

# LEGISLATIVE ASSEMBLY

Friday 13 March 2009

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

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

## HURLSTONE AGRICULTURAL HIGH SCHOOL SITE BILL 2009

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

### Agreement in Principle

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [10.00 a.m.]: I move:

That this bill be now agreed to in principle.

Hurlstone Agricultural High School is an educational facility that has tremendous significance in the history of this great State. The school has a proud tradition with outstanding alumni throughout New South Wales, across the nation and internationally. It is one of only two agricultural high schools in Sydney and one of only four in the entire State. That school site incorporates 160 hectares of land. It is of such a size because the school is an agricultural high school. The school essentially runs model farms, for example, in horticultural cropping, including grains, and livestock, on site. Those model farms are on site because, as any teacher or educational expert knows, hands-on education needs both theory and practice to achieve the best results for students. Hurlstone Agricultural High School has been doing precisely that for many years—then along came the Government and its mini-budget.

After almost 14 years of mismanaging the State's economy and frittering away windfall revenues of about \$17 billion, the Government has absolutely nothing to show for it. In a desperate bid to rescue the New South Wales budget the Government cast its eyes around to see at what it could flog off to get out of a financial pickle that is a result of its own incompetence. The Government's microscope fell on all the lovely land that is attached to the Hurlstone Agricultural High School. The Government in its mini-budget proposes to sell 140 hectares of the site, leaving just 20 hectares. That is an absolute disgrace not only for the delivery of agricultural education, but also for western Sydney—140 hectares of green space in western Sydney is invaluable. Under Labor over the past 14 years we have seen poorly planned development in western Sydney that has put huge areas of land under housing without the attendant services, in particular transport, roads and rail. Once again the Government is rushing into putting more land under development for housing. No doubt when the land is sold, any facilities will be inadequate. I am told that the Government expects to realise well in excess of \$100 million for the sale of that land. There is demand for land for housing, but Western Sydney needs green space.

I have heard loud protests, not just from the current students of Hurlstone Agricultural High School, not only from the alumni—of course, the staff are muzzled, under threat from the Government should they speak out—but also from the residents of western Sydney generally, who do not want that land to be sold. They do not want rampant development to continue, and they do not want to lose valuable green space in western Sydney. Obviously the Government is feeling the heat. The Macarthur boys are clearly worried about their seats, and so they should be. Recent State polls have shown that the community does not appreciate this sort of policy and that is why the New South Wales Labor Party is in dreadful trouble in the polls. Clearly, the member for Macquarie Fields and the member for Camden are feeling the heat, and so is the Government, as it wants to retain those seats.

So, what has the Government done? It has announced that it will establish an inquiry into the sale. That is a typical tactic of this Government. When it feels the heat, it shifts the matter off the agenda by establishing an inquiry. It does not make a decision in the best interests of the community, it simply shifts the matter off the agenda in the hope of escaping a little bit of heat and pressure from the community for long enough to allow the original decision to subsequently go ahead. However, I do not believe that people will be fooled by this latest tactic of the Rees Labor Government. We do not know who will chair the inquiry, nor do we know the terms of

reference of the inquiry. The Government has held inquiry after inquiry, for instance into public health and the Royal North Shore Hospital, and just this week we learned that nothing has changed. The Government has botched the planning of the new Royal North Shore Hospital despite holding an inquiry. There was an inquiry into the Cross City Tunnel, but nothing ever changes.

An inquiry into the sale of land at the Hurlstone Agricultural High School will do nothing to change the Government's position. Its position is all about money, all about developer mates, not about education or agriculture and their importance to this State. The Labor Party just does not get it! Right now the State economy is being carried by primary industries, in particular agriculture, but also mining, forestry and fisheries. The Government just does not get it! We have seen collapses in the financial sector, in the retail sector, in the manufacturing sector, but country people continue to produce resources for this nation and continue to shoulder a significant load by doing the heavy lifting for the economy. And what does this Government do? It cuts agricultural research facilities, closes them down, including those in Mr Speaker's electorate of Northern Tablelands—an absolute disgrace—and carves up and flogs off a very fine agricultural high school.

As I say, this is simply a bad decision. The mini-budget was littered with shocking decisions but this one stands out in particular because it sells out western Sydney and it compromises the future of agricultural education in New South Wales. Once the land is sold and houses are built on it, it cannot be bought back to establish a working farm, as is the case with Hurlstone Agricultural High School. If the sale of the 20-hectare site of Hurlstone Agricultural High School goes ahead we will see a school that cannot achieve its best in agricultural and horticultural subjects.

I commend the bill to all members of this place. I believe every member, whether he or she is based in the metropolitan area or in country areas, understands the value of a working agricultural high school with a working farm. Members understand the value of retaining green spaces, especially in western Sydney, which is fast becoming overdeveloped. Therefore, I seek the support of all members, and particularly those so-called Macquarie boys out in the west, for this legislation. This is their opportunity to make a stand on behalf of their communities to do the right thing instead of toeing the party line in pursuit of some sort of promotion within the Labor Party, which we have seen time and time again. I commend the bill to the House.

**Debate adjourned on motion by Mrs Karyn Paluzzano and set down as an order of the day for a future day.**

#### **TRANSPORT ADMINISTRATION AMENDMENT (COUNTRYLINK PENSIONER BOOKING FEE ABOLITION) BILL 2009**

**Bill introduced on motion by Ms Gladys Berejiklian.**

#### **Agreement in Principle**

**Ms GLADYS BEREJIKLIAN** (Willoughby) [10.12 a.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the Transport Administration Amendment (CountryLink Pensioner Booking Fee Abolition) Bill 2009 on behalf of the Liberal-Nationals Coalition in my capacity as the shadow Minister for Transport. This bill, as is evident from the title, seeks to abolish the unfair pensioner booking tax imposed by the Labor Government in March 2006. From 3 March 2006 pensioners using CountryLink services have been forced to pay \$10 or 15 per cent of the full adult fare, whichever is the highest, when using their so-called free travel vouchers to book CountryLink services. I say "so-called" because this unfair tax has made a mockery of what was a free voucher system for pensioners, allowing them two free return visits on CountryLink rail services per year.

At the time the booking tax was imposed, the then Minister for Transport John Watkins justified the introduction "to cover administrative costs". By way of background, I first introduced this bill in October 2007 and I thank my parliamentary colleagues for contributing to the debate and for making representations on this important matter on behalf of their local communities. We know the Labor Party is embarrassed by this unfair policy that it has imposed on the most vulnerable in our community because at every occasion the Government has sought to deny debate and a vote in this place. This is evident because the bill was introduced in October 2007 yet lapsed because the State Government kept putting it off for debate.

Undeterred by the Government's tactics, we have re-introduced this bill, which, but for the change in date, is exactly the same bill that was introduced in October 2007. The arguments for supporting this bill are as strong as ever and as every month and year goes by the need to abolish this unfair tax becomes ever more apparent and ever more necessary. I urge the Government to reconsider its position and support this important bill. I urge the Government to consider the hardships faced by pensioners across this State during what are particularly tough economic times. The arguments for opposing this bill simply do not add up.

I now turn to the provisions of the bill. Schedule 1 [1] makes it clear that an order fixing charges for services of RailCorp cannot impose a CountryLink pensioner booking fee; that is, a fee, however described, charged for or in relation to a New South Wales or Australian Capital Territory pensioner booking a railway service provided by CountryLink using what would otherwise be a free travel pass, a concessional travel pass or a pensioner travel voucher. Schedule 1 [2] provides that RailCorp must not charge any pensioner booking fee for travel on a railway service provided by CountryLink. Rather than appreciating and acknowledging the contribution made by our pensioners the Labor Government chooses to impose an unnecessary tax, which has caused widespread angst since its introduction.

I turn now to how much has been collected by this tax. In the first eight months of the tax the Labor Government raised \$2.6million. The introduction of the pensioner booking tax increased the fare box revenue by 8 per cent from 2005-06 to 2006-07. However, due to declining patronage, income from the pensioner booking tax has decreased from 2006-07 to 2007-08. The amount collected is substantial given it is coming off the back of pensioners doing it tough during these tough economic times. In 2006-07, the pensioner booking tax collected \$3.548 million, and in 2007-08 this decreased slightly to \$3.5 million. Yet we know that this unfair tax has had a huge impact on patronage.

The State Government likes to deny the impact that the tax is having on patronage. The reality is that 53,000 fewer vouchers were used in the period March to October 2006 than were used in March to October 2005. According to documents provided under freedom of information, 235,512 pensioner travel vouchers were used from March to October 2005, before the booking tax was introduced, compared with 182,397 vouchers used in March to October 2006, after the booking tax was introduced. This drop of 53,000 in that year alone represented a massive drop of 22.6 per cent over those comparable periods. This is direct evidence of the impact on patronage that the pensioner booking tax has had.

In 2005-06, 1.74 million passenger journeys were recorded on CountryLink services. In 2006-07 that fell to 1.61 million passenger journeys, and in 2007-08 that has dropped further to 1.55 million passenger journeys. Therefore, CountryLink patronage fell by a further 3.7 per cent from 2006-07 to 2007-08. The State Government will deny at every opportunity that the booking tax has had a direct impact on patronage, but this is definitely the case. In fact, the Independent Transport Safety and Reliability Regulator in its report in 2006-07 stated that the pensioner booking tax was responsible for a decline in patronage. The report stated:

Various explanations could be offered for declines in particular years. For example in 2006-07 the impact of the increase in travel costs faced by pensioners using CountryLink services ...

Not only do those figures represent a direct link between a drop in patronage and the pensioner booking tax but the Government's own Independent Transport Safety and Reliability Regulator has made the same observation in its report. Rather than impose this unfair tax the State Government should be considering ways to increase the use of public transport and give pensioners a fair go. The social impact on the lives of so many pensioners has been detrimentally impacted by the tax. Many pensioners, especially in rural and remote areas, rely on CountryLink to go to important medical appointments, to visit family and friends and to attend important occasions. Families are being denied precious time together because grandparents can no longer afford to travel.

The impact of the tax has meant that many senior citizens who have earned the right to use their vouchers have suddenly found their mobility restricted and their quality of life compromised. Lower patronage on CountryLink is undoubtedly also having a detrimental impact on regional tourism and the growth of small business in regional and more remote communities, which are already doing it tough in these difficult times. I take this opportunity to acknowledge community organisations such as the Australian Pensioners and Superannuants Federation (NSW) and the Council on the Ageing, who have been strong advocates for their members in relation to this important matter. I also thank the thousands of concerned people who have sent letters and emails, and signed petitions highlighting their personal opposition to the tax and communicating their personal circumstances. Some of these stories are really heart wrenching.

There is no doubt that the State Government continues to drive CountryLink services into the ground. Again that can be demonstrated by the various figures we have on CountryLink services. In relation to its on-time running record it is astounding to think that the State Government is asking pensioners to pay more for services that are becoming more unreliable. For example, CountryLink has not met its yearly on-time performance targets since 2003. In 2008, according to the CountryLink website, trains reached the State Government's on-time running target in only 14 out of 52 weeks, which means trains ran late 74 per cent of the time. For 2009 to date, again according to the CountryLink website, on-time running has been recorded for only four weeks this year.

CountryLink has failed to meet the on-time running target in any week, which means on average trains have run late every single week this year. We all know about the Government's questionable definition of on-time running, which means a CountryLink service can be 10 minutes late but still be regarded as on time. This further emphasises the appalling reliability record of the service. For many travellers this lack of reliability means connections are missed, causing hours of delay in some circumstances. Many travellers have told me the stress this causes them in transit when their mobile phone is out of range or they do not have a phone and are unable to notify relatives waiting at their destination of the delays. This causes enormous angst both for travellers and for relatives waiting for their loved ones.

It is not just on-time running that is causing much angst for commuters on CountryLink services. Other Government failures with respect to CountryLink include the Government having sacked the CountryLink Travel Centre staff in Tamworth within days of their receiving an award for outstanding service, closing 11 CountryLink sales outlets across the State, sacking more than 100 CountryLink staff, axing the Casino to Murwillumbah rail line and increasing CountryLink fares. In this climate of declining services and the imposition of an unfair booking tax, New South Wales Labor has had the audacity to increase CountryLink rail fares.

Fares rose by 4.8 per cent from 1 September 2007, resulting in standard economy one-way travel from Sydney to Dubbo costing an extra \$3.60; from Sydney to Albury an extra \$4.70; and from Sydney to Coffs Harbour an extra \$4.34. In addition to these fare increases, the State Government also reduced the discounts CountryLink offers for travel during the shoulder and low seasons; a further disincentive to use CountryLink trains. The rise in fares will also result in an increase in the unfair booking tax charged to pensioners when booking free train travel, which this bill aims to eliminate. Increasing the fares means the booking tax also goes up.

Public transport options in regional New South Wales are already limited. By failing to support CountryLink, often the only form of transport linking metropolitan areas to country New South Wales, there is further decline in the provision of public transport services in country and regional areas. By closing sales centres, sacking CountryLink staff and reducing rail services to regional towns, the Labor Government is directly impacting upon the vitality and livelihood of regional New South Wales. Regional areas require and deserve a high-quality rail service that provides an efficient and reliable service linking the country with the city. Regrettably, as a result of years of neglect and mismanagement, rail services to rural New South Wales are in decline.

I also highlight the problems with timetabling. There is no doubt that the Government can do much more to address timetabling to improve services. I witness this firsthand as I travel throughout New South Wales via CountryLink services. When I visited the south-west of the State last year I travelled on the sleeper service to Albury, which left Central on Sunday night at about 8 o'clock, from memory, and arrived in Albury at about 4.30 a.m. on Monday. There is a strong argument to be made that under current timetable arrangements there is little incentive to catch a CountryLink service to the south of the State from Sydney unless under exceptional circumstances.

Why cannot the timetable be adjusted to ensure that people travelling south in New South Wales do not have to arrive at Albury at 4 o'clock or 5 o'clock in the morning? That means a traveller going to any destination between Sydney and Albury will arrive before 4.00 a.m. on a given day. Similarly when I visited the Central West by train, communities in Bathurst, Orange, Parkes and Dubbo told me about their concerns with existing timetabling that made it difficult to travel to Sydney. Those residents throughout the Central West also expressed concerns about the potential to miss connections and the impact on travel times.

Since March 2006, when the State Government imposed this unfair tax on pensioner bookings, the Labor Party has not been able to come up with a sustainable argument as to why the tax should continue. The

Government must see the error of its ways and reverse the decision. Three million dollars is a lot of money to take off the back of hardworking pensioners who are doing it tough. It angers me to think about the millions that are being wasted by this State Government on a weekly basis because it is not competent enough to manage public transport in New South Wales. This week alone we learned about a \$745 million cost blow-out on the 626 new rail carriages, which was borne out of the Government's incompetence in managing the project.

We know that at least \$95 million has already been wasted on the failed T-card project with nothing to show for it, and at least \$22 million has been wasted on RailCorp corruption because the State Government cannot be bothered implementing the 41 recommendations put forward by the Independent Commission Against Corruption. When this waste that is costing millions of dollars every week is coupled with the Government's failure to upgrade CountryLink services there is absolutely no justification for this booking tax to continue. Three million dollars a year is collected off the backs of pensioners and millions are wasted by the State Government every week on mismanaged projects. Pensioners and their families across New South Wales deserve better. Hardworking CountryLink staff deserve better. Our country towns deserve better. There is no excuse for this bill not to be passed, and I commend it to the House.

**Debate adjourned on motion by Mrs Karyn Paluzzano and set down as an order of the day for a future day.**

**The DEPUTY-SPEAKER:** Order! It being almost 10.30 a.m., the House will now proceed to Government business.

### **BIOFUEL (ETHANOL CONTENT) AMENDMENT BILL 2009**

**Bill introduced on motion by Mr John Aquilina, on behalf of Ms Kristina Keneally.**

#### **Agreement in Principle**

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [10.27 a.m.]: I move:

That this bill be now agreed to in principle.

I introduce the Biofuel (Ethanol Content) Amendment Bill 2009. This bill marks another important step forward in our strategy to promote renewable biofuels in New South Wales. The Biofuel (Ethanol Content) Act 2007 introduced the first mandate of its kind in Australia and fulfilled a commitment in February 2007 that a re-elected Labor Government would introduce a mandate requiring 2 per cent of the total volume of sales of petrol in New South Wales to be ethanol. That 2 per cent mandate has been successfully implemented. Between the commencement of the mandate in October 2007 and December 2008 more than one billion litres of E10 were sold in New South Wales.

This bill now delivers on the second part of our election promise, that the 2 per cent mandate was the first step towards a 10 per cent ethanol mandate by 2011. However, to retain the option of ethanol-free petrol for older vehicles, boats, ultralight aircraft and small engines that may not be able to use the ethanol-blend fuel, the 10 per cent mandate will apply only to regular grade unleaded petrol, commonly known as ULP. I am pleased to advise that BP has recently confirmed that it guarantees its E10 petrol for use in any vehicle manufactured post 1986 that has been designed for ULP irrespective of the vehicle's manufacturer's recommendation regarding ethanol content.

BP is to be congratulated on so clearly demonstrating its confidence in its ethanol-blend petrol. Premium-grade unleaded petrol of 95 RON or higher will continue to be available without ethanol for those who cannot use it. This will mean a small additional cost per litre for some users, but just like those who use E10, motorists who change to premium-unleaded petrol will enjoy a higher octane, cleaner burning fuel. This bill goes beyond that commitment to ethanol and introduces, again for the first time in Australia, a biodiesel mandate. Just as Henry Ford's T-Models were designed to run on ethanol, Rudolf Diesel demonstrated his new compression ignition engine at the World Exhibition in Paris running on peanut oil. In 1911 he wrote:

The engine can be fed with vegetable oils and would help considerably in the development of agriculture in the countries that use it.

The biodiesel mandate will be initially set at 2 per cent, but will be increased to 5 per cent in 2012. The 5 per cent is the maximum biodiesel content currently covered by most vehicle warranties, and the Federal

Government has recently amended the diesel fuel standard to permit up to 5 per cent biodiesel in all diesel fuel. The global economic crisis has taken some of the attention away from some of the important issues that our biofuels mandates are designed to address peak oil, ongoing instability in the Middle East, and the importance of energy security. We have recently seen the price of oil fall dramatically, but that fall is certain to be short-lived. The impact of the crisis on the development of further difficult-to-extract oil reserves will last longer, and will mean the next oil price shock will be even greater. The temporary low price of oil makes it even more important that far-sighted governments support the development of alternative fuels now to ensure fuel security in the future.

This bill is another example of the foresight of the Rees Government, looking beyond the present low oil price and criticism that current first-generation biofuels may be less than perfect. We recognise that the establishment of a sustainable first-generation base now will provide us with the essential base from which to develop a vibrant second-generation renewable fuel industry. The level of first-generation biofuels that we are now mandating will be sustainable in the future, because it is all integrated with food production. The primary feedstock at Manildra's Nowra ethanol plant is waste starch from its gluten plant. The primary feedstocks at Biodiesel Industries Australia's plant in the Hunter Valley are waste cooking oil and tallow. The proposed National Biofuels Group soy plant at Port Kembla will produce not only biodiesel but also soy meal to replace the hundreds of thousands of tonnes that are imported annually for poultry food.

The Dalby Biorefinery that recently opened in Queensland uses sorghum to produce ethanol and high-protein distillers grain livestock food. The distillers grain is so valuable as a livestock food that the production was all presold even before the ethanol was. This shows how biofuels plants are often integrated with food production. A number of benefits can flow from a greater uptake of biofuels. A number of proposed biofuel plants are currently on the drawing board across the State, although the ability of companies to deliver projects has been impeded by the global economic crisis. This bill demonstrates our commitment to the New South Wales biofuels industry, and will assist these projects to secure funding. Biofuels production facilities in regional New South Wales will support hundreds of jobs.

Second-generation biofuels will add enormous value to regional agriculture and forestry industries, and also have the potential to capture the carbon dioxide emitted by coal-fired power stations, while producing high quality biodiesel and stock food. First-generation biofuels provide new, stable, domestic grain markets for farmers and produce high-quality stock food for the livestock, poultry and aquaculture industries. With the development of second-generation technologies, new energy crops will offer sustainable agricultural potential in marginal farmlands. This is yet another example of the Rees Government's commitment to generate jobs in the regions and country areas.

Replacing all ULP with E10 will reduce the total greenhouse emissions from all petrol-engine vehicles by about 2 per cent. Replacing 5 per cent of our diesel with biodiesel could reduce the total greenhouse emissions from diesel-fuelled vehicles by about 1.3 per cent. The proposed mandates will reduce carbon dioxide emissions by about 450,000 tonnes per year, equivalent to taking 1,900 buses and trucks, and 77,000 light vehicles off the road. Biofuels burn cleaner than petroleum fuels, reducing toxic emissions, especially carbon monoxide and particulates. Fine particles are a major cause of illness and death, and are responsible for 97 per cent of the health impacts of emissions from vehicles. Federal Government trials have recently demonstrated that E10 petrol will reduce fine particle emissions from petrol-engine vehicles by 33 per cent. B5 biodiesel will reduce particle emissions from diesel-engine vehicles by 4 per cent. These reductions will produce health benefits of approximately of \$22 million per annum in the Sydney basin.

Throughout last year's petrol price peak, motorists enjoyed savings of about 3¢ per litre on the price of E10 relative to unleaded petrol. Not only did motorists using E10 enjoy lower prices but also I am pleased today to advise the House that the competition from E10 seems also to have forced down the price of regular unleaded. Before the commencement of the ethanol mandate in 2007, Sydney had the highest average unleaded petrol price of any State capital, about 2.5¢ per litre higher than the average of the other mainland capitals. Now, our prices have fallen to be cheaper than those in either Melbourne or Adelaide. Our prices have fallen by 2¢ per litre compared with the average. Even at the current low oil price, E10 remains 2¢ to 3¢ a litre cheaper than unleaded petrol.

We need domestically produced fuel to improve our balance of payments and to increase our energy security. Local oil reserves are falling, and the price of imported fuel is likely to return to even higher levels.

Locally produced, sustainable biofuels are an important way of addressing these issues. The ethanol we have used since the start of the mandate has saved importing about 100 million litres of petrol. This bill establishes an optimal level of sustainable first-generation biofuels production in New South Wales. E10 petrol and B5 biodiesel are also the optimal levels that can be used in the current vehicle fleet.

I turn now to the mechanism of legislation. The legislation builds on the successful implementation of the initial 2 per cent ethanol mandate. It increases the volumetric mandate progressively to 4 per cent and then 6 per cent in the next two years, phasing out regular-grade unleaded petrol from July 2011. The legislation expands the mandate to include biodiesel, again at an initial 2 per cent level, but increasing to 5 per cent as supplies are available. These mandate levels are optimal, but this legislation is flexible enough to react to changing economic and environmental conditions. In particular, the global economic crisis makes the availability of finance and the timing of new development, including biofuels production uncertain.

The legislation continues to provide for the suspension of the mandate if the available supplies of biofuels or feedstocks are inadequate or uneconomic. This situation will be monitored closely. The expert panel was established in 2007. The bill will expand membership to include a representative from Treasury. The expert panel will continue to advise the Minister on whether there is any need to suspend the provisions in whole or in part and whether exemptions should be granted to individual companies. It will continue to take into account the widest possible range of considerations before it makes any recommendation to the Minister.

To be eligible to be counted under the mandate, the biofuels will be required to comply with a sustainability standard. The details of the sustainability standards will be promulgated in the regulations to permit them to be kept up to date with emerging requirements. Sustainability of domestic biofuel plants is assessed during the environmental assessment processes. Domestic producers operating in accordance with the conditions of their approval and environmental licences will be considered sustainable. Other countries may not apply the same rigorous environmental protections. Imported biofuels will be required to be certified as sustainable in accordance with international standards.

Under the current wholesale mandate, the major retailers in the State have not been bound to comply. This legislation will broaden the application of the Act to include major retailers controlling more than 20 service stations. The regulatory system remains as simple as possible with only primary wholesalers and major retailers, collectively known as volume sellers, required to submit returns to the Government in respect of the volumetric mandates. However, the phase-out of regular unleaded petrol in July 2011 will impact all retailers. Exemptions will be available for small businesses that suffer hardship and for marinas that supply petrol for boats.

The Government's biofuels strategy is both short term and long term. In the short term we are establishing a sustainable first-generation renewable fuel industry right here in New South Wales. We are leading the nation. We are doing something now for the environment, and we are delivering cheaper fuel for New South Wales motorists. We have positioned New South Wales to lead the development of second-generation biofuels in this country. Through the Office of Biofuels and departments such as State and Regional Development, Primary Industries, and Environment and Climate Change, we continue to work with stakeholders in industry developing proposals for sustainable production using current technology as well as pursuing new technologies and feedstocks.

We will develop a 10-year biofuel strategy to pursue second and subsequent generation technologies and will review the strategy every three years to ensure that it remains abreast of current developments and global conditions. In conclusion, the Biofuel Ethanol Content Bill 2007 led the nation towards renewable transport fuels. The Biofuel Ethanol Content Amendment Bill 2009 builds on what we have achieved since 2007, takes us to the optimal level of biofuels for the current vehicle fleet and commercial biofuels technologies, and positions us to lead the development and application of emerging technologies. The mandate sends a very strong signal to motorists, investors and the fuel industry that the Rees Government is committed to a renewable fuels future. I commend the bill to the House.

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

## VICTORIAN BUSHFIRES

### Condolence Motion

**Debate resumed from 5 March 2009.**

**Ms KATRINA HODGKINSON** (Burrinjuck) [10.45 a.m.]: Every citizen in the Burrinjuck electorate extends deepest condolences to the people of Victoria. The motion moved by the Premier is in the following terms:

- (1) That this House:
  - (a) places on record and expresses its deepest condolences to the families and friends of those who lost their lives in the bushfires which recently devastated the State of Victoria;
  - (b) offers its sympathy to those who have been affected by the fires whether through injury or the loss of their property and personal effects; and,
  - (c) acknowledges the ongoing contribution of the firefighters and those engaged in the recovery effort, including those who have travelled from New South Wales to assist in these efforts.
- (2) That this resolution be communicated by the Speaker of the House to the Speaker of the Parliament of Victoria.

I reiterate the condolences that have been expressed by every member in this House who has spoken on the condolence motion. Australians witnessed extraordinary events following the devastating bushfires on 7 February. On that day I happened to be at the opening of the Gunning show. Gunning is a small community and on that day residents in the local area were concerned about the possibility of a bushfire because the temperature was 43 degrees Celsius, which is extraordinarily hot even for the middle of summer. We did not know that just to the south of us fires were about to start, with spotting affecting areas 30 kilometres away, and resulting in the deaths of many dear friends south of the border.

The shock that we felt on hearing the news cannot be compared to the grief experienced by families, friends, local communities and community representatives in the Victorian Parliament. We could do nothing other than offer our sympathy and send emergency service personnel to assist in fighting the bushfires. Fires that rage at the speed with which the Victorian fires were raging and under such intense conditions are out of anybody's control—they are totally in the hands of the Lord. Once those fires had started there was not much that anybody could have done. After those horrific fires on 7 February, concerned people commenced sending condolences to my electorate office. The condolence book in my electorate office now has quite a number of signatures in it and I will send it to the Victorian Parliament in due course. The Speaker opened a condolence book in Parliament House—I am aware that many members signed it, just as I signed it—and it has been sent to the Speaker of the Victorian Parliament.

There is nothing quite like fighting a bushfire. As a young teenage girl, growing up on a farm in country New South Wales, I often helped my father to fight fires. He was captain of the Jeir-Marchmont Bush Fire Brigade. From an early age I obtained experience in fighting fires, nothing to the scale of the fires that occurred in Victoria but enough to give me an understanding of how frightening fires can be and how quickly they can travel. One of my first firefighting experiences was on the property of Don McColl, a neighbour who lived on a farm called Ceridale. Don, a very dear man who recently passed away, was using an angle grinder in a paddock on a windy day. That was not the smartest of things to be doing on a hot, windy day. Sparks from the angle grinder ignited the grass and, before he knew what had happened, the place was on fire. We chugged along in our little fire truck and helped him to put it out. It took several hours to put out the fire, which kept spotting away from the area in which we were working.

Members will remember the terrible outbreak in 2003 of bushfires in the Kosciuszko and Namadji national parks. On 18 January 2003, four people from Canberra lost their lives and most of the suburb of Duffy went up in smoke, with the loss of 400 houses. My husband, my daughter and I—absolutely foolishly I realise now, having seen the images of what happened in Victoria—stood on our rainwater tank and watched the fire coming from across Burrinjuck Dam and Canberra. We wondered whether it was going to get to us. Fortunately, it did not reach our place; it was quite some miles away from our property. We were lucky. If the Yass fires on 18 January 2003 had the ferocity of those in Victoria, with fires spotting 30 kilometres in advance of the fire front, we would have been gone.



It is probably not enough to say that we sympathise with the people of Victoria; no words can express to them the level of grief we feel for what they have been through. I do not think we can express our feelings to them. As we know, 210 people perished, and that toll could rise even higher. I understand that the army is now going through some of the towns that were destroyed. More than 2,000 homes—my goodness!—have gone. The bushfires that hit Canberra in 2003 destroyed 400 homes, and we are still reeling from that. In this case 2,000 homes and farmhouses were destroyed, countless businesses were wiped out, more than 350,000 hectares of land were burnt out and more than 1,500 farming structures—entire dairies—were wiped out. Woolsheds, hay sheds, machinery sheds and entire communities were lost.

Many members have gone through the whys and wherefores, and the hazard reduction requirements, and reiterated the fact that National Parks does not have the resources to deal with fire hazards—and that is all true. But let us not lose sight of the fact that this is the most horrific event ever to happen in Australia. In all the political argy-bargy, let us not lose sight of the fact that 210 innocent Australians, who should have been going about their usual business on that Saturday and in the weeks following, were killed, and that countless other Australian lives will be impacted as a result of their deaths. The number of children killed is obviously heartbreaking. The number of babies killed in this tragedy is something that I am sure will take a long time for people to come to grips with, if ever.

I congratulate the Victorian Parliament. I congratulate Peter Ryan, the Leader of The Nationals, Ted Baillieu, the Leader of the Liberal Party, and the Premier of Victoria on the bipartisan way in which they have been dealing with the impacts of the fire. It heralds a new era when political parties can come together following such a terrible tragedy and work together for the benefit of the community. I must mention Fran Bailey, whose Federal electorate was seriously impacted by the fires.

She has been so professional. I do not know how I would have reacted if it had happened in my electorate. You cannot predict how you would respond to such an experience, but you would want to be there for your community, flying the flag as it went under. I have probably said sufficient for the Victorian Parliament to know that the 48,000-odd constituents of the Burrinjuck electorate and their families send their deepest sympathies and condolences to the Victorian Parliament and to all the people of Victoria. We wish them well in their recovery. I am sure if there is anything the Victorian people require from New South Wales we will be only too willing to oblige our friends.

**The SPEAKER:** I take this opportunity to make a few comments from the chair. Like all members who have spoken in the debate, led by the Premier, the Leader of the Opposition and the Leader of The Nationals, I offer sincere condolences not only from me and my family but from the House and the Parliament of New South Wales to the families, friends and communities affected by what can only be described as the tragedy caused by the bushfires in the State of Victoria. More than 200 lives have been claimed and this devastating tragedy has left in its wake significant damage to numerous homes, businesses, farming properties and personal effects.

Like many other members, I recognise and appreciate the work not only of the volunteer fire services from Victoria and interstate but of all the emergency services volunteers and community groups and organisations that came together to fight the fires and to assist others in the most desperate circumstances. They worked tirelessly throughout the crisis. Even when the intensity of the images on our television sets waned, the fires continued, and the volunteers fought day and night to save lives and property. In such a difficult time—and much has been said on this subject—it was heartening to witness the Australian spirit, camaraderie, fellowship and the banding together of the nation through countless volunteers, contributions, donations and appeals, and extraordinary expressions of condolence. It touched many people and my local community, like the communities of every member in this place—from larger regional centres to remote rural towns—conducted fundraising appeals to provide assistance.

This tragedy touched every Australian deeply, and reached beyond our shores as well. The extent of the disaster has been felt internationally, including in the United Kingdom, the United States of America, New Zealand, Singapore, Spain, India, Turkey, Indonesia and Japan—to name just a few of the many countries that have contacted the Commonwealth and State governments. I have received numerous messages from Speakers in other jurisdictions offering their condolences through this Parliament and through my office. The Clerk and I were in the Victorian Parliament to hear speeches on the condolence motion moved on its first sitting day this year. I was in the gallery, representing the Parliament and the people of New South Wales. I noted with interest the comments by the member for Burrinjuck about the bipartisanship that followed this devastating event. I will share with the House a small incident that occurred during that debate.

The Premier and the Leader of the Opposition made very emotional speeches—outstanding speeches—and demonstrated great leadership on behalf of the people of Victoria. The Premier was very emotional during his speech. In a very shaky voice, he acknowledged an Opposition member, who simply raised his finger in response to the Premier's acknowledgement. The Premier acknowledged that Opposition member—he obviously named his seat—for knocking on the door of his parents' home, which was in the member's constituency, to check that they were okay. As I was sitting in the Speaker's gallery, I thought to myself what a great democracy we have that an Opposition member of Parliament would make the effort to ensure that the Premier's parents were okay. I saw members of Parliament, in a distressed state, openly embracing on the floor of Parliament. The event clearly shattered the Victorian community, and its Parliament reflected that devastation before our eyes. I took the opportunity to meet and eat with some members of Parliament. They were still devastated on behalf of their communities and, like all members here, I shared their loss and grief. We offer them our condolences.

A great deal of debate has occurred, and will continue to occur, about what needs to be done in the future. I hope the spirit of bipartisanship we have seen recently follows through to that debate. It is important that, with such an enormous loss of life and property, we consider the national interest when taking corrective action and share as much as we can in order to support our colleagues in Victoria and their families and friends during this devastating time. As Speaker of the New South Wales Parliament I say on behalf of members to our Victorian colleagues: We are with you and will remain with you throughout the whole rebuilding process. New South Wales sends its condolences to you.

**Mr ROBERT FUROLO** (Lakemba) [11.00 a.m.]: Mr Speaker, your comments were very nicely put. To paraphrase Martin Luther King Junior, the true measure of the community lies not in where it stands in moments of comfort or convenience, but where it stands in moments of challenge and controversy. By this measure, the community of Australia can stand tall. The events in Victoria almost defy imagination: the loss, damage, devastation and tragedies resulting from these fires have been well documented. Many members have spoken eloquently about the impacts of the fires in their community and their understanding of the issues. On behalf of the people of the Lakemba electorate I pay my respects and offer my condolences to all those affected by the tragedy. I will briefly discuss the way in which my local community and the nation as a whole have responded to this tragedy.

Schools across my electorate immediately swung into action: fundraising efforts started almost instantly. Teachers and school communities helped local students understand the gravity of the events, and the kids responded by suggesting ways they could help to raise money. At Beverly Hills North Public School, which my two children attend, students held a mufti day to raise money. Similar events were held at schools across the electorate and the money raised went to help the victims in Victoria. As I have said previously in this place, the Lakemba electorate is extremely diverse and no greater contrast with the areas affected by the fires could be imagined. Lakemba, obviously, is a very metropolitan area characterised by many units and houses, whereas the areas affected by the fires are much more rural.

More than 150 different nationalities live together in a harmonious community in Lakemba—living their Australian dream. Sadly, there are those who assume that this diversity is a barrier to Australian values of mateship and supporting those who need a hand. I am pleased to report that nothing could be further from the truth. A large number of local ethnically based community groups have demonstrated their commitment to the broader Australian community by digging deep and raising money. The Lakemba-based Lebanese Muslim Association passed the hat around after its Friday prayers and raised \$5,000. The Chinese Australian Services Society also pulled together, recognising the needs of people affected by the fires. Canterbury City Council contributed \$10,000 to the Red Cross on behalf of the people of the City of Canterbury, and council staff held a sausage sizzle to raise money as well.

Other local groups who wanted to contribute to the families affected include the Lakemba-based Mission of Hope, which held a family day to raise money; the Canterbury Harmony Group raised money from its members; the Future Movement Australia at Punchbowl conducted a blood drive; and the businesses and Chamber of Commerce in Belfield conducted a sausage sizzle and trivia night, raising over \$4,000. These examples of my community rallying to help fellow Australians show the very best of the Australian spirit. People, families, children, and religious, business and community groups from all backgrounds have identified with people unknown to them in another State and honoured the values of our shared citizenship.

Finally, I acknowledge the firefighters, volunteers and community organisations who worked and fought valiantly to protect homes and lives across Victoria. Their dedication and sacrifices will inspire us for years to come. I acknowledge also the contribution of the New South Wales State Government by providing assistance and support to the families and victims through the volunteers and officials assisting in fighting the fires in Victoria.

**Mr BRAD HAZZARD** (Wakehurst) [11.04 a.m.]: I join with my colleagues from both sides of the House in expressing condolences to the people of Victoria who recently survived through the most difficult of circumstances with the extensive bushfires across particularly south-eastern and north-eastern Victoria. My family actually came from Victoria. Although I was born and raised on the northern beaches of New South Wales, my parents and grandparents came from Victoria. Indeed, my aunt Ivy Ractliffe still lives in north-west Victoria in a little place called Sea Lake. My grandparents on my mother's side, Roy D'alton and Annie Victoria D'alton, actually came from the Mallee country.

The devastation of the recent Victorian bushfires stretches beyond the images we have seen on television. For me it is a personal experience in the sense that for a number of years I lived in Victoria. I attended school in Frankston for a time and lived in Mordialloc for a period. The areas that were subjected to these fires were those I know well from my youth when I visited with my grandparents on weekend trips. Places such as Healesville were under threat in the days following 7 and 8 February. The number of families that have suffered defies belief. I understand that at this stage we know that at least 210 people died and at least 500 more were injured. We know that 100 people have been admitted to hospitals across Victoria with burns, 20 of whom are still in a critical condition—of course, this is now five weeks after the full fury of the fires were felt. As at 25 February Victoria police estimate the number of people still missing may reach over 30.

As recently as the day before yesterday I spoke to my brother, who lives in an area north of Newcastle, and he was telling me that a distant relative of his wife remains missing. That is the sort of issue we need to understand: some families still do not know the whereabouts of their loved ones. Nothing could be worse than not knowing the fate of a close family member. Certainly, the horror of having someone die is bad enough, but not knowing for sure and not knowing where that person is perpetuate the grief and horror. The fires have destroyed at least 2,029 homes—3,500 structures in total—and damaged many thousands more. Many towns north-east of Melbourne have been badly damaged or almost completely destroyed, including Kinglake, Marysville, Narbethong, Strathewen and Flowerdale. Many houses in the towns of Steels Creek, Humevale, Wandong, Callignee and Koornalla also were burnt, and fatalities were recorded at each location. The fires have left an estimated 7,500 people homeless.

It is with great sadness that we acknowledge the importance of sharing our concern with all Victorian residents. I assume very few people in Victoria have not had some association with people from the areas that have been so devastated. Many people across Australia know people who have been killed or injured or who have had their properties destroyed. It has been a time that has brought many people together. Because of that bringing of people together, it has also brought out the greatness of Australian society. Thousands of Country Fire Authority members have assisted and fought the fires in Victoria. More than 250 New South Wales Rural Fire Service front-line firefighters, 50 tankers in 10 strike teams and more than 300 New South Wales police, including specialist officers from the forensic services branch and the missing persons unit, travelled south to assist our Victorian friends.

New South Wales taxpayers, through the Government, presented a cheque for \$1 million for the Bushfire Appeal and many more local people have donated vast amounts of money to support those in Victoria. Out of this great adversity we have seen the triumphs of the human spirit. Residents from all over Australia put their hands in their pockets to support our Victorian friends. It would be remiss of me, bearing in mind that I was shadow Minister for Emergency Services, not to acknowledge our amazing Rural Fire Service in New South Wales. At latest count we had close to 70,000 volunteers. The Warringah-Pittwater Rural Fire Service has a number of brigades and week after week, month after month, year after year volunteers continue to give of their time to provide protection to residents against the constant threat of bushfires.

New South Wales Fire Brigades, which works closely with the Rural Fire Service, is an integral part of any response to fire, but today I want to focus on the volunteers. The fact the New South Wales has so many volunteers prepared to give of themselves is a measure of a society that has a very healthy approach to protecting its own. On Saturday I will be attending the annual general meeting, as I always do, of the Beacon Hill Rural Fire Brigade, the brigade located in my electorate of Wakehurst. In another week or two I will attend the opening of the new headquarters at Terrey Hills. On each of these occasions I have the opportunity to stand with people who are giants in our community because they are prepared to give of themselves in a voluntary basis.

In Australia we often take our volunteers for granted. We almost need to move outside Australia and travel overseas to receive the very strong message that our country is not typical of the rest of the world. I shall not name particular countries but I recollect a conversation in a country not far from our borders where I talked

to government representatives about the culture of volunteerism in Australia. The eyebrows were raised and there was a look of surprise because the government officials could not understand that our community members could volunteer so willingly nor that we have such range of volunteer services, such as the Rural Fire Service, volunteer rescue organisations, royal life saving, surf lifesaving and many other volunteer organisations.

It is appropriate as we reflect on the horrors and tragedy of the Victorian bushfires that we also celebrate the contribution of our volunteers to ensuring that as far as is humanly possible our Victorian friends had the support and assistance they needed. On the northern beaches—and I do not think my colleagues the members for Manly, Pittwater and Davidson will mind my acknowledging their electorates as well—there has been an outpouring of grief but also an outpouring of support. Almost every local school on the northern beaches has held fundraising activities. Communities outside the schools have held fundraisers. The latest function I attended was at Duffys Forest in the electorate of Pittwater, where 150 people came together on a wet Sunday night to raise money to support the Victorian bushfire victims.

This coming Saturday night I will attend a fundraising function at Dee Why RSL that radio commentator Jason Morrison and former member of the Legislative Council David Oldfield will co-host. I expect that many northern beaches residents will attend to provide financial support to the Victorians. This is a time when each of us in the Parliament has an opportunity to reflect on the amazing contribution of volunteers and on the immense need of families who are still suffering and will suffer for years to come as a result of these horrendous bushfires. Again I express my condolences and those of my family and my community to the people of Victoria.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [11.17 a.m.]: Over a month has passed since one of the darkest days in Australia's history. The current number is 210 dead and 500 injured, some of whom still remain in intensive care units. This, the greatest loss of life in peacetime Australia, is a tragedy that should never be repeated. The horror of this tragedy is incomprehensible. Whole communities have been flattened, and these communities will never be the same again. By comparison, the Black Friday fires in 1939 caused 71 deaths, the 1967 Tasmanian fires caused 59 deaths and the 1983 Ash Wednesday fires caused 47 deaths.

On behalf of everyone in my electorate I pass on their deepest condolences to the loved ones of those who died and those who were injured. We offer comfort to those who remain and who yearn for those who have been lost. From now the shock will pass but the realisation of what we all have lost will remain forever. And for many the hardest part is yet to come. We salute also those who have helped so far. They have been distinguished by their professionalism and dedication. The word "hero" does not do them justice and they give meaning to the saying: It is in the shadow of each other that the people live. For example, John Pisani from Glenfield is a volunteer in Casula Bushfire Brigade. He is a motor mechanic for the NRMA. Casula Bush Fire Brigade was in the first strike force team to go to Victoria and was there at four o'clock on the Sunday at Beechworth.

About 10 people from Casula Bush Fire Brigade went and they were away from their families for five days. They performed tasks of property protection and hazard reduction approximately one kilometre ahead of the fire front. John describes 30 to 40 centimetre pieces of flaming bark dropping from the sky. The ground was tinder dry and ignited straightaway. The only water that was available for use was dam water because there was no reticulated supply. The Casula Bush Fire Brigade was not the only bush fire brigade from Macarthur or south-west Sydney; others also went to Victoria. John's bosses at the NRMA telephoned him to thank him.

John Pisani is an amazing man. He is a volunteer at the Casula Bush Fire Brigade and spends approximately eight hours a week performing volunteer duties for that bush fire brigade. He pays for approximately one tank of liquefied petroleum gas [LPG] per week, laundering of his uniforms, and protective equipment, such as sunglasses, from his own pocket. Another volunteer is Jaime Marquez, who is the captain of the Casula Bush Fire Brigade. As he says, the main concern of bush fire brigade volunteers is for the entire Australian community. They care for others, and that is why they give up their time on a weekly basis and put themselves at risk.

At the Macquarie Fields fire station, I spoke to station officer Rod Holdsworth. Staff from that station also went down to Victoria with the New South Wales Fire Brigades and were involved in fighting fires in the Yea area. At the Horningsea Park fire station I spoke to Station officer Mick Costin. David Smith also went to Victoria to fight fires. As Mick Costin said, the staff of fire stations know exactly how difficult firefighting is because they have been through it and have seen it for themselves. Morningsea Park and Macquarie Fields fire stations both were involved in New South Wales Fire Brigades fundraising.

I acknowledge the excellent speech made this morning by the Speaker, who reminded us all that this Parliament has a duty of care owed to those who died. We must learn from tragedy. I look towards the Victorian royal commission to examine advice given to people in bushfire-affected areas, such as whether to leave the area or stay and protect their property, and to examine the science rather than the emotion of fire reduction measures. As the Leader of The Nationals, Andrew Stoner, stated in his excellent speech, we need to learn to live with the dichotomy that this land represents.

The greatest tribute we could pay to those who have died is to have a bipartisan, non-political response to the issues, instead of descending into inertia that mutual blame casting will create. We need to examine where we live, how we live, and what we can do to prevent future deaths. From past events, we can learn about future, similar fires—and they will occur. The greatest tragedy will be if the current tragedy is ever repeated.

**Mr FRANK TERENCEZINI** (Maitland) [11.22 a.m.]: I support the condolence motion and I do so sadly, but proudly, as a member of the New South Wales Parliament, along with all my colleagues. Over the past week I have heard several members of this House attempt as best they can to express the level and intensity of grief they felt when speaking about what happened on 7 February, which has become known as Black Saturday. It has been clear during speeches made in support of the condolence motion that members of the House had significant difficulty in finding the words and phrases that truly reflected the way they felt and conveyed their thoughts and sentiments. I am in a position that is no different from theirs: I found it very difficult to come to terms with the events and to accept that they had occurred.

As members of Parliament, we have a facile use of the English language. We usually have no problem expressing ourselves—I emphasise "usually". We are wordsmiths, and we are paid to be able to express ourselves. But on this occasion we have struggled to find the right words to express how we feel, given the intensity of the tragedy that has occurred. I represent a community in which dealing with natural disasters has been a way of life over many decades. Maitland experiences floods. It is situated on the floodplain of a river, and floods occur frequently. We have lost many lives through such disasters. We have learned to work together as a community in very difficult times. We have gained an appreciation of the effects of natural disasters.

However, the events accompanying the Victorian bushfires far outweighed and overshadowed anything that Maitland has ever had to endure. During Black Saturday Maitland was preparing for a flood, but in Queensland our fellow Australians were watching as whole towns were washed away by floodwaters, and Queenslanders had to face their own sets of problems—we could not have a better reminder of the visually stark contrasts that the Australian climate has to offer. The recent natural disasters have sent a clear and unequivocal message that has hit the Australian people with staggering force: how brutal Australia's contrasting climate conditions can be. On the morning of 7 February I attended a function and in the afternoon I spent time with my family.

As I listened to the news and watched the televised images of the Victorian bushfires, the true nature of the disaster began to unfold. I found it hard to come to terms with what I saw. It was a disaster of unimaginable proportions comprising 48 degrees Celsius heat, gale force winds, 4 per cent humidity, and walls of flame 50 metres high with concomitant ferocity produced by the combined conditions. The result was that 210 of our fellow Australians fell victim, and many others were injured. In addition, 2,000 homes, longstanding hotels, shops, pharmacies, meeting places and parks were all destroyed, and with them went the entire soul of communities. The Victorian bushfires were a profound tragedy.

Victorian bushfire victims number in their many thousands in the areas directly affected and in surrounding areas. Their communities will never be the same again. The towns that were lost will never be rebuilt to be the way they were, and people who live in those towns in surrounding districts will be rebuilding their lives for many years to come. The rescue effort involves not only the combined efforts of our emergency services but also the whole Australian community. If there is anything good to come out of this disaster that we can hold onto and be immensely proud of, it is the way in which our nation reacted. We grieved, but then we mobilised to do what Australians do so well—we came to the aid of our mates in times of need.

Fundraising collected approximately \$160 million, and people from all corners of the nation and all walks of life contributed. The people of Maitland did their bit by providing assistance. The Maitland Rural Fire Service provided five tankers, group vehicles and 45 personnel in two trips. The Maitland Fire Brigade also provided personnel on a rotational basis. The State Emergency Service remained in Maitland to look after the areas that were expected to be affected by floods. Aside from those significant efforts, I wish to bring to the attention of the House the efforts of a particular group of people in my electorate, our school children, of whom

I am very proud. Fundraising by school children took place right throughout Australia, and the efforts of school children are as important for their symbolic significance as they are for their practical effect in terms of financial and in-kind assistance.

The community of Maitland is very proud of the efforts of its children. We are very proud that our younger generation is carrying on the Maitland tradition of coming to the aid of those who are in less fortunate circumstances. I will read onto the record the Catholic, public and independent schools that participated in fundraising: All Saints College, St Mary's campus, approximately \$3,000 and boxes of school supplies; All Saints College, St Joseph's campus, \$2,150; All Saints College, St Peter's campus, \$1,355; Ashtonfield Public School, \$500; Bolwarra Public School, \$1,320; Francis Greenway High School, \$1,500; Gillieston Public School, four boxes and two backpacks full of stationery; Hunter River Community School, \$399; Hunter Valley Grammar School, \$4,673; Iona Public School, which is a very small school, \$174, with the community of Woodville raising a further \$385; and the Lochinvar Public School, \$985.

The list of schools that participated in fundraising also includes: Maitland Grossman High School, \$4,736; Maitland Public School, \$1,058; Maitland High School, \$5,200; Maitland Christian School, \$1,237; Metford Public School, \$4,700; Millers Forest Public School, \$147; Morpeth Public School, \$1,150; Rutherford Public School, \$1,080; Rutherford Technology High School, \$2,000; St John's Primary School, \$2,250; St Joseph's Primary School, \$1,725; St Paul's Primary School, \$1,000; Telarah Public School, \$1,200; Tenambit Public School, \$2,000. Approximately \$40,000 was raised by the Maitland school children. That is a fantastic effort and it is clearly a sign that the younger generation in Maitland is carrying on the Maitland adults' tradition of coming to the aid of those who are in less fortunate circumstances.

In Australia we are really blessed with volunteers. I fully concur with the member for Wakehurst about one of the great differences between Australia and countries around the world. I, too, have been overseas and have seen the way other countries operate. One thing that is in stark contrast is the level of volunteering we have in Australia—people who give up their time, spend their own money, and forgo their personal commitments to help others. In this case our volunteers really shine, both in Victoria and New South Wales. I know that the Rural Fire Service personnel in Maitland were ready, they took their rotational shifts, and they helped out.

On behalf of the people of Maitland, who are a strongly bound community, I pass on our sincere and heartfelt condolences to all those affected in every way: the sons, daughters, mothers, fathers, grandparents, uncles and aunties, close and distant relations, close and distant friends, communities, and all the members of those communities who have suffered, and who will continue to grieve and suffer, and feel the hurt and the everlasting scars that these events have inflicted. Whilst life for us will go on, as life for them will also go on, it is ever important to continually remind ourselves of the fragility of life, of how lucky we are to live in a country such as Australia, where we can live in comfort, although that is hollow to some at present, and can be confident that the Australian people will always be there to support one another in times of need.

**Mr ALAN ASHTON** (East Hills) [11.31 a.m.]: I want to place on record my condolences to the families and friends of the victims of the tragic bushfires in Victoria on what will now be known forever as Black Saturday, 7 February 2009. I also pass on sincere condolences on behalf of my constituents in the East Hills electorate and also my family. The fires killed more people than in any other non-war disaster in Australia's history, certainly in the history of white occupation of this continent.

I remember that the week before this fire event the temperatures in Melbourne and parts of Victoria were the highest on record. Members may recall that the week before the fires Melbourne had its hottest day ever recorded. But to my recollection the media mostly focused on the traditional scenes of kids and families at the beach or people cooling off under hoses. I recall seeing in the media pictures of people jumping off the pier at St Kilda and places such as that. That is a memory I have before the fires: the traditional scene depicted in the media of kids at the beach, very hot weather, and air-conditioners running at full throttle.

I recall that on that Saturday night the news of the fires was that 14 people were confirmed dead, with up to 40 killed. This stunned me at the time, but now these figures would almost seem acceptable—as inappropriate as that comment may seem—as we now know that over 210 people have lost their lives. More than 2,000 homes were destroyed. These figures are remarkable in the context of Australia's history. More than 500 people were injured, and some are still in a critical condition as I speak. I do not doubt that the State of Victoria will take many years to physically and emotionally overcome the tragedy of these bushfires.

I live in an area where bushfires happen, on the Georges River. In 1994 I had to evacuate my elderly parents from their home on the river to escape fire. As we were leaving, a tree branch fell across the track out of their property and we had to get out of the car to move a huge branch. The delay did not affect our escape, but that type of incident would have played a role in taking so many lives on 7 February in Victoria. Tragically, people tried to leave in their cars at the last minute, but the cars crashed and many victims were found dead in them.

There has been some discussion about the policy of leaving early or staying to fight a fire—that is, the idea that you protect your home and seek refuge in your home or a home nearby. I believe that the inferno that engulfed those small towns and villages defied any really effective strategy to fight the fires or even escape. In New South Wales we have become used to having a fire season every year. When our honourable colleague the member for Blue Mountains, Phil Koperberg, was in charge of the Rural Fire Service, every year there was a warning. Every year there were dry conditions, and there had not been enough burn-off. Due to the fact that we had drought the burn-offs could not be done. Phil would always warn everybody. People would rally and fight the bushfires, particularly in the Blue Mountains and in northern parts of Sydney.

I know there was some tragedy in southern Sydney at that time. The Sutherland area always has a problem with bushfires. Other suburbs in southern Sydney lost homes, and lives were tragically lost. But what was particularly noticeable about the Victorian fires was how these massively wooded areas—which, when I looked up on a Google map a couple of days later, were all green when the pictures were taken—were completely destroyed. With only one road in and one road out, it would be incredibly difficult to avoid such tragedy. I will not try to describe it, but other members have described the fire jumping ahead hundreds of metres, almost kilometres, and cars racing away but the fire beating them.

It reminds me of something my father told me years ago. As I said, we live on the Georges River. My father told me about a major bushfire in the 1950s or 1960s in which gum trees exploded when eucalypt oil ignited in the tree tops and the fire raced on at an unimaginable speed. No doubt similar events will be described in the royal commission hearing. The strategy of either staying and maybe fighting the fire, or leaving, is easily expressed in words, but it is an extremely difficult decision for those who have to react to an approaching fire. Unfortunately, some may have made what they thought was the right decision but were caught by the fire and died; others may have made the wrong decision but luck saved them.

On the morning after the fire a gentleman and his wife came to my office with an offer from workers at Botany to fill a container with necessary equipment to take to Victoria. At that stage the Red Cross only wanted cash donations. It was too soon to be able to move appropriate equipment into Victoria, and it was too soon to know what physical assets were needed. The people had tears in their eyes: they felt so frustrated that they simply wanted to do something to help, and eventually they did. One of my Australian Labor Party branches made a substantial financial donation to the Red Cross. My family and countless others in the East Hills electorate donated to the Red Cross to aid the victims. I think \$260 million has been raised, which is amazing.

Tragically and unbelievably, some of these fires were deliberately lit. I know that in New South Wales we have very high penalties for arson causing death, and I hope Victoria does as well. It is one thing to cope with a bushfire that has been caused by nature, through a combination of massive heat, dry undergrowth and lack of humidity, but it is hard to believe that people in our society would deliberately light a fire knowing that it could cause death. They must suffer from unimaginable mental illness, and their behaviour is beyond our understanding.

I praise the firefighters who battled the fires. Professional firefighters fought the fires, as did volunteers, who came from all over Victoria and also from New South Wales. The member for Macquarie Fields mentioned some of them. I know that members of this Parliament, including the member for Wakehurst, the member for Campbelltown and the member for Heathcote, are active members of their local bushfire brigades. On many occasions, looking across the river from where I live, I have been glad that there is a fire station at Sandy Point, in Alison Megarity's Menai electorate. The firefighters at that station have put out fires that have been roaring along that side of the river.

Indeed, fires have jumped the river. During the last major fire in my electorate the fire simply jumped the river. People think the banks of rivers are a long way apart. Some say that the Lucas Heights nuclear reactor would not be a risk if threatened by bush fires because it is far away, on the other side of the river. But if you have a good look at the Georges River, you could hit a nine iron across from one side to the other; the river is very narrow. The bends in some rivers allow ember to jump straight across. A house at the back of my house and another just two doors down were burned down. The owners had a hose but were not able to prepare in time even though the fire was on the other side of the river. Their house burnt down, but they have rebuilt.

I congratulate the Red Cross on its outstanding efforts. The Red Cross readily took on the major role of coordinating the aid that was and is still being provided in Victoria. I thank the ordinary Australians who donated such huge amounts to help rebuild the houses and, if possible, the lives of the survivors of this inferno that destroyed so much of the heart and soul of the Victoria countryside. Unfortunately, the words of Dorothy Mackellar's poem are still apt today. While Victoria burned, northern Queensland was metres under water. As the member for Wakehurst said, Australia is a diverse country. Previously in this place I have referred to our culture of volunteerism. Some countries have a culture of philanthropy—America is one—but there is no better country than Australia, where people stop what they are doing and help other people through volunteer organisations.

As the member for Hornsby has said, one can never put a figure on the amount of effort Australians put into volunteering. It is incredible. The member for Wagga Wagga would agree because volunteerism is probably even more important in country areas, where services are not as readily available as they are in city areas. I shall conclude by referring to possibly the most touching and emotional moments of the bushfire tragedy in Victoria. This may seem trite, but to me it was more heart-rending than some of the scenes we tended to become used to after four or five days watching the tragedy unfolding and the death toll increasing. I even kept a note in my diary of the number of deaths, which increased day by day. Everyone would have seen the iconic photograph, which was shown around the world, of the firefighter giving the burnt koala—since named Sam—a drink of water from more than one plastic bottle. It is an amazing photograph. As we know, koalas usually get their fluid from gum leaves.

The koala must have been desperately ill to drink straight out of a bottle from a firefighter. Koalas are not necessarily an easy animal to engage with. That photograph showed us all of man's humanity to man. It also shows our humanity to our native animals in Australia. Perhaps more than one million native animals died in this tragedy. While we are obviously thinking of people first, and houses and property, the picture showed man still looking after our native animals. Further words seem unnecessary and almost inappropriate. In conclusion, I express my condolences and those of my family and my electorate of East Hills to all those in Victoria who suffered so badly.

**Ms MARIE ANDREWS** (Gosford) [11.42 a.m.]: It is with great sadness that I speak to the condolence motion moved by the Premier, and pay my respects on behalf of my electorate of Gosford to those who lost their lives in the Black Saturday bushfires in Victoria on 7 February 2009. The devastating effects from the fires will be felt for many years to come as families and communities rebuild from the ashes. At least 210 people lost their lives and several others were severely injured. Over 400,000 hectares have been burnt out, 2,029 properties have been destroyed, and countless numbers of domestic animals, livestock and wildlife have been killed. Many of those who lost their homes are adamant that they will rebuild again in the same area. I can understand and sympathise with them, as I am sure other members do as well. It is pleasing to hear reports that recent rains in Victoria have helped in reducing the ferocity of the burning fires. Firefighters have worked around the clock to keep fires within containment lines. Fire authorities have announced that the worst of Victoria's bushfire season is over and communities can start to rebuild.

It has been heartening to witness the outpouring of support for the victims of the bushfires from around Australia and, indeed, the world. The residents of my electorate of Gosford have joined in the generosity of spirit that has gripped the nation. Examples of this kindness include fundraisers for the victims, as well as for the animals and wildlife carers. Gosford Race Club has donated gate proceeds from its race meeting held on 26 February 2009 to the appeal; Woy Woy Rotary Club raised \$6,700; Killcare, Ocean Beach and Umina surf clubs have raised \$10,000; the Peninsula Village Retirement Centre has raised more than \$3,800 for the Victorian bushfire appeal; and the Catholic parish of Woy Woy peninsula donated more than \$5,000 to the St Vincent de Paul Society Victorian bushfire appeal. That is just to mention a few.

Upcoming events include a disaster relief bushfire appeal concert on Friday 27 March, to be held at the Diggers at the Entrance and involving many Central Coast musicians who are donating their time, with well-known Central Coast resident Chris King as the emcee for the evening. Central Coast regional services are also organising a walk on Sunday 22 March 2009, and I hope to participate in that. It costs \$15 to register, and participants will walk from Woy Woy to Gosford, around the bike track and end up at Gosford waterfront, where there will be entertainment, stalls and displays from the New South Wales Fire Brigades, New South Wales Police and the Rural Fire Service. Many schools in my electorate have been fundraising in a variety of ways with carwashes, concerts, mufti days and the sending of condolence cards. Umina Public School is using the money it has raised to support a Victorian school teacher who lost everything.



These activities and others on the Central Coast are just a handful of examples of the way that Australians have banded together to support those who, through no fault of their own, have lost their homes, their possessions and, worse than ever, a loved one. At every community event I have attended since the bushfires, people have expressed to me their sadness and sorrow about the loss of life and heartbreak for so many who have been affected. It is with this in mind that I provided a condolence book in my electorate office, giving people an opportunity to send their thoughts to the victims of the bushfires. I have also signed the condolence book here in Parliament House on behalf of my constituents of Gosford. It makes me proud to be an Australian when I hear stories of children willing to give up their lunch money and many people giving whatever little they could to help those in need.

The bush is a beautiful, mysterious, serene and sometimes dangerous place, yet it is uniquely Australian. My electorate of Gosford contains many national parks, State forests and numerous nature reserves, including Brisbane Water National Park, Popran National Park and Dharug National Park. Over time, many communities on the Central Coast have faced the threat of a wildfire, and in recent decades some have experienced the extreme conditions of a firestorm. The Gosford rural fire district spans an area of more than 1,000 square kilometres and is made up of 20 Rural Fire Service brigades, 920 volunteers and eight full-time staff. A contingent of these volunteer firefighters from Gosford went to Victoria to assist with the fires for a five-day stay at the end of February. Local Rural Fire Service volunteers responded enthusiastically to the call for help. Another group from the Gosford area that travelled to assist in the fighting of the fires was from the National Parks and Wildlife Service. Six firefighters from the National Parks and Wildlife Service spent four days in Victoria assisting in back-burning exercises to secure containment lines around the Healesville area.

Recently the Deputy Premier mentioned in the House that she had travelled to Gosford to thank those firefighters, and I place on record my appreciation to them also. Gosford police sergeant Glenn Williams from Brisbane Water Local Area Command also travelled to Victoria to assist, where he led a team of eight other officers trained in disaster victim identification. Whilst firefighters from around Australia and indeed the world fought to control the blazes in Victoria, local Gosford Rural Fire Service firefighters, along with firefighters from the New South Wales Fire Brigades, were responding to a fire in the Brisbane Water National Park at Peats Ridge. The Peats Ridge fire saw 200 hectares of bushland burnt in Brisbane Water National Park, with more than 280 firefighters battling to control the blaze, which threatened about 200 homes.

Fortunately there was no loss of life or major property loss due to this fire, and the firefighters managed to get it under control after three days, with back-burning, fixed-wing aircraft and helicopters dropping fire retardant, and bulldozers constructing access lines for the firefighters. I place on record my appreciation to all those involved in controlling the Peats Ridge fire. On behalf of the constituents of the Gosford electorate I thank all those firefighters and other specialist front-line special personnel from the Rural Fire Service, the NSW Fire Brigades, the New South Wales Police Force, the State Emergency Service and the Ambulance Service of New South Wales who went to Victoria to assist in the worst bushfires in that State's history, and Australia's worst natural disaster. I also express my sincere condolences and those of the Gosford electorate to all the victims of the Victorian bushfires.

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

**ASSISTANT-SPEAKER (Mr Grant McBride):** Order! Government business having concluded, the House will now proceed to committee reports.

#### **STANDING COMMITTEE ON PUBLIC WORKS**

##### **Report: Report into Local Government Private Partnerships for Asset Redevelopment**

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

**Mr NINOS KHOSHABA** (Smithfield) [11.53 a.m.]: In June 2007 the Standing Committee on Public Works began an inquiry into why New South Wales local councils were not making greater use of public-private partnerships [PPPs] and what assistance could be provided to them. The terms of reference of the inquiry included inquiring into and reporting on issues concerning local government partnerships with the private sector in relation to the redevelopment of some council infrastructure assets. The committee was interested to examine whether local councils may be able to improve returns on some of their infrastructure assets by redevelopment through partnerships with the private sector, the impediments or barriers to local councils entering into public-

private partnerships, and the most appropriate partnership models for local councils. The committee acknowledges that while public-private partnerships are not the complete solution for all local government's infrastructure funding issues, they are one way that local councils could upgrade existing infrastructure or provide new services and facilities for their communities.

Following an initial call for submissions and a number of public hearings, in January 2008 the committee decided to issue a discussion paper to provide background material to stakeholders and focus responses on key issues. Fifteen questions were raised in the discussion paper, which was circulated to all key stakeholders including local councils. Thirty-five submissions were received in response to the discussion paper, and the answers and evidence received in response have been used as the basis of the findings in this report. The majority of the responses received from local councils indicated that most local councils were interested in exploring public-private partnerships in certain circumstances, but lacked the in-house resources and expertise to do so. Further, obtaining external specialist advice is prohibitively expensive for local councils, particularly if the proposal is only in the preliminary or speculative stages to determine whether the proposal is even viable.

The committee posed the following questions in its discussion paper regarding greater expert assistance for local councils: Should there be a central New South Wales government agency assigned the responsibility of coordinating and managing all other State government agencies involved in local council public-private partnerships? Should there be a new agency to educate, train and provide access to external expert advice to local government in relation to public-private partnerships? If so, what should the key functions of this agency be, and how should it be constituted and funded?

The majority of submissions received by the committee that specifically addressed these issues argued strongly in favour of a central New South Wales government agency. Some councils would provide more qualified support to the proposal if improvements could be made in the following: certainty surrounding projects—overcoming numerous changes to projects publicly announced, a shorter time frame for project planning and implementation, risk mitigation, and profit realisation that meets internal benchmarks. The committee believes that having a champion in the State Government sector to act as a one-stop shop for local government projects would be a major benefit to attracting the private sector to public-private partnerships and reducing costs. Unfortunately, this does not seem feasible given the large number of agencies involved in a public-private partnership.

The committee subsequently undertook discussions with New South Wales Treasury about the issue, as it was felt that the Department of Local Government did not have the capacity to offer this type of assistance, and had a potential conflict due to its regulatory functions. Treasury acknowledged that it did not have a direct line of communication with local councils and did not feel that it was currently appropriate to do. At the same time it was acknowledged that the Department of Local Government did not have a large amount of corporate knowledge in financial matters. This leaves local government in a somewhat isolated position, with no agency at State Government level that can offer assistance. The only option for councils is to employ external advisers that will incur substantial expense, particularly when proposals are only in very preliminary stages prior to being considered by the project review committee.

Treasury indicated it would be willing to explore some methods by which it could provide reasonably fast preliminary advice to local councils regarding potential developments. Treasury has a panel of external consultants, which it could make available to local councils. Subsequent to its meeting with New South Wales Treasury, the committee held discussions with the Local Government and Shires Associations of New South Wales [LGSA] regarding ways that the associations could better assist councils and, perhaps, provide an interface with Treasury. The associations indicated their willingness to establish a coordinated public-private partnership reference panel to provide assistance to local councils. This reference panel would largely utilise the in-house expertise of local councils that have undertaken successful public-private partnerships. The associations believed that this panel could be currently funded through local council contributions and paid by individual local councils on a needs basis.

Further, the Local Government and Shires Associations also felt that it would be in a position to provide training and other information to local councils regarding public-private partnerships on a fee-for-service basis. The committee strongly favours these proposals as they go some way to addressing the lack of cost-effective expert assistance currently available to local councils. Following briefings with a number of key agencies, such as the Department of Local Government, New South Wales Treasury and the Local Government and Shires Associations, the committee contemplated various ways that assistance could be given to local government in the most cost-effective way. The report has therefore suggested a number of options to assist local government in relation to public-private partnerships and 11 recommendations have been made.

The recommendations include: a reference panel of experts constituted and administered by the Local Government and Shires Associations to assist local councils with public-private partnership proposals that would provide expert advice to local councils and liaise directly with New South Wales Treasury; public-private partnership training and information sessions run by the Local Government and Shires Associations; a policy directory of best practice maintained by the Local Government and Shires Associations; capacity and skills building for local councils with regard to adoption of a total asset management system and integrated strategic planning; and model templates for public-private partnership contracts that could be flexible for local adaptation. The committee hopes that the proposals put forward in this report will go some way to assisting local government with future public-private partnerships.

On behalf of the committee, I thank all the agencies and organisations that participated in the inquiry. The committee very much appreciates their valuable input on the key issues. I also thank my fellow committee members, past and present, in particular, the committee's previous Chair, David Borger, who presided over the vast majority of the inquiry and, as former Lord Mayor of Parramatta, provided the committee with his firsthand knowledge and experience of a major local government public-private partnership—the Parramatta Civic Place redevelopment. I also take this opportunity to thank the committee staff, led by Catherine Watson, for all their hard work and assistance. Without their efforts the inquiry would not have been possible.

Local government asset management and redevelopment is a crucial issue and one that all local councils struggle with to some degree. It is essential that opportunities be provided by the Government to enable local councils to share their views on important issues and consider ways in which the Government can offer greater practical assistance. The parliamentary committee inquiry process is one way that this can be achieved. I commend the report to all members of the House.

**Mrs JUDY HOPWOOD** (Hornsby) [11.59 a.m.]: I speak on report No. 3/54 of the Standing Committee on Public Works entitled "Report in Local Government Private Partnerships for Asset Redevelopment", dated November 2008, because of the announcement this week of the economic stimulus package funding for housing. Although I am not a member of the committee, I refer to the inquiry's terms of reference, which, amongst other things, include:

2. Which type of council infrastructure assets are most suitable for such partnerships;
3. The impediments to councils of entering into such partnerships;
3. Models of managing risk to both councils and the community;

I refer also to page 1, chapter 1, "Issues raised in the discussion paper", which at paragraph 1.7 states:

1.7 Types of PPP applications in local Government could include:

- Property development including local government offices;
- Car parks, land swaps ...
- Waste collection and management;
- Waste water treatment;
- Child care ...
- Social housing and aged care.

This week the Premier released a very important policy in relation to the Federal stimulus package and housing. The Premier called not only on the private sector but also on the non-government charity sector to work with government to provide social housing. Social housing and aged care facilities are also the responsibility of local government, which is extremely relevant. I believe the report should contain a further recommendation, 12, in the following terms:

That a reasonable timeframe and adequate information is provided to councils to react to opportunities if government policy is advocating such relationships.

This week it came to my attention that the Government approached the St Vincent de Paul Society with a view to providing increased social housing across the sector. It asked the society to provide lists of land and properties that could be considered for social housing. The St Vincent de Paul Society has discussed the matter widely and the regional manager in my area asked me about this opportunity. I suggested that the society contact the local council. However, the council seemed not to have any information about this opportunity—although it has subsequently drawn up a list. The relationship and exact arrangements were unclear yet the list was required to be furnished to the Government by Monday 16 March, which gave the St Vincent de Paul Society only two or three days to respond.

Increased social housing opportunities are needed in the Hornsby area to deal with homelessness. The council did not know the rules; it did not know whether a public-private partnership [PPP] or some other arrangement was required. I hope the list it has drawn up will be delivered within the specified time frame. If the Government does not allow enough time for councils to respond then the recommendations in the report will mean nothing. I also believe the report should include another recommendation, 13, in the following terms:

That councils that wish to participate in PPPs provide their communities with adequate consultation and information before expenditure of ratepayers' money is undertaken.

For example, Hornsby council purchased a \$25 million quarry but did not supply adequate information to the general community—even though that \$25 million is an ongoing debt for ratepayers. Councils should be compelled to inform hardworking ratepayers about any prospective public-private partnerships [PPPs] or any other development, particularly if a huge debt will be incurred. Ratepayers should be informed if they are going to be left to foot the bill for years simply in order to accommodate a council development, which could fall flat on its face.

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

**Report noted.**

### **LEGISLATION REVIEW COMMITTEE**

**Report: Legislation Review Digest No. 15 of 2008**

**Report: Legislation Review Digest No. 1 of 2009**

**Report: Legislation Review Digest No. 2 of 2009**

**Motion by Mr Allan Shearan agreed to:**

That in accordance with Standing Order 306 (5) the reports of the Legislation Review Committee, being Orders of the Day (Committee Reports) Nos 2, 4 and 5, be considered together.

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

**Mr ALLAN SHEARAN** (Londonderry) [12.04 p.m.]: First, I will provide an overview of "Legislation Review Digest No. 15 of 2008", dated 2 December 2008, which was received out of session. Fourteen bills were scrutinised in this digest. The right to privacy was identified in relation to the Crimes (Administration of Sentences) Amendment Bill 2008, which was assented to on 8 December 2008. Of particular concern was section 193A, which allows for a victim of a serious offender to authorise a person to act as his or her agent, with the written approval of the commissioner, for the purpose of accessing documents held by the Parole Authority with regard to the offender. However, it did not specify in what circumstances the approval would be granted, such as whether there must be a good reason for an agent to be appointed and whether that agent must have a personal or professional relationship with the victim. Therefore, the committee resolved to seek further information from the Attorney General as to the circumstances in which this approval may be granted as it is concerned that section 193A has the potential to allow wider access to an inmate's confidential documentation.

Another issue of concern was raised in relation to the Institute of Teachers Amendment Bill 2008, which was assented to on 10 December 2008. The committee is concerned that section 3 delegates the definition of "serious misconduct" to be prescribed by regulation. As this definition forms the basis of all disciplinary proceedings, the committee considers that it should be defined in the legislation rather than by regulation. Some other matters discussed—but which the committee found did not trespass unduly on personal rights and liberties—included commencement by proclamation, retrospectivity and strict liability.

I will now provide a brief overview of "Legislation Review Digest No. 1 of 2009", dated 2 March 2009, which was received out of session. Five bills and two regulations were examined in this digest. Most of the reported bills did not present any issues of concern. However, I draw the attention of the Parliament to the Legislation Amendment (Special Licence) Conditions Bill 2008, which was assented to on 3 December 2008. The committee has concerns about the inappropriate delegation of legislative power with regard to section 11 (1A). The appropriateness of delegating to the regulations the power to amend or remake schedule 4 in relation to special licence conditions for declared premises is questionable as the provisions of schedule 4 are fundamental to the operation of the Act.

The committee also reported on the Liquor Amendment (Special Licence Conditions) Regulation 2008. It asked Parliament to consider whether it may be an undue trespass on the right to procedural fairness in the absence of an opportunity for the affected licensees to make representations or submissions to challenge their inclusion in schedule 3, and to consider whether the special conditions that impose a strict liability may have the potential to adversely impact the business of the affected premises if other competing licensed premises in the area or vicinity are not subjected to the same special conditions and have not been included in schedule 3 of the regulation.

Another regulation that the committee referred to Parliament in digest No. 1 of 2009 was the Crimes (Administration of Sentences) Amendment Regulation 2009. The object of this regulation is to establish a new designation for inmates, to be known as extreme high-risk restricted inmates, who are believed to constitute an extreme danger to other people or to good order and security and who may engage in, or incite others to engage in, activities that constitute a serious threat to the peace, order or good governance of the State or any other place. In relation to this regulation the committee identified ill-defined and wide powers and insufficiently defined administrative powers in relation to clause 89A on conditions and restrictions for the approval of visitors to such inmates and to clauses 95A and 110 (6) as to the approval of language by the Commissioner of Corrective Services.

The committee also identified issues of confidential communications and legal professional privilege in relation to clauses 95A (2) and (3) and 108A (2), which may form undue trespasses on individual rights and liberties to legal professional privilege. The committee highlighted that the restrictions of confidential communications are authorised by this regulation and not by an amending Act, which also may be inconsistent with the legal protection conventionally conferred on lawyer-client relationships. Furthermore, the committee is of the view that the denial of access to official visitors under the regulation's new clauses 155 (5), 156 (5) and 159 (5) could unduly trespass on personal rights and liberties to access and be heard by official visitors, who have a legislated responsibility to ensure the health, safety and welfare of inmates. The committee is concerned that this may weaken the individual right of the reclassified inmates to humane treatment.

I now turn to the most recent report, "Legislation Review Digest No. 2 of 2009", dated 10 March 2009. Eight bills were scrutinised in this digest report. In particular, I refer to the committee's conclusions in relation to the Law Enforcement (Powers and Responsibilities Powers) Amendment Bill 2009. The bill's authorisation to covertly enter and search premises using such force as is necessary and to seize, substitute, copy, photograph and record things, and to covertly enter adjoining premises, as provided under new section 47A, is a significant trespass on a person's privacy and property. The committee recognises that this bill is made in light of public interest but is conscious that a balance also must be sought to address personal rights and liberties.

I draw the Parliament's attention to this bill as being the only legislation of its type in Australia. The issuing of covert search warrants so far has been made only under terrorism legislation, which was done in the context of the potentially catastrophic consequences of terrorist activities and in light of a compelling public interest. This bill, however, is not aimed at suspected terrorists but is seeking covert search warrants for indictable offences punishable by imprisonment for a period of seven years or more, such as those involving various drugs, sexual and other offences, as provided under new section 46A.

The committee is particularly concerned that this bill trespasses unduly on personal rights and liberties for the following reasons, which are outlined in the digest report: the threshold for invoking the powers is suspicion on reasonable grounds, which can be regarded as not high enough to ensure that there will not be covert entry and search of premises of innocent people; if a search warrant is not served upon the person at the time of entry there is no opportunity to check whether the occupier and address are correct; it is not necessary that all or any occupiers of the premises be suspected of any criminal acts, therefore potentially infringing on their rights; the bill provides for the covert entry of adjoining premises occupied by people with no suspected criminal activity, therefore infringing upon the rights of innocent persons; and an applicant is not required to disclose the identity of a person from whom information was obtained if the applicant is satisfied that to do so might jeopardise the safety of the person, as provided in new section 62 (6). This provision seems overly cautious, as the identity of the person will be disclosed only to a judge of the Supreme Court and its non-disclosure may make it difficult for the judge to decide how compelling the evidence is in regard to the need for a covert warrant.

The committee has resolved to write to the Attorney General to inquire as to whether any public consultation has been conducted in relation to the bill and, if not, the reasons behind this decision. The committee also notes that new section 242A requires that annual reports in relation to the use of warrants be

given to the Attorney General and the police Minister. It allows these reports to be combined in the annual reports of the New South Wales Police Force, the New South Wales Crime Commission or the Police Integrity Commission. However, the bill does not specify that this must be done. The committee believes that given the strength of these new search powers, the additional oversight afforded by public availability of these reports on a timely basis is important. Therefore, the committee has resolved to write to the Attorney General inquiring as to how regularly it is envisaged that reports in relation to the exercise of the covert search powers will be tabled in both Houses of Parliament.

I will refer briefly to the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009, upon which the committee also reported in this digest. This bill covers issues that fall under the committee's functions, as prescribed by section 8A of the Legislation Review Act. However, as these issues arise as a result of detailed recommendations made in the report of the Special Commission of Inquiry into Child Protection Services in New South Wales—which conducted a thorough examination of the current child protection system—when balanced with the need to effect better outcomes for child protection, many of the issues would fall within policy considerations, which the committee does not comment on.

As to the right to privacy, schedule 1.2, item [9] permits the disclosure of the identity of a person who has made a report to the Department of Community Services if the disclosure is made for the purposes of the investigation. The committee notes that this is done only in circumstances where it is necessary for the protection of a child or young person and certification is required that it was not practical to obtain the consent of the reporter, or gaining consent would prejudice the investigation of the offence. By speaking to all three reports, I have run out of time. [*Extension of time agreed to.*]

With respect to access to justice, schedule 2.2, item [12] provides that decisions of the Children's Court will now be appealed to the Supreme Court rather than to the District Court. The committee understands that this is arguably a more complicated or expensive process. However, the committee also observes that this is a direct consequence of replacing the Senior Children's Magistrate with a District Court judge as President of the Children's Court to enhance the standing of the Children's Court and to ensure a pool of expertise in children's appeal matters within the District Court. In relation to the rights of children, schedule 1.1, item [2] amends the current section 23 of the care Act to require reporting to the Department of Community Services if concerns exist that a child is at "risk of significant harm" rather than at "risk of harm". Again, this change is a result of the inquiry's findings that too many reports were being made to the Department of Community Services that did not warrant the exercise of its statutory powers, with important competing demands suffering as a result.

The committee notes that other changes within the child protection system, such as early intervention programs and new referral systems, aim to address the needs of children at risk of harm that are not of a "significant" nature. If members want to examine the various bills in more detail, I suggest they go directly to the relevant digest reports. I reiterate in the Chamber that the digest reports aim to assist members in their consideration of, and debate on, the bills by promoting respect for personal rights and liberties. In this regard we deliberately attempt to avoid any commentary on policy in relation to bills and regulations. We restrict our concerns to our terms of reference, as outlined in sections 8A and 9 of the Legislation Review Act 1987.

**Mrs JUDY HOPWOOD** (Hornsby) [12.18 p.m.]: I make a brief contribution to the take-note debate on the Legislation Review Committee reports entitled "Legislation Review Digest No. 15 of 2008", "Legislation Review Digest No. 1 of 2009" and "Legislation Review Digest No. 2 of 2009". The committee works extremely hard within a tight time frame. Members of the House have indicated to me their general disappointment that Legislation Review Digest No. 2 of 2009 was not delivered until today. That is unfortunate. Although it is published on the web, many members prefer the printed copy for easy accessibility, and reference and notation purposes. I draw that matter to the attention of the House.

I reiterate the importance of the legislation that the Chair of the committee referred to in his speech. In relation to "Legislation Review Digest No. 15 of 2008", the Crimes (Domestic and Personal Violence) Amendment Bill 2008 is of great significance. Because it was introduced at the end of last year, the legislation was rushed through the Parliament and we were unable to thoroughly examine important amendments. Further, the committee did not have the opportunity to examine private members' bills, such as, the Paediatric Patient Oversight (Vanessa's Law) Bill 2008. There are many other examples of legislation introduced from this side of the House. Private members' bills give members who have issues that they consider to be of extreme importance the opportunity of raising matters that the Government perhaps does not consider in a timely fashion.

"Legislation Review Digest No. 1 of 2009" includes one example of an extremely important bill that was addressed, the Education Amendment (Educational Support for Children with Significant Learning Difficulties) Bill 2008. That bill was extremely important to every member of the House. I have made representations on behalf of many parents who would welcome that bill if it gives the Government the opportunity to solve the problems of children with disabilities who need more help in their educational experience. "Legislation Review Digest No. 2 of 2009" covers two extremely important bills, the Children and Young Persons (Care and Protection) Amendment (Children's Employment) Bill 2009, and the Children Legislation Amendment (Wood Inquiry Recommendations) Bill 2009, which raised issues addressed by the committee. The committee's review of those bills was duly referred to by the Chair of the committee.

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

**Reports noted.**

#### **STANDING COMMITTEE ON NATURAL RESOURCE MANAGEMENT (CLIMATE CHANGE)**

##### **Report: Climate Change and Natural Resource Management in New South Wales**

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

**Mr DAVID HARRIS** (Wyang) [12.23 p.m.]: It is with great pleasure that I speak on the report of the Standing Committee on Natural Resource Management (Climate Change), entitled "Climate Change and Natural Resource Management in New South Wales", which I tabled in December of last year. This report is the result of the committee's first major inquiry. It concentrates on two of the committee's terms of reference, those being: the likely consequence of human-induced climate change on land—including salinity—water and other natural resources, and the likely consequences of national and international policies on climate change on natural resource management in New South Wales. Since the committee's formation in mid 2007 there have been many major developments in climate research and policies, both nationally and internationally. In November 2007 the Intergovernmental Panel on Climate Change launched its fourth assessment report that unequivocally identified the effects of human-induced climate change for the first time. Shortly afterwards, in another first, Australia ratified the Kyoto Protocol, which committed the nation to legally enforceable emissions targets.

International negotiations are currently underway on an arrangement to succeed the first Kyoto commitment period. In Australia, last year saw the release of the Garnaut Climate Change Review, which gave the Australian Government independent advice on how to approach its own challenge of reducing emissions through an emissions trading scheme. The review fed into the Federal Government's green paper on the Carbon Pollution Reduction Scheme, which was released for consultation in July before the final proposed scheme was released in a white paper in December. The work of the committee remains very topical, as there is a constant stream of new information on State, Federal and international levels regarding climate change and its potential consequences. In fact, as recently as Tuesday Senator Penny Wong released the draft legislation for the scheme and this is expected to be debated hotly by Federal Parliament.

The New South Wales Parliament is currently holding its own inquiry into the potential impacts of emissions trading schemes on natural resource managers in New South Wales and has recently commenced an inquiry into managing climate change impacts on biodiversity. At the beginning of the climate change impacts inquiry the committee called for submissions. We received 42, from a broad range of stakeholders, academics, government bodies, natural resource managers and the general public. We also held four public hearings, received several briefings from experts and made a number of visits of inspection in order to learn further about key issues. At this stage I pay tribute to the former Chair of the committee, the member for Penrith, who very ably led the committee through that inquiry. I have only just come on board in that position and am happy to acknowledge her efforts.

The committee considers that global climate change will certainly affect natural resource management in New South Wales. It believes that all levels of government should work together with the community to improve the ability of the State to adapt to changes. One of the issues that cropped up regularly in our dealings with natural resource managers, both in submissions and at the public hearings we held, was the desire for clear, up-to-date information on the potential impacts of climate change and what they could do to adjust. The committee notes that the Department of Environment and Climate Change has been running a variety of information sessions for a general audience as part of developing the Government's Climate Change Action

Plan, its policy response to the challenge of climate change. These sessions include specific information about the local impact of climate change. I was able to attend one session, which I found to be quite informative. The committee applauds that and recommends that that valuable service should continue as new information comes to light.

The committee recommended also that the Department of Planning provide improved guidelines to local government about planning for climate change and consider the best way to inform property owners about the risks of the impacts of climate change. The committee notes that last month the Government released a draft sea level rise policy for public comment. This policy marks the first time that councils have been warned of potential sea level rises of 40 centimetres by 2050 and 90 centimetres by 2100, and encouraged them to plan for necessary adaptation.

The committee found that many natural resource managers were eager to learn what practical measures it could take to adapt to climate change. With that in mind, the committee recommended that the Government work with the agricultural sector in communicating and devising strategies for such adaptation, and also consider supporting research into mapping the soil characteristics of New South Wales to improve knowledge of the suitability of particular areas for particular land use. The committee recognises the expertise of the many catchment management authorities across New South Wales and believes they can be involved in creating new strategies. During this inquiry the committee was fortunate to learn about the potential for biosequestration of carbon in soil as a way of mitigating climate change. The committee met a number of passionate advocates of what could be achieved through various farming methods to increase the amount of carbon that could be stored in soil, especially at the Carbon Farming Expo and Conference held in Orange in November last year.

While at the conference, the committee members learnt further about the science that is behind those methods and how carbon can be stored in soil. For instance, we heard that the amount of carbon stored in soil can be increased by not tilling crops, retaining stubble, rotating land use between crops and pasture, adding organic fertilisers and encouraging the growth of plants with long roots. Committee members were able to visit a property and see that in action. It was quite astounding to see how successful it has been. In future the agriculture sector hopes that this may be included as offset in the carbon trading market, but in the meantime increasing the level of soil carbon is worthwhile because it improves water retention capabilities and overall productivity.

In addition, the final report of the Garnaut Climate Change Review noted that biosequestration in soil had the potential to remove an estimated 68 million tonnes of carbon dioxide annually for between 20 and 50 years if changed practices were implemented on the 38 million hectares used for crops in Australia. This is clearly an important emerging tool for assisting in the management of greenhouse gas emissions. The committee made a number of recommendations in its report and is pleased to see that the Government appears to have taken them on board. The draft sea level rise policy I mentioned previously shows that the Department of Environment and Climate Change and the Department of Planning will provide credible information to local councils.

As with the other issues this committee investigated, the introduction of the Carbon Pollution Reduction Scheme will have a noticeable impact on the natural resource managers of New South Wales, but the committee believes that if all levels of government, scientists, industry and the community work together solutions can and will be reached. I take this opportunity to express my appreciation for the work undertaken by my fellow members on the committee. I thank the committee secretariat for their commitment and determination to move this very important inquiry forward. I commend the report to the House.

**Mr DARYL MAGUIRE** (Wagga Wagga) [12.30 p.m.]: I make a brief contribution to the take-note debate on the report of the Standing Committee on Natural Resource Management (Climate Change). After reading the report, I highlight two recommendations. Recommendation 9 states:

That the Government consider how to monitor the implementation of climate change policies by local councils such as by appointing a body similar to the Natural Resources Commission for this purpose.

Why did the committee not consider including that role in the current Natural Resources Commission as a department rather than creating a new body, which seems to me to be far more expensive and cumbersome, or why did the committee not put forward a suggestion that the commission be required to report? Far simpler mechanisms could have been considered. The Department of Environment and Climate Change and others are already involved in these issues and I believe it is a very simple suggestion that would alleviate extra costs to the taxpayer and would be closer to the source of information. Recommendation 15 states:



The committee considers that there are benefits in enhancing biodiversity of degraded landscapes and the Government should consider developing policies to enable the recognition of plantings made for this purpose in future carbon accounting schemes.

I am surprised that catchment management authorities are not valued in this report. Catchment management authorities have been established throughout the region but there is no database for the historical plantings that have occurred over the years that catchment management authorities, Landcare groups and other groups have existed. I suggest that there should have been a recommendation 16, which should have been along the lines that the department collate with the Roads and Traffic Authority, councils, Landcare groups, et cetera, the total plantings that have occurred in the past and map them. That would mean that when there is an opportunity for a carbon accounting system in the future there is a map in place showing the total of the plantings, including roadsides managed by the Roads and Traffic Authority. The Carr Government put such legislation in place. Timber remains on the roads where there have been plantings to enhance the environment.

Such a recommendation would have been a good proposal to start the work of collating the plantings that have occurred. Two weeks ago I signed up with the catchment management authority to plant 2,000 trees on my property, which will be very valuable to the environment. That work will be done this year, and in 10 years time it will be a terrific benefit for the riverscape and the floodplains where I live. Sadly, they were all denuded of trees when we did not know any better in the early days. There needs to be an enormous amount of work carried out now to collate all those plantings that have occurred, and that would have been my recommendation 16. I firmly believe that responsibility should rest with the Department of Environment and Climate Change working very closely with councils, which have been carrying out their own environmental plantings, and Landcare groups, which have existed for 20 or 30 years.

I appreciated the opportunity to read the committee's report before speaking on it today. However, the report contains only 15 recommendations and I believe there should be more. If I had sat down and worked through this I probably could have come up with another dozen that could have been noted. Perhaps the committee will review the progress that has been made and suggest that when the accounting scheme is introduced it will look further at more ways to enhance the work it has done so far.

**Mrs KARYN PALUZZANO** (Penrith—Parliamentary Secretary) [12.35 p.m.]: I speak on the take-note debate on report No. 54/03 of the Standing Committee on Natural Resource Management (Climate Change). I thank committee members, the committee secretariat and the people who made submissions and became witnesses to this inquiry. The report is the result of the first major inquiry completed by the committee. As former Chair I am especially pleased to talk about this report and commend my successor, the member for Wyong, my fellow committee members and dedicated committee secretariat for their hard work and input. During the life of the inquiry the committee had an opportunity to hear from a large number of interesting witnesses through written submissions and public hearings. The committee also made a number of site inspections.

The report notes a number of case studies from either submissions or visits of inspection. I draw attention to the case study in managing natural resources in the Hawkesbury-Nepean catchment. In May last year the committee visited the lower Hawkesbury and travelled by boat from Windsor to Wisemans Ferry. Officers from the Hawkesbury-Nepean Catchment Management Authority hosted the visit and it was interesting to learn from them about some of the local effects of climate change. Poor water quality caused by drought is leading to outbreaks of blue green algae, which in turn can compromise the safety and consumption of the popular and highly valued prawns and squid from the river.

We also learnt that the catchment management authority is working hard to rehabilitate riverbanks by replanting reeds and removing weeds. One of the authority's concerns was to maintain the complexity of the ecosystem because complex systems are more resilient to pressure and changes. The authority is also identifying marshes with flatland rather than cliffs behind them as priority areas for protection as these will provide potential retreats for local flora and fauna, which may struggle to survive in rising sea levels. The member for Wagga Wagga alluded to mapping. When committee members were on board the vessel going down the Hawkesbury River we saw the map of where the Landcare groups and the catchment management authority had had active planting and regeneration activities. That mapping is widely available. As the member for Wagga Wagga seems to have much interest, I invite him to come to committee meetings.

The report noted at 2.68 that the Hawkesbury-Nepean Catchment Management Authority deals in an environment of regulatory complexity as to who is accountable, with multiple agencies in the Hawkesbury-Nepean. It should be noted from the committee's recommendations that we are listening. We are working towards an office of the Hawkesbury-Nepean, which will be a one-stop shop. The Minister for Water, and

Minister for Regional Development has carriage of the legislation that we will bring to the House in the future. The office will be based in the new \$80 million Penrith State Office building. The Government is listening to these committees, which is terrific.

As member for Penrith I am also particularly interested in the urban heat island effect, about which we heard from Greening Australia. This occurs in residential built-up areas where there is a lack of vegetation, and it is common in western Sydney. Such areas are significantly hotter than areas with an abundance of vegetation. Everyone who experienced the extreme heat in January would have noticed that Penrith was top of the pops, and western Sydney is always top of the pops with its temperatures. That heat island effect will impact on future planning in western Sydney. The effects of climate change could cause temperatures in the electorate of Penrith to increase, on average, between two to six degrees Celsius, but the urban heat island effect can add another one to three degrees Celsius to that. We need global cooperation to address this issue. I note that Bluescope Steel, which is one of the largest manufacturers of roofing products, is researching the types of paints it can make to alleviate the impact of the heat island effect. I thank all those involved in the production of this report, particularly the secretariat, and I commend the report to the House.

**Mr ROB STOKES** (Pittwater) [12.40 p.m.]: I want to make some comments on the report issued by the Standing Committee on Natural Resource Management (Climate Change) and in particular some of the report's recommendations as they relate to the impact that anthropogenic global warming is likely to have on coastal areas. I represent one of the areas most at risk and I have no desire to represent a drowned rotten borough if action is not taken to ensure that our communities are protected. Recommendations 4 and 5 relate to better information and monitoring of the risks and vulnerability of coastal areas. I note that the State Government has issued a draft sea level rise policy, which provides a planning benchmark to cater for a 90-centimetre rise by the end of the century.

However, in looking at that policy I note there are no guidelines about how that sea level rise benchmark will be implemented. For example, there is no guidance to local government as to whether it should pursue soft or hard engineering to protect coastlines and, if so, what sort of engineering: should it be revetments, sea walls or beach replenishment? There is no guidance as to any of those issues. There is also no mention of the concept of planned retreat. Which areas would be suitable to abandon and which areas would be suitable to protect? These are some of the hard issues that the reality of climate change in coastal areas will require us to address it. Someone will have to do it, but the draft sea level rise policy leaves all the difficult questions unanswered.

It also does not mention flood planning levels and whether councils should adopt a particular level for all future development in areas at risk of coastal inundation. The policy also fails to deal with the vexed issue of compensation. If we are going to defend some property owners but not others, what arrangements will be made for those whose properties will not be defended? It is one thing to take away a right to further develop a property; it is quite another thing to prevent homeowners from taking steps to protect their property. This needs to be properly addressed. I notice in the draft policy that the Government makes clear it will not accept any liability in relation to coastal flooding. I suspect the courts may take a different view. The Government may not accept the liability but it may be imposed by the courts in any event.

I also notice that recommendation 6 says that the Department of Planning should provide improved guidelines to local government about planning for climate change. My comment on that is that perhaps it is time for the Department of Planning to show some leadership on the issue in its own dealings. The reality now is that as a result of part 3A just about every coastal subdivision in New South Wales goes to the Minister for assessment, so it has really been taken out of the hands of local government. It is worth noting that the statutory immunity provided in the Local Government Act to councils in relation to coastal planning does not apply to the Minister for Planning. The Minister does not have any immunity from decisions she may make about subdivision in low-lying coastal areas. A classic example in my community of Pittwater is the beautiful and historic bushland waterfront site of Currawong, which stands within three metres of Australian height datum and is on an alluvial mud flat. It would be one of the first properties at risk in any sea level rise scenario. It seems crazy that the Minister for Planning would consider any subdivision and residential redevelopment of a site that is at as much risk as Currawong.

Recommendation 10 urges that the Government consider adopting a system for monitoring the consideration of climate change in planning decisions. I note that the Federal Government is currently looking at whether to add a greenhouse trigger to the Environmental Protection and Biodiversity Conservation Act. In the report the committee suggests greater prominence should be given to ecologically sustainable development

[ESD] in relevant legislation. I agree wholeheartedly, but I point out that recently in the Court of Appeal's decision in *Walker v. Minister for Planning* the then Minister appealed a decision of the Land and Environment Court relating to his failure to take into account climate change flood risk. He was arguing that he should not have to consider ESD as a mandatory consideration in his role as a consent authority. I suspect more needs to be done. The Government needs to do more than mouth platitudes; it needs to take real action.

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

**Report noted.**

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

##### **Report: Protection of Public Sector Whistleblower Employees: Discussion Paper**

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

**Mr FRANK TERENCEZINI** (Maitland) [12.45 p.m.]: I rise to speak on this report as the Chair of the committee. On 26 June last Parliament referred an inquiry to this committee the terms of which were to report on the effectiveness of current laws, practices and procedures in protecting whistleblower employees who make allegations against Government officials and members of Parliament. The Committee on the Independent Commission Against Corruption is a longstanding statutory committee of some 20 years that has powers under section 64 of the Independent Commission Against Corruption Act. It is very important to note those powers. They are mainly to monitor the operation of the commission. The committee was formed for the purposes of overseeing the operation and effectiveness of the Independent Commission Against Corruption [ICAC]. Specifically, those functions are:

- (a) to monitor and to review the exercise by the Commission and the Inspector of the Commission's and Inspector's functions,
- (b) to report to both Houses of Parliament, with such comments as it thinks fit, on any matter appertaining to the Commission or the Inspector or connected with the exercise of its functions to which, in the opinion of the Joint Committee, the attention of Parliament should be directed,
- (c) to examine each annual and other report of the Commission and of the Inspector and report to both Houses of Parliament ...
- (d) to examine trends and changes in corrupt conduct, and practices and methods relating to corrupt conduct, and report to both Houses of Parliament ...
- (e) to inquire into any question in connection with its functions which is referred to it by both Houses of Parliament ...

The committee looked at the terms of reference of this referral according to its functions. Members will note that in the past this committee reviewed the Protected Disclosures Act in 2006 and came up with a report. The Protected Disclosures Act contains a section that calls for continual review of that Act. In that sense the committee was able to look at the terms of reference and come up with a discussion paper. The title of the report refers to whistleblower employees but there is no definition of whistleblower in the Protected Disclosures Act. As a matter of fact there is no definition of whistleblower in any whistleblower legislation throughout Australia although the titles of some Acts refer to it, such as that in Queensland, which is the Whistleblowers Protection Act. So when we look at whistleblower legislation we are talking about the Protected Disclosures Act 1994.

Its main aim was, first, to rely on various protections afforded by different Acts of Parliament such as the Ombudsman Act, Independent Commission Against Corruption Act, Police Integrity Commission Act, Public Sector Employment and Management Act, and the Occupational Health and Safety Act. All those Acts of Parliament protect people, the one difference being that section 20 of the Protected Disclosures Act seeks to make detrimental action a criminal offence. Detrimental action is defined as any action that is suffered by a person who comes forward with information. It must be remembered that the protected disclosure must be of a matter relating to maladministration, corrupt conduct or serious and substantial waste of public money. Anyone coming forward with those matters is protected from detrimental action. Section 20 makes it a criminal offence to take part in detrimental action.

On that basis, the Protected Disclosure Act seeks to afford that protection to the person who comes under the definition of a protected disclosure. Various sections must be relied upon or complied with before a person comes under that definition. The New South Wales Government is fully committed to ensuring that

people in the public service are as confident as they can be that if they come forward with a complaint that they will be protected. The committee has produced 16 proposals, some of which were mentioned in the last review of the Protected Disclosures Act. The recurrent and fundamentally important theme is the need to protect whistleblower employees. The legislation was enacted in 1994, but it has never been administered by a government body or agency.

As the Deputy Ombudsman said—and his statement is quoted in the report—the Act is an orphan; it has not been owned by anyone. That is very important. In all those years the data—for example, information about trends, the number of reports, action taken and the number of prosecutions—has not been collated. As a result we are unable to ascertain how effective the legislation has been. That issue is addressed in proposal No. 1, which refers to the establishment of a protected disclosures unit to oversee the administration of the legislation and to collect relevant data. The Independent Commission Against Corruption annual report includes how many protected disclosures have been dealt with, but it does not include how they were dealt with or whether any action was taken or prosecutions launched.

Other proposals include an enforceable regulatory system across the public sector to ensure that an adequate system exists to investigate and report on protected disclosures. That is very important because unless that happens we will not be able to collate the data that is necessary to ascertain whether the legislation is working. The discussion paper also contains a proposal that departments and authorities must include in their annual reports a full list of data about the effectiveness of protected disclosures. For example, proposal No. 16 refers to public authorities reporting on the number of disclosures made in the past 12 months, the outcomes, policies and procedures, year-on-year comparisons and the organisational impact of investigations and disclosures. They are the fundamental requirements of this legislation and they are referred to in this discussion paper.

Of course, interested persons have two months in which to make a submission to the inquiry in response to the discussion paper, which will be sent to the people and organisations who made submissions. The discussion paper contains other proposals, including proposal No. 8, which suggests that section 22 of the Protected Disclosures Act be amended to remove the requirement for confidentiality in cases where a public official has voluntarily and publicly identified themselves as having made a protected disclosure. The committee heard evidence from the universities about the ability of agencies to deal with those matters even though the information was in the public domain.

Proposal No. 10 suggests that the Protected Disclosures Act be amended to provide that detrimental action taken substantially in reprisal for a protected disclosure is a disciplinary offence for all public officials. That is a new and relevant proposal in view of the fact that it may be a deterrent if disciplinary action can be imposed on a person who has taken part in detrimental action against a whistleblower. Proposal No. 11 suggests that the Protected Disclosures Act 1994 be amended to provide a detailed stand-alone definition of a public authority along the lines of schedule 5 (2) of the Queensland Whistleblowers Protection Act. That would clarify for all time the definition of public authority.

Proposal No. 12 states that section 14 of the Protected Disclosures Act 1994 should be amended to clarify that, to be protected under the Act, disclosures by public officials that show or tend to show corrupt conduct, maladministration or serious or substantial waste of public money may be made to appropriate public authorities and so on. That would mean that anyone who thinks they have a protected disclosure would not be required to comply with the specific technicalities of the Act. They could go to the public authority they think would be able to deal with their disclosure, and if that public authority is not the appropriate body to deal with it, it would pass it on to the appropriate body. The committee believes that is an important proposal.

**Mr JONATHAN O'DEA** (Davidson) [12.55 p.m.]: I am also a member of the Committee on the Independent Commission Against Corruption. Before I comment on the discussion paper it is appropriate to acknowledge the twentieth anniversary celebrations this week of the establishment of the Independent Commission Against Corruption by the Coalition. I attended the celebrations with the member for Epping.

**Mr Frank Terenzini:** You had the numbers.

**Mr JONATHAN O'DEA:** Yes, we did have the numbers then. Three former commissioners—Commissioners Temby, O'Keefe and Moss—and the current commissioner, the Hon. Jerrold Cripps, QC, spoke at the function. It was a most enjoyable and illuminating event. It was pointed out that during the last 14 years the term of this current administration, the funding provided to the commission has fallen in real terms by

more than 25 per cent. As a result of hearing that information I asked the Premier a question on notice yesterday about this Government's support for the Independent Commission Against Corruption. The purpose of this discussion paper is obviously to outline the major issues and areas of reform that have arisen during the inquiry into the protection of public sector whistleblower employees in addition to canvassing proposals for legislative change to the Protected Disclosures Act 1994 and the protection of whistleblower employees.

As is acknowledged, the discussion paper does not discuss all of the issues raised by participants in the inquiry. Rather, it focuses on issues that the committee identified as being a priority following consideration of evidence and submissions. I am not inappropriately canvassing the committee's deliberations but I point out that its decisions are made by a majority of the committee. As occurs with any committee, there is disagreement at the time and the nature of those disagreements may well become evident when the minutes of the committee's meetings are released. However, it is not appropriate for me to go into greater detail about that at this stage. I will refer to previous parliamentary debate and, in particular, to the late June 2008 debate about the committee's terms of reference.

I note that the Opposition Leader of the House, the member for Murrumbidgee, indicated in fairly clear terms that the Opposition expected the committee to inquire specifically into the treatment of Gillian Sneddon. He also referred to the possibility of calling a number of members of Parliament, including the member for Riverstone and former Speaker, and the current Speaker, to give evidence. The former Speaker of the House noted that perhaps the member for Murrumbidgee should also be called. It may well be that in the fullness of time the committee, in its wisdom, will consider it appropriate to call those members. I note from the report that the list of witnesses in appendix 2 does not include these people, Gillian Sneddon, and other individuals to whom the member for Murrumbidgee referred in his speech, as people that should be called to give evidence.

It does not include Melissa Batten and the staff at Iguanas, and it does not include Mark Aarons. It is important for members to read what the report states to establish who have been called as witnesses. Equally, members should make themselves aware of what the report does not say and who has not been called as a witness. My comments are restrained because the committee quite clearly indicates that in making its final report it will consider further submissions that it receives in response to this paper. It is important to highlight not only what is in this report—16 proposals are well drafted and put together—but also other material that must be looked at.

**Mr BRAD HAZZARD** (Wakehurst) [1.00 p.m.]: I am concerned that it has taken so long for this Government to revisit protected disclosures. In 1994 I was a member of the Parliament when whistleblower legislation was introduced by the then Coalition Government. Since that time the Labor Government has done nothing to protect whistleblowers. Although this review is a good one, I share the concerns of the member for Davidson that it would not hurt if the committee chair were ferociously independent. The member for Bathurst would not understand that, as he prefers everybody on the Government side to be contained. Those who stand up for principles must ensure that the report contains full and comprehensive recommendations, based on the problems that face whistleblowers, and that it is pivotal to a productive outcome.

As a former chairman of the Staysafe committee I ensured that it had a certain fierce independence and that all members—both Labor and Liberal—were not fearful of raising issues and speaking out. However, things have changed in recent years. The then coalition Government understood that it was the task of those committees to be fiercely independent. I agree with the comments made earlier by the member for Davidson. The committee should consider hearing from those who have been most disadvantaged and ensure that its final proposals to the Government are reflective of the needs of those individuals. As this report properly observes, statutory and administrative procedures must be put in place. In my time as a shadow Minister I have dealt with a number of people who would be classified as whistleblowers. Those people do not have a political view and they are certainly not against the Labor Party; generally they are concerned about the way in which their organisation is being run.

In all the years that I have been dealing with these sorts of issues and, in particular, when I was shadow Minister for Community Services, I had numerous dealings with officers from the Department of Community Services. I never had any discussions about political outcomes; I had discussions about failures inside the system. The proposed protected disclosures unit is a good idea. I understand that the Independent Commission Against Corruption has some issues relating to that proposal, and the Department of Education and Training does not want more bureaucracy, but this Government should continue in the direction in which it is heading. When I had dealings with the Department of Community Services I recall that those who had the courage to speak up regularly reported to me that, despite the fact that there was a protected disclosures Act, they were fearful that their positions had been prejudiced.

The television programs featured on *60 Minutes* and *Four Corners* relating to problems in the Department of Community Services were founded on whistleblowers coming to me as the shadow Minister, but not in a political sense, to raise their concerns about children who were dying and a system that was failing them. Those people, who were interested in trying to protect children, were given no guarantees. Their evidence, which was given covertly, reflected that they were extremely concerned about their future. The Government plays a pivotal role in ensuring that our community is well served and well protected. However, when things go wrong in government departments employees need to know that the Government will back them.

At the end of the day the Government should not be about protecting itself; it should be about protecting systems in New South Wales that deliver outcomes for the community. For what it is worth, I support 100 per cent the proposal to establish a protected disclosures unit. It might be difficult to establish where such a unit should be located. However, I would argue that the Ombudsman's office would be the only logical place for it to go. Nothing is perfect. If the Government clarifies this recommendation and it then does something about it, which will be a mighty challenge, this committee will certainly have achieved something.

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

**Report noted.**

**ASSISTANT-SPEAKER (Mr Grant McBride):** Order! Debate on committee reports having concluded, the House will now proceed to private members' statements.

### **PRIVATE MEMBERS' STATEMENTS**

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#### **MOUNT DRUITT HOSPITAL**

**Mr ALLAN SHEARAN** (Londonderry) [1.05 p.m.] I refer today to Mount Druitt Hospital and to speculation about its future. The Queen officially opened Mount Druitt Hospital in September 1982 in recognition of the needs of a rapidly growing community in Mount Druitt and the surrounding areas. The Blacktown City Council area has an ever-increasing population. It is the largest local government area in this State, where one in every 70 Australians reside. We all recognise that there are continuing pressures on our health system, and such is the case in Mount Druitt. People in the seat of Londonderry have the pleasure of being serviced by three significant hospitals—Nepean, Hawkesbury and Mount Druitt, and each of those hospitals has a special place in our community.

Today I will focus on the challenges facing Mount Druitt Hospital. The opening of Mount Druitt Hospital was a most welcome initiative of the then Wran Labor Government—a successful project after many years of lobbying by the community in recognition of the needs of the growing demand for health services. Today the future of the hospital is under threat. There are competing demands and various proposals are regularly examined with a view to better managing and utilising resources in a cost-effective manner. However, some plans that come under consideration put the way in which the hospital operates under extreme pressure.

At this stage I emphasise that, contrary to some of the mischief that is circulating in the community, the hospital is not closing but it is under stress. The fact that there are more than 30,000 presentations each year suggests that it would be impossible for it to close simply because the nearby hospitals could not absorb that number of presentations. While accepting the premise that the hospital will not be closing, consideration is continuously given to how it can operate and deliver maximum benefits to the community that it serves. As part of this evolving process, a number of years ago Mount Druitt Hospital had its intensive care unit transferred to Blacktown Hospital, and effectively both hospitals became a joint campus. That was most disappointing but it was reflective of the demand around the Western world for suitably qualified intensive care specialists. I hope that that issue is reconsidered when suitably qualified staff become available.

Under current consideration is another proposal that will restrict the operations of the hospital. The Western Sydney Area Health Service proposes to cut emergency surgery after hours and on weekends. During these times it is proposed that patients will be stabilised at Mount Druitt Hospital, and if surgery is required they will be transferred to the Blacktown campus. While this may be a practical solution to the bean counters, generally it is not acceptable to people in Mount Druitt. The argument is based on the premise that not enough patients are presenting to Mount Druitt Hospital to sustain the opening of surgical services after hours and at

weekends. The figures are tainted in that most of the ambulance patients are directed to hospitals elsewhere away from Mount Druitt. The member for Mount Druitt received a response to a question on notice that clearly indicates that many of the residents of Mount Druitt receive emergency surgery at either Nepean, Westmead or Blacktown hospitals.

Recently the Minister for Health visited the Mount Druitt area and met with the member for Mount Druitt, senior surgeons, senior area health officials and me. The ensuing discussion was quite interesting, to say the least. All parties had very convincing views, not all of which I could rightly support. I congratulate the Minister for his decision to appoint an independent surgeon to review the feasibility of the emergency surgery proposal. Earlier this week the Minister announced that Professor Bruce Waxman had been engaged by the area health service to review the proposal. Professor Waxman is well respected in his field. He is an eminent surgeon, and the Australian Medical Association supported his nomination. I believe local surgeons at Mount Druitt Hospital also support his appointment. Mount Druitt Hospital is a wonderful hospital. It is a specialist centre for paediatrics, orthopaedics, palliative care and rehabilitation services. It has become an important centre for elective surgery, and this is continuing to increase. Importantly, the doctors, nurses and staff are fully committed to the safe and proper delivery of services.

A public meeting of more than 250 people was recently held at the Holy Family Church. The public feeling left no doubt that the question of emergency services at Mount Druitt being curtailed should not be considered. Speakers and community members expressing concern included Father Ed Dooley, who emceed the meeting very well, Councillor Charlie Lowles, Mayor of Blacktown, Barry Robson, president of the Mount Druitt Cardiac Support Group, and Margaret Thurlow, one of the hospital's many volunteers. There were many others. The overwhelming concern was a feeling that the hospital is being degraded and thus will be providing a lesser service than that which is expected. Accordingly, I wish Professor Waxman well in his deliberations to achieve a result that will ensure the proper care and safety of all people who present to Mount Druitt Hospital.

#### **CENTRAL COAST DOMESTIC VIOLENCE INTERVENTION RESPONSE TEAM**

**Mr CHRIS HARTCHER** (Terrigal) [1.10 p.m.]: Today I bring to the attention of the House a situation in my electorate where the interference of this Government's Department of Community Services [DOCS] has caused a very successful advocacy program to dissolve its association with and assistance to victims of domestic violence. The department has caused Central Coast Domestic Violence Court Assistance Scheme Incorporated to hand back the auspice of providing the domestic violence intervention response team, which supports the most common victims of domestic violence: women. The domestic violence intervention response team's aim was to help local women and children navigate their way through the court process and provide a safe room for these victims when at court, so they did not have to confront their abuser.

Originally asked in 2003 by the Department of Premier and Cabinet under the Community Solutions Program to auspice a service for women and children at Gosford and Woy Woy Local Courts, the domestic violence intervention response team scheme has operated with such success that funding had increased over time to employ additional staff. The program was so successful that it even won police awards for its innovative service. The team was in partnership with the Brisbane Water Police Local Area Command, responding to and assisting local women and children in domestic violence situations. A recent program evaluation by NEXUS recommended very few changes to the team. Based on this, Central Coast Court Assistance Scheme Incorporated agreed to continue to manage the team's services until 2012.

Central Coast Domestic Violence Assistance Scheme Incorporated has only deducted a minimal auspice fee from the team and in some cases has carried the operating costs. Now the department has, without any consultation, insisted upon unrealistic changes to the program that would be impossible to achieve within the allocated funding. The department insisted that the specialised women's service change to accommodate men, which is in breach of a service agreement with Legal Aid New South Wales, which provides core funding. It also conflicts with the team's constitution, which was to work with women and children only. Men were not neglected by the domestic violence response team; they were referred to other agencies already set up with trained workers to deal with male victims.

Although I recognise, as does everyone, that men can be victims of domestic violence, it is traditionally and overwhelmingly women and children who are most at risk and in need of support. The response team is not trained to deal with male victims and is concerned that dealing with them could do more harm than good. Men experience domestic violence very differently to women and these differences need to be taken into account in the development and delivery of services. Having men and women managed together is to diminish the support

of either. To accommodate men in the safe room would mean that, when attending court, women and children would await their turn to face their abuser in the same allegedly safe room as men. This is not acceptable.

Emotions and fears linked to domestic violence are unique. This is someone the victim loved, trusted and shared her life with. This same person is now terrorising and frightening her. Often the situation is complicated because of all the factors involved—love, violence, shared assets, often children and even pets. The brave woman who decides to leave a violent or potentially violent situation now has to navigate an unfriendly legal system whilst dealing with relationship issues. She may now not even live at home anymore. What will happen to this woman's resolve and strength when the safe room in which she is expecting to be free is now accommodating men? To her, he could be her aggressor's brother, friend, or workmate. His mere presence can be unsettling. Being left with another man, even if he is a victim himself, would not be very helpful.

I have been informed that the domestic violence intervention response team program has now been placed under the auspices of Brisbane Water Police. There was no community consultation by the department. None of the local community groups that showed an interest in the program was consulted. Gosford Family Support Services were interested in picking up the program but were never approached by the department. There is enough evidence to know that victims of domestic violence are far more comfortable disclosing information to community advocacy groups rather than to an investigative body such as the police. This local service for women and children should be allowed to run in the most efficient way without constant meddling. The local service was more than happy to assist until 2012 but cannot continue to work under the onerous conditions imposed by the department.

Again, this Government is abandoning those who need them most—women and children who are the victims of domestic violence. Why is the Department of Premier and Cabinet not taking responsibility under the Community Solutions Program as originally intended? Why is the Premier allowing those most in need of the service to go without? I call upon the Premier to intervene in this situation and continue the auspices and funding of this excellent program that looks after women and children in need. Men who are in need should be sponsored by another program.

#### **CENTRAL HUNTER CRIME PREVENTION PARTNERSHIP**

**Mr FRANK TEREZINI** (Maitland) [1.15 p.m.]: Today I talk about a new initiative in my electorate—the crime prevention partnership—which was announced by the Minister for Police, the Hon. Tony Kelly. Crime and issues related to crime affect each and every one of our electorates to varying degrees. Discussion on this topic usually centres around police numbers, response times, high visibility policing and so on. Reactive measures in crime-fighting, such as response times and high visibility policing, are important. However, implementing systems that seek to involve numerous community representatives, government agencies, departments, local councils, liquor accords, et cetera is an innovative, creative and, indeed, exciting development in crime prevention. "Prevention" is the key word. Generally we are talking about fighting crime and deterring crime.

On 3 November 2008 the Minister for Police visited Maitland to announce the creation of the Central Hunter Crime Prevention Partnership. His announcement signalled a new and added dimension to how Maitland will continue to bring down its crime figures. Crime prevention partnerships in Maitland will bring together numerous government departments—the Office of Gaming and Racing, the Department of Community Services, Health, Housing and the local council. All these stakeholders will share their expertise, knowledge and experience, pooling their resources and reducing the opportunity for criminal activity and antisocial behaviour. An excellent example of this in my electorate is the way in which the local police and the Department of Transport are working together in relation to our late-night trading establishments, such as the Clubhouse and the Brewery in central Maitland. Both of these agencies are committed to reducing antisocial behaviour in the late hours of the night and the early hours of the morning.

A great innovation used by the Department of Transport is the mobile closed-circuit television facilities. These devices are cameras that can be mounted at various locations to monitor activity. These are currently being used along railway transport corridors, mounted on platforms and trees, and other locations. The current arrangement between these two agencies—police and the Department of Transport—will allow for these cameras to be used in the outer precincts of railway stations and perhaps towards the corridors of movement between these establishments and the train station, in particular, to monitor the movement of patrons exiting our nightclubs and heading towards the train station on their way home. This will reduce the opportunities for criminal activity. It is a great example of how the pooling of resources, cooperation and the sharing of expertise can work to deter crime.



Crime prevention partnerships provide the operational structure through which coordinated crime prevention occurs at the local level. It is all about involving local communities in local solutions. Crime is as much a community problem as it is a problem for the police and law enforcement agencies so it must be tackled with the cooperation of the community. People are worried about crime in their areas, and wherever there is community involvement and Neighbourhood Watch the crime figures come down. I am happy to say that in the Maitland electorate general crime figures relating to assaults and property offences are either stable or falling, which is good news. Central Maitland has issues that need to be looked at that are associated with the late-night trading hours, but the Liquor Accord and all stakeholders are working hard to arrive at a consensual arrangement involving all local establishments for new practices in accordance with the Premier's recent announcement.

The Central Hunter partnership will be chaired by the Central Hunter Local Area Commander, Superintendent John Gralton, and aims to reduce the levels of assault, non-domestic violence, robbery and steal from motor vehicle crimes, with a particular focus on alcohol-related offences. Superintendent Gralton is the new Maitland local area commander. I have met him on several occasions and have no doubt he will do an excellent job as the local area commander and with the new crime prevention partnerships. I am glad to have him in Maitland; he is doing a fantastic job. I certainly look forward to working with him to continue to reduce Maitland's crime figures.

**Mrs KARYN PALUZZANO** (Penrith—Parliamentary Secretary) [1.20 p.m.]: I commend the member for Maitland for outlining in this place his strong support for local police and their crime prevention partnerships and for noting particularly the role of his local area commander. Police do an excellent job around the State in sometimes difficult and dangerous situations. On Monday I had the good fortune to meet with the local area commands of Hawkesbury, Blue Mountains, Penrith and St Marys to award the Police Medal and the National Medal to the many hardworking men and women of the police force. No doubt many police in the electorate of Maitland will receive similar awards. I commend the member for Maitland for bringing this matter to the House.

#### **CASINO TO MURWILLUMBAH RAIL LINE**

**Mr THOMAS GEORGE** (Lismore) [1.20 p.m.]: This week we have heard much debate in this place about what the Government is doing with the Federal stimulus package and what we are not doing.

[*Interruption*]

You will have your chance in a minute. The people of the North Coast want what this Government wiped out some five years ago. I call once again for the reinstatement of the Casino to Murwillumbah rail service. The Government could provide stimulus to the North Coast by reinstating that rail service. It would not only support the region's transport industry but also support tourism and industry along the line. The Federal members for Page and for Richmond made much noise about how they would support the reinstatement of this rail service. However, to date neither they nor any of their colleagues have pushed for the project to be part of the stimulus package.

A reinstated Casino to Murwillumbah service must be extended to the Queensland border to support the region's transport and tourism industries. For the past five years this Labor Government has said that it was working with the Queensland Government to produce a cross-border report on the reinstatement of the rail service. A headline in this morning's edition of the *Northern Star* declares "Govt to tell truth on train." The people of the North Coast have had enough. Thanks to the efforts yesterday of Jenny Gardiner and her supporters in the other place, pressure was finally put on the Government to provide the so-called secret report, which has been unavailable. We have since learnt that the report was available last July but was not released.

The other startling fact we have learnt is that this so-called comprehensive report could be just three pages! The report for which the community has been waiting and on which the Government has been working with the Queensland Government has been ready since last July but was not released and could be all of three pages. How serious is this Government about stimulating the New South Wales economy? Many members on this side of the House have tried to indicate to the Government where improvements could be made to stimulate our economy, but our efforts were to no avail. An article in this morning's edition of the *Northern Star* headed "Why be so secretive over rail line report?" by editor Alex Easton states:

If the NSW Government did not like the Northern Rivers' rail line when it axed the service in 2004, it must hate it now.

When he pulled the XPT from the line, then Transport Minister Michael Costa pleaded economic reasons, saying the State's finances were in dire trouble ...

That was back in 2004! Now the Government is saying that this State is in trouble because of the global financial situation. Michael Costa said that in 2004. Again, I ask the Government to consider the needs of the North Coast, not just the electorate of Lismore. I demand that it reinstate the Casino to Murwillumbah rail service and extend it to Tweed Heads.

### **PENRITH ELECTORATE INFRASTRUCTURE PROJECTS**

**Mrs KARYN PALUZZANO** (Penrith—Parliamentary Secretary) [1.25 p.m.]: I speak today about State Government infrastructure projects in the Penrith electorate. New South Wales is spending \$56 billion in Penrith, which is underpinning 180,000 jobs. That represents expenditure of \$1.6 million every hour of every day. The Government is spending some of that money in western Sydney and providing jobs in the Penrith electorate and the greater west. A major piece of infrastructure in my electorate is the Penrith State Office building—a huge \$80 million construction. The first sod was turned in mid 2007, construction was completed by the end of 2008, and the first workers took up occupancy early this year. The building was officially opened by the Premier, accompanied by the Minister.

This new building is great news for the residents of Penrith and the lower Blue Mountains, who now have easy access to several government agencies located in one building. The agencies occupying the new building include the Department of Fair Trading, the Department of Community Services and the Sydney Catchment Authority. The newly created Office for the Hawkesbury-Nepean will also shortly take up occupancy in the building. The Minister for Fair Trading and the Minister for Community Services recently visited the various departments and spoke to the staff who work diligently in this wonderful building. The building has a front office that is shared by the Department of Fair Trading, the Office of Industrial Relations, the Department of Commerce, and the Consumer, Trader and Tenancy Tribunal.

The building also has brand-new hearing rooms so that people in western Sydney can have their Consumer, Trader and Tenancy Tribunal matters heard locally. All this demonstrates the Government's commitment to improving State infrastructure and delivering improved services to western Sydney, particularly Penrith. More than 400 jobs were created during the construction, which boosted the economy of the Penrith central business district. The building is located next to Penrith railway station and is easily accessible to staff and the community. People can travel from the Blue Mountains or on the western line from the city or Parramatta, alight at Penrith, cross the road and access all those services in the one building.

I am proud to work closely with the community to achieve results—and this is just one success. The New South Wales Government has a strong record of delivering infrastructure projects to the people of Penrith and the lower Blue Mountains. During the construction period in 2007-08 a new Older Persons Evaluation Review and Assessment [OPERA] unit was built on level 1A of Nepean Hospital. The Government also delivered a new after-hours general practitioners clinic based at Nepean Hospital. A trade school was constructed also during 2008 and is now open for business. On the first day of school the Minister for Education and Training and the Premier visited Jamison High School to open the trade school and to meet students in the nursing and allied health courses. In speaking about the jobs and opportunities that the infrastructure package will create, I note that the trade school's project manager was a former student of Jamison High School. He gained his qualifications and ended up working for the Department of Commerce, providing new infrastructure to his old high school.

The new library at Kingswood Park Public School was an in-house refurbishment project of the Department of Education and Training. In addition, during 2007 easy access upgrades were delivered to Blaxland railway station, and Emu Plains railway station is presently undergoing an easy access upgrade. The Government is providing school fencing for Blaxland East Public School and a covered outdoor learning area for Braddock Public School. Other schools have also benefited from refurbishment, and I commend the Government for this work.

### **NORTHERN BEACHES PUBLIC TRANSPORT**

**Mr BRAD HAZZARD** (Wakehurst) [1.30 p.m.]: We each get our messages in different ways as members of Parliament. Yesterday I was on a bus heading from Dee Why to Manly when, at Warringah Mall, an elderly lady got off the bus, along with many others. She looked at me and said, "Can you try to get us some more buses?" The problem is that we are at the mercy of a Labor Government that does not seem to understand that people live on the northern side of Sydney and actually want to use public transport. My first challenge to the Minister for Transport is to take note that a few hundred thousand people live on the northern beaches, and

many of them want to travel—indeed, many of them need to travel—on public transport. I remind the Minister that my electorate has the greatest number of public housing residents than any Liberal-held electorate in the State and many of those people tell me they just want a decent public transport service. Today, on behalf of the member for Manly and the member for Pittwater, I have written a letter to the Minister for Transport, which states:

The Hon David Campbell  
Minister for Transport

Dear Minister,

On behalf of the Members for Manly (Mike Baird MP) and Pittwater (Rob Stokes MP) and myself, I request an urgent meeting with you to discuss the process and the possible outcomes of the review of bus services to the Northern Beaches.

Last year the former Transport Minister facilitated attendance of senior State Transit staff at a public meeting at Dee Why to discuss proposed bus route changes.

That meeting took place on the 21<sup>st</sup> August 2008, at Dee Why RSL and over 400 people attended.

Since that time I have written to the State Transit Authority (Mr Bruce Richards) and set out concerns.

I included a copy of correspondence and emails from concerned residents addressing a number of different bus route issues.

Since that time I have not received one response from the State Transit Authority.

I have had my Electorate Officer also email issues to the State Transit Authority but again, not one response.

A constituent was recently informed by an STA employee that changes would be undertaken immediately after Easter, but to this date there have been no communications on the STA's intentions or our constituents' concerns.

We therefore ask you to arrange a meeting with yourself and the State Transit Authority and each of us to be advised on what changes are currently intended to take place and what is the time table for those changes.

Yours faithfully,

Brad Hazzard MP.

Normally I do not have to write to Ministers and state on the record that I have written to them because over the years—and I have been here almost 19 years—Ministers have shown some sense of responsibility. However, my experience in dealing with the State Transit Authority and this Minister on transport issues has not been particularly productive. I hope on this occasion the Minister will actually respond and show the people of the northern beaches that he is interested in producing a productive outcome for the whole community. The more people who are able to use public transport, the better the outcome for them and for our environment.

I ask the Parliamentary Secretary to inform the Minister for Transport that the member for Pittwater, the member for Manly and I request a meeting with him. At least then someone on the Government benches will ensure the Minister hears my plea so that this issue does not just disappear into the black hole of the State Transit Authority. I place on record also a letter that summarises the frustration of residents. The letter was written by Nick Johnson, a resident of Frenchs Forest, and it states:

I have been told from a reliable source from Sydney Buses, there are moves afoot to abolish another bus route on the Northern Beaches. This time it is the 173 from Cromer to Milsons Point via Skyline shops and the Wakehurst Parkway. My source advises me that (along with routes E66, E72, E73 and now the 173) Sydney Buses plan to force all passengers around my area of Frenchs Forest and (Skyline shops) and Allambie Heights, through Dee Why, and then on to the City and Milsons Point.

This will add 20 to 30 minutes a trip (to and from work) per day for me (and more time for people further along the bus route), with absolutely no logical reason for removing another bus route other than the usual dribble that spurt when cutting any services. This will make the overall service more streamline and efficient. What a load of rubbish!! Not only will it cause people back into their cars it will cause even more traffic congestion, as well as extra damage to the environment.

Another issue is the new Epping to Chatswood rail link. There is not one change in bus services to connect to that service. I know that many students at Macquarie University are calling out for an efficient service to get from the lower parts of the northern beaches to Chatswood to then connect to the new rail line. I ask the Minister to examine that matter and respond as soon as practicable.

**Mrs KARYN PALUZZANO** (Penrith—Parliamentary Secretary) [1.35 p.m.]: I welcome the opportunity to reply to the member for Wakehurst. He has a good friend on this side of the House. His area has the benefit of State Transit Authority services, which the people of Penrith do not have. Fighting for extra bus

services is important to the community, particularly for those who are less fortunate and for whom public transport is often the only option. I remind the member that the Government introduced the Bus Reform Act and instigated the Unsworth review prior to that Act coming into force. The Bus Reform Act repealed the legislation enacted by the former Coalition Government that impacted on a number of areas with contract bus services. Westbus in my area is subject to contractual reviews under the Bus Reform Act. It called for contracts, and submissions closed on 8 December 2008. A public meeting was also held.

I commend Owen Eckford from Westbus for the admirable job he is doing. I note that patronage of the western rail line is increasing but there has not been a corresponding increase in patronage of Westbus. A proposal was made to the people of western Sydney, which is a growth area. The member for Wakehurst mentioned the northern beaches, but they have State Transit Authority services and I am talking about contractual areas. The people of western Sydney had a change in their bus routes and services. Services were not added; they were just moved. When I spoke to Landcom about that, I was advised that the services they were proposing—for the four rabbits and kangaroo that live on Caddens Road—simply had been moved from Stafford Street, Jamieson Road and Derby Street.

### DUBBO ELECTORATE WOMAN OF THE YEAR NOMINEE

**Mrs DAWN FARDELL** (Dubbo) [1.37 p.m.]: Today I draw the attention of the House to Donna Marie Falconer, who was selected as the Dubbo candidate for woman of the year and who attended Parliament House for the International Women's Day celebrations when the New South Wales Woman of the Year was chosen. Dubbo was fortunate to be represented by Pam Bell of Peak Hill in 2005; Patricia Doolan, a respected indigenous elder from Dubbo, in 2006; Maree Hoffman from Wellington in 2007; and Bev Lange, a former councillor from Parkes Shire Council, in 2008. I will provide the House with a quick summary of Donna's personal background. She has raised three wonderful children of her own. The two boys have finished school and have begun careers in Dubbo, and her daughter is now in year 12. Before commencing with *Dubbo Photos News* just over four years ago, for many years Donna was a team manager at Myer Dubbo, and then was made second in charge at a local caravan park. She is currently the sales manager at *Dubbo Photos News*. Donna has always been actively involved in her community.

Donna is a former Rotary Queen and was crowned when she was still in her teens. Donna's support for those who have been diagnosed with breast cancer is the reason I nominated her. Over the past 10 years she has played an integral role in local breast cancer fundraising groups. Her many contributions to breast cancer fundraising and support include helping to establish the local Look Good Feel Better [LGFB] group 10 years ago as the head facilitator for the group in the Dubbo region; being named the Look Good Feel Better Facilitator of the Year, which is in Australia-wide honour; organising the Mini Field of Women two years in a row; helping to organise the Look Good Feel Better group's role in the Relay for Life as well as the group's ball five years ago, which was a huge event and raised a very large amount of money for that your organisation; and organising Dubbo's first Girls Night In.

During 2008 Donna coordinated bra collections around western New South Wales to go towards a record attempt by the Citizens Who Care organisation for the world's longest bra chain as a fundraiser in the fight against breast cancer. Donna speaks to business groups and other local community groups about the Look Good Feel Better group's role. She travels around the region at her own expense to help to promote Look Good Feel Better, and runs workshops in some towns in my electorate. She is always happy to help ladies who enrol in Look Good Feel Better workshops. Donna has been called at home after hours by participants wanting a wig, and she has happily gone to the wig library in the middle of the night to open it for them. Other community aspects of Donna's life include often being involved in organising Fashions in the Field at the local turf club and being a volunteer with a TAFE program that provides etiquette, make-up and general beauty advice to teenage girls from less privileged backgrounds. Donna is sometimes referred to as Dubbo's June Dally-Watkins. It was with great pride that Donna and her daughter attended Parliament House two weeks ago to celebrate the occasion. Donna is a very worthy winner of the title "Dubbo's Woman of the Year 2009".

### HORNSBY HOMELESSNESS TASK FORCE

**Mrs JUDY HOPWOOD** (Hornsby) [1.41 p.m.]: I take this opportunity to inform the House of the way in which the Hornsby Homelessness Task Force came into existence. The Hornsby electorate is considered to be in the upper North Shore, but it could not be further from the social connotations of the North Shore. The area does not reflect the image that many people have of the North Shore. In my electorate there are hundreds of homeless people. I predicate that statement on data that has been made available by the Salvation Army, which

has 230 open files, and the St Vincent de Paul Society, which has 263 open files. Those figures represent people who make contact, not those who do not. I am sure there are many more homeless people in my electorate who do not make contact. In June last year I held a crisis meeting on homelessness in my electorate. Homelessness has been part of the Hornsby electorate literally for decades.

People have been known to be living in the caves in the Brooklyn area, in camps in bushland areas, behind the Hornsby swimming pool, in stairwells and generally around open spaces in the community. I recognise that homelessness in the Hornsby electorate has not been entirely obvious. In my electorate homelessness is largely invisible but it exists nevertheless. Members can imagine my surprise when, in a meeting in November 2007, I realised that the Department of Housing had no demographic statistics on homelessness in the Hornsby electorate, despite homelessness being a major issue. A series of crises occurred relating to homelessness, and I pay tribute to Lyn Braico, a former President of the Country Women's Association [CWA], for bringing the issue to my attention. She was aware of groups of homeless people sleeping in the alcove of the Country Women's Association office and their use of Hornsby Park, which is adjacent to the Country Women's Association office. The crisis meeting led to the formation of a task force that has met on four occasions, and it is going from strength to strength.

I inform the House of the members who constitute the Hornsby Homelessness Task Force: the St Vincent de Paul Society; the Hornsby Shire Council is represented by the community services manager, David Johnston, and Sharon Mizzi from the youth network service; the New South Wales Police Force is represented by Superintendent Shane White and his predecessor Craig Rae, who are very supportive of the work of the task force; the Department of Housing is represented by Robert Holden, Jane O'Toole, and John MacCallum; Councillor Michael Hutchence is very supportive; the Community Drug Action Team [CDAT] is represented by Michael Colnan; and the Salvation Army is represented by Maggy Farago. In addition, Kim Appleby of the Hornsby Shire Council was very helpful in organising the initial crisis meeting I held.

Youth services are represented on the task force by Kerry Lawrence and Diane Vernon. St John's Uniting Church is represented by Jessica Reeve and Alison Stewart, who run the project known as the Dish, which feeds homeless people behind the swimming pool every Friday evening. Jennifer Allen represents the Brooklyn Community Health Centre. Carmel and Bill Aitken are very supportive and represent the social justice group of Our Lady of the Rosary Church, and Bill is the editor of the monthly chronicle. Aimee Cornelius is also a member of the task force. Aimee is a student-intern who was working with me last year and produced a fantastic report on an investigation into homelessness in 2008 as part of her university degree studies. There are many more people I would like to mention, including members of my staff: Camille, Linda, Vanessa and Christine. I thank them for all the issues they dealt with and all the assistance they have provided relating to the task force.

Community leaders and experts in the Hornsby community are all working together in an attempt to solve the problem of homelessness. I intend to hold a Hornsby Homelessness Task Force forum next Tuesday night, and the idea has received widespread support. Keynote speakers will be Reverend Keith Garner, who is the superintendent of Wesley Mission, and Felicity Reynolds, who represents the Mercy Foundation. There will also be a presentation by the Sydney Street Choir and a panel discussion involving a variety of experts and community leaders from the Hornsby electorate. I express my thanks to the Department of Housing for its contribution. Centrelink has agreed to liaise with Department of Housing personnel to assist with housing in my electorate, and properties have been purchased. I also thank the Government for providing opportunities for housing under the stimulus package. However, as I have mentioned previously, great difficulties are being experienced in letting councils and charities know what needs to be done to apply for land and properties that are under consideration.

#### **EAST HILLS ELECTORATE WOMAN OF THE YEAR NOMINEE**

**Mr ALAN ASHTON** (East Hills) [1.46 p.m.]: I congratulate the Premier's Department on the Honouring New South Wales Women 2009 function, which was held in the Strangers Dining Room last Thursday in Parliament House. Each year the event takes place in March to celebrate, among other events, International Women's Day. International Women's Day began early in the twentieth century and emanated from what some may refer to as radical feminist groups of women with "outrageous" demands, such as better pay and working conditions, and the right to vote.

**Mr Gerard Martin:** Good heavens!

**Mr ALAN ASHTON:** Yes. International Women's Day now celebrates the important role played by women in the social, academic, economic and political fields of daily life. Both the Premier, the Hon. Nathan

Rees, and the Minister for Education and Training, and Minister for Women, the Hon. Verity Firth, attended and spoke at the 2009 New South Wales Woman of the Year function. At least 87 women were nominated for the State award, and usually they are nominated by their local State member of Parliament. While each member of Parliament may nominate one woman, we recognise that hundreds could be nominated in each electorate, such as the outstanding quality of the work, both professional and voluntary, being done by women in our electorates.

Mrs Janelle Janes of Revesby was the East Hills electorate Woman of the Year, and she was nominated by me. Janelle is a very special person whose contribution to the welfare of people in my electorate is lifelong. Janelle is the proud mother of three children—twin boys, Robert and Michael aged 23, and her daughter, Emma. Janelle was the team manager for both soccer, which is now known as football, and cricket through her sons' involvement in those sports over 12 years. Both boys represented Bankstown in both codes.

Janelle was also the initiator of the Bankstown Circus Academy, where her son Michael was a very successful trapeze artist. Janelle Janes has been an active member of the Bankstown Caring for Kids group, which I have praised in the House before. Janelle has been active in that organisation, together with her husband, John, for over 15 years. She has been a committee member and a function coordinator, and she has helped at barbecues and organised Christmas parties at the oncology unit at Westmead for many years. Janelle also takes charge of the coordination of the raffles and silent auctions held each year by the Bankstown Caring for Kids group on its annual charity night. The Bankstown Caring for Kids group has donated a huge sum of money to Westmead Children's Hospital oncology unit.

One of the highlights of an auction some years ago was the large amount of money raised for life-size plaster statues of Marilyn Monroe, Elvis Presley and Charlie Chaplin that Janelle's husband John obtained when they were clearing out one of the old buildings, perhaps Mark Foy's. I am sure he obtained the statues legally. Janelle's daughter Emma has been assisting with the Bankstown Caring for Kids group since she was a very young girl. I congratulate Janelle Janes on receiving this award; it is highly deserved. In common with nearly all electorate nominees, Janelle was very surprised and somewhat embarrassed to be nominated. This is typical of so many women doing great volunteer work in New South Wales who seek no recognition at all. Well done, Janelle.

## ALCOHOL ABUSE

**Mr MALCOLM KERR** (Cronulla) [1.50 p.m.]: Alcohol abuse has been very much in the news of late. It is a major problem confronting our society. I have spoken previously about the effect of alcohol abuse in my electorate and the antisocial behaviour that occurs as a result of it, particularly late at night during the weekends at Cronulla Mall. I am very pleased that the *St George and Sutherland Shire Leader* has run a number of articles relating to the impact of the abuse of alcohol and binge drinking in our area. I appeared in one of those articles, and as a result two young residents whom I knew from the Redback soccer team, Adam Hooper and James Bale, wrote to me about the problems faced in our area. Adam Hooper wrote:

After returning home recently from Europe, I suddenly realised how bad this country's Binge Drinking culture really is. The last straw of realisation was when I was sitting in a bar in Croatia, all I could hear was about 20 Aussies girls aged approx 23-30yrs all screaming and taking shot after shot at the bar. Watching on was a predominately European crowd, who clearly possessed a higher level of sophistication and maturity. Oblivious to their surroundings, these Aussie party girls continued to draw attention to themselves for all the wrong reasons. After this embarrassing experience, it made me realise how Bogan these Gen Y Aussies are.

It seems these days its all about living your life through Facebook, motivated by the feeling of getting that perfect photo (after fifty attempts) when you're all dressed up. The question begs, would these young Gen Y's honestly consider themselves an attractive option to a partner looking for them as a potential mother or father of a child? What is it about these revealing self taken photos and constant attention seeking Facebook status updates that makes these Gen Y's think they're somebody?

In 2009 the self disrespecting act of drinking for 10 hours straight has apparently become the thing to do, it gets worse, these Gen Y's actually consider themselves part of the "in crowd". So getting a ticket to a festival and spending the day off your face is cool?? ...

The Sutherland Shire Council have developed an Anti-Social Behaviour Strategy that shows relevant statistics and does a good job at outlining the possible causes, however misses the mark in regards to the way forward, offering no solutions.

Current advertising for binge drinking seems to be directed towards the violence aspect. Although violence related incidents are on the rise due to binge drinking, this advertising angle could miss the spot with Gen Y's.

Along with anti-social behaviour, what needs to be addressed is the immature attitude toward alcohol consumption that is prevalent amongst young Australians, what it is that drives this culture? What can be done to change it? And, the development and implementation of an education program and or effective advertising campaign to combat this attitude and culture.

The member for Macquarie Fields, given his heritage, may be interested to hear that the Scottish Parliament is at the moment wrestling with this problem. The minority Government there has put forward a number of proposals to deal with the problem, and it is the subject of considerable debate in that country. In that context I was interested to see the social profile report of the Sutherland local government area. Table 5.2 on page 14 of that report sets out disturbing statistics for risk drinking behaviour and high-risk drinking behaviour for young people aged 12 to 17 years. The statistics show that the level of risk drinking behaviour for south-eastern Sydney and the Illawarra is higher for both males and females than the New South Wales average, as is the high risk drinking behaviour in our area compared to the New South Wales average. The report makes very sobering reading.

### TAMWORTH ELECTORATE SAWMILL OPERATIONS

**Mr PETER DRAPER** (Tamworth) [1.55 p.m.]: I have previously detailed the problems faced by hardwood saw millers in the Tamworth district as a direct result of the 2007 Private Native Forestry Code of Practice. This legislation forced J. T. Frazer and Company to close its doors on 22 December 2007 after operating since May 1953. The company's manager estimated that the company lost between \$50,000 and \$60,000 between August and December 2007 as logs became unavailable. This led to four people losing their jobs and a massive financial loss for the principal. Similarly, the Bendemeer sawmill has been trying to reliably source timber since 2007, with property owners unwilling to enter into property vegetation plans. Local contractors have packed up and left the district. The third local mill has also faced these problems, although recently the mill has managed to sign a couple of landholders to private native forestry, property vegetation plans. However, they have long-term concerns that these property owners are merely "clearing out" now because they fear regulations will become more draconian into the future, with the mill owner worried that this will lead to a boom-then-bust scenario.

While Bendemeer Sawmills is prepared to exit from private forestry milling, it believes its operation can remain viable should it gain guaranteed access to Forests New South Wales supplies. This business is not seeking a huge supply—merely 1,500 cubic metres a year, or about two truck loads per week. The Farrell family, principals of the Bendemeer Mill, are thankful for the assistance and advice they have received to date, and have sourced access to stored logs from the closed Boral timber mill at Walcha, purchasing for the Bendemeer operation. However, this will only be a short-term measure, possibly up to three years, so State Government assistance is needed to source timber from Forests New South Wales. As I said, they require approximately two truckloads of hardwood per week to safeguard their enterprise and ensure long-term viability for the business.

A long-term guarantee of supply is necessary for the Farrell family business to deal with banks and to obtain finance for further investment in their operations. The proprietors of Bendemeer Sawmills are making every endeavour to ensure their business remains viable and successful, and are value adding with new product lines including furniture. The Farrells have invested well over \$100,000 over the past nine years to bring the mill up to date. However, they have lost between \$50,000 and \$70,000 in turnover during the past 18 months since the Private Native Forestry Code was implemented. The benefits that this enterprise brings to the Bendemeer community will be decimated if it is unable to secure a reliable source of timber for the long term. Bendemeer has a population of 221 in the 2006 census and is located on the Macdonald River, between Tamworth and Armidale.

**Dr Andrew McDonald:** A fine river.

**Mr PETER DRAPER:** A very fine river. The settlement lies just off the New England Highway, 452 kilometres north of Sydney. Seven people are employed at the mill, making it, along with the Bendemeer Hotel, one of the biggest employers in the local district. Should the operation be forced to close, it will have a dire impact on the local economy and on the families that rely on the sawmill for employment. During the week prior to the 2006 census just 77 people aged 15 years and over who were usually residents of Bendemeer were in the labour force. Of these, 52 per cent were employed full-time, 34 per cent were employed part-time, 4 per cent were employed but away from work, and 10.4 per cent were unemployed.

A further reason that as much assistance as possible should be provided by the Government to maintain a viable saw milling industry in Bendemeer are figures from the census that show that the median weekly individual income for persons aged 15 years and over who were usual residents was \$277, compared with \$466 throughout Australia. The local median weekly household income was \$556, compared with \$1,027 throughout Australia. The local median weekly family income was \$817, compared with \$1,171 throughout Australia. It is obvious from those figures that things will be much grimmer in the Bendemeer community should the mill be forced to close.

In a community with limited alternative employment opportunities, assistance from the Government is essential. There is clear evidence across the State of significant social costs to communities in other areas where mills have been forced to close. Reports show that labour adjustment packages have not been fully effective in returning former timber industry workers to the same standard of living as they enjoyed previously. Retraining components have been reported as ineffective, and data shows that less than 50 per cent of those made redundant utilised this assistance. In addition, in a recent case study nine of eleven trainees interviewed indicated that the scheme did not help them obtain a permanent job. Reasons they gave included isolation from main centres that provide a range of courses, and a resistance amongst some displaced timber workers to the need for retraining.

It is clear that the Bendemeer sawmill is of great importance to the local community. Should the mill be forced to close, a large proportion of the town's workforce will be out of a job, and the associated flow-on effects to the community would be nothing short of a disaster. The nearest alternative for work is Tamworth, which is a 41-kilometre journey each way. Having worked in the timber industry most of their lives, displaced workers from the mill would need substantial retraining if they are to find alternative employment. There should be an obligation for government to protect small isolated communities, and to assist the owners of organisations such as the Bendemeer mill maintain their business as they provide much-needed employment to local workers.

### SHACK YOUTH OUTREACH CENTRE

**Mr GREG SMITH** (Epping) [2.00 p.m.]: Recently I was delighted to attend and support the Shack's Latin Extravaganza at the salubrious Epping Club. Latin American singers, musicians and dancers entertained and prompted most attending to move to and on the dance floor, including yours truly. I welcomed the guests and in doing so I sang an appropriate theme, A Day in the Life of a Fool. This function raised much-needed funds for the work of the Shack Youth Outreach Centre. The Shack was established to help young people who are struggling, whether it is due to drug or alcohol problems, family breakdown, school or higher education problems, or it might just be puberty blues or anger some young people develop towards oldies telling them what to do. Regardless of their situation they get help from the Shack. The Shack counsels those who need it and gives support—all free. It helps to heal rifts in families and seeks to achieve a family environment.

The Shack also helps youth by supporting them in court, with accommodation, gaining employment and assistance through government and other agencies. It periodically runs educational workshops on relevant issues to youth, such as drugs, alcohol, safety and health. From a broader perspective, the Shack performs a pivotal role in assisting young offenders in their rehabilitation and ensuring that young offenders do not become repeat offenders. The Shack provides an environment where everyone is treated equally and is not judged, and concentrates solely on getting young offenders' lives back on track. Personally I have met many of the success stories from the Shack, young kids who have fallen foul of the law or their families. Through the help and support of Jackie Pettit and her team, they have been able to regain their lives.

The Shack premises, which are on the St Alban's Anglican Church site at Epping, provide youth with a safe, drug and alcohol free haven where they can interact in a friendly, supportive atmosphere. The pool table has widespread attraction, as do the Playstation and computers with Internet access. Last year young people made more than 1,000 visits to the Shack. The Shack was originally established in 1992 by a group of concerned local residents, churches and businessmen. Initially, it operated from a disused scout hall that was converted into a counselling and recreational facility. The Epping Club and other clubs, the Epping Chamber of Commerce, St Albans and many other local churches, including Our Lady Help of Christians Catholic Church, the Commonwealth Bank, Bendigo Bank North Epping and individuals and businesses have supported the Shack financially and in many other ways.

Although most of the Shack's money comes from fundraising, the Department of Community Services plays an important part in helping fund the paid staff. The paid manager, Jackie Pettit, is doing a magnificent job, as did her predecessor Darlene Keenan. Jackie won a prestigious Fair Go award, which was presented to her at the Pride of Australia medal ceremony. My predecessor Andrew Tink introduced me to the Shack; he was a great supporter. Places such as the Shack are important in all communities. Epping is largely a law-abiding and peaceful area. It is a beautiful garden suburb; the whole area is beautifully gardened. Unfortunately, like any other area, Epping has social problems, and young people need support. They need places where they can go and let off steam. Jackie Pettit and her helpers at the Shack give great help in that regard, and the various agencies, clubs and other places that help the Shack are doing a great public service.



### ALL SAINTS CATHEDRAL, BATHURST, BELL CEREMONY

**Mr GERARD MARTIN** (Bathurst) [2.05 p.m.]: On Saturday 21 February I attended a ceremony of naming and blessing the bells at All Saints Cathedral in Bathurst. Anglican clergy who took part in the ceremony included the Right Reverend Richard Hurford, OAM, Bishop of Bathurst, the Very Reverend Andrew Sempell, the Dean of Bathurst, and Reverend Canon Carla Archer. The master of ceremonies was Maurice McNeil, a prominent member of the All Saints congregation, who has played a leading role in fundraising for the restoration of the historic cathedral bells. The original All Saints church was built in 1848 and was designed by Edmund Blackett. It was consecrated as a cathedral in 1870. A fund was soon opened for a peal of bells for the new All Saints tower. Thomas Sloman, a prominent Bathurst businessman, was the driving force behind the appeal, and £800 was raised by public subscription.

In 1851 Mr Sloman travelled to England to order the bells from the Warner and Sons foundry of London. The bells landed back in Sydney in May 1855 but, because of the demand for dray transport by the gold rush, no carrier could be found to transport them to Bathurst. Eventually the bells reached Bathurst and were hung by December 1855. By the mid-1890s the ringing of the bells was making the tower unstable, so changes were made to full circle ringing. In 1970 the old cathedral tower was demolished and the bells were stored in the yard behind the courthouse. In 1988 the bells were returned to England for refurbishment and then brought back to Bathurst for storage. In 2000 another three bells were purchased from the Taylors Bell foundry in the United Kingdom—by this time Warners had closed—and, along with the Warner bells, have been on display in the cathedral since March 2006.

In 2008 construction of a new tower commenced to a design by local architect Henry Bialowas. The construction is nearing completion, at a total cost of about \$800,000. While there has been financial support from both the Federal and State governments, the majority of the money has been raised by public subscription. When back in operation, the bells will place Bathurst in the unique position of being one of only three or four cities in the world that will have a formal peal of bells alongside a carillon, which is situated about 100 metres away from the cathedral in Kings Parade. The carillon is the formal war memorial for the city of Bathurst. At the ceremony on 21 February the bells were named in honour of significant benefactors to the program.

Bell 1 is the note of F, weighs 201 kilograms and is named for the Barlow family; bell 2, E flat, 251 kilograms, the Hallstrom family; bell 3, D flat, 289 kilograms, the Holcroft family; bell 4, C, 379 kilograms, the Hurford family; bell 5, 468 kilograms, the Yeates-Wiburd family; and bell 6, A flat, 395 kilograms, the Sloman family. The three new bells that were cast by Taylors are top A flat, 165 kilograms, named for the Bolan family; G note, 191 kilograms, the Sargeant family; and A flat, a monstrous 592 kilograms, the McNeil family. The naming and blessing ceremony was attended by a large congregation. Apart from the three clergy I named earlier, others involved in the ceremony were Mr Don Wiburd, OAM; the mayor of Bathurst, Councillor Paul Toole, who did a formal welcome to the city; Chris Bacon; and former Senator Sue West. I was given the honour of reciting the following prayer on behalf of the community:

In the blessing of the bells we must be reminded of our heritage, to celebrate our national days and ask for the teaching of the joy of bells to generations yet unborn, and to become part of the fabric of our lives.

While the bells project is an Anglican affair, it has been widely supported across the community. Indeed, one of the tower benefactors is the Catholic Bishop of Bathurst. Dean Andrew Sempell thanked all involved in the project. Bishop Richard Hurford acknowledged the important role the Dean had played as chair of the committee. The Dean, together with Maurice McNeil, the main fundraiser, is recognised as making a significant contribution to this historic project. The restored bells on the All Saints Anglican Cathedral will once again become an important part of the built environment of Bathurst and a melodious reminder of the importance that religion plays in the life of our communities. Behind the scenes there has been a training program for the campanologists, or bell ringers, who will play a vital role in peeling the bells. They have been using Hoskins Memorial Uniting Church in Lithgow as a training venue, once again adding to the ecumenical flavour of the project.

### RURAL RESCUE HELICOPTER SERVICES

**Ms KATRINA HODGKINSON** (Burrinjuck) [2.10 p.m.]: I voice my strong concern about the need to make the Central Western Rescue Helicopter Service based at Orange, which services my electorate of Burrinjuck and through the entire area to Broken Hill, a winch-equipped 24-hour service. There is a clear double standard when it comes to rescue helicopters in New South Wales. The Wollongong helicopter service is 24 hours and winch-equipped. It is also just 12 minutes flying time from Sydney. I am concerned that the weather can prevent the Wollongong helicopter from flying over the mountains in winter and could delay or restrict its servicing of the Central West and beyond.

My hardworking Federal member John Cobb, also shares my concerns, along with the many mayors and councillors throughout the region, and the local media. The Central Western Rescue Helicopter Service is only able to operate in daylight hours and it has no winch. I have it on good authority that it is in greater demand than the Wollongong service. Why the double standard? What does this Government have against country people? It was reported to me that the Premier was overheard saying at a Christmas party last year:

If people choose to live out there, then basically that's their problem.

That is a tragic view. The Premier has a chance to start making amends right now by making the Central West Rescue Helicopter Service at least the same standard as the service enjoyed by Wollongong. The evidence is clear that without a 24-hour winch-equipped service people in need of urgent medical attention west of the mountains are at risk of dying or suffering the increased risk of long-term disability. The further from Orange you live the more you need this service, because in a major trauma emergency the quicker you can reach a hospital theatre—in Dubbo, Orange or Sydney—the greater your chance of survival.

In my electorate of Burrinjuck, our hospitals have suffered greatly under this Government and most are undersupplied, leaving patients requiring trauma treatment no choice but to have to travel to one of the larger centres. The need for this helicopter service to be winch-equipped and able to operate both day and night, is easy to validate. With large country road networks and life-threatening road accidents happening continually on country roads, an accident will become a fatality if a person requiring urgent treatment cannot be reached in time. This is equally true for farm accidents, industry accidents, sports accidents and common place heart attacks and strokes that see us needing the sort of medical treatment that will only be provided by a rescue helicopter service.

It beggars belief that such a necessary life-saving medical rescue service is not being made available to us when our need is quite simply greater than Wollongong's. With our hamstrung rescue helicopter service, there is a greater reliance on local ambulance officers in regional communities. However, the most skilled ambulance officers—those able to apply advanced resuscitation drugs and perform more advanced lifesaving procedures—are not based in areas that are less likely to receive assistance from the rescue helicopter. People in outlying communities have a greatly reduced chance of making it to a major hospital theatre within the golden few hours after a major trauma incident.

In the past 12 months there have been at least eight occasions when a winch-equipped service would have been warranted for our helicopter. Another justification for a 24-hour winch-equipped service for the Central West is that the Government currently contracts the Central West service with 20-hours of training a month, which is sufficient time to train all relevant personnel for winch work. The need for this service should not be underestimated. The Premier and the Minister for Health has a chance to get this right. The people of the Central West, and right across Western New South Wales, deserve the best possible medical rescue service, and at least the standard afforded to Wollongong. It is unconscionable that a lesser standard is afforded to my constituents given that the tyranny of distance renders a 24-hour service essential.

There have been a lot of media reports about this issue. The headline on the front page of the *Central Western Daily* on 12 March screamed: "Up in the Air. No decision on 24-hour helicopter service". Several articles appeared in this week's issue of the *Central Western Daily* and include: "Decision flies in the face of reason" and "Council won't give up on 24/7 chopper". I commend the local councils in the region for supporting the call. It is incredible that there is no 24-hour rescue helicopter service for the Central West, for those in my electorate of Burrinjuck and the electorates of Orange, Dubbo, Murray-Darling, Barwon and others, when the tyranny of distance renders such a service a vital community need. The Royal Flying Doctor Service does service Western New South Wales but surely a 24-hour helicopter service with winch assistance would be the minimum standard required for rescue services. I call on the Government to urgently introduce a 24-hour rescue service with winch assistance for the Central West.

### ***CENTRAL COAST LIFEBOAT***

**Ms MARIE ANDREWS** (Gosford) [2.15 p.m.]: It was with great pleasure that I accepted an invitation to officially name the new lifeboat for the Central Coast division of the Royal Volunteer Coastal Patrol the *Central Coast Lifeboat*. The Central Coast division of the patrol has a long and proud history of assisting recreational vessels in distress, as well as coming to the rescue in emergencies such as bushfires and ravaging storms. The Royal Volunteer Coastal Patrol was founded in 1937, making it the oldest maritime search and

rescue organisation in Australia. The patrol was granted the "Royal" prefix by Her Majesty Queen Elizabeth II in 1973. The Central Coast division of the Royal Volunteer Coastal Patrol, of which I am proud to be a patron, was formed on 1 August 1971.

Initially the division operated its marine radio services from a caravan on the waterfront at Gosford. However, in 1974 the patrol moved to its present location in Goodaywang Reserve, Point Clare, on to land provided by permissive occupancy from the Department of Lands, and with agreement from Gosford City Council. Initially the Central Coast division provided marine radio monitoring only on weekends but, as demand and patrol membership grew, the radio monitoring expanded to seven days a week. It is now a busy division with an average of four callouts per week, many of which are offshore and require a category two vessel. The Central Coast division now has more than 100 members who volunteer to provide radio monitoring 12 hours a day from Monday to Thursday, and continuous 24-hour radio coverage from Friday to Sunday and on public holidays. Search and rescue crews are on duty or on call to man the rescue vessels 24 hours a day.

When the patrol began, all search and rescue activities were carried out using private vessels owned by members. In 1988 the division purchased its first corporate vessel, a second-hand 7.3 metre De Havilland Trojan. In 2000, after five years of fundraising, the division launched *Gosford Lifeboat* to replace the 17-year-old Trojan. In 2007, after determining to upgrade the *Gosford Lifeboat*, electrolysis was discovered in the bottom and frames of the vessel. It could only be repaired at a significant cost, and it may not have passed survey even with repairs. It was decided that a replacement vessel was needed and the Central Coast division set about fundraising. It was with superhuman effort that the division banded together and managed to raise the whole of the \$100,000 needed to replace the lifeboat themselves. I commend the volunteer members of the Central Coast division, together with Division Commander Pat Fayers, on their extraordinary efforts. The local community was also very supportive of the division's fund-raising efforts, recognising the invaluable work carried out by these wonderful volunteers.

It was an honour to be asked to officially name the new vessel. On a very hot day in October, cold champagne christened the latest addition to the patrol's rescue vessels in New South Wales. In front of a large crowd at the Point Clare base, the new boat was christened *Central Coast Lifeboat* and the padre of the Central Coast division, Reverend Tom Hill, blessed the vessel and gave thanks for the work of the patrol and its volunteer members. The Central Coast division now has two very busy accredited lifeboats, a category one and a category two—which is offshore—ready to help when needed. As well as individual water rescues, that assistance also sees the division take part in B16 State events. In July 2008 volunteers from the patrol took part in World Youth Day on Sydney Harbour.

The Central Coast lifeboat was called in for spectator control as the Pope's boat passed by. Together with the coast guard, coastal patrol and the fire brigade, the division assisted in maintaining an exclusion zone for spectator craft. The division also participates, and plays a very important role, when bushfires occur on the Central Coast, particularly within my electorate of Gosford. The division was kept busy in the 2006 New Year bushfires taking people from the bay area by boat. I commend members of the division for their ongoing help to the community. I also take this opportunity to thank the dedicated volunteers of the Royal Volunteer Coastal Patrol, who selflessly give their time and energy to assist those in distress on our waterways.

### MANLY JETCAT SERVICES

**Mr MIKE BAIRD** (Manly) [2.20 p.m.]: I refer to a victory in the Manly community that is a testament to people power and what it can achieve—often well above and beyond politics. The Government's mini-budget scrapped a critical public transport service, that is, the Manly JetCat service. I will not dwell on how that decision was made but when it was made the people of the Manly community were left in the lurch. Rightly, they said it is not time just to be angry but it is time to do something; they had had enough and they would not take any more. After the decision by the Premier and the Minister for Transport to scrap the service I asked the people at the wharf to tell the transport Minister and the Premier what they thought of the decision and to ask for a replacement service or something other than the abandonment of the service. When the service was cancelled no additional buses or ferries were provided.

I pay tribute to a group called Fix our Ferries, which pressured the Government to back down. The group includes Lew Jenkins, chairman; Chris Robertson, Zack Bell, Stuart Freizer, Hugh Burns, David Murphy and David Taylor, all of whom have different expertise—naval architecture, engineering, and business. They were passionate commuters who used the service and worked tirelessly to achieve a result for Manly to bring back a service. Today we have a service, which is delivering on-time running, no cancellations, friendly staff

and even a smart card ticketing system. The response from customers has been overwhelming and patronage has increased by more than 50 per cent since the service started just over four weeks ago. This is a good example of what can be achieved if people take a stand. When the campaign started on 23 October the Premier said in Parliament in relation to the mini-budget:

... the JetCat provides an unreliable service duplicated by a 30-minute ferry service and numerous bus services from the Northern Beaches ... we must now consider the viability of the existing service.

The Premier was not seeking to make the JetCat service more reliable, but his comment that the Northern Beaches had ferry and bus services, and did not need the JetCat made it clear that he was not going to provide anything more. The Manly community was going to be left with nothing. Based on the Walker inquiry the Parramatta service should have gone well before the JetCat service. My strong sense is that politics was played. It was after pressure on the Premier and the Minister for Transport through emails and phone calls from the community who wanted a replacement service, after the Fix our Ferries group made personal and written representations, and after 12 ferry companies around the world were asked if they could provide this service at zero cost to government and one was found, that the Government agreed to open it up for tender.

The JetCat service finished on 31 December and the response to its reopening was overwhelming. About five tenders were submitted. Meanwhile, with no JetCat service the ferries were crowded and safety became an issue. This was not a good example of how the State Government should operate and how it puts public transport first. We showed that people power could work. The Government chose the tenderer, Bass and Flinders. I congratulate that Australian family-owned company on finding vessels, a smart card system, staff and, most importantly, a connection to the Manly community that will not be forgotten. In its four weeks of operation patronage has increased, and people are being turned away. The company is looking at pricing, which is of concern to the community. Its pricing is actually cheaper than it was for the JetCat service, and it is at no cost to government. The service has 100 per cent on-time running without one cancellation. It is a good public transport example.

We saw the true style of the Maritime Union in relation to this service. We respect its right to protest but it should not direct its protest to commuters and the community who are just trying to get to and from work. The union should protest to the Government. In conclusion, we thank every member of the community who fought for this service: they have been vindicated. I pay tribute to them. Public transport should transcend politics. This is a great example of how public transport can be improved.

### **MACARTHUR DISTRICT TEMPORARY FAMILY CARE SERVICE**

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [2.25 p.m.], by leave: I speak on the Macarthur District Temporary Family Care Service, which is based at Minto but services the whole of Macarthur, including many people in my electorate. Its main focus of work is to provide support and high-quality care programs for children of families in crisis and also to provide respite care for children and adults who have special needs arising out of physical and/or intellectual disability. The service is 80 per cent funded by the Department of Ageing, Disability and Home Care and 20 per cent by the Department of Community Services. Their total funding is \$2 million per year, but the service provides value to the community much in excess of that figure.

Approximately 700 families access the service during the year. One of the unique services it provides includes the Sunflower Cottage at Narellan Vale, which services many children with disabilities aged from 0 to 12 years of age. About 45 families use the service, including many from my electorate. The Sunflower Cottage provides in-house respite care with trained support workers five days a week. Many of the children who are cared for have severe disabilities, such as tracheostomies and gastrostomies. The Sunflower Cottage is vital for families of these children. Each child is treated with great care and has an individual care plan developed to meet his or her unique requirements. As new children come into the service, staff are trained to support their medical and behavioural needs. The cottage has been operating for 10 years and works very closely with the paediatricians and community support workers to ensure a child's stay is a positive experience for the child and the family.

Macarthur District Temporary Family Care Service coordinates in-home respite care for families with children with disabilities, as well as flexible respite options, such as sending kids on camps and organising weekends away for young adults. This is an excellent service because it allows the children's carers to leave the house to shop, or even to have some down time, while the child is safe in the home. Another service run by Macarthur District Temporary Family Care Service is family lifelong care plans. They are being developed with

the help of Terry Ryan, who has developed workshops for families who have a child with a disability. Fourteen sessions teach families how to develop life-long care plans for the future needs of their disabled family member, as well as the future needs of the rest of the family. This has been identified as a significant unmet need for the families, and is an area that few other services offer.

Macarthur District Temporary Family Care Service is involving families and staff to develop the concept so that future service delivery is clearly planned. Even though services for people with disabilities are on the increase, this is an area that needs more certainty for families of those with disabilities. The service continues to be family focussed and ensure families have a say in how the service is delivered to their child. Families form a part of the management committee. Families are also involved in the interviewing of prospective employees and host families. The support groups play a key role in keeping the service focussing on their needs. Many families have regularly attended the life-goes-on support group over the past 12 years, with parents now assisting new parents with support and direction.

Macarthur District Temporary Family Care Service also works successfully within the community and business sectors to develop services that do not require funding. An inclusion model of service, such as integrating children with disabilities into mainstream vacation care programs, is always at the forefront of planning. Services such as Macarthur District Temporary Family Care Service are an excellent soft entry point for families who are experiencing the trauma of having had one of their family members diagnosed with a disability. Those who have a family member affected are best equipped to provide support, and Macarthur District Temporary Family Care Service is a brilliant advocate for these families, and a contact point for them to deal with those in a similar situation. I commend Macarthur District Temporary Family Care Service to the House.

**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 2.30 p.m. on Friday 13 March 2009 until  
Tuesday 24 March 2009 at 1.00 p.m.**

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