of children in out-of-home care is not in itself a measure of a good child protection system. Indeed, we said—and we continue to say this—that it is a measure of a failing child care system.

British Columbia had a similar problem some 15 or 20 years ago. The new Minister has finally cottoned on to the fact that out-of-home care costs a fortune, both in terms of destruction of families and in terms of maintaining those children outside the family. Why are we doing this? Why are we taking so many children who are not at risk of harm? The term now used is "significant harm". Basically, there are two categories of children who are risk of harm: those children who are abused and who often need to be removed quickly from their family circumstances; and those children who are neglected. Children who are neglected make up a substantial proportion of child at risk of harm reports.

British Columbia found that it needed to centre its resources on supporting families. The Coalition supports that. That was picked up in the report and the Government is finally responding to that recommendation. Often children are born into families where, sadly, there has been intergenerational family breakdown. A young woman might have had a child before she was 16 or 17 and simply does not know how to parent. She or her partner may be a drug addict. There may be many reasons that a family is not capable of looking after a child. The Opposition supports the concept—finally, after all these years—of supporting families at home. We should be putting resources into keeping children at home and not taking them out of the system and into out-of-home care. The consequential problems, particularly tearing brothers and sisters out of families, have been a topic of public discussion in the past few days.

That was understandable when more than 12,000 children had been removed and placed in care. I am talking about permanent placements. Thousands of other children are removed and given short placements but more than 12,000 children are in out-of-home care at any one time. Well done! The Government has finally caught up with the fact that supporting families at home is a much better approach. But it has moved towards the concept of a child at "significant" risk of harm. That move will not be productive. A child at risk of harm should be assessed sensibly and professionally by those who are most qualified to do so, that is, DOCS officers in consultation with teachers, health workers and so on.

I generally respect the member for Macquarie Fields as a medical practitioner. I do not particularly have a lot of time for him as a member of the Labor Party; nevertheless, I respect his capacity as a medical practitioner. He talked about the new wellbeing units. The well-being units are attractive superficially: for example, when a teacher sees a child that they think might be at significant risk of harm they will talk to the department—perhaps a social worker if the department has the appropriate resources—before a report is made to the department. To my mind that is one further layer of nonconstructive bureaucracy, because no teacher would report a child at risk of harm without first talking to the principal.

The helpline at Parramatta has advised that more often than not the report comes from a particular teacher in a school who has been designated with that task. A junior teacher talks to that person and they decide whether the child is at risk of harm under the current system, or now under significant risk of harm, and then it is reported to the department. I am not sure how the well-being unit will help. It may be just a further layer of bureaucracy. My main concern is the issue of "significant risk of harm". I think it would have been more sensible to leave it at "risk of harm" and retain the processes that used to work, that filtered out the unnecessary reports. I am concerned that a whole group of young children will be removed from being reported to and investigated by DOCS.

The Government is removing two very important categories of children who will be investigated. This is diabolically dangerous and bad. Previously I worked with the community to ensure those provisions were put into the legislation. It is critical that there is external review of cases in which children have been reported to

DOCS and the department does not follow up on the report. It is appalling for the Government not to have investigated those categories of children who are injured or die. It is a farcical for the Government to say those cases would be reviewed by the Child Death Review Team under the Children's Services Commissioner. The Child Death Review Team looks at statistical directions; it is not about investigating or supporting particular children or their families when things go wrong. [*Extension of time agreed to.*]

Scrutiny of children in care used to be through a children's services commissioner. Most members of the Australian Labor Party, and even a few on the Opposition benches, would not remember this. The children's services commission was set up under a very fine commissioner, Robert Fitzgerald. When the community was informed that children under DOCS or those being reported to DOCS but not followed up were dying, the children's services commission was served a death warrant: it was pulled apart. The standard response from the Labor at the time was "We have so many bodies investigating we do not need to have a children's services commissioner". Minister Faye Lo Po' sent a letter to Robert Fitzgerald and that was the end. His staff were taken over under Bruce Barbour, the Ombudsman.

The Ombudsman was vested with the task of doing some of the work previously done by the children's services commission. I remind the House that that has been the track record of Labor. The children's services commission is gone. The capacity of the Ombudsman under this legislation to investigate children who are reported to DOCS but not taken into care will also go. That is the most fundamentally despicable act that any government could ever do. Children and siblings of children who are reported to DOCS are not followed up because DOCS is not capable of doing it, or because of a systemic failure in DOCS, or a failing of individual sets of circumstances in DOCS. They are precisely the cases that we critically need to follow up. Often there are hundreds of them a year.

On *Stateline* the Minister for Community Services was flippant and almost piously said that the Government is still doing everything to protect children. I will give her the benefit of the doubt because of my personal respect for her—maybe she believes it. However, this Minister is doing no better than her predecessors. If she believes the Government is doing everything to protect children she should not be the Minister. Bruce Barbour and his team in the Office of the Ombudsman should be able to investigate cases in which DOCS fails to protect children, and the siblings of those children, who are reported to DOCS. If Bruce Barbour does not speak up and make a lot of noise about these changes I say clearly that, unfortunately, Bruce Barbour as Ombudsman is allowing himself to be hammered too heavily by a Labor Government that has basically hammered the whole child protection system for far too long.

The Ombudsman, as the last line of defence, has an obligation to speak up because hundreds of children will be at risk. I do not have any problems personally with Gillian Calvert, except to remind the House that she was a staff member of DOCS. She has a very close association with the Labor Party but mostly she has evidenced independence in her position, but if she does not speak up and say that she is not the right person to be doing this because the Child Death Review Team simply looks at what is happening statistically with groups of children, rather than individual children, then she also is failing in her job.

Children who are vulnerable need protection. Approximately one-third of the 12,500 children in out-of-home care are Aboriginal children, who often need additional assistance. I strongly believe that all children, particularly Aboriginal, deserve appropriate systemic support. What has not changed over the past few years is that Aboriginal children are often placed in kinship care, that is, with their relatives. That is entirely desirable but the vast majority of children placed in kinship care never have a visit from officers from the DOCS. Once the children are placed with an aunt or uncle the aunt or uncle gets an automatic payment from the DOCS to support the foster care arrangements. There will be no improvement in the lot of Aboriginal children in care unless the Minister wakes up to that serious issue, which I am sure she knows about. She should address that matter in her speech in reply.

It is critical that those children be given care they currently are not necessarily getting. The problem is that no-one knows because there is a lack of follow-up from DOCS. Unfortunately, DOCS is under stress. Finally I say, "Thank you, Mr Justice James Wood, for taking on what must have been one heck of a task", that is, to cut through a system that has been in critically dysfunctional chaos for years. I wish Mr Justice James Wood well. I wish Bruce Barbour well in his endeavours. I say to the Minister that she must be fair dinkum about this matter and deliver some serious changes and bring back the protection for children who are reported to DOCS but who do not have a follow up when they do not come into care.

Mr ROBERT COOMBS (Swansea) [11.28 a.m.]: I am pleased to speak in support of the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009. The bill has been eagerly awaited and the changes therein are of enormous consequence. Together with the Government's action plan, they promise to build a new way forward for child protection services in this State. I will focus on just one of the provisions of the bill to demonstrate that for the benefit of the Chamber. In line with the recommendations of the special commission, the bill will increase the reporting risk of harm threshold to "risk of significant harm". As I understand it, New South Wales currently has one of the lowest thresholds in Australia—and not surprisingly, the highest number of reports. Most other Australian States require actual harm prior to reporting. While New South Wales has adopted the approach of gathering information on risk, it is still appropriate that information be gathered about more than just the risks of every day existence. No system can operate when it is receiving too broad a range of information.

One would expect that a lower threshold would capture all cases where there is real risk of harm. But as we know, this does not happen, nor indeed is it possible. In practice, a lower threshold simply puts the statutory child protection system under enormous and ultimately unsustainable pressure. There must be a way to better sort reports of risk of harm to help the Department of Community Services concentrate upon the most serious incidents while still generating support for those children in need of care. It is important that the State's child protection agency is able to get on with the job of protecting children who are at, or likely to be at, risk of significant harm. This amendment will enable the Department of Community Services' Helpline to better receive those cases of risk, where a statutory response is needed. However, when the State intervenes in people's lives it needs to be warranted and in the best interest of children and young people.

When a statutory response is not in the best interest of a child or young person, the system needs to be able to provide an effective alternative that addresses the disadvantage or other issues that are preventing a family from being the best they can be. To ensure this happens, the increased threshold will be supported by an assessment referral framework that will enable children, young people and families to be directed to the services they need most, and when they need them. The framework will be used by referring government agencies to ensure that there is a clear and consistent pathway for children and families requiring services and support.

The framework will enable the immediate referral of children, young people and their families to support services and a more flexible approach to how families access the broad range of services available to protect children and young people and support families. It enables the Department of Community Services to get on with its job while an increased capacity to respond to a range of a child's needs are dealt with across a range of Government departments. An early response can only mean better outcomes for children and families. Through the measures contained in the bill and action plan, through strengthening pathways to prevention and early intervention services, the child protection system will better ensure that an increasing number of children never meet the increased threshold—indeed, that risk is averted altogether.

The enormous social benefits this promises not only to our children, young people and families but entire communities is very exciting. Importantly, the framework is built on a true recognition of the shared responsibility for the care and protection of children and young people by all Government agencies; moreover the importance of a shared approach to providing services which will enable children, young people and families to overcome the obstacles they might face in achieving safety and a reasonable quality of life. I am pleased and enthusiastic that the Government is addressing the concerns raised within the Special Commission of Inquiry into Child Protection Services in New South Wales head-on and so swiftly. I congratulate the Minister and commend the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 to the House.

Mr KEVIN HUMPHRIES (Barwon) [11.34 a.m.]: The object of the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 is to amend various Acts and other legislation to give effect to certain recommendations in the Report of the Special Commission of Inquiry into Child Protection Services in New South Wales. I thank Justice Wood for the professional manner in which the inquiry was undertaken—I tracked it around most of New South Wales and attended a forum in my home town of Moree. Subsequent to the initial inquiry, Justice Wood returned to a number of communities including Toomelah and Boggabilla, which are also in my electorate, where he personally interviewed some people. I also had conversations with them about child protection, which I will address later.

The inquiry was conducted in a professional manner, and Justice Wood became personally engaged in it; he really wanted to see change and betterment in society. He was especially interested in how all young people in our communities can be protected, how we can support families in accessing services—particularly in times of need, and when family life becomes dysfunctional and may break down—and how communities can

engage in helping people at risk. Not only statutory authorities such as the Department of Community Services can help families; key people including police, teachers, health workers and, just as importantly, neighbours in a village or town can help families. We all need to be aware of and engage in child protection where needed; that is what quantifies us as a community and defines how civilised we are in our approaches to child protection.

Earlier members commented on the Wood report, about which I will seek clarification from the Government. The report was not just about reducing the number of reported incidents from 300,000-plus to 30,000. Earlier it was said, and I cannot remember by whom, that when mandatory reporting was introduced a lot of training was involved. At the time I was employed in the education system as a school principal and I took part in that training. However, a lot of innuendo emanated from the legislation requiring mandatory reporting. People saw a need for it, but at the time it became a convoluted process. As a result, people often deferred to the least amount of risk in accepting responsibility. Ten years ago there were probably 25,000 to 35,000 reports a year; that number has now exploded to about 300,000 reports. That is why the system has become overloaded and created a significant problem for many people who work directly in the system.

When police attend a domestic violence incident they are required to identify all the children present under the mandatory reporting code. It has been acknowledged that that is largely responsible for the large number of reports. Has the response been satisfactory to date? Well, I admit it has been slow, but a couple of other matters parallel this increase in reported incidents, including the appointment of domestic violence officers to local area commands across the State. Currently, not all commands have that officer in place. To have someone accompany police into those situations could provide some support for the Government's legislation.

What did that do for people down the line such as teachers and, more importantly, DOCS workers? I know many of the DOCS workers in country areas. Have they moved from being community-engaged workers in the local and global village, so to speak, to a situation where they have a siege mentality? Yes, they have. DOCS workers do a fantastic job and are charged with enormous responsibilities, but each time I go into a new DOCS office I find it has become more remote, less accessible and more siege-based.

Are we struggling to get those people to work in our community? Yes, we are, because of the large number of reports about people, whether legitimate or frivolous. It has placed enormous pressure on DOCS workers living in their own communities because they have been victims of a system that is out of control. In my own town of Moree it has been very difficult to replace DOCS workers, or even find DOCS workers to be case managers. They are just not there. We have had fly in, fly out case managers in western New South Wales for quite some time. Bourke, for instance, has just been allocated 10 additional DOCS workers. That raises a couple of questions in my mind: First, is it that the department realises we have increasing numbers of issues in that area or, second, is the department developing a bureaucratic siege mentality and not referring to or relying on some non-government organisations and providers? That is yet to be clarified.

It has always concerned me that governments alone cannot always solve many of these problems; it is a shared responsibility. One of the challenges that the Wood commission highlighted—not just mentioned in passing—was the fact that governments of all persuasions need to enter into far more meaningful relationships with non-government organisations. Having just met with the NSW Council of Social Service yesterday I know that that approach certainly would be supported. So do we put another 10 DOCS case managers into Bourke—and it is questionable that we will be able to get those workers to go there under the current regime—or do we look at some of the issues I have raised in this place previously and enter into far more meaningful and authentic relationships with non-government organisations that exist in our country towns or that would build capacity in those towns if they were given the right support by government agencies such as DOCS?

Safe houses come to the fore. New South Wales does have a policy on safe houses in relation to women and children at risk of domestic violence, but we still do not have safe houses in some communities that are child-based, whether they be for young children or adolescents, and where we know there will be spikes in the welfare cycle that often lead to neglect in many of our towns. There are things we can do in our community to help ourselves, which the Wood commission reported and which I have not yet seen in proposed legislation. We have to break out of the siege mentality and rely more on non-government agencies in our communities to deal with this issue.

I welcome the move to support siblings to maintain relationships through out-of-home care so that families can be kept together, but to date foster carers generally have largely been disengaged from the process. I visit countless numbers of families that have provided foster care on a continual basis in western New South Wales in particular where many of the children needed either short-term or long-term protective custodial care.

But there is still continual pressure on those foster families to give up the kids and allow them to go back to their birth families. In many cases this is because the birth families are reliant on the welfare payments that those children generate. That is a sad situation. Problems can arise where we do not have an effective case management system in some communities because the case managers do not know the communities well. A better way to go would be to work with beefed-up community organisations that have built resilience into their delivery of services.

I want to correct the record on behalf of the Opposition because it was mentioned earlier that teachers will not be able to report directly to DOCS under the mandatory reporting guidelines. We understand that that is not the case. We know that teachers and other professionals, whether police or health workers, can report directly to DOCS. This is where the Government needs to wrap some more detail around the wellbeing units and how they will clarify what is "harm" and "significant harm". When mandatory reporting was introduced some years ago it encompassed hundreds of thousands of people who were to be mandatory reporters. As I said earlier, a lot of mandatory reporting revolves around the capacity, knowledge base and training to which those people have been exposed. In relation to the wellbeing units that the Government is proposing, it would pay the Government well to define what those units will provide by way of training to all the people concerned, whether they be police, teachers, in particular, or health workers.

My concern is that where young and inexperienced professionals are engaging with children on a regular basis, whether in schools or in the health system, and the children are identified as being at risk, if the person does not have the right training and exposure and does not fully understand the system they may not go to the right authority. Young teachers, police or health workers may report children who are deemed in their eyes to be at risk of significant harm but they may get only as far as the wellbeing units. Certainly in the profession that I came from it is quite appropriate that those people should be able to go directly to DOCS and that they be given the authority and confidence to do that. Given the overarching pressure on this legislation derives from the fact that hundreds of thousands of children are being reported to the system and the desire is to cut back the numbers, the success of any legislation will depend on how well it is regulated. That regulation and its effectiveness will depend on how well those people are trained.

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

SOUTH COAST AND ILLAWARRA RAIL SERVICES

Mrs SHELLEY HANCOCK (South Coast) [11.45 a.m.]: I move:

That this House:

- (1) condemns the Minister for Transport for failing to ensure adequate transit officers on the South Coast rail line resulting in the alleged rape of a 40-year-old women travelling in the 6.30 a.m. train from Wollongong to Unanderra;
- (2) condemns the Minister for Transport for allegedly failing to ensure that there were any transit officers on the South Coast line either last weekend or this weekend; and
- (3) notes that the communities of the South Coast and Illawarra have lost confidence in the Government's ability to provide safe, clean and reliable rail services to the people of New South Wales.

Considering that almost a year has passed since I gave notice of this motion, I wish to update the House very briefly on the tragic and vicious sexual assault to which I refer in paragraph (1). At that stage I called it an allegation. I have to say now that a perpetrator was arrested and charged, so it is no longer an allegation. It was a rape. I have also been aware, having discussed this with the victim's husband, that the woman's marriage has broken down and tragically she is suffering severe and acute depression as a result of that incident. A perpetrator has been arrested but this provides very little comfort for the victim and the couple. Despite various joint task force operations between transit officers and the New South Wales Police Force, incidents have occurred and continue to occur today. The public remains afraid to travel on the South Coast rail line.

Paragraph (2) of my motion incorporates the words "last weekend or this weekend", but I was referring to 29 and 30 March 2008, and 5 and 6 April 2008, or the following week. At that stage I was accused of misleading the public regarding transit officers. I have been informed by transit officers—who continue to liaise with me—that no transit officers were present on the weekend of the rape and no transit officers were rostered on for the following weekend. Let me put this incident into context. I wish to outline the context of this sexual assault and the history of this Government's incompetence in dealing with issues about which it knew. It knew about this and other incidents, but it took such a long time to take any action that it was too late for many victims.

The timetable of events reveals a litany of disaster. An article in the *Illawarra Mercury* of 29 March 2008 revealed that the reporter had been travelling the trains for two months to obtain a picture of what was happening. He reported that taking an Illawarra train was a terrifying experience. On 1 April the *Illawarra Mercury* again reported that not one transit officer was deployed on the South Coast line on that morning trip to Unanderra over the weekend when the rape took place. Further reports indicate that no transit officers were rostered the following weekend. I then held a press conference and pointed out that assaults on public transport users were at a six-year high, with 1,537 people attacked in 2006-07. On 2 April a 22-year-old man was charged with sexually assaulting a woman on the train on the South Coast line.

I spoke in this place about assaults and incidents on the South Coast line, so the Minister knew all about it, but he still did nothing. I then issued a press release that said I had placed a question on notice to the Minister for Transport regarding transit officers, but again nothing was done. The Government was aware of all these incidents and the controversy relating to these issues, but still it did nothing. On 28 April—there had still been no action from the Government—the *Illawarra Mercury* reported that a youth bashed a man on Sunday on the Central to Kiama train. The newspaper further reported that at Helensburgh a young male allegedly punched a grandfather in front of his wife and two grandchildren at 4.30 p.m. on Saturday on the Central to Kiama service. Several passengers stated that no transit officers were on the service and RailCorp could not be contacted to confirm that statement.

On 29 April—the Government was aware of all these issues—the newspaper reported that further attacks had occurred at the weekend. On Saturday a man allegedly grabbed "the breasts, buttocks and crotch" of two women and made explicit comments to a third woman between Helensburgh and Coalcliff. On Sunday afternoon a 14-year-old boy was punched in a face by a youth near Helensburgh station while travelling with his father to Unanderra. On Sunday night a 59-year-old University of Wollongong academic suffered a five- to six-centimetre gash to his head as a result of an assault on a train near Bulli. A station attendant has been noted as banning his daughter from catching the train. On 30 April 2008 former transit officers began to speak out. They called for the number of transit officers to be doubled on the South Coast line.

On 4 May, a couple of months later, the Government announced that its Vision III offensive would be extended to the South Coast rail line. The Minister announced an offensive in Wollongong, which was a real political stunt. Undercover police, sniffer dogs, highway patrol officers and general duties officers flanked the Minister, and all for the benefit of the media. That offensive lasted for a total of 13 days—such was the Government's response to this issue. I issued a press release labelling that offensive as a stunt. I then called on the Government to increase the authorised strength of the Wollongong, Lake Illawarra and Shoalhaven commands. I knew that if police, as part of the joint task force, were being redeployed from their normal duties, police back at the stations would be understaffed, and that understaffing continues.

I continued to receive emails from serving transit officers over this period regarding the lack of powers currently held by transit officers, and calling for more transit officers. They expressed concern about the fact that on any occasion, or on any weekend, transit officers were being redeployed to various events in Sydney and no officers were deployed on the Illawarra to South Coast line. On 20 May 2008 the NSW Police Force issued a press release stating that Vision III—South would continue until further notice. Thank goodness! That occurred only after I had indicated that the offensive lasted for only 13 days, so the Government and the Minister scrabbled around and extended the offensive for a further few months.

On 21 May I issued a press release in which I said that police Minister David Campbell was covering his tracks on this issue. I announced that the shadow transport Minister, who is currently in the House, would visit the region within the next week, which is what she did. Minister David Campbell issued a press release labelling me as lazy and incompetent. I had raised the issue in the House, I had represented my community, I had spoken out and I had called press conferences, but he called me lazy and incompetent. However, that is the Minister's usual response to serious issues. He bullies and harasses, and he uses his own endearing form of political thuggery. That was Minister David Campbell's response.

On 24 June 2008 the *Illawarra Mercury* reported that a blue light disco in Revesby took eight transit officers away from the South Coast rail line. It was then that a teenager's face was allegedly slashed and a gang assaulted a guard on the South Coast rail line. On 25 June the *Illawarra Mercury* reported that a former victim of an attack on the South Coast rail line was almost attacked again on Friday 20 June. Police were then in attendance. On 16 September Vision IV was announced. On 24 September 2008 a survey of CityRail customers—and this is most disturbing—found that 6 per cent of South Coast train users had been victims of crime or violence in the previous six months, compared to 2.5 per cent of all other train users throughout the

State. The survey had been released and the Minister knew about it, but the Government's response to what was happening on the South Coast rail line was abysmal.

I could refer to a number of incidents that have occurred in recent times, which reveal this Government's total inability to respond to the litany of vicious attacks on the South Coast rail line, which is typical of everything that the New South Wales Labor Party represents. This Government ignores these problems and even its own union. At the time Nick Lewocki called for more transit officers on the South Coast rail line, but the Government ignored those calls. Instead, the Government bullies those who want to represent their communities, which is what it has done in my case. Rather than expressing concern and attempting to remedy the situation, the current Minister lashes out at me. Minister David Campbell, the chief head kicker of the right-wing of the New South Wales Labor Party, displays inappropriate behaviour on every occasion in Wollongong.

At this stage I praise the efforts of the New South Wales police and transit officers who are working hard to improve safety and security on the rail line. However, their numbers are limited. Officers from the Lake Illawarra, Wollongong and Shoalhaven local area commands are regularly removed from their local duties to ride the trains to support transit officers who may or may not be attendance. I have called for an increase in their strength and I have received no response to my calls. The bandaid solutions of Vision III and Vision IV and the stunts by the transport Minister in the past will not permanently solve the problem. I confirm that I continue to receive disturbing accounts from constituents who have suffered horrific experiences.

Mr DAVID HARRIS (Wyang) [11.55 a.m.]: I reiterate that any incident of this nature is viewed very seriously. No crime is ever acceptable, especially violent crimes against women. Safety remains this Government's top transport priority. Many rail commuters live in my electorate and their safety is always foremost in my mind. This Government is committed to improving the transport experience for the travelling public of New South Wales. Through strategic transit and police officer deployments we are sending a clear message to would-be criminals that crime on our rail network is unacceptable and will not be tolerated. The New South Wales Government has also committed more than \$4 billion for new trains to boost the safety, capacity and reliability of the CityRail network.

The Rolling Stock Investment Program includes a contract for 626 new rail carriages worth \$3.6 billion—the largest order for rolling stock ever placed in Australia. These new carriages will replace the last 498 non-air-conditioned carriages with the latest state-of-the-art reliable carriages, and they will also provide additional capacity to cater for patronage growth. The new trains will have live external closed-circuit television [CCTV] cameras that will allow train crews to monitor the effective movement of passengers on and off trains at all platforms. As is standard on all new trains introduced since the Millenniums, these new trains also will be fitted with on-board CCTV and customer help points.

During the election campaign I rode on one of the new OSCar [outer suburban carriages] trains and was very impressed with the new surveillance technology available in them. I learnt also that each carriage has eight CCTV cameras for monitoring passenger behaviour. This enables train guards to call ahead if there are problems and have police or transit police available at stations further along the line. When the on-board customer help points are activated the train crew can communicate immediately with the customer who initiated the call and can also view the relevant CCTV. If a security response is required, it can be requested through the 24-hour, seven-days-per-week RailCorp Security Control Centre.

However, I am advised that passengers can also take a number of sensible precautions to increase their safety when travelling by train at night. These precautions include checking train times and any connections before leaving; logging on to the website www.cityrail.info for the latest track work information; if possible, carrying a mobile phone; travelling as near as possible to the train crew's compartment; sitting near other passengers on the train; and after exiting a station, using well-lit footpaths and avoiding dark alleys, tunnels or paths in the surrounding neighbourhood. If passengers witness illegal activity on trains, they can ring Crime Stoppers on 1800 333 000. CityRail staff are there to help and are trained to assist in emergency situations and to administer first aid. They are able to monitor safety and security issues and notify the 24-hour RailCorp Security Control Centre, where instances of crime or antisocial behaviour are reported so that an appropriate response may be coordinated.

Transit officers and police also have the power to direct people to leave trains and stations for engaging in a range of unacceptable and dangerous activities. The safety and wellbeing of our customers are paramount, and through these measures RailCorp is working hard to ensure that the services are continually improved. If

our customers ever feel unsafe on a train, I urge them to alert a transit officer, tell the train crew, use one of the emergency help points or phone the CityRail security hotline on 1800 657 926. Officers will continue to patrol trains and stations proactively and in response to strategic intelligence. There always will be times when people do the wrong thing. Governments spend a lot of money and do their best to address problems but people have to be aware that incidents can happen and they should make sure they travel as safely as possible. The new train carriages have special glass in the windows, special vandal-proof seat railings and seats made from tough material that is difficult for vandals to damage.

The community suffers greatly as a result of those who act irresponsibly and damage public utilities and equipment such as trains. The Government is investing money in an attempt to prevent such incidents, but it is a massive cost to the community. Unfortunately, despite laws and government action, these incidents still happen. Nobody accuses the Government of ignoring these issues, and certainly bad behaviour is not condoned—we try harder each time to make things better. RailCorp and the police are constantly gathering intelligence, which is updated continually, to ensure that officers are deployed when and where they are most needed. With such a sizeable community and rail network, security personnel cannot be everywhere. Therefore, the collection of intelligence is important to ensure that, through the best endeavours, resources can be put where they do the most good.

The job of Opposition members certainly is to raise these issues, as the member for South Coast has done, and governments must put the solutions in train. The Government continues to address these issues through the strategies that I have outlined, and the biggest strategy is to get the trains on the network as quickly as possible. I strongly encourage members of the public to report crimes on the rail network so that they can be included in intelligence information when deployments are planned. Too often people either assume that someone else has informed the police or security about such incidents and so do not make the call, or do not want to get involved. Reports can be made anonymously to the hotlines. It is important for people to take a proactive stand and report illegal activity on the rail network—as they should report illegal activities across the community generally—so that the police and transit police can compile a better intelligence picture in order to deploy resources where they are needed most.

Government members view as serious any incident of the type referred to in the debate. No crime is acceptable. Certainly the Government does not accept crime—in fact, the record shows that there are more people in jail now. Our laws are tougher and, as a government, we take seriously the responsibility of community safety. We are putting measures in place to make sure that our community is safer. My electorate has a large number of rail commuters and I take seriously the issues they raise and make sure that the Government addresses them as best we can. For example, CCTV cameras are to be installed shortly at Tuggerah railway station and the car park is to be refurbished after a number of break-ins. The Government listened to commuters' concerns and is delivering the security improvements. I thank the Minister for Transport for that response. We appreciate that not everything can be put done everywhere, but the best available resources are being provided. The Government is doing a very good job ensuring that people are safe when they leave their cars in station car parks, while they are on the station, and when they travel on the rail network.

Ms GLADYS BEREJIKLIAN (Willoughby) [12.05 p.m.]: At the outset, I congratulate the member for South Coast and thank her for moving this motion. She is a strong advocate for her community and has raised this issue for the past 12 months at least. At her instigation, I accompanied her to discuss safety issues with local police authorities and community members. I am concerned that the Government's response does not acknowledge that we are talking not about minor vandalism or petty crime but about a serious sexual assault that resulted in a marriage breakdown. In the weeks after this terrible incident the State Government still did not see fit to ensure the presence of transit officers on the South Coast rail line. That does not tell me that the State Government takes this issue seriously.

I listened with interest to the Minister's announcement about Vision III. If the Government thinks a 13-day media stunt can resolve the serious safety issues on the South Coast rail line it demonstrates to us all that it does not take those issues seriously. If it did, it would ensure the ongoing presence of transit officers or police on the South Coast rail line. The assault to which the member for South Coast referred occurred at 6.30 a.m. What message does it send to commuters on the South Coast rail line, or indeed commuters anywhere, about the safety of public transport when the Government does not take such incidents seriously?

It is not good enough to speak hollow words and organise media stunts lasting 13 days, then revert to a system in which ultimately passengers are not safe. The State Government has demonstrated that either it does not understand or it does not care about safety issues. I appreciate how upset the member for South Coast and

her community must be because, for many people, the South Coast rail line is their only major form of public transport. Many people rely on that rail line to ensure they meet important appointments relating to their work and other obligations. Yet the State Government's response has been staggering for members of the Opposition, and of enormous concern.

Time and time again the State Government refers to having 600 transit officers, but facts obtained under freedom of information indicate that at any given time only approximately 300 transit officers are on duty throughout New South Wales and that at any given time 300 others are on sick leave or annual leave, or are otherwise not on duty. The Minister has not adequately dealt with an issue that is in his own backyard and will not accept the seriousness of what has happened. The Government's response has been to discuss rolling stock and training people, which clearly demonstrates it does not take the issue seriously. That is a matter of grave concern.

Last year assaults that occurred on public transport reached an all-time high. In 2007-08, 1,490 people were attacked. They are not my figures; those figures are from the annual report of the New South Wales Police Force. A State Government survey conducted last year by the Independent Transport Safety and Reliability Regulator shows that 30 per cent of train users reported feeling threatened by the actions of other people; 20 per cent of train users reported witnessing or being victims of criminal activity or violent behaviour; 26 per cent of train users reported witnessing or being victims of harassment or verbal abuse; and 19 per cent of train users said they were worried about being injured or being in an accident on a train.

There is no doubt that the number of assaults that take place on public transport, coupled with concerns about safety, require urgent and immediate action being taken in relation to public transport safety. Again I state for the record my absolute gratitude to the member for South Coast for highlighting incidences of serious criminal activities that cannot be allowed to continue. If there is one form of comfort we can offer the victim and her family, it is to continue to raise the issues until the State Government provides an adequate response, thereby ensuring that any other rail user will not experience what she is going through. For just one second the Government must put itself in the situation of the victim and her family instead of providing information about rolling stock and timetabling—both issues in relation to which the Government clearly has failed. The motion addresses safety, and putting people's safety first. It is not about making announcements about rolling stock that does not materialise, and timetabling. The heart of debate on this motion is safety.

Ms NOREEN HAY (Wollongong) [12.10 p.m.]: No type of crime committed on our rail network is acceptable. I extend my deepest sympathies to the woman involved in this terrible incident. However, the suggestion by the Opposition that the Government does not take crime and safety seriously is ludicrous: of course we do. I am advised that the security resources of RailCorp are deployed across the rail network based on security intelligence. I understand that part of the deterrent effect of rail security resources is that people do not know exactly where and when those resources will be in operation. That is why RailCorp has a policy of not specifying transit officer deployment locations and times, and deploys uniform and plain-clothes officers based on security intelligence.

The ongoing objective of the RailCorp security division is to place its 600-strong transit officer workforce at times and places where they will do the most good for the travelling public. I am advised that intelligence and transit officer deployment plans are reviewed constantly to ensure that resources are utilised optimally and in a way that is appropriate for the management of prevailing security conditions and risks. These factors are dynamic and they vary, based on location, day of the week, and time of the day as well as when specific events are held, or when other changes occur in the operational environment. Given that, transit officer deployment in the South Coast and other areas continues to be reviewed and adjusted by RailCorp in the light of available security intelligence.

Transit officers are not the only security resource deployed on the rail network. The New South Wales Police Force commuter crime units are permanently operating in the Illawarra and South Coast areas, and transit officers work closely with officers of commuter crime units to provide an integrated security system for the rail network. I am advised that once transit officers are deployed, they are coordinated in real time through RailCorp's 24-hour security control centre, which has direct radio contact with transit officers who are deployed in the field. Deployed resources can be redirected to handle emerging security incidents, including responding to customers' requests for assistance, as necessary.

The RailCorp security control centre also has direct contact with the police communication centres and can communicate with train crews and station staff. I am advised that in pursuing its intelligence-based

deployment strategy, RailCorp is signing on transit officers regularly at a range of regional locations, and that RailCorp has established a number of sign-on points in regional areas to support that. The locations are typically small areas within existing station buildings where officers can efficiently sign on, collect their equipment, and move out quickly onto patrol. They can also finish the patrol at these locations.

I will provide just a few examples of the good work undertaken by transit officers and the New South Wales Police Force on the South Coast line. First, after being alerted by rail staff to youths damaging property at Corrimal railway station, suspects were observed on closed-circuit television boarding a southbound train. A prompt response was coordinated and police and transport officers met the train at Wollongong, where police dealt with the youths. Secondly, while conducting a patrol of a train travelling between Coniston and Wollongong, plain-clothes transit officers observed two youths kicking out a window of the train. Transit officers identified themselves and removed the offenders at Wollongong, and handed them over to police.

Thirdly, the RailCorp security control centre was notified of a youth graffitiing the wall of a train in service from Dapto to Towradgi. The youth alighted at Towradgi station. Transit officers assisted station staff to apprehend the youth and called the police. Fourthly, transit officers notified the security control centre after witnessing a group of youths graffitiing the female toilets at Wollongong station and then leaving the station. A description of the group of youths was provided to the police, who apprehended the group of youths in the Crown Street Mall. Fifthly, while patrolling a Sunday evening train service that was travelling between Wollongong and Thirroul stations, transit officers identified, from a description provided by the police, a person of interest who had allegedly assaulted a passenger on a train service earlier that afternoon.

The transit officers spoke to the person about a ticketing matter and at the same time requested police assistance. A short time later, police officers from the Wollongong Local Area Command attended and dealt with the person. The examples of security control I have cited should be added to the routine activities of transit police officers, such as undertaking regular patrols of services and stations and dealing with fare evaders. As I stated at the outset, I offer my deepest sympathies to the victim of the crime that is the subject of the motion. But the suggestion that the Government and the New South Wales Premier take the safety of people lightly is ludicrous and absurd.

Mr ANDREW CONSTANCE (Bega) [12.15 p.m.]: Like every member of this House, I express my deepest sympathy to the victim of the assault that has been drawn to the attention of the House by the motion moved by the member for South Coast. The victim and her family will take no comfort from the words spoken by the member for Wollongong: It is disappointing that at no point in her speech did the member for Wollongong recognise the need for the permanent presence of transit officers on the South Coast line. She spoke of intelligence-based deployment, but what about high-visibility deployment? What about ensuring a security presence on that rail line to prevent crime, instead of waiting for crime to occur and then working out intelligence resources based on incident patterns?

It is absurd that 6 per cent of CityRail customers surveyed on the South Coast line have been the victims of some form of violence or antisocial behaviour while travelling on trains. Sometime ago I was the victim of an assault on a train, and I can inform the House that it is a horrific experience. A victim cannot get off a train. While I was being bullied by a gang and jammed against the inside of the carriage, other commuters simply sat still and watched what was happening. It was an horrific ordeal. Such incidents impact people in ways they would not expect. It can make them feel depressed or as though they have done something wrong. It gives them no confidence that a government-run service can provide the safety they expect.

I spent the next day at the police station looking through piles and piles of photographs, all categorised based on ethnic descriptions, to try to identify the members of the gang. It left a bad taste in my mouth. Basically, it leads to people avoiding public transport. Since the incident, there are times when I find catching a train uncomfortable, and now I always look for the carriage with the guard. In terms of this motion, we want to ensure the appropriate resourcing of transit officers on a line where there is known to be trouble. Many commuters from the Bega electorate, and many seniors in particular, travel to Nowra either by car or by bus and then catch the train to Sydney. They do so because they do not like navigating the Sydney traffic, and catching the train is of enormous benefit to them.

It is disturbing that Government members said that transit officers' procedures are based on intelligence, not high visibility. That is like saying, "Let's not put highway patrol cars on the road. Let's just put unmarked cars everywhere and hope that we can change driver behaviour." The proposition is absurd. The member for South Coast has spent an enormous amount of time fighting hard on this issue. She has issued a

challenge to the Minister for Transport—he lives in the region but is not in the Chamber. The Minister for Transport should know better than anyone the difficulties being experienced on the rail line that runs from the South Coast and the Illawarra to Sydney. The fact that 6 per cent of CityRail customers from the South Coast who were surveyed in 2008 had been victims of crime or violence in the previous six months warrants severe action from the Government.

We do not want to hear platitudes. It is terrific that transit officers are doing good work. The point is that there are not enough transit officers. I assure the Government that the appointment of Mick Willing as the Illawarra Local Area Commander will elicit results. I am confident that he will work closely with local members and the transport Minister to ensure that these figures are addressed because, frankly, they are a disgrace. The member for Wollongong should have known better in her contribution this morning.

Mrs SHELLEY HANCOCK (South Coast) [12.20 p.m.], in reply: I thank the member for Wyong, the member for Willoughby, the member for Wollongong and the member for Bega for their contributions to this debate. Each of them had something worthwhile to contribute. The Government's response was disappointing. The member for Wyong and the member for Wollongong did not talk about the issues I raised in my motion. The member for Wyong—it was insulting and disappointing—talked about new carriages and new rolling stock as if that is a solution for safety on the South Coast rail line. He talked about graffiti on trains and about various things that had happened on trains in his area. However, not once did he talk about the issues to which I referred—that is, incidents on the South Coast rail line. The member for Wyong said that we should encourage people to report incidents. I agree, but that is no comfort to all those who have been assaulted and the lady who was raped on the South Coast rail line. Obviously, members do not care about the fact that a lady was raped because they are chatting—

Ms Noreen Hay: That is absolute rubbish! You should be ashamed of yourself.

Mrs SHELLEY HANCOCK: —and trying to interject. The member for Wollongong should know better than to interject during debate on a serious subject. The member for Wyong also said that the Government was putting people in jail. That is also cold comfort for the assault victims to whom I referred earlier and the other victims I mentioned. The member for Wollongong should be concerned because the Illawarra-South Coast rail line is in her backyard. She said that the Government is taking the matter seriously. If the Government were taking the matter seriously it would have taken action at the time of the rape that took place in the member's backyard in Wollongong. However, it did not do anything for two whole months, except to say that somehow I was lazy and incompetent. We had the usual bullying tactics from the Minister for Transport. That was the Government's response. That shows how seriously it took the matter.

The member for Wollongong talked about the deployment of transit officers using intelligence. If eight transit officers are redeployed from Wollongong to Sydney because of a blue light disco or some other event, the South Coast rail line has no transit officers, and they have been talking to me about that. They talk to me, but they do not talk to the Government because members opposite do not support them. Clearly, the Government does not support the union, because union members have come to me. Clearly the Government does not support the police, because they are coming to me. Members on this side of the House encourage the use of public transport. When people read and hear about horrifying experiences, or if they are victims, it is no wonder they turn away from rail travel in this State, particularly on the South Coast line. Back into their cars and onto the Princes Highway they go!

Earlier I quoted some headlines from the past 12 months. People are still frightened of travelling by rail. They are frightened by the inaction of members opposite, who have done nothing to raise the issue in this place or elsewhere and have not had discussions with transit officers. People are frightened of the Government, which fails them at every turn. They are frightened because they think the Government will not take action in the next two years. The experiences I reported to the House this morning reveal that the Government has no policy, no plans and no response to what has been happening on the South Coast rail line or on any other rail line. The Government accused the Opposition of having no policies. Yet the Government has not one policy for permanently resolving the situation and not one plan about what to do with transit officers.

The Government's response is the occasional joint task force, Vision III, Vision IV; one lasted 13 days and another lasted two months, and it was all over after Christmas. That is the supposedly intelligence-based response from the Government. The Government has no intelligence on rail security and safety. It has no idea what to do about the thuggery and assaults occurring on every rail line around this State. I am not talking about

graffiti, broken windows or anything else to which the member for Wollongong referred; I am talking about vicious and frightening assaults, for which the Government has no policy, no response and no plans.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 37

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

Noes, 44

Mr Amery	Mr Gibson	Ms McMahon
Ms Andrews	Mr Greene	Ms Megarrity
Mr Aquilina	Mr Harris	Mr Morris
Ms Beamer	Ms Hay	Mrs Paluzzano
Mr Borger	Ms Hornery	Mr Pearce
Mr Brown	Ms Judge	Mrs Perry
Ms Burney	Ms Keneally	Mr Sartor
Ms Burton	Mr Khoshaba	Mr Shearan
Mr Coombs	Mr Koperberg	Mr Stewart
Mr Corrigan	Mr Lulich	Ms Tebbutt
Mr Costa	Mr Lynch	Mr Terenzini
Mr Daley	Mr McBride	Mr Whan
Ms D'Amore	Dr McDonald	<i>Tellers,</i>
Ms Firth	Ms McKay	Mr Ashton
Mr Furolo	Mr McLeay	Mr Martin

Pairs

Mr Debnam	Mr Campbell
Mr O'Farrell	Mr Collier
Mr Stoner	Mr West

Question resolved in the negative.

Motion negatived.

GREAT AUSTRALIAN BITE MONTH

Mrs KARYN PALUZZANO (Penrith—Parliamentary Secretary) [12.36 p.m.]: I move:

That this House:

- (1) encourages members on both sides of the House to support Great Australian Bite Month to increase awareness of diabetes in our community;
- (2) congratulates the Government on its commitment to improving diabetes services for families in western Sydney with the appointment of a new paediatric endocrinologist at Nepean Hospital; and
- (3) congratulates and thanks all the staff at the diabetes unit at Nepean Hospital.

Great Australian Bite Month is a community event held annually to support Diabetes Australia in its important work in our local community. Great Australian Bite Month has been held since 2002 and has already raised in excess of \$500,000 for diabetes research and education. Supporting Great Australian Bite Month is easy. Hosting is as easy as one, two, three: one, register to host any time during April; two, invite workmates, friends and family to share a bite to eat, and; three, asks guests to donate. It can be held anywhere at any time, for example, a picnic in the park, a sausage sizzle at a local social club, a barbecue with friends, or coffee and cake.

Making a contribution to Diabetes Australia by a bite with a few mates or the whole community is supporting people with diabetes and helping fund research and education. I encourage all members on both sides of the House to get involved with the Great Australian Bite Month held in April. Diabetes is the fastest-growing chronic disease in the world today, with type two diabetes rates doubling every 10 years in Australia. Diabetes is also a leading cause of heart disease, stroke, blindness, kidney disease and lower limb amputation. Diabetes is the sixth-leading cause of death in Australia, and it is estimated that 8 per cent of all deaths in Australia are related to diabetes as a direct or associated cause. The strength of research and education as a result of Great Australian Bite Month cannot be more strongly advocated. Type two diabetes alone costs the Australian health system more than \$3 billion annually.

The Government recognises the impact that diabetes can have on a person's life, particularly on that of a young child. As members may be aware, a hospital stay cannot cure diabetes. It is a condition that people will have throughout their lives. Being diagnosed with diabetes can be extremely traumatic for young children and their families. Sometime ago I spoke with a group of families in my electorate who were concerned about the lack of services offered at Nepean Hospital. Staff have resigned, and a paediatric endocrinologist and diabetes educators are needed to work with the families of children in western Sydney and the lower Blue Mountains who have diabetes. I was pleased that families now have access to a visiting paediatric endocrinologist who works at Nepean and Westmead hospitals. Dr Maguire runs a diabetes clinic, supervises and teaches and works closely with four other general paediatricians—Geoff Fletcher, Tony Liu, Ashu Agarawal, and Mithran Coomarasamy—to provide a year-round on-call service.

With the support of local parents, I often hold a "Pollie in the Park" or a local street stall. At a street stall I came across one of the families who raised the awareness of the need to have the continual service of a paediatric endocrinologist. For those who live in western Sydney the links to Westmead Hospital and the Children's Hospital at Westmead are quite strong, but for the family to whom I spoke, with a single parent and a number of siblings—one with juvenile diabetes—going to the clinic at Westmead is not a positive option. The mother had to take her child for treatment, which caused her other children to miss out on after-school sporting activities and socialising with the local community. Having services at Nepean will have a positive outcome for her child and also for others.

I am not saying that the Westmead Hospital and the Children's Hospital at Westmead are not doing valuable work, but sometimes children in western Sydney, outer-western Sydney and the lower Blue Mountains need services provided at the magnificent Nepean teaching hospital. Nepean Hospital also has a full-time paediatric diabetes educator, a job shared by Anne Marks and Colleen Walsh, as well as a dietician and a social worker. During my visits to support families in western Sydney I spoke to the educators and dieticians. I visited them when they took delivery of new pumps and other equipment, and discussed with them what they do, how they support children and young adults with juvenile diabetes. I was informed that, on the initial visit of a young person, they carry out blood sugar level testing and give advice on an appropriate diet. I was amazed at the passion and dedication of the diabetes educators. On a recent visit I saw the new diabetic pumps and other facilities to create an environment in which children and young teenagers can share their health needs with others of their age during school holidays.

The Government is committed to tackling chronic diseases. In 2000 the New South Wales Chronic Care Program was established under the Government's Action Plan for Health. The aims of the program are to prevent or delay the onset of chronic disease for individuals and population groups; reduce progression and complications of chronic disease; improve the quality of life of individuals, their families and carers; reduce avoidable hospital admissions and presentations for chronic disease; achieve best practice in prevention, detection and ongoing management of chronic disease; and improve the capacity of the health system to meet population demand for chronic disease prevention and care. I take this opportunity to thank all the staff at Nepean Hospital's diabetes unit for their hard work in educating the community about diabetes, and for helping people with this chronic disease to better understand the condition.

I thank also the volunteers of Diabetes Australia, who work tirelessly to raise funds, increase awareness and provide personal and practical assistance to people working in the hospital system and those living with diabetes. Diabetes Australia assists people with diabetes and their families. They are the support base for children in a year 2 classroom dealing with the onset of diabetes. Such children need to be aware of what is appropriate for them to eat at their recess or lunch break. Nepean Hospital offers assistance to teenagers with diabetes. I was at the hospital when it outlined the programs it offers during school holidays. The hospital invites groups to attend movie nights and activities that are important to adolescents. During that fun and activity time the hospital offers valuable support and education for a life-long disease.

The Great Australian Bite Month raises money for research, and one day that research may allow people with diabetes, particularly type 2 diabetes, to have a brighter future. I commend the people throughout New South Wales, particularly those in Penrith, who have held a function in support of the Great Australian Bite. I held a function for a staff member who developed diabetes as a child that raised awareness of the options needed in a stressful workplace to provide her with a healthy and safe environment. She and I stood together and collected money and raised awareness of the work of Diabetes Australia. I thank all the people who took part in that event. The member for Macquarie Fields and the member for Wallsend will outline the involvement of their communities in the Great Australian Bite during April. I commend the event, and I support the doctors and clinicians at Nepean Hospital.

Mrs JUDY HOPWOOD (Hornsby) [12.46 p.m.]: I lead for the Opposition in response to the motion moved by the member for Penrith. Members on this side of the House totally support services provided for the management of diabetes. We totally support the concept of the Great Australian Bight, a national community participation event each April involving friends, family and workmates. I acknowledge Diabetes Australia as the organisation that auspices this event, and I wish success to all those participating: I hope they enjoy good food, great company and raise much-needed funds. I commend the work of Diabetes Australia. When I was nursing I worked for the Podiatry Association. During that time I had a great deal to do with Diabetes Australia and have had some dealings with the association in this place from time to time. Diabetes Australia, which provides a single, powerful, collective voice for people living with diabetes, their families and their carers, is the national peak body for diabetes. It works in partnership with diabetes health professionals, educators and researchers to minimise the impact of diabetes on the Australian community.

Diabetes Australia is committed to turning diabetes around through awareness, prevention, detection and management, and finding a cure. Diabetes Australia collaborates with member organisations and, through the administration of the National Diabetes Services Scheme, provides practical assistance, information and subsidised products to approximately 900,000 Australians diagnosed with diabetes. It works to raise awareness about the seriousness of diabetes, by promoting prevention and early detection strategies and lobbying for better standards of care. Diabetes Australia is a significant financial contributor to research into better treatment for diabetics and the search for a cure. It is important to mention the history of Diabetes Australia, which was formed in 1937 in New South Wales. It was not until the 1950s that similar associations were formed in Victoria, South Australia and Tasmania. Those associations were all self-help, lay organisations aiming to improve the lives of people with diabetes through practical guidance and public education.

By coincidence, today is World Kidney Day. As many people will be aware, diabetes can lead to kidney failure and problems with the vascular system. I acknowledge that 12 March 2009, World Kidney Day, is part of a global health awareness campaign focusing on the importance of our kidneys, and of reducing the frequency and impact of kidney disease and its associated health problems worldwide. The campaign is celebrated every year on the second Thursday in March in more than 100 countries on six continents. Its theme this year is "Keep the pressure down". The 2009 campaign highlights the importance of high blood pressure as one of the key symptoms and causes of chronic kidney disease. World Kidney Day is being celebrated in association with World Hypertension Day on 17 May 2009. Diabetes can have a far-reaching impact on people with the disease so, obviously, the aim of all treatment is to control and manage the problems that diabetes might produce so as to limit complications in later life.

I mention also the Juvenile Diabetes Research Foundation and the participation last year by this House in "Kids in the House". In my electorate a Hornsby Heights girl, Jessica Bolitho, was one of 40 young people to participate in the initiative, which allowed young people to describe to members of Parliament their personal experiences of living with diabetes. It is very important that all members of Parliament understand the impact of diabetes on the lives of all people, not just young people. Adequate health care facilities and services have to be provided for treatment and the prevention of the problematic sequelae complications that arise. Kids in the House was a very powerful event at which politicians heard children explain in their own words why a cure for diabetes is so desperately needed.

I mention also the Australian Podiatry Association (NSW), the branches in other States and the national body. A large part of the association's work is directed towards diabetes, and it has formed diabetes groups. It is also working with foot clinics for high-risk patients. The Podiatry Association is very committed to working with all health professionals in reducing the impact of diabetes on the community. I pay tribute also to other health professionals associated with the management of diabetes, including dieticians, diabetes educators, endocrinologists and general practitioners. The list is not limited to the people I have mentioned, but many people play a valuable role in assisting people to manage diabetes.

I refer now to Hornsby hospital. I will move an amendment to the motion shortly. When I was first elected I went to a number of meetings of the Hornsby Ku-ring-gai Division of General Practice, which was calling for a one-stop shop on the Hornsby hospital campus to improve the management of people with diabetes. At that time the office of the diabetes educator at Hornsby hospital was located up a flight of stairs, which meant that all patients wishing to access information from the educator had to climb stairs to get to the office. That might have proved difficult if any of them had vascular problems associated with their illness. There are empty premises on the campus as a result of the opening of the paediatric, maternity, and accident and emergency unit and there do not appear to be any plans for them. There is a need for increased funding for all communities to improve their provision of care for people with diabetes. Therefore, I move the following amendment to the motion:

That the motion be amended by leaving out paragraphs (2) and (3) with a view to inserting instead:

- (2) calls on the Government to increase funding for diabetes management so that more services are generally provided at local community level.

I acknowledge that the member for Penrith has expressed her thanks for the extra services provided, but we need more services in the metropolitan area and throughout the State to manage diabetes. This amendment is extremely important and I ask the Government to support it. I also mention the need for renal dialysis facilities at Hornsby hospital, which will be the subject of another debate, and in other areas around the State. People in my area who need renal dialysis are required to go to Royal Prince Alfred Hospital, which is totally unsatisfactory. My amendment, while recognising the improvement in some services in western Sydney, calls for the provision of services for people with diabetes across the State. Services in some areas are better than in others. I give the example of the need for a renal dialysis unit and a one-stop shop at Hornsby hospital so that people with diabetes can visit endocrinologists, diabetes educators, dieticians and podiatrists without having to go to far-flung units across the campus. In conclusion, we on this side of the House acknowledge Great Australian Bite month. I know that many, if not all, members of Parliament will support it in some way.

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [12.56 p.m.]: I also encourage all members to support Great Australian Bite month to increase awareness of diabetes. I also pay tribute to Diabetes Australia New South Wales for this excellent public health measure. I urge all members to encourage their constituents to log on to the Great Australian Bite website. It is still quite common for people to be diagnosed with diabetes when seeing a health professional for another reason. For every person who is diagnosed another one is undiagnosed. A new case of diabetes is diagnosed in Australia every seven minutes. The rate of type 2 diabetes is increasing among younger people.

There was a time when diabetes was unknown in childhood; now it is quite common. It is Australia's fastest-growing chronic disease. Two million Australians have pre-diabetes, including, I suspect, some in this House. Aboriginal and Torres Strait Islander communities are at highest risk. Diabetes is now the sixth most common cause of death in Australia and it can have many complications. For example, the majority of patients now on renal dialysis are there as a result of their diabetes. The cost of type 2 diabetes in Australia is \$3 billion a year—\$9,000 for a person without complications and \$15,850 for someone with complications.

In 2008 Diabetes Australia New South Wales continued to focus on four key areas—awareness, research, education and advocacy. The highlights of the year included launching Australia's first diabetes Internet streaming network, providing on-demand videos about diabetes and its management, and prevention of type 2 diabetes. The organisation held seven education camps for children and adolescents, and established "Beat It", a train-the-trainer program for personal trainers to assist with diabetes prevention. They also produced world-first diabetes brochures including "Diabetes in the Workplace", "Rights and Responsibilities", "Siblings of a Child with Diabetes" and "Flexible Food and Insulin". Diabetes Australia New South Wales produced books on diabetes management in five languages and invested close to \$1 million in diabetes research.

I pay tribute also to the staff of the diabetic unit and Nepean Hospital in general. I visited Nepean Hospital with the Minister for Health as part of the Garling feedback sessions. Every hospital has its own style. The staff at Nepean Hospital are highly skilled and experienced, extremely down-to-earth, no-nonsense, straight-talking people who are committed to western Sydney. Western Sydney is a land of opportunity—something that our graduates from the University of Western Sydney will experience in 2012. It will be a great day for all of us because far too many young people die from preventable diseases. I have visited the hospital at Nepean on many occasions, including on an occasion last year for the College of Physicians examination that was recently introduced. Staff members in the department of paediatrics and endocrinology at Nepean are similar to staff members in many other units—they are young, dynamic and motivated. That diabetes clinic, an example of world's best practice, provides an outreach diabetic service and one that I commend to all members.

Last year the Juvenile Diabetes Research Foundation sponsored Kids in the House, which is when I met Amy-Lee Nakhl, who comes from my electorate. Amy-Lee Nakhl is one of the bravest people that I have ever met. She described the difficulty of living with diabetes at a young age and the difficulties that it presents for her family and her siblings. Diabetes is one of many chronic diseases in which NSW Health is investing services. Last year approximately \$16.4 million was allocated to health services for the provision of chronic disease programs, and an additional \$40 million is being reinvested by area health services from existing savings.

The New South Wales Chronic Disease Prevention Strategy promotes an integrated approach to modifying the cluster of chronic disease factors through a number of settings and population-based programs. The strategy builds on successful models such as those used in the United Kingdom and the United States of America to help those who have chronic diseases. NSW Health is working with the State and Commonwealth governments to set up an integrated, single point of access for people requiring health care and other social needs. An example of that is the magnificent Health One facility at Mount Druitt that I visited earlier this year, which has general practitioners, dietitians and nurses who conduct home visits. It really is a brilliant example of modern multidisciplinary health care, which will make it easier for patients, general practitioners and families to access the right service at the right time. I commend Mount Druitt Health One to the House.

Mr KEVIN HUMPHRIES (Barwon) [1.01 p.m.]: I support paragraph (1) of the motion and encourage all members to support the Great Australian Bite in April to increase the awareness of diabetes in our community. I also support the amendment moved by the member for Hornsby, which calls on the Government to increase diabetes services in communities across the State. I acknowledge the good work that is being done in western Sydney and I congratulate all those at the ground level on their work to address diabetes in this State. That work needs to be replicated across New South Wales but, sadly, that is not occurring. The New South Wales chapter of Diabetes Australia is doing a fantastic job of raising diabetes awareness—a lifestyle disease in western communities.

Diabetes Australia gives people an opportunity to increase their knowledge through the education, research and advocacy that it provides. I acknowledge its great work. I comment also on juvenile diabetes. Last year's Kids in the House was a fantastic opportunity for young people with diabetes to showcase what they were doing. I pay tribute to Malcolm Fleming, a young student at Coolah High School, who was recently fitted with a pump. Malcolm is a good sportsman, a good student and a great fundraiser for diabetes in his community. Modern technology has improved to such an extent that the lives of people like Malcolm and his family have been turned around—a fantastic result. I commend the good work done by the Juvenile Diabetes Research Foundation and Kids in the House.

I refer also to Closing the Gap—a good example of communities in western New South Wales that are exposed to health-related issues. Many members referred to the fact that diabetes is one of our biggest killers, but it is also one of the fastest-growing diseases, with one person being diagnosed every seven minutes. Over the Christmas break the Dharriwaa Elders Group in Walgett called me to inform me that the friend of an Aboriginal elder, who was visiting Walgett, did not realise that Walgett hospital had no dialysis facilities—an ongoing issue about which I have contacted the Greater Western Area Health Service on several occasions. Just as we do not have a cancer action plan for western New South Wales we do not have a structured approach to diabetes or dialysis. It was only through good faith and local contacts that we were able to get that man hooked up to a dialysis machine in a private facility at Moree.

Governments of all persuasions have attempted to close the gap in some of our most vulnerable communities. It is an indictment on our society that those services are not yet in place. It is good to have services such as these in highly populated areas and also in remote communities where this disease is in epidemic proportions and where it requires a strategic approach—one of the reasons why the Greater Western

Area Health Service got into trouble. As services have been centralised, people no longer have equitable access to them. Currently, we are fighting to restore air services into places such as Bourke, Cobar, Walgett, Lightning Ridge and Coonamble—communities that are exposed and vulnerable to diabetes. It would be fantastic if the Government could do anything to alleviate that pressure.

As the shadow spokesperson for healthy lifestyles, diabetes is an issue that is taken seriously. It is one of the issues on which the Opposition will be concentrating in 2011 when it assumes the governance of this State. Other issues that must be targeted include lifestyle, obesity, exercise and nutrition, in particular, for young people in our communities. Opposition members will highlight a number of other issues that they will address when they transition into government. However, their clear purpose will be to target juvenile diabetes—one of the fastest-growing diseases in the world.

Ms SONIA HORNER (Wallsend—Parliamentary Secretary) [1.06 p.m.]: I join the member for Hornsby, the member for Macquarie Fields and the member for Barwon in commending the member for Penrith for moving a motion relating to Great Australian Bite Month. This motion is all about community participation, and the operative word in that statement is "community". Great Australian Bite Month, which is held every year in April, is an event that all members can work towards. Friends, family and workmates are asked to make a tax-deductible donation or contribution to the fight against diabetes. Last year a morning tea was held at the Woodlands home in Wallsend, which has an interesting history. Many years ago the Woodlands home was a boys home in which my cousin grew up until my parents adopted him.

Last year the Woodlands home at Wallsend raised money by hosting a morning tea for Great Australian Bite Month. My electorate, like many others in New South Wales, will host events next month to raise money for this worthy cause. Reference has already been made to last year's Kids in the House, which was designed to make the Premier and the Government aware of type 1 diabetes. Many young people in our electorates have type 1 diabetes, which shows the prevalence of this disease in our community. Danny Herivel, a delightful young man and an earnest and enthusiastic fundraiser, was the youth ambassador for juvenile diabetes in Wallsend. He visited Parliament with his enthusiastic and hardworking family and he has since continued to raise money. He is quite comfortable with coming to my office and talking about his fund-raising events.

I refer also to the great research conducted into diabetes by the John Hunter Hospital. I am sure all members are aware of the reputation that John Hunter Hospital has for its research capacity. The Department of Endocrinology at John Hunter Hospital conducted an evaluation of a diabetes education program in Newcastle. Its objective was to assess the level of coverage and effectiveness of diabetes education provided by the Newcastle Diabetes Education and Stabilisation Centre to people taking insulin. A community-based survey was conducted of people presenting a prescription for insulin to retail pharmacies in the Hunter. The study characterised participants and non-participants in the program by social and demographic factors and assessed the knowledge, blood glucose control and symptoms of diabetic complications that they reported. Of the 229 respondents, 75 per cent had attended an education course, which was extremely important. The conclusions were that in the Hunter region people with diabetes taking insulin had an overall positive attitude to diabetes and a high level of participation in a formal diabetes education program.

Some members today have alluded to the importance of education about diabetes and maintaining one's health. It is interesting to note from the research the links between diabetes, obesity and heart disease. The member for Hornsby also mentioned a link with kidney disease. She referred to the special day delegated to remembering those suffering from kidney disease and to improving their plight. It has been suggested also that those who do not look after themselves increase the acceleration of dementia. Education about diabetes is an important area to examine. I commend Diabetes New South Wales and Australia for its work. I invite everyone to Great Australian Bite Month next month.

Mr JOHN WILLIAMS (Murray-Darling) [1.11 p.m.]: It gives me great pleasure to support the motion of the member for Penrith in recognising diabetes as a major illness in this country and our need to address it. The unfortunate part of my role as the member for Murray-Darling is that I represent the electorate with the highest rate of obesity in New South Wales. I do not need to remind people that obesity is one of the major contributing factors of diabetes. Statistics from general practice divisions in my electorate reveal that overweight or obese people aged 16 years and over constitute 62.4 per cent in the Barrier area, which is mainly Broken Hill; 55 per cent in the remote outback area; and 50.72 per cent in the Riverina area. As the Leader of The Nationals always says, one ounce of prevention is better than a pound of cure. No doubt my role as a politician representing the Murray-Darling electorate is to remind my electorate continually about the need to address the increasing rate of obesity, the need to lead healthy lifestyles and to become involved in physical activity that might turn around some of these figures.

Unfortunately, when we do not address obesity issues our health service faces demand. Undoubtedly, the western New South Wales and southern Riverina health services are stretched to the limit. Any further pressure created by this potentially high rate of diabetes is a major concern. Statistics from the local government areas highlight the population percentage diagnosed with diabetes: Broken Hill, 7.4 per cent; Balranald has the lowest percentage at 3.8 per cent, but is still high compared with national figures; and the remote area of Central Darling has 5.6 per cent. Members would be aware also that the indigenous population is prone to diabetes, which presents a real concern in my electorate. Much work must be done about addressing indigenous lifestyle issues to ensure a correct diet and to undertake some preventive measures.

The great challenge in western New South Wales is to get people to understand that their lifestyle potentially could lead to a diagnosis of diabetes. The management of diabetes then becomes a great challenge because, unfortunately, in many remote areas easy access to information about the right diet and lifestyle. Consequently, people then become prone to the other complications of diabetes, such as renal failure. The demand for renal services in my electorate is increasing, with many people suffering diabetes progressing to renal failure—both seem to go hand in hand. I shall call on this Government continually to address better communication in my electorate to ensure that the obesity rates are addressed and that people are aware of what represents a healthy lifestyle—that is, a combination of exercise and diet. Only then may we see a reduction in the levels of diabetes in remote areas. Remoteness will continue to be a problem: it is expensive to attract educators into these communities, and this Government should be committed to addressing such an absolute necessity. I look forward to speaking about a reduction in the obesity rate, particularly in my electorate.

Mrs KARYN PALUZZANO (Penrith—Parliamentary Secretary) [1.16 p.m.], in reply: I thank members from both sides of the House who joined me in the advocacy of diabetes education and particularly Great Australian Bite Month. One person every seven minutes is diagnosed with diabetes. While we have been debating this motion a number of people have been diagnosed with a chronic disease that has major implications for long-term health and outcomes. The member for Hornsby said that for sometime she worked with issues concerning diabetes and podiatry. The impact of the effects of diabetes on lower limbs is important in the recognition and support of research into diabetes. I commend her for comments and bringing that information to the attention of the House. She also referred to World Kidney Day. Diabetes is the fastest-growing cause of kidney failure.

Members also referred to the Juvenile Diabetes Research Foundation and the Kids in the House visit to the New South Wales Parliament, which was a fantastic event involving ambassadors and champions for juvenile diabetes. Particular mention was made of the children who visited this place. Kathy Rae was the 2009 Australian Day community champion who met me at Martin Place railway station, where I alight from the train every morning to come here. She showed me the display in Martin Place of the many needles that represented diabetes sufferers. We had a discussion about diabetes and I then met her children in the Parliament. Information about diabetes is vital, and the research that can be undertaken with the benefit of these funds can be articulated not only through the website, but also through online streaming, which the member for Macquarie Fields advocated.

Information on diabetes is valuable not only for people who suffer from diabetes, but also generally in relation to workplaces. As I stated previously, when I was setting up my electorate office, I noticed someone working with me who frequently needed to sit down during the strenuous activity of moving heavy boxes around. I later learned that she was a diabetic, and it was a shock to me when I realised I had to ensure the workplace was safe for her in the context of her condition. She had been dealing with diabetes adequately, but that is how I became aware of issues associated with diabetes in the workplace. That is why the work of the Juvenile Diabetes Research Foundation is so important in increasing awareness of diabetes and to eliciting support for fundraising events, such as the Great Australian Bite Month.

I commend the New South Wales branch of Diabetes Australia for the work of its public relations officer, Claudia Haddad, and its education officer, Rebecca Hutchison, who suffers from diabetes and has been an education officer for sometime. Rebecca disseminates information on the use of insulin pumps to workplaces and households. I extend my thanks to Claudia and Rebecca for assisting me with research in preparation for today's debate. I commend Diabetes Australia for its role in educating people about the effects of diabetes. I thank the member for Barwon for his support for the Kids in the House program. Obviously, research is a vital support for controlling diabetes. I thank also the member for Wallsend for her important research. It should be noted that people in the Hunter region who suffer from diabetes have a positive attitude to diabetes overall and a high level of participation in formal education programs. They are positive outcomes from fundraising events such as the Great Australian Bite Month.

I particularly commend members of the Sydney West Area Health Service who held a Great Australian Bite Month fundraising event last year, particularly Sue Gauci, from the St Nicholas of Myra church, where a sausage sizzle was held; Deborah Webb of Deb's Hair Fashions in Richmond, which held a raffle; Morna Colbran from Winnalee, who held a morning tea; and Hope's Pharmacy in Lithgow, which also held a morning tea. A range of social activities combine to contribute to fundraising that benefits diabetes research, as the member for Wallsend so rightly pointed out. I also thank the member for Murray-Darling for raising the awareness of the effects of diabetes in his electorate. Statistics on obesity among constituents of his electorate are quite alarming. It is great that he is working towards positive health outcomes for the people of his electorate. I commend the Great Australian Bite Month and encourage everyone to get involved.

Question—That the words stand—put.

The House divided.

Ayes, 44

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

Noes, 37

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

Pairs

Mr Campbell	Mr Debnam
Mr Collier	Mr Hartcher
Mr West	Mr O'Farrell

Question resolved in the affirmative.

Amendment negatived.

Motion agreed to.

[The Assistant-Speaker (The Hon. Grant McBride) left the chair at 1.30 p.m. The House resumed at 2.15 p.m.]

DISTINGUISHED VISITORS

The SPEAKER: I acknowledge the presence in the public gallery of Councillor Tony Issa, the Lord Mayor of Parramatta.

REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

Mr NATHAN REES: I inform the House that in the absence of the Minister for Juvenile Justice, Minister for Volunteering, Minister for Youth, and Minister Assisting the Premier on Veterans' Affairs, who is attending a family funeral, the Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health) will answer questions on his behalf. In the absence of the Minister for Transport, and Minister for the Illawarra due to illness, the Minister for Roads will answer questions on his behalf.

QUESTION TIME

JOB LOSSES

Mr BARRY O'FARRELL: My question is addressed to the Premier. In light of today's employment figures showing a loss of a further 37,000 jobs, or 200 a day, since the member for Toongabbie became Premier, how can he continue to justify his failure to implement a State stimulus package to protect New South Wales jobs and the continued dismissal of front-line staff, including last week's sacking of Department of Community Services caseworkers?

Mr NATHAN REES: It comes as no surprise that unemployment has shifted, and shifted in the wrong direction. The figures released today are a sobering reminder of the real consequences of the global financial crisis on New South Wales families and, indeed, Australian families. The unemployment rate in Australia has increased by 0.4 per cent. The rate in New South Wales increased by 0.3 per cent. Unemployment in Victoria also increased by 0.8 per cent over the previous month. Global forces are increasingly having a major impact on the Australian economy, and New South Wales is not immune to its effects. We have talked about our \$56 billion infrastructure program, which is our plan to make New South Wales more resilient in the face of the international global recession. That will underpin 150,000 jobs each year for the next four years. In addition, the Federal Government's stimulus package, which the Opposition has opposed repeatedly—

Mr Barry O'Farrell: That's not true.

Mr NATHAN REES: Repeatedly opposing the package would be fine if the Opposition put up an alternative. It does not. The empty vessel makes the loudest noise.

The SPEAKER: Order! The House will come to order. The Premier will address his remarks through the Chair. I call the member for Coffs Harbour to order. I call the member for Epping to order.

Mr NATHAN REES: Whilst the Opposition has been opposing our stimulus package and the Federal Government's stimulus package—

[Interruption]

Unless it was a mirage, yesterday morning I was at a housing industry briefing when we outlined the expenditure of some \$3 billion on social housing in New South Wales. The member for Vaucluse went to the last election as then Leader of the Opposition and said there would no Coalition spending on public housing in New South Wales. The Coalition knows that is the case. It knows it would not generate a single job in public housing.

The SPEAKER: Order! The Leader of the Opposition will desist from interjecting. I call the Leader of the Opposition to order. I call the Minister for Finance to order.

Mr NATHAN REES: Earlier this week I was at Eastern Nomad industries, a manufacturer of libraries in Blacktown. Under normal circumstances Eastern Nomad employs 60 people. Earlier this week it said that if it had not been for the contract that we have signed with it—some \$17 million to provide 50 libraries for New South Wales students—it would have been putting people off. Instead, under our plan it is putting on an additional 48 people.

Mr Adrian Piccoli: Point of order: I refer to Standing Order 129. The question was about the New South Wales Government's stimulus package. When the Premier says "our plan" he is talking about the Federal Government's plan. Next thing the Premier will be taking credit for the Barack Obama stimulus package.

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

Mr NATHAN REES: The jobs at Blacktown I outlined would have been created regardless of the Federal package, and \$1 billion of the \$3 billion that we are spending on public housing would have been spent—not a cent of which would have occurred under the Leader of the Opposition, and he knows that to be the truth. The Leader of the Opposition would not have a Department of Housing. The former Leader of the Opposition went to the last election saying the Coalition would not have any public housing. The Leader of the Opposition has not changed his position. He would not spend a cent on public housing in New South Wales and he knows that to be the case.

The SPEAKER: Order! Members will cease interjecting. The Premier will address his remarks through the Chair.

Mr NATHAN REES: I refer to some additional projects that have been approved under this Government that would not have occurred under those sitting opposite—

Mrs Jillian Skinner: How do you know?

Mr NATHAN REES: Because you oppose large projects! It is as simple as that. The Hill Top Southern Highlands shooting facility, 50 jobs, none of which would have been created; the Novotel at Darling Harbour, approved on 19 February, 20 jobs, approved by us, would not have been approved by the Opposition. I note that the relevant shadow Minister has not turned up today.

The SPEAKER: Order! Members will cease interjecting. I call the member for Willoughby to order.

Mr NATHAN REES: Seventy jobs that the Opposition would have opposed! The Queensland to Hunter Gas Pipeline, 625 jobs—the Opposition would have opposed it under its own criteria! Huntley, in Newtown, some 2,000 jobs determined by us on 9 February—the Opposition would have opposed it.

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

Mr NATHAN REES: The Shoalhaven Starches plan, 125 jobs—the Opposition would have opposed it!

Mr Andrew Stoner: That was our ethanol policy, you dope!

Mr NATHAN REES: The Pacific Highway upgrade—I will concede the Opposition might have let that through! The Illawarra Regional Business Park—it would have opposed it under its own shadow Minister's criteria and 1,600 jobs would never have occurred!

The SPEAKER: Order! Members will cease interjecting.

Mr NATHAN REES: Oakdale Central development at Horsley Park, some 1,200 jobs, would not have happened under them. Under the Coalitions criteria it would have opposed it. Earlier this week we were in Blacktown. Yesterday we were briefing the housing sector on investments plans. We have the biggest infrastructure spend in Australian history happening in New South Wales.

The SPEAKER: Order! Members on both sides of the Chamber will come to order.

Mr NATHAN REES: Over the next two years that construction program will be bigger than building the Olympics. On top of that, there will be planning reforms to facilitate it and an additional 4,000 apprentices to rebuild the capacity for our economy to grow into the future. That is our plan—there is a complete absence of any plan from the mob opposite.

MURRAY-DARLING RIVER SYSTEM AND JOBS PROTECTION

Mr GERARD MARTIN: My question is addressed to the Premier. What action is the Government taking to defend workers who rely on the Murray-Darling river system?

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

Mr NATHAN REES: I thank the member for his question as he points to us having led the way in reforming water management across the Murray-Darling Basin. We acted early to balance the interests of regional communities and the environment when it comes to managing water supplies in our State.

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

Mr John Williams: What about fixed water charges?

Mr NATHAN REES: If the member for Murray-Darling really wants to go down that path, I will come to his contribution on that one. New South Wales was the first State to separate water from land title. Ninety per cent of the State's water is now managed through water sharing plans. Those plans set limits on overall water extractions from our river systems and, as a result, an additional 200 gegalitres on average are being retained in our river system to benefit the environment each year. Through the New South Wales Water Management Act the environment's right to share water is enshrined in legislation. All of these are early actions by New South Wales—all helping to put back the Murray-Darling on a sustainable footing. A key plank of the Rudd Government's stimulus package will be to fast-track funds to purchase water licences. Let me be clear: This is a welcome investment.

It is a reassuring action that the Commonwealth shares our commitment to the basin and restoring this iconic river system, but we are concerned about the impacts of these purchases if, for example, inaction from other States on water reform means a disproportionate amount of water will be purchased from New South Wales. I assure the House that we will encourage the Commonwealth Government to take into account the impacts of the buy-backs on regional communities, especially at a time when supporting jobs and industry is critical to all governments. As it stands today I cannot satisfy myself that the towns in other States will bear the same burden as that borne by towns in New South Wales, such as Leeton, Deniliquin, Coleambally, Wakool and Dareton. Red tape and barriers to trade applied in other water markets mean that New South Wales is the logical target for those water purchases.

While this is the case, I will ask the Commonwealth to consider how much water is purchased in any single region to ensure that the appropriate balance is struck. We understand the need to balance the impacts on local communities along with environment. Our programs have achieved a spread of purchase effort across New South Wales, targeted at key environmental assets. However, there is a need to strike a balance between New South Wales and the other basin States. We stand ready to secure the future of the Murray-Darling Basin for the sake of our country families, for the environment and for our irrigation communities. But I know that water underpins regional communities. A job lost in those towns is more keenly felt than a job lost in a city.

In those river towns in outback New South Wales there are flow-on impacts; whilst the water user may be directly impacted, the local butcher, hairdresser and newsagent all feel some of the pain. Today there is no issue more important than that of jobs. It is the issue about which, rightly, the New South Wales public wants to know where each side of politics stands. My Government says that we are all in this together; we will work with New South Wales businesses. Importantly, we say that we will work with the Commonwealth to deliver the Rudd stimulus package, designed to protect jobs in New South Wales and across Australia. That is where we stand; that is our unequivocal position. On this most important issue of where we stand on the Federal Government's stimulus package, it is unequivocal support—we know that the Opposition is in shambles. Earlier this year we talked about planning approvals—

The SPEAKER: Order! Members on both sides of the House will come to order.

Mr NATHAN REES: It is absolutely critical to investor confidence and the underpinning of job creation in New South Wales, so planning is absolutely critical to that. The Opposition has said that it will abolish part 3A of the Planning Act—a move already criticised by the investment industry. In a recent letter to the editor of the *Sydney Morning Herald*, the Minerals Council—

Mr Andrew Stoner: Point of order: I refer to Standing Order 129. The question was specifically about the Murray-Darling Basin and water allocations. We thought the Premier was doing pretty well on that answer. However, he now strays to planning matters and the Environmental Planning and Assessment Act, which is totally outside the leave of the question.

The SPEAKER: Order! There is no point of order. I ruled on this matter yesterday. Under the standing orders it is appropriate for Ministers to touch upon alternative policies in their answers. The Premier has the call.

Mr NATHAN REES: There is only one thing that guides our decision making at present, and that is the creation and protection of jobs.

The SPEAKER: Order! I place the Leader of the Nationals on two calls to order.

Mr NATHAN REES: If he cannot see the link between water and jobs, he is in the wrong job. The Minerals Council—

Mr Kevin Humphries: Point of order: I refer to Standing Order 129, relevance. The question was about water management. The Premier has introduced jobs, which is fantastic. I would like him to comment on the 10 per cent of the economy they have taken out of Bourke.

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

[Interruption]

The SPEAKER: Order! I call the member for Barwon to order for the second time. The last time he took a point of order I suggested that he get someone to explain to him how it should be done. I again make the same suggestion. The Premier has the call.

Mr NATHAN REES: I will try again. The Minerals Council of Australia stated that part 3A is "precisely what's needed to shield NSW from the worst effects of the economic crisis". The Executive Director of the Sydney Chamber of Commerce, Patricia Forsythe—whom the Coalition sacked—wrote:

Part 3A has proved to be a critical planning instrument which overcomes red tape to general economic activity and investment.

This week the House debated the Government's emergency planning measures to deliver the Rudd Government's package. Predictably, the member for Wakehurst stated that the legislation "is effectively a super-size part 3A whose purpose is to throw out normal community input to planning"—

Ms Katrina Hodgkinson: Point of order: My point of order is quite important—Standing Order 129, relevance. The Murray-Darling Basin is extremely important. We were enthralled by the Premier's commencement of his answer, but we want to know what his timeline is for the implementation of that, rather than him going off onto other matters.

The SPEAKER: Order! Government members will remain silent when a point of order is taken. I draw the Premier's attention to the question that was asked.

Mr NATHAN REES: Predictably, the member for Wakehurst stated that the legislation was effectively a super-size part 3A. Less predictably, the shadow Treasurer said, "The proposal does not go far enough." He went on to ask why the New South Wales Government has not applied a State building and stimulus approach to all existing public works.

Mr Andrew Fraser: Point of order: Mr Speaker, the Premier is now canvassing your ruling—you drew him back to the question.

The SPEAKER: Order! The member for Coffs Harbour will resume his seat. I will listen further to the Premier. I call the member for Murray-Darling to order for the third time.

Mr NATHAN REES: The issue here is quite simple: The New South Wales Government supports jobs; it supports the Federal Government's stimulus package designed to support, protect and generate jobs. The Opposition, on every measure that will support jobs and economic growth in New South Wales, is either opposing it, equivocating or absolutely silent. That is the choice that it presents to the people of New South

Wales. The Government believes it has struck the right balance with its planning reforms, applying new laws only to projects that are part of the Rudd stimulus package, with a sunset clause for when all those projects are completed. Meanwhile, on the one hand, the Opposition criticises the Government for approving projects too quickly but, on the other hand, it calls for sweeping powers to be broadly applied by the shadow Treasurer. On this, the most important issue that this Parliament faces, the Opposition is a shambles.

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

Mr NATHAN REES: As a bare minimum from an Opposition, the New South Wales people deserve better than the policy fiasco that it presents each week. The flip-flopping—

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

Mr NATHAN REES: There is equivocation around whether the Opposition does or does not support jobs, equivocation around whether it does or does not support a stimulus package, equivocation around whether the shadow Treasurer is right, whether the Leader of the Opposition is right or whether the shadow Minister for Planning is right—three different positions taken by members sitting within three metres of each other! We on this side of the House are very clear: We support jobs and we support the Federal Government's stimulus package. The Opposition does not have a policy on water or on energy, and that became an embarrassment for it. Its industrial relations policy was based on the stripping away of entitlements of workers, their wages and conditions across New South Wales. The Opposition's policy on the Department of Community Services is to have no department.

Mr Adrian Piccoli: Point of order: I refer to Standing Order 129. Mr Speaker, you cannot seriously say that the Premier is in any way attempting to answer the question. For members of Parliament who have irrigation in their electorates—

The SPEAKER: Order! The member for Murrumbidgee will state his point of order, not debate it.

Mr Adrian Piccoli: It was a good question and we would like a good answer.

The SPEAKER: Order! I ask the Premier to conclude his answer.

Mr NATHAN REES: I have concluded my answer.

JOBS PROTECTION

Mr ANDREW STONER: My question is directed to the Premier. How can the Premier claim to be protecting New South Wales jobs and creating more apprenticeships when leaked documents show that his Government is abolishing critical positions that put school leavers into jobs and apprenticeships during the current economic downturn due to his Government's funding cuts?

Mr NATHAN REES: If the Leader of The Nationals is legitimately concerned about this issue, he has every opportunity to give those documents directly to me.

The SPEAKER: Order! The Leader of The Nationals has asked his question and the Premier is attempting to answer it.

Mr NATHAN REES: The Leader of The Nationals has the opportunity to give me those documents directly, for them to be addressed by me directly; he should not make a political point in the Chamber. I do not know how long he has been hanging on to those documents, if indeed they are legitimate. I have no idea whether they are legitimate. If he is deadly serious about this, he should furnish my office with the documents and we will see what we can do.

WASTE RECYCLING

Ms DIANE BEAMER: My question without notice is addressed to the Minister for Climate Change and the Environment. What is the latest information on recycling in New South Wales?

Ms CARMEL TEBBUTT: I thank the member for Mulgoa. I know that she has a strong interest—

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

Ms CARMEL TEBBUTT: I know that she has a strong interest in waste policy, as do many members of this House. The latest figures show that New South Wales is well on track to meet our recycling targets by 2014. They are ambitious but New South Wales households are well on track. We know this because sometime ago as one of our many waste reforms we committed to transparent regular reporting. This allows us to track how we are progressing with meeting our recycling targets. There is no doubt our best results have been in improving recycling of municipal and construction waste. We still have some way to go with commercial and industrial waste. It is encouraging to see the progress particularly with municipal waste recycling. Our target is 66 per cent by 2014.

I can advise the House that packaging recycling has increased by 21 per cent in seven years. Sydneysiders have increased the amount of waste they recycle from 38 percent in 2000 to 54 percent in 2006-07. Households in the Hunter, Central Coast and Illawarra recycled 54 per cent of their waste in 2006-07, compared with 50 per cent in 2004-05. These are good results. A typical household can now save more than 4,000 litres of water a year by recycling. Statewide that is the equivalent of 10,680 megalitres of water, which is enough to fill 4,000 Olympic swimming pools. There is much to be gained by recycling. We are saving more than five million tonnes of greenhouse gas through our recycling efforts.

The recycling rates for construction and demolition waste are also well on their way towards achieving the 2014 target of 76 per cent, with Sydney currently at 70 per cent and the Hunter, Central Coast and Illawarra at 72 per cent. We are also helping businesses, because we know this is an area where we need to lift our recycling rates, through programs such as Sustainability Advantage, which helps businesses improve their resource efficiency. An increase in the waste and environment levy in July this year will further drive improved recycling rates across all sectors because it will make recycling more cost competitive. We recognise that local government councils across New South Wales are important partners in waste reform.

The waste levy funds the waste service improvement payments. These payments are focused on encouraging councils to implement new recycling practices and to upgrade their waste infrastructure. I note that the member for Castle Hill gets somewhat excited when we raise the issue of the waste service improvement payments. It is worthwhile spending a little time on this issue because quite clearly there is complete confusion on the other side of the House over how the waste service improvement payments work. On the one hand we have the member for Castle Hill who called our scheme "a sham" in the *Sydney Morning Herald* on 28 February.

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

Ms CARMEL TEBBUTT: I notice a number of other members on the other side of the House seem to agree with the member for Castle Hill. However, the Leader of the Opposition, who does not appear to be in the Chamber—

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

Ms CARMEL TEBBUTT: It is quite clear that the member for Castle Hill does not talk to the Leader of the Opposition before he makes his comments because when the Leader of the Opposition addressed the Local Government and Shires Associations in Broken Hill at the end of last year he said very clearly that the Government was not returning enough of the waste levy to local councils. In fact I think the Leader of the Opposition's exact words were, "A mere \$13 million is returned to councils for their carbon cutting waste minimisation efforts across the community." So the Leader of the Opposition thinks it is just a mere \$13 million and by implication much more should go back to councils.

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

Ms CARMEL TEBBUTT: The member for Castle Hill—

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

Ms CARMEL TEBBUTT: —who talks about the very same \$13 million going back to councils and helping them improve their waste and recycling efforts, calls them a sham. Even more telling are the comments of the member for Lane Cove because in the *Northern District Times* he said, "The so-called waste service

improvement payments"—this is the same \$13 million about which the Leader of the Opposition says we are not giving enough back to councils, but the member for Lane Cove says, "This is a complete waste of taxpayers' money and does nothing to improve environmental outcomes."

The SPEAKER: Order! The member for Lane Cove will contain himself.

Ms CARMEL TEBBUTT: Who is right, the Leader of the Opposition who wants to see more going back to councils or the member for Castle Hill, the member for Lane Cove or many other members opposite who say it is a sham and a waste of money? I accept that not everyone in this House necessarily shares my interest and passion for waste recycling, but it is an important area and one in which the Opposition needs to get its ship into line.

The SPEAKER: Order! The House will come to order. The member for Murrumbidgee will remain silent.

Mr Michael Richardson: Point of order: On a matter of relevance, the Minister needs to explain how it is that Hunters Hill, which recycles 88 per cent of its waste—

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

[Interruption]

The SPEAKER: Order! I call the member for Castle Hill to order for the third time. The member is on his final warning.

Ms CARMEL TEBBUTT: I make it very clear I said "ship". I am not doing a Kevin Rudd; I said "ship" very clearly. The waste service improvement payments are an important source of funds for local government. The reality is they are funded from the waste levy. Councils contribute to the waste levy and this funding is returned to them to improve their waste and recycling practices. To qualify for the payments councils have to put in place a range of measures. They must comply with the criteria and by June 2009 they will need to put in place policy and procedures to ensure that all new multi-unit dwelling developments include recycling services; all new developments consider waste management and resource recovery during construction and demolition; and all new developments incorporate facilities for ongoing waste separation and collection.

The SPEAKER: Order! The member for Lismore will cease interjecting. The Leader of the House will cease interjecting.

Ms CARMEL TEBBUTT: This is an important area. The State Government is committed to working with councils to improve their waste and recycling efforts. We are committed to working with the community to meet our recycling targets. I call on the Leader of the Opposition to bring his colleagues into line with his policy position rather than letting confusion reign. Local councils would be quite rightly questioning whether under the Coalition they would have any security of waste bonus payments.

FRANK BAXTER JUVENILE JUSTICE CENTRE POLICE INVESTIGATION

Mr ADRIAN PICCOLI: My question is directed to the Premier. Why did the Minister for Juvenile Justice and Government staff try to kill a media story yesterday by trying to shift the blame to the victim for an alleged rape at the Baxter facility by making claims to the Opposition and media that the alleged victim may need to be re-interviewed before any charges over the incident could be certain?

Mr NATHAN REES: I am advised that the alleged incident is a complex matter and is subject to an ongoing police investigation. The Government is ensuring that the alleged victim has access to the appropriate medical services and is supported in what must be a difficult time. It would be inappropriate for me to comment on the details of the case until police investigations are complete.

Mr Adrian Piccoli: Point of order: My point of order relates to Standing Order 128. I have been a member long enough to know that I cannot ask a question about the contents of a police investigation, but my question related to the handling of that investigation by the Minister and his staff. They tried to kill this media story by misleading the media and the Opposition about the victim.

The SPEAKER: Order! The member for Murrumbidgee knows that that is not a point of order. The Premier has the call. I call the member for Bathurst to order.

Mr NATHAN REES: I can advise the House that the New South Wales Government has called for a report into security procedures at Frank Baxter Juvenile Justice Centre.

PORT FACILITIES JOBS CREATION

Mr TONY STEWART: My question is addressed to the Minister for Ports. What is the latest information on how the Government's improvements to port facilities are supporting jobs?

Mr JOSEPH TRIPODI: The Rees Government's expansion of Port Botany is a \$1 billion investment in the future of the New South Wales economy. The New South Wales Government is delivering critical infrastructure that will place our State in a position for future competitiveness and prosperity. Handling one-third of Australia's container traffic and generating \$1.5 billion a year in economic activity, Port Botany is a massive undertaking. The expansion project will deliver 63 hectares of new port facility; 1,850 metres of new wharf face, with five new shipping berths; a new container terminal with dedicated road access; and a \$30 million investment into community facilities and environmental enhancement works.

The expansion of Port Botany is a vital project for the long-term economic prosperity of our State. Not only will this investment at Port Botany ensure Sydney's reputation as a competitive and reliable port well into the future; the Port Botany expansion is creating 2,000 jobs during construction, along with underpinning 9,000 new jobs on completion, and boosting the State's economy by \$16 billion over the next 20 years. Through this project the Rees Government is injecting \$800 million a year into the New South Wales economy. The Rees Government is also getting on with the implementation of a package of world-first microeconomic reforms to improve port operations and efficiencies.

Last year the Regulatory Tribunal released its review of port performance and operations at Port Botany. In responding to this review, the Government is bringing cutting-edge port management practices to our State. Port Botany will lead the world in introducing a comprehensive package of reforms, including performance standards for rail and truck turnaround; off peak incentive pricing for truck allocation at ports; improved transparency and information systems; and a rail logistics team to improve rail efficiency.

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

Mr JOSEPH TRIPODI: Sydney Ports Corporation is leading the implementation of these reforms on behalf of the Government. The Port Botany Road Taskforce has been established with industry representatives, including trucking operators, stevedores, and freight forwarders. The task force has set a number of key performance indicators for the port and endorsed a trial to validate proposed standards and to benchmark current performance. This first trial has been completed, baselining performance across the port. The Rees Government is increasing the transparency and accountability of port operations. It is not acceptable for the performance of our key trade artery to remain opaque.

For years the efficiency of Australia's ports has been a matter of opinion and conjecture and, as has been said, we cannot improve it unless we measure it. Over a two-week period from 16 February this year, Sydney Ports Corporation collected performance data from across the supply chain. This includes data on the performance of truck operators, stevedores, empty container parks, and Customs. This data will be used to help validate new performance standards being developed and benchmark current performance at the port. Performance information was published on a daily basis on the website of the Sydney Ports Corporation. Weekly analysis was also published for the benefit of industry.

I can now report that Sydney Ports Corporation has completed an analysis of the data, which will be placed on its website. Stevedores generally meet the baseline standard for slot availability set by the task force, with at least 45 truck timeslots available each hour. During the trial, minimum slot availability helps to provide truck operators with greater certainty of available landside capacity. The trial has shown the times specified by the task force as peak, shoulder and off peak, to be broadly consistent with the level of demand in each time period. During the trial, bookings for truck timeslots were 93 per cent at DP World and 100 per cent at Patrick during the peak period, 61 per cent at DP World and 86 per cent at Patrick during the shoulder period, 18 per cent at DP World and 47 per cent at Patrick during the off-peak period, and 20 per cent to 25 per cent across both terminals during the weekend.

This data will help in the development of the appropriate price setting for the off-peak incentive scheme, which will help to reduce truck congestion during peak periods. The task force set a trial performance baseline for stevedores to service trucks at the port. The baseline allowed 60 minutes for a truck with one container, plus 15 minutes for every additional container. Trial results have shown that 83 per cent to 87 per cent of trucks were serviced within the performance baseline set for the trial. Average truck turnaround time for the trial was 40 to 45 minutes for both terminals. Obviously, there is still more work to be done in this area, with a higher variation in servicing times being recorded. Along with the introduction of mandatory performance standards for truck turnaround times, the Rees Government has endorsed penalties for failing to meet these standards. This will help to improve the accountability of stevedores in achieving higher standards, and it will help to achieve a greater level of performance and consistency in servicing trucks.

Mr Andrew Stoner: Point of order: While I am keenly interested in the Minister's answer it is obvious that many members are not. The reason for that relates to Standing Order 128. Questions should not ask for an announcement of government policy, which this clearly is. In relation to the time taken to give an answer, I think the Minister is taking it too far.

The SPEAKER: Order! I will listen further to the Minister.

Mr JOSEPH TRIPODI: The orderly and punctual arrival of trucks at the port is a key factor in helping stevedores to meet and exceed performance levels. During the trial, 81 per cent of trucks arrived within the agreed trial arrival time; 10 per cent arrived early; and 4 per cent arrived later than the agreed time frame. Five per cent of trucks arrive at the stevedores without a booking. Under the Rees Government's reforms, truck operators will also be held accountable for their punctuality. Trucks arriving early or late for their scheduled booking will be penalised, encouraging on-time arrival and better port performance.

Trial results have strongly supported the Government's plan to mandate paperless truck processing at the port, which has been agreed to and supported by the Port Botany Road Taskforce. Data gathered during the trial has shown that manual processing of trucks means an additional five to six minutes in servicing a truck. This represents more than 10 per cent of the average truck turnaround time. During the trial, 60 per cent of trucks were serviced using the manual system. The Rees Government has endorsed the introduction of a fully paperless system to help cut the turnaround times for these trucks by up to 10 per cent, leading to significant cost savings for both transport operators and stevedores.

The results of this trial will be further analysed by the Port Botany Road Taskforce to help guide the implementation of the Government's reforms and refine upcoming trials. The next trial, which is scheduled for April, will measure stevedores and truck operators against the trial performance baseline during the higher volume period following Easter. The second trial will also be used to inform the development of penalties for failing to meet these mandated performance standards. The third trial, which is planned for mid June, will enable Sydney Ports Corporation to examine an off-peak incentive scheme designed to relieve truck congestion and increase port efficiency.

These trials are a key part of delivering world-class performance at our key trading port. The Rees Government's port reforms at Port Botany are helping to deliver a more efficient, consistent and transparent supply chain, driving down the cost of importing goods to New South Wales, making it easier and cheaper for our export businesses, and allowing them to become more competitive. By undertaking these reforms and making our industries more competitive we can grow the logistics industry and the New South Wales economy. These reforms go hand in hand with the \$1 billion expansion of infrastructure at Port Botany, which will generate 2,000 jobs during construction and generate 9,000 jobs in the future.

WERRIS CREEK PRESCHOOL FUNDING

Mr PETER DRAPER: My question is directed to the Minister for Community Services. Can the Minister advise the House whether concerns that Werris Creek Preschool will face a funding cut of \$50,000 under the new model for community preschools are valid should it maintain current enrolments of 35, or a \$10,000 cut should it increase in numbers to 50, when either situation will see it facing closure?

Ms LINDA BURNEY: The member has a keen interest in preschool education. All members are aware of the importance of preschool education. This question relates directly to the new funding model the Government created through the Preschool Investment and Reform Program. This is the biggest reform to preschools in this State in over 20 years. We will invest an additional \$29.8 million a year in the State's preschools and lift the participation rate to something like 95 per cent.

Mr Peter Draper: That is not what they are saying at Werris Creek.

Ms LINDA BURNEY: I am coming to Werris Creek.

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

Ms LINDA BURNEY: Our plan will create 10,500 more places for preschool children in New South Wales. Research shows that two days a week at a quality preschool the year before starting school is the best thing we can do for our four-year-olds—of course, parents know this. This new model means preschools are funded on the actual number of children who attend the service. The model includes incentives for preschools—this is the key—to attract children who have traditionally missed out. These are Koori kids, children from non-English-speaking backgrounds, children with disabilities and, of course, children from low-income families. We want to make sure that places are available for those who need them. We want to make sure also that children are ready for school and can keep up with their peers. In relation to the specific preschool the member for Tamworth raised, Werris Creek—

The SPEAKER: Order! Members will come to order.

Ms LINDA BURNEY: I know Werris Creek very well; I know the whole area. It is a small railway town with about 1,500 residents. Something like a preschool is very important to that town. The Werris Creek District Preschool offers a five-day-a-week preschool program. Importantly, it provides a one-day-a-week outreach service to the nearby town of Currabubula.

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

Ms LINDA BURNEY: The children at Werris Creek come from many of the local farms, as one would expect—cotton, wheat, chickpea and cattle farms on the black soil plains. A number of Aboriginal children also attend that particular preschool. My understanding is that the preschool receives about \$131,000 a year from the Department of Community Services.

The SPEAKER: Order! I remind the member for Murray-Darling that he is on three calls to order.

Ms LINDA BURNEY: I advise the member for Tamworth that this funding will not be reduced in the five-year period that our reform package takes place. If the Werris Creek preschool attracts more children, there is potential for increased funding. One important matter about this reform is that if a special case arises in relation to specific preschools, particularly for 2008-09, it can be made known. I suggest that if Werris Creek preschool believes circumstances warrant that kind of investigation, it should contact the department and we will certainly assist. I should like to refer to the Opposition spokesperson's position about preschools, and I do so particularly thinking of preschools like Werris Creek.

Members might be interested to know that the Opposition spokesperson has a website. She has actually posted a preschool policy. Yes, a policy from those opposite! I shall spend a few moments talking about that shortly, but the great thing about the member's website is that it has really handy hints, which will be so helpful for parents of young children. There is a great hint about how to organise a dinner party. Pru's blog says that if you are a busy person with no children, "Flowers make up for the failure to vacuum and it gives the room a great lift. If there's no flowers handy, use ivy or anything green will do." That will come as great comfort to people with preschool children.

Mr Adrian Piccoli: Point of order: My point of order is under Standing Order 129. Despite the fact that it is good advice, it is really ugly to watch women bag other women.

The SPEAKER: Order! The member for Murrumbidgee will resume his seat. The Minister will begin to conclude her answer.

Ms LINDA BURNEY: Basically the preschool policy from the Opposition goes to the heart of ABC Learning. It suggests a number of things and ignores the fact that ABC Learning was a publicly listed company with obligations under Federal laws, and was overseen by the stock exchange and the Australian Securities and Investments Commission [ASIC]. I conclude my remarks by saying, once again thinking very much of Werris Creek preschool, the new regulations will place additional burdens—three layers of additional red tape—on country preschools, particularly in small country towns like Werris Creek, with which they just cannot possibly

cope. The Opposition also has suggested that in considering the placement of a preschool, thought must be given to the location of its feeder area. Now that is a great idea. The problem is—

Mr Donald Page: Point of order: My point of order refers to your ruling, Mr Speaker, earlier today and last week in relation to Standing Order 129, which said in summary that Ministers are entitled to make reference to Opposition policies when the question seeks information concerning alternative policies. This particular question made no reference whatsoever to Opposition policies. Therefore I ask you to be consistent with your earlier ruling and rule this part of the answer out of order.

The SPEAKER: Order! I have ruled on this matter. I ruled that in response to a question a Minister is entitled to comment on alternative policies. I am sure the Minister will conclude her answer.

Ms LINDA BURNEY: The issue of making sure where a preschool is placed—

Ms Pru Goward: Childcare centres, not preschools.

Ms LINDA BURNEY: We have talked about preschools. They will actually be placed where children need them. That is a good idea.

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

Ms LINDA BURNEY: That is a really good idea, but the problem is that the Howard Government dismantled that scheme. I shall conclude by saying to the member for Tamworth that Werris Creek preschool funding is stable for the next five years.

The SPEAKER: Order! Members will cease interjecting.

Ms LINDA BURNEY: If the preschool believes its particular circumstances warrant consideration by the Department of Community Services, we are happy to consider it.

FIREFIGHTER JOBS CREATION

Mr ROBERT FUROLO: My question is directed to the Minister for Emergency Services. What is the latest information on new jobs for firefighters in New South Wales?

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

Mr STEVE WHAN: I thank the member for Lakemba for his continued interest in our emergency services and his willingness to quiz Ministers on important issues. This morning the Premier and I had the pleasure of attending the NSW Fire Brigades latest graduation ceremony to welcome 20 new recruits to the ranks of our firefighters. Those 20 recruits are additional to the more than 6,800 full-time and on-call firefighters, and 5,500 community fire unit members across New South Wales. These brave men and women are committed to our community and are willing to put their lives on the line to save others. There are now 339 Fire Brigades stations across the State and more than 600 fire engines. On Friday I had the pleasure of visiting the State's most northern fire station at Tweed Heads to present the brigade with a new \$500,000 engine.

With a record Fire Brigades budget of \$578 million this year, the Rees Labor Government remains committed to ensuring that our firefighters are properly resourced to protect our communities. This record \$578 million budget includes \$10.4 million to employ 65 new firefighters in four rapidly growing areas of the State. Anyone who has taken the three minutes needed to read the Opposition's so-called policy discussion paper on its website will know that that \$578 million in funding will be under threat if the Coalition ever wins government. The Opposition's website clearly states that the Opposition wants expenditures to match revenues, and at a time of economic difficulty, such as is occurring currently, that means cuts to the Fire Brigades that we cannot afford.

Mr Andrew Stoner: Oh, rubbish!

Mr STEVE WHAN: I heard that interjection from the Opposition. Once again that highlights the policy differences between the Government and the Opposition. Clearly Opposition members have not even read the policy that is stated on the Opposition's website and do not understand the implications of that policy

for the funding of government services. I must say that it reminds me of a contribution that was made yesterday by the shadow Attorney General, who referred to stronger search powers that the Government wants police to have to help them tackle the worst of crimes. The shadow Attorney General told the House that the Opposition would move amendments to water down the stronger powers that the Government wants to provide for police.

Mr Greg Smith: Point of order: My point of order relates to Standing Order 129.

The SPEAKER: Order! Government members will cease interjecting.

Mr Greg Smith: The Minister was asked about improvements in the numbers of people employed in emergency services, but he is now attacking me for what I said yesterday during debate on search warrant powers. I submit that that has nothing to do with the question.

The SPEAKER: Order! I remind the Minister of the question that has been asked.

Mr STEVE WHAN: My remarks were made in response to interjections from the Opposition that reveal differences in policy between the Opposition and the Government. My purpose was simply to highlight that the shadow Minister for Police, in his public statements on Opposition policy, has adopted a position that is the opposite of the position adopted by the shadow Attorney General. The shadow Minister for Police said that the search provisions should be tougher, which is the exact opposite to what was said yesterday by the shadow Attorney General. But back to the recruits who join today's firefighting front line! They are now members of one of the world's best trained and best equipped urban fire and rescue services. Every member of the House can be justifiably proud of that.

The new recruits are joining NSW Fire Brigades as it marks 125 years of serving our community, which is a milestone of which it should be very proud. NSW Fire Brigades began in April 1884 as the Metropolitan Fire Brigade and was based in what is now the city of Sydney fire station in Castlereagh Street. NSW Fire Brigades is recognised not only for its firefighting but also for its expertise in handling dangerous chemical spills, rescues, the collapse of buildings, and other disasters. Its experience has been drawn upon during numerous emergencies and natural disasters that have occurred over the years, including some of the greatest tragedies in New South Wales' history in recent decades, such as the Granville rail disaster, the Luna Park ghost train fire, the Newcastle earthquake, and, closer to my electorate, the Thredbo landslide. All those disasters have contributed to the great experience of NSW Fire Brigades and its capacity to respond to tragic events.

Our firefighters have also provided assistance overseas following earthquakes in Taiwan, Turkey and Indonesia, and following the Boxing Day tsunami. Most recently, 400 NSW Fire Brigades firefighters were deployed to Victoria to help communities that were devastated by the Black Saturday bushfires. Firefighting is a challenging career that requires courage and commitment. This morning the Premier and I thanked not only the firefighters who have taken on this role but also their families who support their great firefighting efforts and their career. Firefighting is a profession that is held in high esteem by the community. That is evidenced by more than 6,800 persons applying for just 140 places in the Fire Brigades most recent recruitment drive, which represents a 31 per cent increase on the 2006 campaign. Today's graduates deserve to be congratulated on standing out in such a large field of applicants and on their success in the very intensive and arduous 16-week firefighters training course that they completed.

The new recruits bring an interesting and widely diverse range of skills to NSW Fire Brigades. Previous professions of the new firefighters include small business ownership, electrical trades, aviation firefighting, customs duties, personal training, retail management, physical education teaching, and a whole range of other important roles. The recruits have taken up their new role to protect their local communities.

Mr Wayne Merton: Point of order—

The SPEAKER: Order! Government members will remain silent. I cannot hear the member for Baulkham Hills.

Mr Wayne Merton: My point of order relates, firstly, to the length of the answer; and, secondly, to the Minister's response being nothing more than a ministerial statement. I ask you to draw those matters to the attention of the Minister.

The SPEAKER: Order! Often the points of order taken by the member for Baulkham Hills are valid. Unlike some members, he does not suffer from premature interjection. I will listen further to the Minister.

Mr STEVE WHAN: I apologise for keeping the member for Baulkham Hills awake. Given some of the interjections made by Opposition members earlier, it is worth noting that six of today's graduates are carrying on a family firefighting tradition by following in the footsteps of their fathers, grandfathers and other relatives. For example, Matthew Crotty is a fourth-generation firefighter; he follows his great-grandfather, grandfather, father, two brothers, brother-in-law and nephew, who all became firefighters. That demonstrates a fantastic commitment by New South Wales families to firefighting. Firefighters deserve our thanks and congratulations at all times. On behalf of the Parliament and the people of New South Wales, I congratulate NSW Fire Brigades on its record of 125 years of service. I thank all Fire Brigades firefighters, and particularly congratulate the firefighters who graduated today.

RIVERSTONE WEST PRECINCT

Mr RAY WILLIAMS: My question is directed to the Premier. When he described himself as a national cheerleader for election campaign finance reform, did he mean that he would be doing high kicks and handstands for the commercial interests of the Riverstone West project that has given his political party \$150,000 in donations?

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

Mr John Aquilina: Point of order: Clearly the question is out of order. Several times over the past couple of weeks you have ruled on the wording of Opposition questions, particularly in relation to the use of inflammatory material.

Mr Adrian Piccoli: To the point of order: There was nothing inflammatory about the wording of that question. There were a couple of amusing words, but the wording of the question certainly was not inflammatory. I point out also that the member for Riverstone cannot take a point of order because he has a conflict of interest. It is in his interests not to have the question answered.

The SPEAKER: Order! The member for Murrumbidgee will resume his seat. I remind him that the Speaker decides whether a point of order is valid. The member for Hawkesbury will restate his question so that it is in order.

Mr RAY WILLIAMS: I ask the Premier: Was his support for the Riverstone West project due to \$150,000 in donations being made to the Labor Party?

The SPEAKER: Order! I rule that the question now is in order. I call the member for Bathurst to order for the second time. The Premier has the call.

Mr NATHAN REES: I remind the House that the Government is committed to supporting jobs and facilitating private sector investment in New South Wales, including investment in geographical areas adjacent to the electorate of the member for Hawkesbury.

Mr Barry O'Farrell: A yes or no would suffice.

Mr NATHAN REES: I will get to the Leader of the Opposition in a moment.

The SPEAKER: Order! Opposition members will remain silent. I call the member for Murrumbidgee to order.

Mr NATHAN REES: At a time of economic downturn resulting from the global financial crisis, the Government's position is exactly what it needs to be: supporting jobs and supporting investment. Since September 2008, 64 major projects worth approximately \$9 billion have been approved by this Government, and those projects will support the creation of approximately 20,000 jobs. In relation to political donations, I have made it crystal clear many times in public statements that my preferred position is that New South Wales election campaigns—

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

Mr NATHAN REES: My strongly preferred position—

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

Mr NATHAN REES: —is that election campaigns in New South Wales and Australia should be publicly funded. That is my preferred position, and I have stated that publicly many times. However, it is more complex than it appears to be.

Mr Barry O'Farrell: Oh!

Mr NATHAN REES: I will get to the contribution of the Leader of the Opposition shortly.

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

Mr NATHAN REES: The project requires the cooperation of the States and the cooperation of the Commonwealth, and it depends on the cooperation and agreement of the major political parties.

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

Mr NATHAN REES: Yesterday the Federal Opposition voted down donation reforms in the Federal Parliament.

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

Mr NATHAN REES: Last year the Leader of the Opposition said that the New South Wales Government should wait for the Federal Government to act on donations. He said:

We believe that the supply side of the political donations equation can only successfully be reformed at a Federal level.

The Leader of the Opposition cannot have it both ways. On the issue of political donations, I am on the public record a number of times as saying that my preferred position is that there be public funding of election campaigns. I point out that donations have zero bearing on the planning process. The donations cited by the member in relation to this matter have been declared and are on the public record. Projects are considered and decided on their planning merits and on the advice of public servants. Planning processes are clear and transparent. Specifically, on the Riverstone West release area, on 10 March the Government announced that the proposal would be put out for public consultation. We have released it for consultation. We did not award a tender, we did not select a consortium, and we did not give the project planning approval. That answers the member's question.

BUILDING THE COUNTRY PACKAGE

Mr MATT BROWN: My question is addressed to the Minister for Regional Development. What is the latest information on the Government's efforts to create jobs and build infrastructure in country New South Wales?

Mr PHILLIP COSTA: I thank the member for his question because the Government is doing a great deal for regional and rural New South Wales. And it is all positive.

The SPEAKER: Order! I remind members that a number of them are on three calls to order.

Mr PHILLIP COSTA: There is good news. The New South Wales Government is standing by small country towns during these tough times. Building the Country is an \$85 million funding package made up of seven programs that deliver real benefits for country and rural communities. We are pumping money into small but vital pieces of infrastructure that will create jobs and produce business investment, plugging the gaps in broadband networks so that our remote communities can access the worldwide web, injecting millions of dollars into country libraries to provide access to high-quality resources and information, boosting economic activity by supporting chambers of commerce and promoting tourist attractions in small towns, and investing in businesses pursuing water innovation in irrigation areas that have undergone water reform. That is building the country.

That is a great package brought about by strong representations by my colleagues in Country Labor. A great team is out there working for their community. It is my pleasure—people will find this most interesting

when I get to the crux of the matter—to inform the House that the Building the Country money starts flowing from today through the Country Halls Renewal Fund. That fund taps into the spirit and pride of people in the bush and invests in the heart and soul of many remote communities: their town hall. Over the next few weeks cheques totalling \$1 million will be sent to dozens of local councils and community groups for much-needed works on their halls. Those small but vital works will rebuild, renew or refresh these important community facilities. The funding will be matched generously in kind by local community support.

By putting the money and the energy of country people together, this program will do a lot for country towns. Country halls are the centrepiece of many towns and are used frequently for social events and celebrations. They hold memories of good times. They are also important facilities used to deliver services such as medical, social and information services that often visit remote communities. The Country Halls Renewal Fund program has generated plenty of community interest. Within the first three weeks of calling for applications, almost 400 phone inquiries were received. This program has hit at the heart of country New South Wales. The New South Wales Government has responded to this demand by doubling the level of funding available this financial year, from \$500,000 to \$1 million. This means that more projects can be delivered now for the benefit of these communities.

I take this opportunity to highlight three projects that will receive money as part of this round of funding. First, Euabalong community hall will receive \$50,000—we are looking after the bush. That is a small community of 200 people located on the road to Cobar in the State's west. Its original hall was destroyed by fire three years ago and there is no other building in the village that can be used as a meeting centre, for functions or to deliver essential services to the community. The new hall will be a multipurpose centre, and when it is finished it will again allow for visits from the travelling doctor.

Secondly, Hillston community centre about 100 kilometres north-west of Griffith will receive \$41,901 to replace interior wall cladding, which has been falling off, and to upgrade the lighting and air vents. Hillston is an agricultural community that has been in drought for more than seven years, but it is remaining positive and is developing a town marketing strategy. No doubt its new-look hall will play a part in any future events in the town. Finally—there are many more projects but I do not have time to detail all of them—Curban community hall near Gilgandra will receive \$42,818. Its original hall was washed away by a flood in 1955 before reopening in 1961. It has since fallen into disrepair and the local community has held numerous working bees to get the hall back into a useable state. The funding will be used to replace the old pit toilets, construct a disabled access ramp, install a new rainwater tank and give the place a coat of paint.

Those few worthy examples today will be followed up with dozens more over the next few weeks. That is worthy investment in the future of country New South Wales. Building the Country is a program at the heart of this Government's stand. We stand for investing money in country New South Wales, where it will help and where it makes a difference, lifting the spirits of our hardworking families in the bush. We are spending money for the future of our State. Despite the repeated criticism and talking down of our State from members opposite, we will help our communities west of the divide during these tough times of drought, put hope back into communities and move through the current economic turmoil.

ORANGE BASE HOSPITAL STAFFING

Mr NATHAN REES: Yesterday the member for Orange asked me about operating theatre staffing levels at Orange Base Hospital. I can advise the House that emergency surgery can be undertaken at Orange Base Hospital 24 hours a day, seven days a week. I am further advised by the Director of Nursing at Orange Base Hospital that the hospital operates an on-call, after-hours emergency roster for urgent theatre procedures. I am further advised by the clinical expert that this is standard practice across many hospitals as the need to staff the theatres is based on clinical and fluctuating patient demand. As part of the on-call operating theatre arrangements at Orange, staff are required to attend the facility within 20 minutes of receiving a call, and some staff may choose to stay on site while participating in the on-call roster.

On weekdays the theatres at Orange are staffed between the hours of 7.00 a.m. and 9.00 p.m., with an on-call roster implemented outside these hours. Similarly, on weekends Orange Base Hospital has rostered nursing shifts and on-call shifts overnight. I am advised that a shortened shift on Saturday is to accommodate a 10-hour break for staff who have worked on call. Surgical procedures are scheduled where possible within the rostered shifts, and on-call arrangements are in place to deal with any urgent cases that arise at the hospital.

Question time concluded.

MEMBER FOR KOGARAH ALLEGATION**Personal Explanation**

Mr GREG SMITH, by leave: I wish to make a personal explanation. Yesterday during debate on the Law Enforcement (Powers and Responsibilities) Amendment (Search Powers) Bill 2009 the member for Kogarah said of me:

He is a great protector of crooks. He seemed extremely upset that drug traffickers are getting nabbed all over the place.

...

Judging by the comments of the member for Epping, it sounds like the Opposition is falling over itself to protect criminals. That is bizarre.

Later she said:

I will take a snapshot of the Parliament at the moment. We have heard from the member for Epping, and I am sure the member for Ryde will have plenty to say about how the bill is draconian, that it gives police too many powers, that police are overstepping their mark and that we need to ensure that crooks get a fair go. When we look at the other side of the House what do we see? On that side we see the champions of crooks.

If that were said outside Parliament I would sue the member for \$1 million. Standards in this House must be upheld. I made a legitimate argument. I call for a withdrawal of those remarks. I call for an apology.

The SPEAKER: Order! The member for Epping is entitled to raise an issue, particularly when unparliamentary language has been used. The member for Epping has made his point. He has asked for the comments to be withdrawn. I will convey those remarks to the member for Kogarah.

MEMBER FOR GOULBURN WEBSITE**Personal Explanation**

Ms PRU GOWARD, by leave: I have a confession. It is true I do not vacuum before dinners and that means all my clean friends will no longer come to dinner. It is also true that I use ivy for decoration, which means all my friends with allergies will not come. Since the Minister for Community Services is so concerned, I also buy ice creams.

The SPEAKER: Order!

Ms PRU GOWARD: I think the point needs to be made—

The SPEAKER: Will the member for Goulburn make it right now?

Ms PRU GOWARD: Yes, I will. If the Minister read a little more about her portfolio she would understand the difference between preschools and childcare centres.

The SPEAKER: Order! The member for Goulburn will resume her seat. I have an open-door policy in relation to personal explanations. Members have a right to make a personal explanation, but they must do so appropriately. Personal explanations will not be used or abused. Members who wish to make personal explanations should seek objective advice from the Clerks or the Whips as to the appropriate way to make them.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION**Report**

Mr Frank Terenzini, as Chair, tabled report No. 5/54 entitled "Protection of public sector whistleblower employees—Discussion Paper", dated March 2009.

Ordered to be printed on motion by Mr Frank Terenzini.

PETITIONS

Drink Container Deposit Levy

Petition requesting a container deposit levy be introduced to reduce litter and increase recycling rates of drink containers, received from **Ms Clover Moore**.

National Parks Commercial Developments

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

Northern Rivers Area Health Service

Petition opposing job cuts from the Northern Rivers Area Health Service, particularly at Grafton and Maclean Hospitals, received from **Mr Steve Cansdell**.

Isolated Patients Travel and Accommodation Assistance Scheme

Petition asking for a review of the Isolated Patients Travel and Accommodation Assistance Scheme and indexation of payments to the cost of living, received from **Mr Steve Cansdell**.

Maclean District Hospital

Petition opposing the sale of land adjacent to Maclean District Hospital, received from **Mr Steve Cansdell**.

Pambula Hospital

Petition seeking the reinstatement of services to the Pambula Hospital and better co-ordination between Pambula and Bega hospitals, received from **Mr Andrew Constance**.

Hornsby Area Haemodialysis

Petition asking that a public haemodialysis centre be established in the Hornsby area, received from **Mrs Judy Hopwood**.

Hornsby Palliative Care Beds

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

Tumut Renal Dialysis Service

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

Schofields Railway Station

Petition praying that Schofields Railway Station remain on its current site, received from **Ms Gladys Berejiklian**.

CountryLink Pensioner Booking Fee

Petition requesting the removal of booking fees charged to pensioners on CountryLink services, received from **Mrs Shelley Hancock**.

South Coast Rail Services

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

Rural Rail Branch Lines

Petition requesting that the proposed closure of rural rail branch lines be rescinded immediately, received from **Ms Katrina Hodgkinson**.

Hawkesbury River Railway Station Access

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

Bus Service 311

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

Caged Birds Trade

Petition requesting that legislation be introduced to stop the trade of caged birds, and ban trading and selling of Australian native birds, received from **Ms Clover Moore**.

Pet Shops

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

Sow Stalls

Petition requesting a total ban on sow stalls, received from **Ms Clover Moore**.

Alstonville Tropical Horticulture Centre

Petition opposing the closure of the Alstonville Tropical Horticulture Centre, received from **Mr Donald Page**.

Glen Innes Agricultural Research Station

Petition opposing the closure of the Glen Innes Agricultural Research Station, received from **Mr Richard Torbay**.

Albury Policing

Petition requesting additional beat police in the Albury electorate, received from **Mr Greg Aplin**.

Culburra Policing

Petition requesting increased police numbers in the Culburra area, received from **Mrs Shelley Hancock**.

Shoalhaven Police Station

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

Shoalhaven Mental Health Services

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

Iron Cove Bridge Project

Petition opposing the construction of an additional bridge over Iron Cove, received from **Ms Gladys Berejiklian**.

Grafton Bridge

Petition requesting the construction of a new bridge over the Clarence River at Grafton, received from **Mr Steve Cansdell**.

CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

Federal Stimulus Package and Jobs

Mr FRANK TERENZINI (Maitland) [3.35 p.m.]: The motion of which I gave notice earlier deserves to be accorded priority because the people of New South Wales clearly want to know the Opposition's exact position on the Federal Government's \$42 billion stimulus package.

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

Mr FRANK TERENZINI: The people of New South Wales want to know why this week the Opposition has voted against motions supporting the stimulus package but next week will not oppose the bill that puts it into action. The people of New South Wales want to know why the Opposition is flip-flopping about: this week it votes against the motions and next week it will not oppose the bill that puts mechanisms in place to allow the State Government to work in partnership with the Federal Government. The people want to know the Opposition's position on this issue. They also want to know how the New South Wales Government and the Federal Government are working in partnership to create jobs in New South Wales.

The people of New South Wales—and, I am sure, the member for Lismore—want to know all the facts and figures regarding how two levels of government are working in partnership to put in place mechanisms to get construction started. They also want to know about the State Government's stimulus package. This is a golden opportunity for us to tell the people about the New South Wales stimulus package, which the State Government will deliver in partnership with the Federal Government. I urge Opposition members to vote for this motion today because it refers to some very important matters.

Mrs Shelley Hancock: They already have!

Mr FRANK TERENZINI: They have not.

Mr Donald Page: Point of order: I refer to Standing Order 59, which states:

The Speaker may direct a member to discontinue a speech if the member persists in irrelevance or tedious repetition.

I refer particularly to tedious repetition. The House will have debated six times motions almost identical to the motion of the member for Maitland. Most members of the House regard his motion—the matter has been debated five times previously—to be tedious repetition. Therefore, I ask that you rule the motion out of order.

The SPEAKER: Order! The motion is in order. The member for Maitland is establishing why his motion should be accorded priority.

Mr FRANK TERENZINI: The motion is urgent. It deserves priority because the Government believes the people of New South Wales want to know how the Federal and State governments are working in partnership. That is why the motion should be debated today. The people want to know why the Opposition dillydallies about playing politics by voting against important motions when everyone in Australia is worried about the global financial crisis and how governments are responding to it. The people want to know how their jobs will be protected. That is why the motion is urgent and that is why I urge members opposite to vote for it. We must have a good, relevant discussion about how jobs are being created and protected in New South Wales.

Jobs Protection

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [3.38 p.m.]: Earlier I gave notice of a motion that deserves priority. By giving the member preselection for the seat of Maitland the New South Wales branch of the Australian Labor Party did the people of the Hunter a service because before he came to this place he used those sorts of arguments to defend people in our courts. What an absolute joke!

Mr Frank Terenzini: Point of order: That is totally wrong. I prosecuted matters in court. The Leader of the Opposition should get it right.

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

Mr BARRY O'FARRELL: I note that the member's objection was about his role, not my contention. The only issue those opposite care about and the only jobs they are concerned about are the 51 jobs of Labor members who sit on the green benches opposite. Labor members are comfortable and out of touch. They sit in ministerial offices that are costing this State \$15 million, paying above-market rents. Why? It is not to lead by example and show the people of New South Wales that they can tighten their belts. Whether it is John Robertson or the Premier, Labor members are more interested in their water views than in the views of the public of New South Wales.

Each and every day since Nathan Rees became Premier 200 jobs have been lost. What has he done about that? That is eight jobs every hour—two jobs in the time it took the Premier to respond to the second question today. The only time that mob opposite will exercise any energy, the only time they will put any effort into anything, is related to election campaigns and the saving of their jobs. We cannot stand by any longer and not have a State stimulus package. The Federal Opposition and the Federal Government supported a Federal stimulus package, but the debate was about its size. It was a debate about size simply because the Howard Government left a \$20 billion surplus to the Commonwealth.

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

Mr BARRY O'FARRELL: In New South Wales the only side that has argued for a stimulus package has been this side of the House. The loss of 37,100 jobs testifies to the inaction of Nathan Rees in not putting forward any State-based plan to protect jobs, to maintain jobs, to grow jobs, or to bolster the State's economy.

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

Mr BARRY O'FARRELL: We cannot afford a continuation of the inexperience and incompetence that has the Premier frozen. It took five months before he sat down with businesses to see what is necessary to assist them. Two weeks later we are still waiting; the Premier has delivered nothing to the people of New South Wales, and another 11,400 people have lost their jobs. The only job the member for East Hills is concerned about is his own. The only job the member for Maitland is concerned about is his own. And they have a right to be concerned about their own jobs.

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

Mr BARRY O'FARRELL: In the remaining period that they are members of this House their obligation is to the community of New South Wales.

The SPEAKER: Order! I place the member for East Hills on two calls to order.

Mr BARRY O'FARRELL: It is about time those opposite did what was in the public interest for a change, not what is in the interests of the Labor Party. The Premier needs to understand that a stimulus package is not a packet of No-Doze for the member for Georges River. The Premier needs to understand that a stimulus package is not what Eddie Obeid and Joe Tripodi prepare before a caucus vote. We have a critical need to protect the jobs of people in western Sydney and western New South Wales. We have a critical job to do to protect jobs across New South Wales and we are the only State in the Commonwealth not protecting jobs.

Every other Premier, Labor or Liberal, has acted at a State level with new money and new projects to try to defend jobs. What has Nothing Nathan done? Nothing! The Federal Government has acted twice, in October and February, both times supported by me, including on national television on 5 February 2009. But what has the Premier done for New South Wales? It took him five months to meet with businesses—two weeks later there was nothing to show for it. A 15 per cent payroll tax cut, as advocated by those of us on this side, would provide practical assistance to the businesses that employ two-thirds of the State's workforce—two million people.

I refer to fast-tracking infrastructure funding. If the Government can find \$5 billion for a metro into the electorate of Balmain, the Rozelle metro, why can it not find money for a rail line to the north-west and the

south-west of Sydney, a rail line that it has promised time and again, that would provide transport for people who currently clog roads every morning on their way to the jobs that are fast disappearing? Of course, lead times should be cut, not just in the Federal areas but across the board. Government members should stop protecting their own jobs and do something for the community and stop the tedious repetition— *[Time expired.]*

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

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

The House divided.

Ayes, 42

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

Noes, 38

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

Pairs

Mr Campbell	Mr Hazzard
Mr Collier	Mr Souris
Mr West	Mr J. H. Turner

Question resolved in the affirmative.

FEDERAL STIMULUS PACKAGE AND JOBS

Motion Accorded Priority

Mr FRANK TERENZINI (Maitland) [3.53 p.m.]: I move:

That this House:

- (1) welcomes the Federal Government's \$42 billion stimulus package to support jobs;
- (2) congratulates the Government's commitment to working in partnership with the Commonwealth to deliver the package to create jobs; and
- (3) calls on the Opposition to declare its support for the Federal stimulus package which is critical for supporting jobs in New South Wales.

The Federal Government is putting in place a set of practical solutions to create and support jobs throughout Australia, and the New South Wales Government is directly behind that. That is why the New South Wales Government is further ahead than the government of any other State. It has put in place improved planning procedures, quicker turnaround times and streamlined planning laws to ensure that this package gets off the ground as soon as possible in accordance with the time lines. People want to know that their jobs are protected. This is all about jobs—about keeping people in employment to make sure that working families continue to receive an income so they can continue to meet their bills and pay their mortgage.

People want to know how the State Government and the Federal Government are working in partnership. As far as the State Government is concerned, this year alone \$13.9 billion will be spent on infrastructure as part of a total of \$56 billion over four years. Our policy will ensure that this amount of money will underpin 150,000 jobs every year. Only last month the Premier announced 4,000 apprenticeships, including 2,000 cadetships, over the next four years. This is clear evidence that the New South Wales Government is firmly committed to improving skills and training so that when the jobs become available we will have as many people as possible who are fully trained to fill them and take part in construction. Further to that, the Premier took part in a two-day Jobs Summit, which brought together members of the community, community leaders and business people to find a way of solving the problems that are engulfing the New South Wales economy.

This \$42 billion stimulus package is very important. What is coming our way? There is \$2 billion for housing, which will build 9,000 homes across New South Wales, 6,000 of which have to be built within 20 months. That is a very tight time frame and that is why our planning laws have been streamlined. It is a perfect example of how the Federal Government and the State Government are working together to create jobs. People want to see things happening and that is what this partnership will produce. On schools, \$4.4 billion will be spent to improve 3,000 schools around New South Wales—gyms, laboratories, science labs, halls and those kinds of infrastructure. That is why the Government has improved its State environmental planning policies [SEPP] infrastructure to ensure there are 10-day turnaround times and that both private and public schools will be able to use the SEPP process to create new halls, gyms and science labs as soon as possible. This is a golden opportunity to make sure all our schools, both private and public, are fully equipped.

The Opposition claims that there is no stimulus package from this side of the House. Nothing could be further from the truth. The Opposition does not bother to read the budget papers or Government policy announcements about creating a stimulus package and improving jobs. An amount of \$950 million has been allocated to rebuild Royal North Shore Hospital, which will support 375 jobs; there is \$4.8 billion for the CBD metro, creating 875 jobs; \$246 million for 19 schools and 12 TAFE projects, creating 490 jobs; \$381 million for the latest redevelopment of Liverpool Hospital, creating 280 jobs; \$750 million for the expansion of Port Botany, with 300 jobs; and \$600 million for the Pacific Highway, involving 1,600 jobs. I could go on and on with this list. This is an excellent stimulus package in partnership with the Federal Government to see our way through this global economic and financial crisis.

The New South Wales Government is spending \$56 billion over four years to ensure we maintain our State's growth and momentum, particularly in construction, to save as many jobs as we can. It is a real pity that the Opposition has decided to play politics with something that should be above politics—saving and creating jobs in very difficult times. These are very tough times. The Government is very much behind the stimulus package. It is a pity that the Opposition on previous occasions has voted against motions that members know they should have supported. Similarly, they will not support the motion being debated today because they want to play politics. They take every opportunity to play politics on important issues. After voting against those motions the following week, Opposition members did not oppose the bill that the Premier brought in to put in place the mechanisms to drive the stimulus package in partnership with the Commonwealth. The Opposition's stance on this motion may well depend on the day of the week, the time of day or the temperature, but it certainly depends—

Mr John Williams: Point of order: My point of order relates to relevance. This is the sixth time that we have debated this issue and we are hearing the same old rhetoric.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! There is no point of order. The member for Maitland has the call.

Mr FRANK TERENCE: It all depends on the political wind. Which way is it blowing—this way or that way? The political wind dictates the position that Opposition members take in relation to these important matters. It is about time Opposition members made a firm decision. If I asked all three Opposition members who are present in the Chamber what was their view I am sure they would all offer different views. They should have a coherent view. Opposition members should formulate a policy and get some ideas. [*Time expired.*]

Mr WAYNE MERTON (Baulkham Hills) [4.00 p.m.]: Not one member in this Chamber or in the Federal Parliament would oppose any stimulus package that legitimately and realistically supported jobs and increased employment opportunities. Opposition members will support any worthwhile, realistic and workable measures that will improve jobs. Government members and their Federal masters seem to have one thing in common: They do not understand, respect, or want to know the democratic system in this Parliament or in the Federal sphere. The motion of the member for Maitland is a half-baked proposal to create jobs and, in the case of his Federal counterparts, to spend a \$42 billion stimulus package that is short on detail and endorsed with the words, "Trust me, I trust Kevin" in the hope that everyone will sign the agreement.

Anyone who has the audacity, the temerity or the hide to ask for any details is immediately branded as someone who is anti-work, anti-worker and anti-jobs. Whether or not the member for Maitland or the majority of members in the Australian Labor Party like it, this is a democracy and Opposition members are entitled to have their say. Our Federal colleagues might have differed on certain aspects of the stimulus package but, at the end of the day, they were united. Unlike in America, where the President spoke with the Republicans, the Federal Government wants to go solo: it wants to do this alone. It is not prepared to sit down and work with Federal Opposition members on an issue that everyone in Australia regards as a national crisis and a calamity. Instead, the Federal Government tried to bulldoze through this proposal. Today you put forward another half-baked proposal and a week from now someone else will be given an opportunity to do so.

Mr Frank Terenzini: Point of order: The standing orders are clear. The member for Baulkham Hills, who has been speaking for some time, should direct his comments through the Chair.

ASSISTANT-SPEAKER (Ms Alison Megarritty): Order! The member for Baulkham Hills will direct his comments through the Chair. The member for Baulkham Hills has the call.

Mr WAYNE MERTON: A week from now someone else will have a turn to move a motion. Perhaps it will be the turn of the member for Blue Mountains. What is the track record of this Government? What will this Government do to create employment? The Government has an abysmal record of failure, deceit, lies, and broken promises. I note that the member for Hawkesbury is in the Chamber, and earlier the member for Castle Hill was also in the Chamber. In 1998 the Government promised people living in north-west Sydney new rail services in a project that was to be completed by 2010. Not one sod of earth has yet been turned and that project has now been scrapped. That is this Government's idea of infrastructure provision! It has done the same thing to people living in south-west Sydney. It has betrayed them. Earlier you had the gall and stupidity to quote from the budget papers.

Mr Frank Terenzini: Point of order—

Mr WAYNE MERTON: The member should plead guilty and he should offer all members an explanation.

ASSISTANT-SPEAKER (Ms Alison Megarritty): Order! The member for Baulkham Hills will resume his seat.

Mr Frank Terenzini: The member for Baulkham Hills should not get so excited.

ASSISTANT-SPEAKER (Ms Alison Megarritty): Order! What is the member's point of order?

Mr Frank Terenzini: The member should be reminded to direct his comments through the Chair. I take exception to the comment that the member for Baulkham Hills made about me and I ask him to withdraw it. The member for Baulkham Hills should also direct his comments through the Chair.

ASSISTANT-SPEAKER (Ms Alison Megarritty): Order! I uphold the point of order. The member for Baulkham Hills will direct his comments through the Chair.

Mr WAYNE MERTON: You had the gall and stupidity to—

Ms Lylea McMahon: Point of order—

Mr WAYNE MERTON: I withdraw my reference to stupidity.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The member for Baulkham Hills has withdrawn his reference to stupidity.

Mr WAYNE MERTON: You have the gall and I have the call!

Ms Lylea McMahon: Point of order: If the member for Baulkham Hills wishes to cast aspersions on any member of Parliament he must do so by way of substantive motion.

Mr WAYNE MERTON: I have withdrawn my statement.

Ms Lylea McMahon: I did not know that.

Mr WAYNE MERTON: You must also be deaf.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The member for Shellharbour will resume her seat. The member for Baulkham Hills has the call.

Mr WAYNE MERTON: The member for Maitland, who is naive to say the least, reeled off a lot of facts and figures relating to the State budget. However, the State budget was delivered a long time before the stimulus package was announced. Even the mini-budget was delivered before the announcement of the Federal stimulus package. The Federal Government spent \$10 billion within a week or two of the commencement of the global economic crisis and since then it has committed to providing a \$42 billion stimulus package. I move an amendment to the motion in the following terms:

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

- (3) calls on the Government to make a full and complete disclosure to the people of New South Wales of its proposals as to how it intends to spend the stimulus package in order to create jobs in this State.

We require full details about this Government's proposal. How does the Government intend to spend the stimulus package and when will it spend it? Opposition members do not want any pie-in-the-sky stuff. The people of New South Wales are sick to death of broken promises and shattered ideals from a Government that has let them down time and again. All members support the creation of jobs. What has this Government done to assist and counsel the people at Bonds? Has it offered them any alternatives? What has this Government done to keep Bonds operating in the Wentworthville electorate?

Ms LYLEA McMAHON (Shellharbour—Parliamentary Secretary) [4.07 p.m.]: I am disappointed that the member for Baulkham Hills joined the Leader of the Opposition as the official apologist for the Federal Opposition. He has a complete preoccupation with size; it is all about size.

Mr Wayne Merton: Point of order: My point of order relates to relevance. It would be more relevant if the member for Shellharbour apologised on behalf of the New South Wales Labor Government.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! There is no point of order.

Ms LYLEA McMAHON: The people of New South Wales are sick of this preoccupation with size, and they are tired of the apologists opposite. This Federal stimulus package is all about creating jobs. I urge Opposition members to do the right thing and to support the Rudd Government's \$42 billion package, which will stimulate the economy and support jobs. Leaders from across the globe have said that we are moving into unprecedented economic times. The people of New South Wales want to know what the Government is doing. It is doing everything it can to support jobs. Let me inform the House of some of the Government's plans to support jobs for families in this State. We are investing \$257 million in the redevelopment of Liverpool hospital—a project that will provide 450 construction jobs and 800 ongoing jobs.

The member for Baulkham Hills does not appear to be paying any attention to what I am saying. He is not interested. He could not care less about what this Government is doing to support jobs. The Government has approved plans for the \$1.3 billion development of the former Carlton and United Brewery site—an additional 1,200 construction jobs and 5,500 ongoing jobs. An amount of \$464 million has been allocated to upgrade a 25-kilometre section of the Pacific Highway north of Coffs Harbour, which will provide 500 construction jobs and 10 ongoing jobs. The New South Wales section of the \$850 million Queensland to Hunter gas pipeline will provide 600 construction jobs and 25 ongoing jobs. The Minister for Planning, Kristina Keneally, is working hard to facilitate investment and employment. Since September 2008, 64 projects worth around \$9 billion have

been approved, supporting more than 20,000 jobs. All we have on that side of the House are spoilers, wreckers and empty vessels. On this side of the House we have investors, builders and job creators.

Mr Wayne Merton: Point of order: We have not seen any to date.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! The member will resume his seat.

Ms LYLEA McMAHON: We have the largest infrastructure program of any State Government in Australia. This \$56 billion infrastructure program over the next four years will sustain an average of 150,000 jobs each year.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! There is too much audible conversation in the Chamber. Members will have some consideration for Hansard.

Mr STEVE CANSDELL (Clarence) [4.10 p.m.]: I find it amusing that we are asked to congratulate the Rudd Government on what is called a stimulus package. I call it a bailout rescue package for a totally incompetent and corrupt Government. A State mini-budget was delivered that was supposed to help with the coming recession. What did the Government do? It cut funding to the Pacific Highway by \$300 million—the worst death road in Australia. It also cut 400 jobs from North Coast hospitals—and I am not just talking about cleaners. We need cleaners because without them you end up with golden staph and everything else. I am talking about cleaners, clinicians and nurses—positions that were cut dramatically, placing far more stress on our hospitals.

Wards have closed already at Casino hospital because it never had a doctor or nurses so that beds could be filled. Patients have to be transported to Lismore. The ambulance service was functioning as a taxi service travelling from Casino to Lismore to wait outside for two hours while patients lay on stretchers being attended to by nurses when they should have been receiving proper clinical care. Services from mobile breast screening units on the North Coast were cut also. The member for Maitland has great empathy for cancer research across Australia. He should be the Premier. He may well be between now and next year anyway!

Mr Frank Terenzini: You'll never be.

Mr STEVE CANSDELL: No, don't try to be. We have had agricultural research stations cut. This mini-budget is supposed to stimulate the economy and it is costing jobs. The \$50 back-to-school allowance was cut. The Premier tried to cut the subsidised school transport scheme but became embarrassed when members from his own party tripped across the floor. He had to do a backflip on that one. What else did the Government do? It cut the North West Metro. That was a big one. The Chatswood to Parramatta rail line became the Chatswood to Epping line at double the price. I welcome the \$42 billion. It is fantastic. It is great that \$42 billion will come to the State, but it should not be given to a bunch of incompetent morons that cannot handle the revenue they receive now. They have had 14 years of record revenue and we are heading into next year, or even this year, broke and begging the Rudd Government to come good and give us some money to bail us out. What will the Government do with that? I suppose we could buy another Macquarie tower. We could spend another \$20 million so Ministers can stargaze over the harbour. [*Time expired.*]

Mr PHIL KOPERBERG (Blue Mountains—Parliamentary Secretary) [4.13 p.m.]: I support the motion of the member for Maitland. We all know by now that Australia, like the rest of the world, is suffering from the impact of the global economic downturn. Governments around the world are responding to this crisis, and the Federal Government is no exception. The Rudd Government's \$42 billion economic stimulus package is a powerful and timely response to one of the most serious economic challenges since the Great Depression. The package will not make the problem go away, but it will cushion the blow to serve and protect many thousands of jobs, create new ones and leave lasting legacies.

New South Wales families and businesses need to know that they have a Government doing all it can to ease the impact of the crisis—and, indeed, it has. That is why the Rees Labor Government is working shoulder to shoulder with the Commonwealth Government to help stimulate the economy and protect the livelihood of families. The Rees Government is wasting no time in delivering the Rudd Government's Nation Building and Jobs Plan. Just this week the Premier announced that new jobs are to be created in western Sydney as the New South Wales Government acts to put the Rudd Government's economic stimulus package to work. The New South Wales Government has placed an order for pre-constructed permanent school libraries—one of the legacies about which I spoke earlier that will last in perpetuity—to replace demountables in government schools.

A family-run business in western Sydney will build 50 of these new buildings. To complete our order the company will immediately increase its workforce from 60 to 90. So, rather than losing jobs as a consequence

of this crisis, 30 new jobs will be immediately created from one particular project, including four new apprenticeships. The order will also support an additional 18 jobs with suppliers and subcontractors. We ignore the looming crisis at our peril. Not to have a plan or to fail to recognise the value of the Rudd Government's stimulus package would be to fiddle whilst Rome burns. I urge members opposite to demonstrate to the people of New South Wales that we understand the magnitude of the problem and are responding to it in a decisive manner. I commend the motion to the House.

Mr FRANK TERENZINI (Maitland) [4.15 p.m.], in reply: I thank members for the electorates of Baulkham Hills, Clarence, Shellharbour and Blue Mountains for their contributions to this important debate. However, I must say that I continue to be underwhelmed by members opposite. When matters of such importance are debated in the Chamber and people ask what the Parliament is doing, this is the opportunity for the Parliament to speak as one and for members opposite to come onside and say, "Yes, we are going to back the Government. We are going to work together and we are going to make sure that we save as many jobs as we possibly can." But members opposite continue to play politics, and their politics change every day, depending on what day of the week it is. One day they oppose the motion about the stimulus package and the next they come in and say, "No, we're not going to oppose the bill."

Mr John Williams: Point of order: My point of order is that the member continues to mislead the House on the Opposition's position.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! There is no point of order. The member for Maitland has the call.

Mr FRANK TERENZINI: There is no point of order because there is no position. That is the problem. The Opposition takes no position. That is the whole point. They continue to play politics with important issues. The amendment to the motion merely demonstrates that Opposition members do not read Government policy and they do not read the budget papers. They moved an amendment about how we are spending the stimulus package funding. All they have to do is read the debates. They should take note of what we are saying. I read the list from my notes.

Mr Wayne Merton: Point of order: Would you ask the member for Shellharbour to desist from interjecting on the member for Maitland?

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! There is no point of order. Members should refer to a standing order when they take a point of order. The member for Maitland has the call.

Mr FRANK TERENZINI: Thank you, Madam Assistant-Speaker—that certainly would assist. Opposition members have only to read the Government's policy and listen to my speech. I listed what the New South Wales Government was doing: providing 150,000 jobs, \$13.9 billion, \$56 billion over four years. All they have to do is listen to the debates, listen to the policy, listen to the Premier and listen to the Ministers as they announce policy and where they are spending the money. If they do not go to sleep during question time and listen to the answers they will know all about it. I have one message for the Opposition: You lead, you follow or you get out of the way.

Question—That the words stand—put.

The House divided.

Ayes, 43

Mr Amery
Ms Andrews
Mr Aquilina
Ms Beamer
Mr Borger
Mr Brown
Ms Burney
Ms Burton
Mr Coombs
Mr Corrigan
Mr Costa
Ms D'Amore
Mrs Fardell
Ms Firth
Mr Furolo

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

Ms Megarrity
Ms Moore
Mr Morris
Mrs Paluzzano
Mr Pearce
Mrs Perry
Mr Sartor
Mr Shearan
Mr Stewart
Mr Terenzini
Mr Tripodi

Tellers,
Mr Ashton
Mr Martin

Noes, 35

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

Pairs

Mr Campbell	Ms Goward
Mr Collier	Mr Hazzard
Mr West	Mr Piccoli

Question resolved in the affirmative.

Amendment negatived.

Motion agreed to.

BUSINESS OF THE HOUSE**Routine of Business**

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [4.27 p.m.]: I seek leave of the House to permit Government business to be considered during the routine of business set aside for General Business Orders of the Day for bills and also to give notice of motion for a Government bill.

Leave granted.

BUSINESS OF THE HOUSE**Notices of Motions**

Government Business Notices of Motions (for Bills) given, by leave.

ASSOCIATIONS INCORPORATION BILL 2009**Agreement in Principle**

Debate resumed from 11 March 2009.

Mr DARYL MAGUIRE (Wagga Wagga) [4.30 p.m.]: It is with pleasure that I join in debate on the Associations Incorporation Bill 2009.

ASSISTANT-SPEAKER (Ms Alison Megarrity): Order! I direct the member for Barwon not to use a mobile phone in the Chamber.

Mr DARYL MAGUIRE: The Minister's agreement in principle speech takes up approximately three *Hansard* pages, in which the Minister explains the background to the bill, the consultation process and other matters. The incorporated association structure is very important to community organisations, large and small. There is a need for good governance in those organisations, and I understand what the bill is intended to achieve. I will not traverse all the issues previously dealt with by other speakers during the debate, but I will

highlight an issue that I hope the Minister will address during her reply. In the Minister's in agreement in principle speech, she stated:

Recognising that this legislation is dealing with not-for-profit, usually volunteer-run community groups, the bill includes power for the Commissioner for Fair Trading to make an order exempting an association ...

The power of the commissioner is the very essence of my focus regarding the issue I wish to address. Both large and small community groups are required to be incorporated, but the small groups do not have the financial wherewithal to cope with financial difficulties that the bill purports to address. Clause 66, relating to appeals, states:

- (1) A person aggrieved by any act, omission or decision of an association's liquidator or provisional liquidator may appeal to the Supreme Court in respect of the act, omission or decision.
- (2) The Supreme Court may deal with such an appeal by confirming, reversing or modifying the act or decision, or remedying the omission, as the case may be, and by making such other orders as it thinks fit.

The Supreme Court is an expensive way for people to seek restitution or change a decision that has been made. I have raised this matter with other organisations that use this system. It is less expensive for people to take their issues before the District Court or a lower court than any other court of law. Usually the Administrative Decisions Tribunal [ADT] is, for all intents and purposes, a court of law. I note that in clause 104, "Review of decisions of Director-General", an association may apply to the ADT under sections 7, 12, 16, 74, 79, 11, 73 and 76. Clause 104 (3) states:

A person aggrieved by a decision made by the Director-General to appoint an administrator under section 54 or 55 may apply to the Supreme Court for a review of the decision.

My point is that some parts of the Act allow organisations to take an issue to the ADT, but under sections 54 and 55 organisations must apply to the Supreme Court. In this bill the Government should provide for a cost-effective option for people aggrieved by the decision made by the commissioner to take it to the District Court or enhance the ability of the ADT to deal with an issue at a local level. For small organisations, whether they be hospital auxiliaries, country women's associations or small community groups that have had difficulties, this provision places an obstacle in front of them, and that obstacle is cost. On one side the director general is issuing orders—I suggest after long dialogue to try to resolve the problems of the incorporated body—and on the other side the incorporated association cannot appeal against a decision because of the funding obstacle.

This legislation will deter people with a legitimate grievance from pursuing an appeal to change a decision because the Act provides that that be done through the Supreme Court. There is room for the Minister—it may be done by way of amendments brought to this place in the future—to address this matter so that groups such as hospital auxiliaries and others have that avenue and the cost of exercising a right through a court of law is not prohibitive. I am not a lawyer but I believe that community organisations could be disadvantaged by these provisions. More work needs to be done in that regard. I have read the bill and the Minister's agreement in principle speech. Clause 66 (2), "Appeal", states:

The Supreme Court may deal with such an appeal by confirming, reversing or modifying the act or decision, or remedying the omission, as the case may be, and by making such other orders as it thinks fit.

When I first read that I was a little confused because I thought it meant that the court would have the ability to change the Act. But on reflection I believe that the word "act" is the abbreviation for "action". That should be clarified for lay people who may be looking at their rights in this legislation and may seek to appeal against a decision. The word "act" as written in clause 66 (2) should be clarified by inserting instead the word "action". So the clause should read:

The Supreme Court may deal with such an appeal by confirming, revering or modifying the action or decision, or remedying the omission ...

It is only a small point, but lay people who do not have great knowledge of the law would find it easier to read and understand, and would not confuse "act" with an Act of Parliament. As I said, when I first read the clause I thought it was a drafting error, but I understand that it is not a drafting error. For simplicity in a bill full terminology or the intent of what a word is meant to reflect should be used. I raise that point because in the future bills should be drafted using English that can be understood by lay people who do not have the benefit of a legal career, as some members of this place do. Members of Parliament often get representations from community groups that have experienced difficulties for whatever reason, and interpretations can waste a lot of time and energy. The clearer that legislation is written, the better it is for everyone. I place on record the great value of incorporated community groups, most of which do volunteer work. The community appreciates that.

If this legislation helps those organisations, that is a step forward. I would like the Minister to address this issue of appeals through a less expensive mechanism to give community volunteers a right of appeal, whether it be through the ADT or the District Court. A less expensive option should be available. The community would welcome a change to the legislation to remove that funding obstacle that exists now. Members should remember that many groups in regional and rural New South Wales must pay exorbitant insurance costs. There are many demands on them. Indeed, under the new Crown lease Act they must pay rents that did not exist previously, and they must find money to pay for community halls.

All those things put pressure on small community groups. If they are then faced with challenging a decision of the director general, that can cause grief. Under this bill the director general is given authority to issue orders, and can also delegate to an authorised person, who also has the power to delegate. Is it necessary for delegation to go so far down the line when the director general decides that an organisation should be dissolved? The director general has an onerous responsibility, as set out in clauses 106 (1) and 106 (2) in relation to delegation. I believe the provision needs to be reviewed in order to ensure that those powers remain with the director general and one other, rather than being disseminated to a nameless delegated person sitting in an office somewhere.

Mr DAVID HARRIS (Wyang) [4.40 p.m.]: I support the Associations Incorporation Bill 2009. As the member for Maitland said, more than 30,000 associations are incorporated in New South Wales. I ascertained from the discussion paper on the website of the Office of Fair Trading that the office receives more than 1,000 new applications a year, which demonstrates that associations are keen to be incorporated. Associations are generally non-profit organisations funded by membership fees, government grants, fundraising activities and/or donations. Whilst the full extent of the impacts of associations on the community is unknown, it is fair to say that most members of the community are members of an association, or have come into contact with an association in some way.

In my electorate hardworking volunteers run many organisations. They provide vital services for our community, such as child care and sports. Whilst the clubs vary considerably in membership size and financial turnover, they all have one thing in common: they exist to serve and benefit the community. Without them we would miss out on a diverse range of groups that provide vital services, activities and entertainment. It must also be noted that in many cases associations support local charities through their regular fundraising. San Remo Neighbourhood Centre is an excellent example of an incorporated association, which, although employing some workers, could not survive without its team of tireless volunteers. The neighbourhood centre provides a multitude of services including free legal advice, financial counselling, youth services, after-school care, a community garden and—a recent initiative—the San Remo Community Men's Shed, where men can gather to do work such as woodturning and building but, more importantly, to interact, support and converse with one another.

At the other end of the spectrum, the Easy Street Rod and Custom Club in my electorate is an example of a social incorporated club that, whilst organising activities for its members to encourage their passion, also supports local charities. In fact, just last weekend the club held its twenty-seventh annual run at Toukley. The run not only helped to lift the profile of Toukley but also raised in excess of \$900 for the Central Coast Multiple Sclerosis and Handicapped Group Inc., which is another important incorporated association on the Central Coast. One can see the different ways in which associations work in our communities. The bill will streamline administrative procedures, make life simpler for these groups and assist associations in managing their affairs more efficiently while ensuring that they remain accountable to their members and to the public.

The bill modernises the language in the current Act. References to by-laws are removed and the word "rules" is replaced with "constitution". The term "constitution" better represents the role of this important document and aligns the terminology in the bill with community organisations such as sporting groups, which are generally guided by the model constitutions of their larger groups. The bill will update the provisions concerning association meetings and voting, allowing for more flexibility for associations to hold meetings in more than one venue. For example, when the association's constitution allows, a general meeting will now be able to be held at two or more venues, using technology such as teleconferencing. That gives the association's members a reasonable opportunity to participate. This innovation will be of great benefit to associations operating in rural and regional areas, whose members can often be spread across large geographical areas and who may have trouble attending meetings.

The bill also provides associations with the option of holding postal ballots. But to protect the integrity of the voting process postal ballots may be conducted only for motions of a kind permitted by the association's

constitution and must be conducted in accordance with requirements, which will be prescribed in the regulations. As we have heard, the bill was the subject of a very comprehensive consultation process to ensure that all associations and stakeholders could provide their views about the legislation and to ensure that the bill will benefit associations, their members and the public. We all know of the great work that incorporated associations do in our community but we also know what happens when things go wrong. This bill will provide better guidance and protection for members of the executive who run these very important groups. I commend the bill to the House.

Mr JOHN WILLIAMS (Murray-Darling) [4.45 p.m.]: I support the Associations Incorporation Bill 2009. For a long time small organisations in my electorate have been subjected to fairly stringent rules regarding their incorporation. The two-tier financial reporting scheme in the legislation is most welcome. Most smaller organisations have minimal transactions but their financial statements always had to be audited. It is hard to get skilled auditors in my electorate. In most cases clubs struggle to get an auditor, especially one on a voluntary basis. So they cop the impost of an auditor's fee—regardless of discounts—which is usually a substantial amount of money. Incorporation recognises that the principals of such organisations have responsibilities. Most incorporated bodies that I deal with follow model rules that are set down by their organisation. They generally have to ignore previous constitutions of the formal body and comply with a set of rules that are common to most incorporated organisations.

I welcome the fact that some of the red tape and regulations will be lifted and that some smaller organisations will not have to go through the stress and trouble of finding an auditor. At most annual general meetings of small organisations that I attend in my electorate it is apparent that members are well versed in income and expenditure matters—there are always questions from the floor about those issues. In most cases discussions reveal that an organisation has accounted for its income and expenditure, and there are no contestable issues. I welcome this legislation and look forward to small associations in my electorate enjoying the benefit of being classified as tier 2.

Ms VIRGINIA JUDGE (Strathfield—Minister for Fair Trading, Minister for Citizenship, and Minister Assisting the Premier on the Arts) [4.48 p.m.], in reply: As members have heard, the primary aim of the Associations Incorporation Bill 2009 is to rewrite and overhaul the current legislation. As I have outlined, the bill will bring the regulation of associations up to date with the modern business environment. It will remove archaic and redundant provisions. It will also make other amendments that have arisen from a review of the Act. All amendments contained in the bill have been the subject of extensive consultation with grassroots associations and community groups, umbrella sporting organisations and other organisations, such as the Council of Social Service of New South Wales [NCOSS]. I commend those key stakeholders for their tremendous effort and assistance.

As a result, significant changes were made to the exposure draft bill, which has led to the introduction of this bill. The Government is absolutely committed to maintaining this positive and productive working relationship. The lines of communication will remain open and there will be ongoing and robust consultation throughout the development of supporting regulations. The bill includes a number of regulation-making powers that will help deliver a flexible and adaptable framework for the regulation of associations. In the course of the review of the Associations Incorporation Act 1984 and stakeholder consultation it became abundantly clear that a great variety of associations are registered under the Act. This difference can pose regulatory challenges. However, the bill recognises these differences and differing levels of financial accountability for these associations through the introduction of the two-tiered financial reporting scheme.

I turn now to some of the specific issues raised by the member for Albury, the member for Myall Lakes, the member for Baulkham Hills, the member for Wagga Wagga and the member for Broken Hill. First, I welcome the Opposition's support for the bill and its acknowledgement that these changes are worthwhile. In relation to financial auditing requirements, I remind the House that under the bill any association can be exempted from tier 1 auditing requirements at the discretion of the director general where there are good reasons to do so. For example, an association could have a very small turnover but significant assets, or an association might not be able to be audited.

I am disappointed, but not surprised, that the Coalition would dismiss the need for associations with large staff entitlement funds to be audited. The Government, on the other hand, believes it is important that those books be in order so that workers' entitlements are protected. The aim of the bill is to ensure that associations under that Act have an appropriate level of financial accountability. They should be accountable to members and people who deal with them; the new audit requirement directly addresses this. Where possible in

the bill we have also aimed to align these requirements with similar requirements of other government agencies. However, often those audits are required by funding bodies to ensure accountability for taxpayers' funds.

The focus of the Act and the bill is the overall financial accountability of the association, particularly in the interests of association members. It is important to note that in a meeting held with the former Minister for Fair Trading the Council of Social Service of New South Wales [NCOSS] proposed that the threshold be contained in the regulations. This approach already has precedence in the registered clubs registration, where all reporting and auditing requirements are contained in the regulations. Consequently, it was determined that this would be the most appropriate approach, providing maximum flexibility and quick response times to changes in needs. Accordingly, all the issues raised by the member for Albury regarding audits and thresholds will be taken into consideration in the development of regulations.

I remind the House that the regulations that the Opposition seems so worried about will be subject to comprehensive consultation, including a regulatory impact statement, and all stakeholders will have an opportunity to contribute to the development of the regulations, if they choose. I encourage them to be very actively involved in that process. I advise the House that all the major concerns of NCOSS raised during the consultation on the draft exposure bill have been addressed by the removal of those provisions, and are not in the bill. In fact, concerns about the direction of the reforms have been primarily resolved by the objectives being included in the Act, specifically that it is intended to cover small, non-profit and non-commercial organisations. I am advised that NCOSS supports all the changes that have been made.

In relation to issues raised by the Business Law Committee, I advise the member for Albury that there were significant concerns with privacy in having authorised signatories on the register. If a person wants to confirm a signatory the person can contact the association directly. The member for Albury is also worried about the use of provisions from the Corporations Act 2001. Allow me to clarify the situation. Only relevant provisions of the Corporations Act are applied, and even then they are modified. A quick comparison between the bill and the Act would reveal that they are vastly different. Other references to the Corporations Act are in regard to associations that may deal in financial products. It is unlikely that any associations do that, but to ensure that consumers are protected in the event that they do, the relevant provisions of the Corporations Act apply.

This is basic but important consumer protection that has been insisted upon by the Ministerial Council for Corporations. Of course, the needs of not-for-profit groups are different from the needs of companies, and that is why the Associations Incorporation Act was introduced in the first place and why we are enhancing its operation. Any State-based legislation that creates a form of incorporation cannot be at odds with the head legislation. That is why there is some correlation between the Act and the bill: it is responsible drafting.

I thank the member for Myall Lakes for his contribution and take this opportunity to assure him that I will examine closely his comments on insurance products. He is correct when he says that associations are for honest, decent, hardworking people who are doing great work for their community. I welcome also his acknowledgement that "there are some types of associations that could go without insurance". That is exactly why mandatory insurance—a demand from the member for Albury—would be so costly, and possibly would sound the death knell for so many small associations of the type to which the member for Myall Lakes refers.

As has been noted, public liability insurance was removed in 2002 because many associations could not obtain the insurance—a reflection of the situation in the world insurance markets, which is beyond the New South Wales Government's control. At that time the Government provided funding to assist agencies such as NCOSS to provide insurance packages, allowing more associations that wished to take out cover to do so. I understand that public liability insurance is now more generally available. As associations are set up to be self-governing bodies it is up to them to work out what they need. If they have trouble getting public liability insurance they can get help from NCOSS.

It should be noted that no other jurisdiction requires compulsory public liability insurance for all their associations. However, the Office of Fair Trading will continue to recommend strongly that associations take out public liability insurance in accordance with their potential risk. For those associations that do not have much income and do not have a high risk, compulsory public liability could add a significant cost, which I understand was a key concern raised during briefings with the member for Albury. That cost may also mean that associations could not become incorporated, thus putting their organisation at greater risk through the loss of the limited liability that incorporation provides.

This is yet another confusing, contradictory stance from the Opposition. Members opposite complain that we are setting the bar too high when it comes to financial accountability, but members on this side see it as a core pivotal issue. They want to introduce more costs for smaller organisations, including new compulsory requirements such as the mandatory appointment of a secretary and a treasurer. That is just more red tape for our hardworking associations. I assure all members that the Office of Fair Trading will deliver a comprehensive educational program as part of this reform package. Up-to-date information on the progress of the reforms will be progressively posted on the Fair Trading website. In addition, a range of fact sheets and other information will be made available.

Before the reforms commence associations and other stakeholders will be advised on how to assess a package of specific information about the changes. Fair Trading centres and community liaison officers who operate in regional areas will also promote the package in their community outreach programs. In addition, the Office of Fair Trading will run a series of seminars about reforms and attend community network forums, providing a presentation on the changes. The bill is the result of a multi-staged comprehensive consultation process. The reason the bill so successfully satisfies the key requirements of the Government, individual associations, umbrella organisations and consumers alike is extensive community consultation at every step in the development process.

The Government released an issues paper, which prompted 56 submissions. In drafting an amending bill it became clear that it was too unwieldy for future consultation. It was decided to proceed with a smaller amending bill that contained the mechanical amendments and to undertake a complete rewrite of the existing Act. As a result, the Associations Incorporation Amendment (Cancellation of Incorporation) Act 2007 was passed by Parliament and commenced in October 2007. Work then continued on a rewrite of the current Act, which is a considerable task.

In March 2008 an exposure draft bill was released for public consultation. The consultation period was extended from April to June to allow for face-to-face consultation with major stakeholders and umbrella organisations, such as the Council of Social Service of New South Wales, Football NSW and Basketball NSW. This revealed that while some of the reforms and recommendations contained in the exposure draft bill were sound policy initiatives they would have an unintended impact on some associations. Any benefits from these particular reforms would be outweighed by the cost to associations. Consequently, the exposure draft bill was then redrafted, leading to the legislation before the House today.

The penalty regime of the Act has been totally reviewed. Consequently, this bill maintains existing penalties where necessary, increases some where there has been demonstrated non-compliance, completely removes others and introduces some new penalties for new provisions. The new penalties introduced under the bill will ensure that committee members comply with statutory duties in relation to dishonest and improper use of information and position to gain an advantage or cause harm to an association. These provisions were redrafted in response to concerns raised by NCOSS. Negligence and dishonesty provisions were removed and the improper use of position and information provisions were redrafted so that three separate tests have to be satisfied before prosecution action can be taken.

These were always high-level provisions but the new drafting means that they can be used only for clear, serious misconduct by rogue committee members. It is irresponsible for the member for Albury to unnecessarily worry association committee members about these statutory duties and penalties. They will in no way prevent the honest, hardworking volunteer from becoming a committee member as they could not accidentally or inadvertently be caught by the provision. It is my fervent hope that they will never need to be used. But consistent with the potential gravity of such an offence and the need for a more significant deterrent the bill sets a maximum penalty of \$24,000 and/or imprisonment for up to two years. Directors and officers of corporations face far higher penalties for similar offences under the Corporations Act 2001, but the penalties in the bill are considerably less, which reflects the smaller risk presented by associations.

Other jurisdictions such as Victoria, South Australia and Western Australia have statutory duties for committee members and penalties for non-compliance set out in their Acts. What would the Opposition have us do—turn a blind eye to people operating outside the law who use the generosity of volunteers for their own gain? It is also odd that the Opposition would suggest that criminal offences be distinguished by two tiers of associations. Does this mean that the Opposition thinks a small association that acts illegally should get away with breaking the law? Separating penalties by tiers makes no sense whatsoever. These provisions will act to reassure associations, their members, the public and the organisations that deal with them that there is a sufficient deterrent to a rogue association member illegally using their position or information to the detriment of the association to gain a personal advantage.

To respond further to the Opposition's concerns about increased penalties, there have been increases in penalties only where there has been demonstrated non-compliance with those provisions. Some are only minor increases—from one penalty unit to five penalty units. In addition, the bill introduces a penalty notice system, which is a much less expensive option for associations. The maximum amount payable under a penalty notice is only a percentage of the maximum penalty for that offence—generally only 10 per cent. The association also does not have any court costs.

This bill makes it clear that incorporation is suitable only for groups established for the purposes of small-scale, non-profit and non-commercial activities that do not secure pecuniary gain for their members. During consultation it became clear that the current definition of pecuniary gain is difficult to interpret and does not give adequate direction to associations. The bill now defines the term "pecuniary gain" and sets out circumstances in which an association is not considered to be securing pecuniary gain. A perfect example would be the local footy club that operates a canteen and also sells footy socks and jerseys to the players, and where the money received goes straight back to the association to further its objectives and the profits are spent on footy equipment, end-of-year trophies and ground maintenance. If the association were banned from operating like this, as the Opposition suggests, how would it survive financially? The new definition is more comprehensive and provides clearer direction on these matters and greater certainty for associations.

In relation to the comment by the member for Wagga Wagga about sections 54 and 55 and the appropriateness of the Supreme Court for certain actions, I can confirm that these sections refer to the appointment of an administrator. The Supreme Court is the appropriate venue for the appointment of an administrator. Minor decisions can be heard at the Administrative Decisions Tribunal. In relation to his concerns about the delegation process, for operational efficiency the commissioner must be able to delegate to the assistant commissioner, who must then be able to authorise the general manager of the registry—a senior officer who is located at Bathurst. In fact, I think he is in the advisers area. I thank him and all the hardworking staff for their contribution.

In conclusion, I thank all members for their contribution to the debate on this bill, especially my colleague the member for Bathurst, who so clearly highlighted the importance of associations in isolated areas in his electorate; the member for Maitland, who highlighted how important volunteers are for associations; and the member for Wyong, who spoke so clearly and passionately in support of the local associations in his wonderful electorate. The regulation of associations in New South Wales will be much improved with the passing of this bill. We all owe a great deal to those community and sporting groups who work tirelessly, more often than not with the support of volunteers. We owe it to the associations, their members and those who deal with them to provide a modern, robust legislative framework in which to regulate their operation properly. I also thank the hardworking staff of the department and my staff for their efforts in bringing this bill to the Chamber today.

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

Motion agreed to.

Bill agreed to in principle.

Passing of the Bill

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

CHILDREN LEGISLATION AMENDMENT (WOOD INQUIRY RECOMMENDATIONS) BILL 2009

Agreement in Principle

Debate resumed from an earlier hour.

Mr KEVIN HUMPHRIES (Barwon) [5.06 p.m.]: One of the issues that the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 refers to is school attendance, although it does not state that clearly. I refer to truancy. It is an issue about which I have spoken at length in this House, particularly in relation to some communities that are at risk, but I know it also affects some urban areas. One of the reasons I raise the issue of truancy as a growing phenomenon in many communities is that it is directly linked to child neglect. Indeed, it is a key indicator of children at risk and at times of dysfunctional families. Since the matter was raised more than 12 months ago families have been prosecuted for not sending their children to school. I am not saying that it is the best way forward, but truancy is a good indicator and something we should be aware of.

People often ask me why children are on the street on a regular basis when they know some of them have not been to school for ages. The fact that this legislation picks up that issue is positive. How the Government processes the matter and puts some strategies in place to deal with it is of significant importance. Another issue that was raised and on which the special inquiry commented at length is the exchange of information between agencies. Too many agencies in towns, cities and remote areas do not talk to each other, not because they do not sit in the same room but because of the onerous regulations relating to privacy and information. In effect, it creates structured barriers between agencies.

Anything that can be done by way of legislation to break down those barriers so that the agencies talk to each other—whether they be the police, education, health or housing agencies—would be beneficial. In some instances agencies have not talked to each other and children have slipped through the system. There was a case recently involving a child from Boggabilla who was at risk in Goondiwindi and the Department of Community Services workers were not able to extract information because of a cross-border issue. The Opposition will not oppose the bill—it contains some excellent provisions—but we will seek to improve it further.

Mrs KARYN PALUZZANO (Penrith—Parliamentary Secretary) [5.09 p.m.]: If members are to comprehend the significance of the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 it is important for them to understand the reality of child protection for those who are caring for our children. Teachers in classrooms see children coming to school severely bruised; police officers discover traumatised children when they attend incidents of domestic violence fuelled by alcohol; and doctors witness disengaged children showing signs of abuse and holding tight to their secrets. Too often professionals in human services roles are likely to see children in such circumstances. They know the signs and they have an insight into the level of risk for each child or young person.

Developing the most effective child protection system is a goal that New South Wales shares with most other States and societies. We do not have all the answers but we understand some of the key issues. We understand that good parenting is hard work and that some parents, due to all sorts of circumstances, find it more difficult than others. The research clearly links disadvantage, poverty, social isolation, literacy and disability with making the job of parenting particularly hard. As a result of our experience it is to be hoped that we understand the value of support, particularly when things are tough. Without a doubt, one of the great strengths of this bill and the other measures to be introduced through the Government's action plan lies in addressing the needs of families made vulnerable through forms of disadvantage.

If parents ask for help because they want a better life for themselves and their children we must be able to respond. With support, families have a chance to stay together and children have a chance to develop their potential. In this regard I am thrilled and professionally proud to be part of a Government that has seen fit to so thoroughly adopt measures that will facilitate this common purpose. I focus in particular on the proposed exchange of information provisions outlined in detail by the Minister in her agreement in principle speech. These provisions herald a new era of collaboration and cooperation across the relevant government and non-government agencies in New South Wales in striving for the best possible protection outcomes for our children and young people.

New chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 will enable human services and justice organisations that have responsibilities relating to the safety, welfare and wellbeing of children and young people to exchange information about a child or young person. In so doing, agencies will be required to coordinate services in an effort to assist a child or a young person in whatever way is necessary to ensure his or her safety, welfare and wellbeing. Drawing on the observations of the New South Wales Law Reform Commission, the commission's report notes at paragraph 24.91:

It is obviously essential to have a simple and practical system for the exchange of information between agencies that promote the safety, welfare and wellbeing of children. As the law currently stands agencies or organisations sharing information with each other may be in breach of section 248 of the Care Act or privacy laws.

This bill removes current regulatory impediments identified by the Hon. James Wood to the exchange of information in this critical area of child protection. Allowing for the use and disclosure of information between prescribed bodies for the purpose of making a decision, assessment, plan or investigation relating to a child's safety, welfare or wellbeing undoubtedly will strengthen interagency collaboration and foster broader collective responsibility for child protection. As outlined by the Minister, the bill identifies what information may be exchanged. It must refer directly to an agency's work relating to the safety, welfare and wellbeing of a particular child or young person, or a class of children or young people.

Beyond this, disclosure of the information will be required in all but a few special circumstances. These provisions complement and support a number of other aspects in the bill, namely, the increased threshold and new referral pathways used by human services and justice agencies. Together, these amendments recognise that the Department of Community Services is one of many government agencies with the knowledge and expertise to provide for the safety, welfare and wellbeing of children and young people. Recently Minister Burney attended the opening of the new and refurbished DOCS offices, which form part of the Penrith State office building—a step forward in the delivery of services for the Penrith community in western Sydney, and a great place in which to undertake that work.

The teams now located in that office building include: Penrith Community Services Centre staff, the Nepean Network Partnerships and Planning team, the children's services team and the regional partnerships and planning team, which are responsible for early intervention and out-of-home care. I extend best wishes to Kelly Island, Manager, Client Services, who will soon be leaving that role. Margaret Oldfield, Department of Community Services Regional Director for Metro West, who has been working in that field for quite some time, believes that the new building will make it easier for those who are working in such a demanding role to build stronger relationships in the community. Teachers facing children every day in their classrooms, doctors treating children and young people in our hospitals, police on the beat in our communities, and disability services staff providing support to children, young people and their families, are all likely to know when children and young people are not reaching their potential and when they or their families are struggling and require assistance and support.

Instead of having to move through the statutory child protection system, these children and families can now be directed to the services that they need by those agencies with which they already have a relationship. The benefits are significant. Importantly, early referral means that families are able to get help without the stigma attached to working with statutory child protection services. Early referral is also most likely to facilitate voluntary engagement with support services and it enables families to map out forward pathways. These and other amendments in this most important bill are the legislative embodiment of the Government's commitment to children and young people in this State and its commitment to their families and communities.

No-one could accuse the Government of dallying with the recommendations of the special commission of inquiry; the Government is committed to implementing its recommendations. As the Minister noted, many recommendations are addressed in the Government's action plan Keep Kids Safe. This bill facilitates and supports that plan. The goal of the action plan is to ensure that all children in New South Wales are healthy, happy and safe and grow up in families and communities in which they have an opportunity to reach their full potential. Key measures in the action plan will raise the threshold for reporting children at risk of harm; a new model will link families with support services much earlier; expanded services will focus on prevention and early intervention; and a new partnership will be created with the non-government sector.

Yesterday the Minister for Community Services had as guests in Parliament House foster parents and staff from Wesley Dalmar, which highlights the potential of this new non-government sector partnership plan. The plan, which focuses on cultural change, will be implemented and closely monitored. The implementation unit in the Department of Premier and Cabinet will continue for at least 12 months to coordinate and monitor the implementation of the action plan, and a senior officers group will be established to facilitate its implementation in agencies. The Department of Premier and Cabinet will publicly report annually on the progress of the action plan. The Government will ensure that the design and delivery of service initiatives under the plan are informed by contemporary research and evidence-based practice and delivered in a targeted and effective manner to ensure that they achieve the desired outcomes. I urge every member to support a bill that will benefit children, young people and families in New South Wales. I commend the bill to the House.

Ms KATRINA HODGKINSON (Burrinjuck) [5.19 p.m.]: In speaking on the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009 I too congratulate Justice Wood on bringing down such a comprehensive series of recommendations in his report. When I assumed responsibility as spokesperson for community services for the Opposition shortly after the March 2007 election I started familiarising myself with all the problems or issues concerning the Department of Community Services [DOCS]. One that leapt out at me in particular was the issue of child protection. It was extraordinarily alarming that so many children known to DOCS were dying in suspicious circumstances or in circumstances that could easily have been avoided. The level of child abuse in New South Wales is abhorrent to any person in this State. Quite clearly something had to be done, and urgently.

Obviously, DOCS is concerned also about other issues, such as preschool funding and the fact there are so few adoptions in this State, which relates also to out-of-home care. I appreciate Justice Wood's extreme concern about out-of-home care, but I firmly believe that adoption must be addressed urgently in this State. Adoption procedures need to be freed up to make it easier for willing and wanting parents to adopt children.

This will assist in addressing the out-of-home care crisis in New South Wales. Child protection became my absolute priority. From day one I made it my personal goal to make sure that child protection would be addressed in this Chamber and be given absolute focus not only by the Opposition but also by sheering home to the Government that things were absolutely out of control and it was responsible for child protection.

The Minister at the time was the Hon. Kevin Greene. It is fair to say that the Minister had a difficult time with child protection issues. I do not hold anything personal against Minister Green, but clearly the child protection portfolio was beyond him. Subsequently he was moved to the sport, recreation, gaming and racing portfolio. I was horrified at the pathetic levels of child protection in this State and that so many kids were being abused and were dying. I, together with the Leader of the Opposition, Barry O'Farrell, and the Leader of The Nationals, Andrew Stoner, continually called for a royal commission into child protection. Those calls commenced around May 2007 and continued almost daily from early morning radio calls through to badgering newspapers and television stations to give the child protection issue the prominence it deserved and highlight the need for legislative amendments.

I was so pleased that after 12 months of calling for a royal commission the Government actually met us halfway and announced a special commission of inquiry. Of course, the Opposition welcomed the appointment of Justice James Wood to head that inquiry because of his broad experience in dealing with difficult inquiries in the past. He took the bull by the horns and commenced public hearings in Sydney on 29 January 2008. I attended many of those public hearings, including the first one, which I will never forget. There was a sense of achievement. Public hearings were held all over State. I was a little critical that perhaps there could have been hearings at so many more venues and that so much more time could have been dedicated to public hearings, but we do not have all the time in the world when it comes to reform of this nature.

It was very important for the scheduled public hearings to proceed and many people had a chance to have their say. At the end of the day the core issues were revealed from around the State. I thank Justice Wood for the few extra public hearings he held, particularly in the Western Division. He sifted through the problems facing child protection from indigenous communities and single-parent families to out-of-home care, interagency co-operation or the lack thereof, and through all the various government agencies, including police, health, and the Attorney General's Department. Justice James Wood gave the whole thing a bit of a shake-up. After seeing him in action I do not believe anybody would dispute that he has a mind like a steel trap. He made 111 recommendations, of which the Government will adopt 105.

The recommendations were given different degrees of urgency: high, medium and low, and were costed accordingly. However, it was difficult to ascertain the actual overall cost of adopting all the recommendations. I have placed a question on the notice paper in this regard but have yet to receive an answer from the Government on the full cost of adopting all recommendations. Justice James Wood commenced his public hearings in January and they continued through to around June 2008. We were promised that the result would be brought down by the end of the financial year—a mission impossible. The target then was set for the end of September 2008. Once again the deadline had to be extended. Finally, the result was released at the end of 2008.

As I read through all the recommendations it was apparent that the result was good. Clearly, Justice Wood listened to the people at those public hearings and considered their documentation and submissions, one of which was mine, when he made his recommendations. No-one can say that Justice Wood did not conduct a thorough examination of all the issues at hand in relation to child protection. I still believe that a royal commission would have been preferable; however, I acknowledge that the Government met us halfway and announced a special commission of inquiry into child protection. During the budget estimates hearings the new Minister for Community Services, Linda Burney, told the budget estimates committee that the number of deaths of children known to DOCS had actually climbed from 114 in the previous year to 156 in 2008. That represented a 37 per cent increase in the number of deaths of children who were known to DOCS, warranting investigation by the Ombudsman. I am sure all members would acknowledge that that is a concerning figure.

Notwithstanding the fact that the Government had been bleating for five years about spending \$1.2 billion on a reform package for DOCS, the Wood commission of inquiry elicited that the DOCS helpline was antiquated—it had not been updated in years. Despite an injection of \$1.2 billion, so many things just have not been done. Where has this \$1.2 billion gone? I do not know. Has it gone into pay packets, wage rises or newly refurbished offices? We just do not know because we have not seen any good results from child protection issues. That is one reason the inquiry had to be held. Where did the money go? Perhaps somebody from the Government can help clarify where the money has ended up. We have not seen any improvements resulting from that money, particularly as regards child protection.

I acknowledge that some bricks and mortar changes have been made and that offices have been opened. Earlier the member for Penrith referred to the opening of another Department of Community Services [DOCS]

office by the Minister. There can be lots of Department of Community Services offices, but what is important is what happens inside them. The Government should make sure that the children who are most at risk, and the families who are most vulnerable to raising children who subsequently will be at risk, are given the best start in life and the best chance possible. Early intervention was examined by the Wood inquiry and found to be markedly insufficient in New South Wales, despite early intervention having the potential to be the saviour of children at risk.

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

PRIVATE MEMBERS' STATEMENTS

Question—That private members' statements be noted—proposed.

CHARLESTOWN CARING GROUP ACCOMMODATION

Mr MATTHEW MORRIS (Charlestown) [5.30 p.m.]: I take this opportunity to share with the House good news regarding the Charlestown Caring Group. For more than 30 years this carers group has been active in supporting and assisting elderly members of the Charlestown community. With only two full-time staff members, the group looks after more than 200 people in Charlestown, Bennetts Green, Dudley, Gateshead, Redhead, Mount Hutton, Tingira Heights, Windale, Kahibah, Highfields, Garden Suburbs, Kotara South, Cardiff, Hillsborough and Whitebridge. With the assistance of 80 volunteers, the group provides tremendous service and assistance to those in need.

Elderly residents require a variety of forms of assistance—some on a regular basis, and others on a more intermediate basis. Regardless of individual needs, the Charlestown Caring Group is there to help. The group essentially has survived throughout many years on a shoestring budget consisting of small allocations of funds from small grants and supplementation of funding by a huge amount of volunteer work, time and energy. As is the case with most community organisations, the caring group has struggled to continue its service delivery. In recent months the group received a notice from its landlord to vacate its premises and make way for a major redevelopment. That put significant pressure on the group to secure new premises.

Thankfully, the group was able to secure a building in James Street, Charlestown, with the support of the Lake Macquarie City Council. The group also managed to negotiate a highly reduced rent. I state for the record my appreciation of council staff for their assistance in achieving both. However, one remaining hurdle was refurbishment of the building, which previously was a childcare centre and in poor condition. A development application was lodged and approved. However, funding was the key issue from that point. Prior to Christmas the group contacted my office to make me aware of the group's status and need. After some discussion it was agreed that I would seek funding to the tune of \$50,000 to allow works on new premises to be undertaken. The building required significant refurbishment, including replacement of toilet facilities that were child sized.

In the weeks following the meeting, the Minister for Disability Services inspected the premises to see firsthand the requirements of the carers group, to gain an understanding of how the group operates and to obtain information on the types of services the group provides for elderly community members. The Minister's visit proved to be beneficial. The week after the Minister made his visit I was very pleased to announce the allocation of \$52,000 to the group. Works are currently underway on a very feverish refurbishment program. I look forward to taking some time to inspect the refurbished building, share a cup of tea, and wish the group well in its future endeavours. I take this opportunity to place on the record my appreciation of the Minister as well as the management committee of the caring group, who were under extreme pressure and certainly were very unsure of the future of the group in terms of replacement premises and recurrent funding.

It is expected that refurbishment of the new premises will be completed before the end of the month, which is great news for the group because it will be able to continue doing what it does so well. I express my appreciation of the work of the management committee members: Marie Paul, who spends a great deal of her time organising and supporting the group and in taking care of administrative matters, John Mihell, Gordon Hughes and Brian Cherry. The management committee members to make quite a powerful group when they are gathered together in one room, especially in lobbying, influencing and assisting members of the broader community to understand exactly what the group does on a day in, day out basis. The group exists simply to serve and look after elderly members of our community by providing assistance with shopping, encouraging

elderly people to become involved in social outings and social activities, and taking elderly people to medical appointments—things that most of us take for granted, but represent major hurdles for some elderly people. For many years the Charlestown Caring Group has provided tremendous service to the elderly members of our community. I wish the group all the very best for the future. They should know that they have my support.

CENTRAL COAST HEALTH SERVICES

Mr CHRIS HARTCHER (Terrigal) [5.35 p.m.]: On previous occasions I have spoken about the Government's lack of funding and commitment to the people of the Central Coast through the Central Coast Area Health Service. Today I draw to the attention of the House another example of the desperate need for the Central Coast to stand alone from the North Shore. Recently a parent on the Central Coast wrote to me about her daughter, not having received a reply from the Minister for Health, and Minister for the Central Coast, the Hon. John Della Bosca, or from her Federal member of Parliament, Belinda Neal. For the purpose of anonymity, I will refer to the mother as Kirsty and to her three-year-old daughter as Holly. Holly was diagnosed with type I diabetes in August last year. In Kirsty's letter to me, she praised the hard work of the doctor and team that has been treating her daughter. Kirsty wrote:

[The doctor] and the Gosford Diabetes team have been an asset in helping us with her care, with phone calls every few days no matter what day of the week or during holidays.

Unfortunately though, Holly's condition was not improving. Kirsty also wrote:

After enduring so many hyper's where her blood glucose levels were so high that she was throwing herself on the floor of shopping centres and screaming from the pain, to the hypo's where her blood glucose levels were so low ... an ambulance was needed to be called to give the glucagon injection two days after Christmas.

After the work of the team at Gosford it was recognised that Holly's health would not improve without the assistance of an insulin pump. Holly's parents asked to be put on the insulin pump list for the Northern Sydney/Central Coast Area Health Service. They were told that they would need to wait until at least June 2009, a period of over six months for their daughter to receive training and the insulin pump. For parents of a young child to have to wait six months for adequate treatment is intolerable to endure, let alone endure the lasting impact that a six months period could have on the child's health. For example, continual hypoglycaemia attacks can have long-term effects, such as profound brain damage, eye disease, kidney disease and nerve damage, to name just a few effects.

It is a sad indictment of the Central Coast Area Health Service and the Gosford Hospital that, like so many other people on the Central Coast, Holly's parents were compelled to travel a long distance and go outside the Central Coast to a major hospital that is not part of the Central Coast Area Health Service. At that hospital Holly immediately received the insulin pump she so desperately needed. Kirsty also wrote:

Holly has had her pump only three weeks and she is a new girl. The pump is keeping her blood glucose levels mostly within target and there is a marked difference in her behaviour and happiness.

Holly is now back under the guidance and care of the doctors and nurses at the Gosford Hospital, but as Kirsty also wrote:

Parents or siblings should not have to endure this stress. All children, especially those under five, should be able to go on an insulin pump as fast as possible and get the care they need when they need it without having to travel out of the area because of funding problems.

I could not agree more. When the health and wellbeing of our children are at stake, they should be the first and foremost of our highest priorities. Currently an insulin pump costs between \$5,000 and \$8,000. Under current schemes, if a person cannot afford an insulin pump they can apply through grant of \$2,500 to go towards the \$5,000 to \$8,000 that is required for the pump, but not every application will be successful. For someone who cannot afford private health insurance nor the \$5,000 minimum that is required to purchase an insulin pump the \$2,500 grant is a long way from meeting the total cost of the pump. The cost of the insulin pump is by far outweighed by the long-term financial health costs associated with denying pumps to those who desperately need them, especially when young children are involved.

The Central Coast should have, and deserves, facilities and services available to other major hospitals—services that those who live in Sydney and Newcastle enjoy. The Central Coast has a population of

320,000, comparable to the Australian Capital Territory, so its residents should enjoy the best treatments available for those diagnosed with diabetes. They do not. As the Canberra Hospital website states:

The paediatric and adolescent diabetes service provides comprehensive information and outpatient diabetes services to children and adolescents. Services are provided by a multi-disciplinary team including visiting physicians, diabetes educator, dietician, podiatrist, social worker and psychology professionals.

The Central Coast should have facilities as good as those in Canberra. Labor Government funding on the Central Coast has been slashed in recent months, including closure of the Woy Woy Rehabilitation Centre. There are now disturbing reports that funding for the would-be paediatric diabetes educator and dietician for the Central Coast may be cut, leaving this family and others like it with no alternative but to travel outside the Central Coast to Sydney, Newcastle or other areas just to seek basic essential health. The Minister for Health, and Minister for the Central Coast, John Della Bosca, must start to put the needs of Central Coast residents on his priority list. The Government of this State must look after the health of young children. To deny to an area that comprises 320,000 people a fundamental service such as providing an insulin pump to a young child is a disgrace.

GREENHOUSE GAS REDUCTION TARGET FOR 2020

Ms CLOVER MOORE (Sydney) [5.40 p.m.]: Tonight I speak on a matter of great concern to my constituents and to the community at large. There is disappointment with the Federal Government's proposed 2020 greenhouse gas reduction target of 5 per cent. Global warming is the greatest threat facing our planet, with serious impacts including windstorms, cyclones, hail, flooding, high temperatures, drought and reduced water supplies. In recent weeks Australia has experienced flooding, horrific bushfires, an earthquake and a cyclone that could have been devastating. Professor Garnaut says that even a 10 per cent cut by 2020 could increase global mean temperatures by 2 degrees Celsius, risking the extinction of 12 per cent of species, the coral bleaching of 65 per cent of reefs and a 25 per cent likelihood of large-scale ice-sheet melting.

He says that a 25 per cent drop by 2020 based on 2000 levels still risks global mean temperature rises of 1.5 degrees Celsius, with 7 per cent of species at risk from extinction, coral bleaching in 34 per cent of reefs and a 10 per cent likelihood of large-scale ice-sheet melting. The International Panel on Climate Change says developed countries must reduce emissions by 25 per cent to 40 per cent below 1990 levels by 2020 to contain warming between 2 degrees and 2.4 degrees. The vote of Australians for a new Federal Government in 2007 was a vote for leadership on climate change following years of denial and inaction by the Howard Government but the proposed target will severely limit our ability to negotiate an adequate international agreement and puts us behind world's best practice.

The European Union reduction target is 20 per cent by 2020 or 30 per cent if other industrialised countries concur. The United Kingdom's legislated target is 20 per cent below 1990 levels by 2010, Germany's 2020 target is 40 per cent and Norway's is 30 per cent. Canada has also set a 20 per cent reduction target by 2020. In the United States of America, where the outgoing Federal administration refused to be part of the solution, many States have committed to a 5 per cent reduction below 1990 levels by 2010, including Connecticut, Massachusetts, Rhode Island, New Hampshire and New York. Some developing countries have stronger targets, including Thailand, which announced a 15 per cent to 20 per cent cut by 2018, and Papua New Guinea, which is looking at a 50 per cent reduction by 2020. Reducing pollution is not bad for the economy: global warming is the economy's biggest threat.

The New South Wales Department of Environment and Climate Change has identified major economic climate change costs, including extensive property damage and insurance loss from frequent hailstorms, major agricultural losses, coastal damage of \$200 million a year and sea level rises threatening more than 200,000 buildings; dramatic increases in heat-related deaths and reduced electricity reliability from drought; storm damage to ports, harbour, airport, stormwater and sewer infrastructure; and tourist losses with frequent bushfires in icons such as the Greater Blue Mountains World Heritage Area and loss of alpine regions costing the ski industry \$225 million.

In contrast, the CSIRO's 2008 submission to the Garnaut Review Emissions Trading Scheme discussion paper notes that a 60 per cent reduction in greenhouse gas emissions would reduce gross domestic product and gross national product growth by no more than 0.1 of a per cent. It notes that the transition to a low carbon economy will involve new jobs, and that deep cuts are not expected to impact negatively on lifestyles. The City of Sydney has adopted a 30 per cent reduction target by 2020 based on 1990 levels. We aim to achieve this through improved building efficiencies, use of renewable energy and waste to fuel through local

co-generation and tri-generation installations. Our energy savings plan will improve efficiency in major energy use sites and we are trialling lighting technologies that could reduce street energy use by 50 per cent. We aim to increase cycling to 10 per cent of trips made in the city, and we are allocating car share spaces.

I am extremely alarmed by reports that the Carbon Pollution Reduction Scheme will prevent individuals, businesses, community groups and councils from reducing Australia's emissions by more than 5 per cent. I understand that under the scheme reductions by small polluters will reduce the cost of carbon permits for other industries. Small polluters should not be subsidising the cost of pollution for carbon-intensive industries. The Federal Government's commitment to rebuild Victorian towns destroyed by recent fires should be matched by a commitment to prevent such fires becoming the norm if we do not combat global warming. While it is a step in the right direction after the inaction and denial following the previous Federal Government, the target is a small step and must go further. I call on the Federal Government to revise its 2020 target and commit to a target based on science to prevent destructive climate change and productively influence international negotiations and outcomes.

CAPE HAWKE COMMUNITY PRIVATE HOSPITAL

Mr JOHN TURNER (Myall Lakes) [5.45 p.m.]: On Wednesday about 20 years of lobbying by me in my electorate came to fruition with the announcement by the Government of the provision of public beds at the Cape Hawke Community Private Hospital, now known as Forster Private Hospital. I hope this is just the first step in further public facilities being made available in the Forster-Tuncurry-Great Lakes area, which services about 40,000 people. This wonderful facility was made possible through the fantastic efforts of the hardworking local community. I shall just give a brief history and the people involved in obtaining public beds for the hospital. Residents who do not need acute care will no longer need to travel to Taree for hospitalisation. In 1956 a group of concerned citizens formed an association in an effort to obtain public hospital services in the area. The Department of Health showed little interest in the project, so these people put their hands in their own pockets: they had working bees and involved local service clubs in fundraising events.

Eventually they were able to purchase a small home at the corner of Cross Street and Strand Street, Forster, which was converted into a five-bed hospital, then into a seven-bed hospital and later into a nine-bed hospital. Sister Hollis then took over management of the hospital, paying rental of £2 per week. The local member opened the hospital in 1957 and during its first year of operation 119 patients were treated and 29 babies were born. The hospital has a long history of renovation and every penny that the Cape Hawke Community Hospital and Health Association received has been used to update the hospital. In fact, it is now a massive facility on a new site in Breckenridge Street that services the community extremely well.

However, over the years the community has tried to urge successive governments to convert this community hospital into a public hospital. Apparently that was too hard for the bureaucrats so a different tack was taken and public beds have now been incorporated into the community hospital, which is leased to the private sector. In fact, five years ago an additional wing was built to accommodate public beds. It took five years to convince the Government to enter into contracts with Forster Private Hospital to provide the 20 beds. It was unfortunate that the wing remained vacant for those five years.

I want to congratulate all those who have been involved with the association over the 50 years. George Perkins is the longstanding president of the association. He was a founding member of the association and is still a member of its committee. That is an outstanding achievement. For more than 50 years he has been involved in seeking the provision of public health. Once or twice George said to me, "John, I wish I had never done it. If I had not done it, the Government would have had to build a public hospital in any event." George Perkins and his committee, as well as successive committees over the years, can stand proud of what they have been able to achieve for the community.

More than 90 doctors currently service the hospital, providing every service apart from obstetrics. I have been a patient at the hospital, and members of my family have also been patients there on a number of occasions. The hospital stands as a proud achievement of what a community can do. Now that the contracts have been signed—as at Wednesday those public beds are available—I think a line has been drawn as to the provision of public services at the hospital. Of course, that line will move as, I am sure, people seek additional services. But that is a fight for another time. To George Perkins and his committees over those many years I say: Well done and congratulations!

SURF LIFESAVING CHAMPIONSHIPS

Mr ROBERT COOMBS (Swansea) [5.50 p.m.]: The Australian community can be very proud of the number of volunteer, not-for-profit and charitable groups we have in our society today, but I do not think any of them would be more identifiable than the surf lifesaving movement. I want to inform members about the junior and open State Surf Lifesaving Championships that were held at Blacksmiths Beach, in my electorate, from Friday 20 February to Sunday 1 March. The host club was the Swansea-Belmont Surf Life Saving Club. It was a truly outstanding event. Around 20,000 people came to watch some top-class sporting activities take place. In the juniors events there were 3,630 competitors and in the open events, which included the masters, there were 4,240 competitors. By any measure, it is a major sporting event.

I think it probably only falls behind some of our football and cricket finals and the like. These championships have been held for many decades now. The surf lifesaving movement in this State celebrated its 100th birthday last year, and the State championships have been synonymous with that century of involvement on the part of the New South Wales community. It is a magnificent achievement. A total of 7,310 surf rescues took place last year, there were 12,729 attendances to first aid, and an incredible 133,543 preventative actions were taken. One can only imagine the trauma, accidents and the like that would have been suffered on New South Wales beaches had it not been for the surf lifesaving clubs of this State. There are 129 surf clubs in New South Wales, servicing areas from the Tweed down to Bega, and more than 60,000 volunteers man those surf clubs.

The principal work of surf lifesavers relates to responding to people who get into water-related strife on our beaches. But, more than that, they have the wonderful State championships. There is also an Australian championships, which, if my memory serves me correctly, will be held in Perth this weekend. Surf lifesavers also ensure the safety of our beaches. Indeed, one cannot imagine an Australian beach without the participation of the wonderful volunteers who make up the surf lifesaving movement. I congratulate all the volunteers who made the State Surf Lifesaving Championships such a wonderful success. More than 1,000 people were involved in duties during the event.

My father-in-law was turned to at 5.00 a.m. every morning and he was part of the bog squad. I will leave it to members' imagination to understand what his duties were. Nevertheless, it was a pretty important part of the event. Volunteers worked in all sorts of areas—for example, making sandwiches, directing people, and organising first aid services. I extend special congratulations to the Swansea-Belmont Surf Life Saving Club, a well-respected club in the area. There are four surf lifesaving clubs in the Swansea electorate: Catherine Hill Bay, Caves Beach, Swansea-Belmont, and Redhead, which is a very well run surf club.

Mr Andrew Fraser: I remember Redhead.

Mr ROBERT COOMBS: We have an ex-member of Redhead in the Chamber. I have no doubt that the member for Coffs Harbour will support my contribution. It was a marvellous effort by the people I have mentioned. I especially congratulate the Mowbray boys. Trevor Mowbray is the club president and Geoff Mowbray is the club captain. They did an outstanding job in working with the local community to ensure the success of the 10-day carnival. I also congratulate the Swansea and Belmont Chambers of Commerce. They really worked hard, together with the local small businesses, to ensure that those who travelled from all over the State were looked after and that the businesses of Swansea were on offer to look after their every need. Again, first-class congratulations to the New South Wales surf lifesaving clubs on a great championships event.

ROTARY GROUP STUDY EXCHANGE WHEELCHAIR TEAM

Mr JONATHAN O'DEA (Davidson) [5.55 p.m.]: Service clubs such as Rotary and Lions play a crucial role in our community, dedicating valuable time and resources for the benefit of others. These clubs provide humanitarian services and encourage high ethical standards in all vocations. They help to build goodwill and peace not only in our community but also across the world. I have been pleased to visit various Rotary clubs in and around my electorate of Davidson, including the Roseville Chase, Lindfield, St Ives, Belrose and Frenchs Forest clubs. Most people are aware of the remarkable work Rotary performs in the community. Rotary addresses many of today's most critical issues, such as the environment, illiteracy, violence, and children at risk of poverty and hunger.

In addressing these issues Rotary has implemented enriching programs for youths, and has offered educational opportunities including international exchanges for students, teachers and other professionals.

However, what most people do not know is that for the first time anywhere in the Rotary world a wheelchair Group Study Exchange Program is underway in northern Sydney. This certainly complies with the objectives of Rotary, particularly "the advancement of international understanding, goodwill, and peace through a world fellowship of business and professional persons united in the ideal of service". The Rotary Group Study Exchange Program is a unique cultural and vocational exchange opportunity for businesspeople and professionals between the ages of 25 and 40 who are in the early stages of their careers.

The program provides travel grants for teams to exchange visits in paired areas of different countries. For four to six weeks team members experience the host country's culture and institutions, observe how their vocations are practised abroad, develop personal and professional relationships, and exchange ideas. During a typical tour applicants participate in vocational visits Rotary club presentations, formal visits, social events, a district conference, cultural and site tours, and enjoy some free time with their host families. On Tuesday 3 March I had the privilege of attending a meeting hosted by Roseville Chase Rotary Club in Rotary District 9680 at Roseville Golf Club. District 9680 is hosting the wheelchair program together with District 5490, which is Arizona, in the United States.

The United States team of Darol, Jennifer, Kerry, Robb and Mike lead fulfilling, happy lives and work in a variety of fields. These wheelchair-bound and courageous young people have all faced personal hardships with commendable determination. Although I have not met the outgoing Australian wheelchair team, which is due to leave in April, I am sure they are equally inspiring. I know that the Arizona team—an exceptional group of people with remarkable vocational talents and interests—are cherishing their experience in Australia. The three young men and two young women have risen above their disabilities and taken the opportunity to grow positively, share their experience and motivate others. They also set themselves challenges. For example, three of them are planning shortly to climb Mount Kosciuszko in their chairs. This is truly inspirational, and with their positive outlook and determination they will no doubt achieve this apex.

I commend the uniqueness and ambition of the current student exchange program, which was initiated by Harold Sharp, who, with Gina Growden, is the current joint district group study exchange chairman. I also congratulate Rotary on its initiative, and I thank Roseville Chase Club President Warren McGurgan, its foundation director Ross Symons and all others concerned on a wonderful night on 3 March. I am currently an honorary member of Lindfield Rotary Club and a past participant in the group study exchange program. In 1992 I travelled to Malaysia and learned about a culture that was quite different from our culture in Australia. It was a life-influencing and enriching experience.

DRIVER REHABILITATION SCHEME

Mr TONY STEWART (Bankstown) [6.00 p.m.]: In the lead-up to Senior Citizens Week it is important to advise the House about the predicament of an elderly constituent, Mr Lloyd Pitt, of Banksia Road, Greenacre. Mr Pitt, a World War II veteran, has been driving for more than 55 years with an almost unblemished record. He is 85 years young. In January 2009 an otherwise fit Mr Pitt suffered a very minor stroke. In accordance with the current system for older drivers, despite a full recovery, Mr Pitt was advised by the Roads and Traffic Authority that his New South Wales drivers licence had been suspended and that if he wanted to drive again he would have to undergo an authorised test with an accredited occupational therapist through the authority's authorised driver rehabilitation scheme.

Mr Pitt, who readily acknowledges the need to ensure safety for older drivers and the licensing arrangements, was gobsmacked when he learned that the testing procedure for his drivers licence would cost a whopping \$450. Mr Pitt currently receives only \$470 per fortnight from his Veterans Affairs' pension. He successfully gained his licence in September last year for a two-year period. It is not as though his licence was about to expire when he had his stroke; he had a licence for two years. When Mr Pitt had a minor stroke he went to the authority and asked what he needed to do. The authority told Mr Pitt in writing that if he wanted to get his licence back he had to do so through a rehabilitation scheme, at a cost of \$450.

To add salt to the wound, Mr Pitt has been further informed that his driving test would be conducted in a special dual-controlled, six-cylinder vehicle. This is despite the fact that for the past 35 years Mr Pitt has driven a small four-cylinder vehicle, not a large six-cylinder vehicle, and certainly not one with dual controls. Mr Pitt would not be able to use his small four-cylinder vehicle for the test. Normally people can use their own vehicle, or anything similar, for a driving test. Mr Pitt must pay \$450 to drive a six-cylinder vehicle, which he has never done before, in an area in which he has never driven before. To add more grief to the situation, Mr Pitt received a notice from the RTA advising him that while he is on his current learners licence—it is undignified that a man who has been driving for more than 55 years is now on a learners licence—he can take lessons only from a licensed driving instructor.

Mr Pitt cannot drive his vehicle with his wife, who has been driving adequately for a long time and has all her faculties, or his daughter. His wife and daughter drive him around continually, but they are unable to give him driving lessons. Instruction must be taken from a licensed driving instructor, at a cost of \$75 a pop. Mr Pitt must pay \$450 to get his licence back and \$75 to drive around the block with a licensed driving instructor to get his driving confidence back. As I said, this is despite the fact that his wife and daughter, who are licensed drivers, currently drive him around. I am concerned that many other older drivers must be in a similar situation. Older drivers clearly understand their obligation to drive safely and the need for a safe system of checking their driving habits. However, this is going a little too far.

The cost is exorbitant for Mr Pitt, who earns only \$475 a fortnight, but he is expected to pay \$450 to get his licence back. We should look at providing either a cheaper rate in these circumstances or an opportunity for people to demonstrate that they cannot pay the \$450. It will take literally a fortnight of Mr Pitt's wages to pay to get his licence back under this amazing system. I have had discussions with staff of the Minister for Roads about this matter. They have shown strong and deep concern about Mr Pitt's predicament—I commend them for that—but they explained to me that that is the current system.

I ask the Minister for Roads and the RTA to look at this system. They should consider compassionately the needs of individual drivers, particularly older drivers who have been the backbone of our community—Mr Pitt served in World War II. They deserve a little more dignity than having to pay \$450 to drive a dual-control, six-cylinder vehicle to sit a driving test and then perhaps get their licence back, and in the process use a driving instructor at a cost of \$75 an hour. It is not acceptable. I hope we can change the system for the sake of Mr Pitt and others.

DEPARTMENT OF COMMUNITY SERVICES CASEWORKER VACANCIES

Mr ANDREW FRASER (Coffs Harbour) [6.05 p.m.]: I shall begin my private member's statement by quoting the Minister for Community Services. On 22 October 2008 in this House the Minister said:

The Department of Community Services 2006-07 report ... shows a 41.2 per cent increase in the number of children under one who were reported to the Community Services Helpline between 2004-05 and 2006-07. While this is a concern, the increase in reports show that we are not finding out about more problems. This enables us to help more children ...

Little ones, babies, have no voice—no way of letting someone know that they are in trouble, and that they are hurting. Therefore they are particularly vulnerable. I am grateful to community members and professionals who raise the alarm by calling the helpline. These reports give children a voice. The figures show that in 39.6 per cent of total cases assessed there was evidence of emotion or psychological harm. For babies, the equivalent figure was 61.3 per cent ...

We have a role in keeping children safe. We must remember that even the smallest interaction with children in our lives, be it a neighbour, a niece or a grandchild, can have a big impact.

On 28 October the Minister said:

For the past five years the \$1.2 billion program has reformed—

Dr Andrew McDonald: Point of order: I am loath to take a point of order.

Mr ANDREW FRASER: You do not take points of order on private members' statements.

Dr Andrew McDonald: You do. Under the standing orders, the member's statement must relate to his electorate. I have not heard the member say anything about his electorate. The member well knows that if he wants to move a motion against the Minister he must do so by way of substantive motion.

ACTING-SPEAKER (Mr Matthew Morris): Order! The member for Coffs Harbour has been a member of this place long enough to know the standing orders. I am sure he will abide by them.

Mr ANDREW FRASER: That is very poor form from the member for Macquarie Fields. I am quoting the Minister's speeches to show what she and her department have done in my electorate. The member for Macquarie Fields is now on the record as trying to defend a Minister who has sacked three front-line caseworkers in Coffs Harbour. Another position is unfilled. These caseworkers handle the helpline inquiries: they help the people mentioned by the Minister. The Minister said that children do not have a voice. I demand that the Minister and the Government immediately re-employ the caseworkers who have been sacked. Caseworkers are in the front line of children's services of the Department of Community Services in Coffs Harbour. I am absolutely surprised that the member for Macquarie Fields took a point of order because I was

trying to demonstrate that the Minister uses a lot of words, but her actions are the absolute opposite of what people in the Coffs Harbour electorate, and indeed across New South Wales, expect. It clearly shows that this is nothing more than weasel speak.

Our area on the North Coast has the highest domestic violence levels in the State, which is probably related to the fact that it has one of the lowest socioeconomic levels. The Public Service Association [PSA] has contacted me to complain—because no-one in the Government is listening to the PSA—that these four positions are not filled. Three of the caseworkers who have been sacked have been in the job for between 12 months and two years, filling in for caseworkers on long-term sick leave because of the stress levels created by their jobs. Those people have been trained to all the standards required, and they are doing a terrific job in the community. They are doing exactly what the Minister paid lip-service to.

These people, who provide a front-line service to young children who cannot defend themselves, have now had their contracts terminated. One of those people dealt directly with calls on the helpline. A member of the Public Service Association has informed me that, as a result of the termination of that person's contract, the intake assessment and the information from the helpline will not be processed and no new cases will be allocated. That will severely reduce the ability of officers to assess the need for positive follow-up. Three people are out of a job and one other position has not been filled, even though the Government has told us in motion after motion this week that it wants to create employment. That means that the children on the North Coast, especially in the Coffs Harbour area, will suffer because of the inaction of the Government. I request the member for Macquarie Fields, as Parliamentary Secretary, inform the Minister that I demand those positions be refilled immediately.

WALLSEND AGED CARE FACILITY

Ms SONIA HORNERY (Wallsend—Parliamentary Secretary) [6.10 p.m.]: Where can you get aged care that you feel safe and satisfied with? Where can you go for superior aged care that provides a supportive environment for dementia sufferers? Where can you get experienced professional and dedicated staff who have a realistic client-to-patient ratio? Where can you go if you are frail and aged and have no family or finances? Where do young adults go with extreme disabilities that need very special treatment? They go to the Wallsend Aged Care Facility: a large 103-bed resource centrally located on the former Wallsend hospital campus. What makes it so special? The Wallsend Aged Care Facility stands for many things that reflect the good qualities of our town of Wallsend and can be summed up by the use of the acronym WALLSEND.

"W" represents its wealth of knowledge, a wealth of information gained from this historic hospital, representing 116 years of Wallsend's proud history. "A" represents always being there for the community. It is a publicly funded building that was built on and financially supported by the blood, sweat and tears of Wallsend coalminers and the community. "L" represents loyalty to the people in the Wallsend area. The aged care unit has survived, despite the many closures, caring for the frail aged in our community. The next "L" represents living standards. Even though the building is 30-years old the residents live in spacious rooms with large windows overlooking the spectacular Sugarloaf Mountains, allowing the patients the best view of the Hunter. It is true that the rooms do not have ensuites but the amenities are sensibly situated in the centre of the ward.

"S" represents supportive. The facility has a good reputation in the community for its caring and supportive staff. Well respected, highly qualified and dedicated, they are irreplaceable. "E" represents engaged. This facility, like the former Wallsend hospital, actively engages with the community. Many of the workers happily reside in the electorate. "N" represents nursing staff. The nurses are great. Because they work for a public service provider it is necessary for the staff to be well qualified, and they are. Their commitment to their patients is obvious. "D" represents demand. Our aging population means that it is hard for the community to meet the growing requirement for aged-care services. Demand now greatly outstrips availability. We simply cannot build enough aged-care homes in the electorate to cater for our aging senior citizens.

In our electorate we are successfully offering aged care in our WALLSEND facility for 29 dementia patients in a safe and secure dementia ward; 14 persons under 40 who are successfully housed in the vicinity of their peers, and a large contingent of concession patients. I am one of the few privileged members of Parliament who can boast of a health facility that has an untarnished record in the community. It is a quiet achiever in the Wallsend community. The Wallsend Aged Care facility is beloved, highly regarded and esteemed by all Wallsendians. It is an excellent example of how a healthcare division ought to work.

RYDE HOSPITAL

Mr VICTOR DOMINELLO (Ryde) [6.15 p.m.]: Ryde hospital was established in 1934 and is an icon of the Ryde community. When I campaigned in the October 2008 by-election I heard many stories from residents that reinforced my views as to how important Ryde hospital is to the people of Ryde. Over the past 14 years the New South Wales Labor Government has ignored the needs of the Ryde hospital and has allowed it to become run-down and out of date. A telling example of how concerned the people of Ryde are about the current state of Ryde hospital is graphically illustrated in a letter from Mark Israel, published in the *Northern District Times* on 19 February 2009. I quote:

I FEEL that I need to communicate my thoughts to you, as Ryde hospital has offered essential and life-saving treatment to a couple of members of my family over the years.

I am 39 years old and my family has lived in Ryde for over 60 years. My wife, who is now 32, has asthma, which she has had in the past and has been difficult to manage. She has ended up in Ryde hospital on a couple of occasions, where the staff have been amazing and have immediately responded to her needs.

On one occasion, I had to rush my wife to hospital from a BBQ after she had a large asthma attack. There wasn't enough time to wait for an ambulance and I rang the hospital as I drove her there. The emergency staff were excellent and kept me on the phone directing me on what to do for the entire trip to the hospital. By the time I arrived, my wife had stopped breathing altogether and I was directed to the area where ambulances take patients. They had a full emergency resuscitation team waiting and my wife's life was saved only by the fact the staff were on urgent standby and took her from the car before I had even fully stopped.

On another occasion, my wife had been in another hospital for a period of time. The day she was discharged, she did not look well and, despite my pleas for the hospital staff to assess her, they sent us home. On the way home we stopped at our local GP, where he was shocked to find she had just been discharged from another hospital. An ambulance was called to the surgery and my wife was taken once again to Ryde hospital where they almost immediately confirmed that she was suffering acute kidney failure. Had I simply taken her home, she would have almost certainly died that day (according to hospital staff).

Several years ago one of my brothers, who was involved in a serious car accident in Eastwood, was taken to Ryde hospital by ambulance with possible back injuries and received immediate care. Thanks to their attention, and a great level of care, he made a complete recovery. Over the years, I have also been to Ryde hospital a couple of times and they have always looked after me very, very well.

I have been shocked at the lack of resources at the hospital and, on one occasion when my wife was there, I was saddened to know that someone had stolen the hands-free phone which patients used from their beds to make calls to their loved ones. The staff were genuinely upset about this as patients in the emergency department had their anxiety added to by not being able to make or receive phone calls. As a result, the next day I bought a multiple handset cordless phone and gave it to the hospital staff.

I have been told that being under-resourced is rife, but it is a disgrace that our precious hospitals are in such a condition and I implore politicians who talk big but don't deliver to spend some time in these hospitals. As you can see, Ryde hospital has been a very important part of our life and I would be disgusted and devastated if the Government closes it down.

In January 2008 the State Government commissioned a report into the acute care services in public hospitals across New South Wales. Mr Garling published his report on 27 November 2008 and recommended inter alia that Ryde hospital be closed. The Government promised to respond to the Garling report by early March 2009 but I understand this may be delayed with a tentative date of sometime in May 2009.

The uncertainty over the future of Ryde hospital is having an obvious adverse effect on staff morale and on the community generally. During the campaign, the Liberal-Nationals Coalition outlined a five-point plan that would improve Ryde hospital by upgrading the aged care and surgical wards, upgrading the coronary care area and transforming Ryde hospital into the network's specialist hospital for elective orthopaedic surgery, amongst other things. I strongly urge the Labor Government to take on board my concerns and the concerns of Mr Israel and many others like him who make powerful submissions for the retention and improvement of Ryde hospital. I call on the Labor Government to retain Ryde hospital so that it can continue to provide services to the people of my electorate.

YARRAMALONG AND DOORALONG VALLEYS COALMINING

Mr GREG PIPER (Lake Macquarie) [6.20 p.m.]: I bring the attention of the House to ongoing anxiety caused by the prospect of coalmining under the Yarramalong and Dooralong valleys in the southern part of the Lake Macquarie electorate. I spoke on this matter on 7 June 2007, when I detailed my concerns about the proposed Wallarah 2 project, and I will elaborate today. On 5 February 2007 the Government appointed an independent expert panel to conduct a strategic inquiry into potential coalmining impacts in the Wyong local government area. The inquiry's terms of reference required it to consider the effect of coalmining on the water supply, environmental impacts relating to ground and surface water, subsidence and noise, social and economic significance, and areas where mining should be prevented or tightly controlled.

Having considered the matter and listened to the concerns of residents of the Yarramalong and Dooralong valleys, I lodged my own submission to the inquiry on 16 August 2007. In the submission I stressed the risks that undermining would pose to Wyong's water supply, known health concerns from coal dust inhalation, and the obvious conflict between coalmining and plans for regional development, not to mention its effect on the existing significant population within the affected area. I am well aware of strong disappointment in the conclusions of the inquiry, which failed to give clear recommendations as to where coalmining should not be allowed. The inquiry failed to recommend the area's protection from the impacts of coalmining, but it did point to tightening the standards and reducing impacts on the community.

The disappointment of residents is understandable but it has not dissipated the groundswell of opposition within the Wyong community to this mining proposal—a view well expressed by the Australian Coal Alliance on behalf of its members and the majority of the broader community. Wyong Shire Council, in support of its community, has consistently opposed the Wallarah 2 project since it first appeared under another guise in 1999. I continue to support the communities in my electorate and I have written to the Minister for Planning in response to the release of the inquiry's report. I have again mentioned risks to the water supply, such as diversion of surface or groundwater into mine workings, reduction in natural stream flows, impacts of mine water discharges, impacts on flooding and natural flows, impacts on riverine environments and impacts on water supply infrastructure.

I have also mentioned my strong belief that the inquiry did not make an adequate response to the social and health implications of coal dust. The Leader of the Opposition visited the Lake Macquarie electorate on 30 January to make an announcement confirming the Opposition's policy against new mines in Wyong and in any water catchment area. People believe other things are more important than coal, and the Opposition is right to accept this. The Government should accept that mining poses an unacceptable threat to the water supply, to natural and rural values, and to plans for regional growth, and is a risk that the Government should not take. I acknowledge and support the views of the member for Wyong, who was elected on a platform that included opposition to the proposed mine and who continues to speak against it. The strength and breadth of opposition to the mine are obvious to anyone who visits the rural areas of Wyong shire, where there is a proliferation of signs with slogans such as "Water not coal" and "Coal dust kills".

Because of the obvious incompatibility of coalmining with regional development and the protection of water catchments, the Opposition now has a policy of not allowing mining in this area. The prevailing view in the community is that the Government should adopt the same view. The Wallarah 2 project is not dissimilar to a previous proposal abandoned by BHP. That abandonment surely was not surprising, considering that it was so utterly inconsistent with the wellbeing of the community and the orderly development of Wyong shire. My constituents in the Yarramalong and Dooralong valleys overwhelmingly believe the Government should adopt the Opposition's views on coalmining in Wyong shire and reject this proposal. These quiet rural communities have seen off a number of disturbing proposals over recent years, including the BHP proposal in the late 1990s, the exploration for gas and possible gas extraction by Sydney Gas and recent concerns about the proposed Mardi to Mangrove Creek dam water pipeline. I call on the Government to support the vast majority of residents in the southern part of my electorate and in Wyong who are opposed to the proposed Wallarah 2 mine.

CASULA RAIL NOISE NUISANCE

Dr ANDREW McDONALD (Macquarie Fields—Parliamentary Secretary) [6.25 p.m.]: I speak on behalf of residents of Casula. Existing rail noise in the area has already had a terrible impact on their quality of life. The increase in noise that the planned construction and use of the Southern Sydney freight line will cause will make an intolerable situation even more unbearable. On 19 January I attended a meeting at the home of Joe Attard in Birkdale Crescent. The residents gave harrowing descriptions of the excessive noise they live with every day. The RailCorp track work in January, much of which occurred at night, made the situation even more difficult and was a warning of what may occur with the construction and use of the Southern Sydney freight line. Construction of that line is due to begin in this area in the near future, having already commenced at Bankstown.

Joe Attard and his wife, Josephine, are typical of the people who are affected by the excessive rail noise. Joe works very hard as a driver during the day for sick patients with cancer, yet the difficulty he has sleeping at night causes him concern about his safety on the road. All residents present spoke of sleep disturbance—you do not need a sound engineer to tell you that you are not sleeping. The meeting was held in the backyard and the noise coming from the trains going past was clearly unacceptable. The trains thundered by less than six feet from Joe's house, yet there is no noise abatement of any sort. Recent track work that involved changing the sleepers from wood to concrete has made the traffic even noisier.

The \$300 million Southern Sydney freight line is being built by the Australian Rail Track Corporation [ARTC], which is owned by the Commonwealth Government. The line is due for completion in January 2010. Currently freight is excluded from the Sydney network from 6.00 a.m. to 9.00 a.m. and from 3.00 p.m. to 7.00 p.m. five days per week. The Southern Sydney freight line will allow for a substantial improvement in the movement of freight from Macarthur to Sefton. But there will be about 1,000 freight trains per month, many of which are more than 1.5 kilometres long, and these trains will be able to run at any time. The corporation has informed me that it is following the New South Wales Department of Environment and Climate Change guidelines regarding noise levels. Community members present on the night voted unanimously that the liaison between the corporation and the community liaison groups has been inadequate. For example I, as the local member of Parliament, was not invited to any of the corporation's consultation meetings. However, the residents did not exonerate me from blame and feel that nobody is listening to their concerns.

Approval for the line was granted by the New South Wales Government on 21 December 2006, subject to the operational noise and vibration management plan, and a commitment to monitor and review the adequacy and effectiveness of these measures at one, two, five and 10 years. The corporation would be required to identify and implement further mitigation work if these guidelines are exceeded. All the residents believe that these time lines are completely unacceptable and want the noise barriers now. One problem is that the noise levels are as a result of both CityRail trains and freight trains. The summation of these is excessive. When every resident of Casula is complaining about disturbed sleep, you do not need a sound engineer to say the noise is excessive. As my colleague Federal member Chris Hayes has said, the Southern Sydney Freight Line project should not be carried out in a way that is at the expense of the residents of Casula. He has been in contact with various Ministers of this Government and will do what he can to help.

Together with the Mayor of Liverpool, I will soon meet with the Minister for Transport on this issue. I will continue to lobby Ministers at all levels of government to provide the only viable option, that is, noise barriers. There is no alternative or any benefit from waiting until after the line has been constructed. I have been placed on notice by the residents of Casula that my effectiveness as a local member of Parliament will be judged by the progress, or absence thereof, on the noise barrier issue. I welcome help from any level of government that will allow the residents of Casula to have a decent night's sleep. Bouncing the issue between levels of government and Ministers is pointless and frustrating for the residents. I have spoken to Sireen Sharqawi who has given me feedback about the frustration and neglect felt by the residents. It is time for compassion from all levels of government to be shown to the residents of Casula. Any further delay is unfair and wasteful. It is time to act.

Question—That private members' statements be noted—put and resolved in the affirmative.

Private members' statements noted.

**The House adjourned, pursuant to sessional orders, at 6.30 p.m. until
Friday 13 March 2009 at 10.00 a.m.**
