

# LEGISLATIVE ASSEMBLY

Thursday 22 October 2009

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

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

## OFFICE OF THE OMBUDSMAN

### Report

**The Speaker** announced the receipt, pursuant to section 31AA of the Ombudsman Act 1974, of the report of the NSW Ombudsman for the year ended 30 June 2009.

**Ordered to be printed.**

## BUSINESS OF THE HOUSE

### Notices of Motions

**General Business Notices of Motions (General Notices) given.**

## CROWN LANDS AMENDMENT (SPECIAL PURPOSE LEASES) BILL 2009

### Agreement in Principle

**Debate resumed from 24 September 2009.**

**Mr MIKE BAIRD** (Manly) [10.09 a.m.]: I lead for the Opposition on the Crown Lands Amendment (Special Purpose Leases) Bill. I acknowledge in the gallery a good friend of mine, Ben Hoskins. I thank him for the contribution he made to the 2007 State election campaign. Ben is a good young man and I appreciate the help he provided. The stated object of the bill is to simplify land acquisition for renewable energy purposes to provide an alternative to compulsory acquisition through negotiated lease arrangements. If that is the premise of the legislation, the Opposition will support it. However, we seek assurances from the Government and the Parliamentary Secretary that the legislation will not be used to circumvent due process with regard to environmental planning and assessment.

We strongly support initiatives to boost sources of renewable energy in New South Wales. Indeed, New South Wales has been lagging behind other States for too long. However, we want to ensure that this bill is not used as a mechanism to facilitate land acquisition that bypasses proper environmental and planning requirements. We take it on good faith that this is not the intention of the bill, but I note in the agreement in principle speech that the Parliamentary Secretary said the Department of Planning "will continue to play a role". They are broad words and we seek specific confirmation that the processes will remain unchanged—that is, that this bill is solely about negotiating leases rather than compulsorily acquiring land in relation to this process. If that is the case, we remain supportive.

The object of the Crown Lands Amendment (Special Purpose Leases) Bill 2009 is to amend the Crown Lands Act 1989 to extend provisions permitting special purpose leases from the Western Division of New South Wales to the Eastern and Central Division to facilitate new renewable energy development such as small-scale wind farms. Clause 3 will allow the Minister for Lands to grant a second lease called a special purpose lease for a period of up to 100 years over a parcel of land within the boundaries of the pre-existing lease in the Eastern and Central Division of New South Wales. The special purpose lease could be granted only with the consent of the lessee and would run simultaneously with the pre-existing lease. The amendments will allow the State to enter into a direct lease without the need for the State to compulsorily acquire the land in question, or to reduce the tenure connection to pre-existing tenants to their leasehold land.

The special purpose lease would be granted only for an approved purpose, being the construction and operation of facilities for the harnessing of energy from any source, including the sun or wind, and its conversion into electrical energy. Existing leaseholders in the Eastern and Central Division of New South Wales, such as graziers or farmers, will be able to negotiate for adequate compensation in return for their consent, while retaining the right to repossess the land once the special purpose lease expires. The Coalition fully supports any initiatives that boost renewable energy supply in New South Wales. At the moment about 6 per cent of the total energy usage in New South Wales is provided from renewable energy sources, according to figures released last year.

That is far less than States such as Queensland and Tasmania. Indeed, if we remove the Snowy Hydro, New South Wales is languishing quite significantly at about 1 per cent of total energy usage from renewable sources. It is time we got serious about renewable energy, which is one of the reasons we have supported initiatives such as gross feed-in tariffs, as an example. Certainly, we need to facilitate alternative energy usage. If this bill helps to facilitate that, we will be supportive. According to the Australian Bureau of Agricultural and Resource Economics, New South Wales uses the least amount of natural gas while Western Australia and Victoria are streets ahead. On many renewable energy fronts New South Wales continues to lag behind the rest of the country.

**Mr Frank Sartor:** We have less in reserves.

**Mr MIKE BAIRD:** The former Minister for Planning says we have less in reserves. The truth is that the coal seam methane reserves are estimated to be in excess of those in Queensland. The member for Burrinjuck referred to concerns affecting her electorate and sought further assurances. She said that the bill lacks clarity in the definition of a small-scale wind farm. I ask the Minister and the Parliamentary Secretary to outline what the Government intends to classify as a small-scale wind farm. The Coalition seeks assurances that the next step in this process will not be coastal wind farms and all their associated processes.

We are concerned about environmental assessment and planning. Section 44E of the Crown Lands Act 1989 states that the minimum distance of a special purpose lease from a dwelling must be more than 200 metres. The usually accepted minimum setback distance for wind turbines from dwellings is 800 metres. I understand that even from that distance noise can cause disturbance. I refer to the Gullen Range wind farm in the upper Lachlan shire of New South Wales, for example. If the council were the planning authority for this wind farm, its development control plan would have insisted on a buffer zone of two kilometres, or 15 times the tip height of the turbine used, whichever is greater.

We seek clarity on behalf of leaseholders of Crown land in the Eastern and Central Division of New South Wales as to the minimum distance that will apply between special purpose leases and existing dwellings in relation to this bill. Those real concerns are at the forefront, particularly for local members such as the member for Burrinjuck. Further to this, in the case of the Gullen Range wind farm, the approval required only above-ground structures be removed on decommissioning. However, each structure has around 20 metres of concrete foundations below ground that could be a potential source of contamination if not removed. We seek assurances that the bill will not allow this to occur on Crown land.

Broadly, we support the bill and its intent as a mechanism to enable the Government to charge fair rent for the use of Crown land for renewable energy production. We also support it as a mechanism to simplify land acquisition or the use of land rather than through compulsory acquisition, and the ability to sublease. Certainly, that makes sense if it remains the intent of the bill. We seek clarity on the concerns we have raised and we seek assurances that the bill will not be used to circumvent the proper environmental and planning process. That is our primary concern with the bill. As the bill is presented in good faith, we support its tenets.

**Mr FRANK TERENZINI (Maitland) [10.15 a.m.]:** I thank the member for Manly for his contribution. He can rest assured that this side of the House always acts in good faith in everything it does.

**Mr Anthony Roberts:** How long have you been here?

**Mr FRANK TERENZINI:** Long enough to know that is the case. I have pleasure in supporting the Crown Lands Amendment (Special Purpose Leases) Bill 2009. The object of the bill is to amend the Crown Lands Act 1989 to extend the provisions relating to the granting of special purpose leases to land within the Eastern and Central Division of New South Wales. In my short contribution I shall place some important matters on the record in this debate. Under the renewable energy precincts proposal six wind renewable energy

precincts will be established over 46 local government areas in the New England tablelands, the Upper Hunter, the central tablelands, New South Wales and Australian Capital Territory border areas, the South Coast and the Cooma-Monaro area.

A precinct advisory committee in each area will be established to facilitate community input. Of course, committees will be made up of people from local councils and their relevant communities. The committees will implement the Government's policy to reduce the threshold for critical infrastructure under part 3A from 250 megawatts to 30 megawatts for wind farms. As a stimulus measure, critical infrastructure fees will be waived and development application fees halved for major renewable energy projects greater than 30 megawatts.

Modelling by the Commonwealth Treasury forecasts that around 70 per cent of the national renewable energy target will be met through wind power. It is the Rees Government's highest reform priority to achieve this target. The mechanism for enabling two leases to run in parallel is the special purpose lease. It is particularly suited to wind power developments where, following initial construction, wind turbines and grazing can function together. This is one of the great things about this initiative. This amendment means many land options are available to sustainable power developers. The option of a special purpose lease allows for an appropriate return to the State for the use of Crown land for energy production. It is appropriate that this option be extended across the State. I commend this bill to the House.

**Mr MICHAEL RICHARDSON** (Castle Hill) [10.18 a.m.]: The Crown Lands Amendment (Special Purpose Leases) Bill 2009 will extend provisions for permitting special purpose leases to be granted in the Western Division under the Crown Lands Act 1989 for the Eastern and Central Division to facilitate new renewable energy development opportunities, particularly small-scale wind farms. The amendment will allow the Minister to grant a second lease called a special purpose lease for a period of up to 100 years over pastoral land within the boundaries of the pre-existing lease in the Eastern and Central Division of New South Wales.

The amendments will allow the State to enter into a direct lease with proponents of major projects without the need for the State to compulsorily acquire the land in question or to reduce the tenure connection to pre-existing tenants to their leasehold land. It appears that the bill has been introduced to make it easier to establish wind farms in the State. That is a much-needed facility because this Government has sat on its hands for 14 long years and done almost nothing about providing new sources of renewable energy in this State.

**Mr Barry Collier:** They keep electing us though.

**Mr MICHAEL RICHARDSON:** Your time will come, Barry. What is your margin? Is it enough, do you reckon?

**The SPEAKER:** Order! The Parliamentary Secretary will resume his seat.

**Mr MICHAEL RICHARDSON:** Just a year ago there was only 17 megawatts of installed wind power in this State at Kooragang Island at Newcastle, Blayney, Crookwell and Hampton Park, which was embarrassing. It was the smallest amount of installed wind power in the whole of the country. The Government, particularly when Bob Carr was Premier, talked loudly and did nothing, but that has been the same with almost everything the Government has touched. One thinks of public transport and that wonderful document introduced by the then Minister, Carl Scully "Action for Transport 2010".

**Mr Barry Collier:** Point of order: The bill is about wind farms and renewable energy—not Carl Scully, public transport, my margin, or anything else but wind farms.

**The SPEAKER:** Order! The member for Castle Hill will confine his remarks to the leave of the bill.

**Mr MICHAEL RICHARDSON:** The list goes on and on. What has the Government done about hospitals and roads? The tough on knives legislation had to be introduced by Reverend the Hon. Fred Nile in another place to make it happen. Yesterday I said to the member for Rockdale that I thought he should come back as the Minister for Planning, but I might withdraw that comment. Recently a further 160 megawatts of wind power has come on stream, 30 megawatts at Cullerin Range near Goulburn and 130 megawatts at Bungendore. The latter is particularly interesting because 70 per cent to 80 per cent of the power that is generated, that is 330,000 megawatts a year, is destined for the desalination plant. The Government has signed a contract with Bungendore Capital Power to provide 330,000 megawatts a year for the desalination plant.

So we are not talking about actually replacing coal-fired electricity or reducing greenhouse gas emissions. If the Government had not built the desalination plant, it could be saving an additional 660,000 tonnes of carbon dioxide a year, which is equivalent to taking 170,000 cars off the road. Effectively, one could knock around 100 megawatts off the installed wind capacity in this State, which brings it back to around 80 megawatts of installed wind capacity. It is worth comparing New South Wales with Victoria. I have obtained figures for Victoria dated 29 September 2009, so they are current. Major operating wind farms, eight farms, 427.7 megawatts; approved wind farms, 1,581 megawatts; planning permit applications lodged, 1,259 megawatts and about 1,600 megawatts in addition of wind farms in the process of being approved. That makes nearly 5,000 megawatts of wind power potential in Victoria.

Things are even more impressive in South Australia. Wind power in South Australia is a significant energy source for that State, which has pledged to produce 20 per cent of the State's power using wind by the end of this year—well ahead of New South Wales. South Australia has 10 completed wind farms, with an installed capacity of 810 megawatts. It should be remembered that South Australia is only a small State with a population of around 1.3 million, but it is ahead of the game, certainly in comparison to the New South Wales Government. The South Australian wind farm industry is expected to reach a capacity of 1,500 to 2,000 megawatts by 2015, in comparison to New South Wales, which has something like 80 megawatts of installed capacity. That is the reality of the situation under the Rees Labor Government.

The Government keeps announcing yet another wind farm has been approved. Indeed, when the member for Rockdale was the Minister for Planning he was forever putting out press releases saying that another wind farm had been approved, but it never actually happened; there was never any construction. This bill might improve the situation if the Government can find suitable leases on which to put the wind farms. In August this year the Government moved to declare any wind farm of more than 30 megawatts capacity critical infrastructure. The figure was previously 250 megawatts. I suspect we will have a whole raft of new announcements about wind farm approvals. However, it remains to be seen whether they will be converted into real spinning turbines. I suspect they will be a little harder to find.

The bill essentially makes the same provisions for the Central and Eastern Divisions of the State that the 2008 amendments to the Western Lands Act and Crown Lands Act did for the Western Division. It will permit the Minister—and I will quote the member for Miranda here:

... after complying with the procedural and consultative stipulations of section 44B, to grant special purpose leases for the purpose of energy production or other approved purpose in the Eastern and Central Divisions of the State.

The amendment will enable renewable energy generation projects to be developed on Crown lands throughout the State without the need to acquire the existing leasehold interest. The proposed special purpose leases will exist in parallel with existing leases under the Crown Lands Act and be for a maximum term of 100 years. It is critical to the acceptability of the proposal that a special purpose lease for renewable energy projects, presumably solar as well as wind, will be granted only with the consent of the general purpose lessee. The department will continue to have an ongoing role in the approval of new developments on leasehold land within renewable energy precincts.

Quite frankly, I am sceptical that this bill will expedite the construction of any of the wind farms on the Government's list of maybes, but perhaps that is just me. Call me a cynic; call me a sceptic, but I think this Government's actions over the last 14 years have turned most people in New South Wales into cynics and sceptics. One can call me a doubting Thomas, but I suspect that more than 60 per cent of the people of New South Wales would agree with me, including 60 per cent of the people in the electorate of Miranda.

**Ms KATRINA HODGKINSON** (Burrinjuck) [10.26 a.m.]: I make a contribution to the Crown Lands Amendment (Special Purpose Leases) Bill 2009, following the member for Manly, who led for the Opposition. I recognise that you, Mr Speaker, made a contribution last night about wind farms. I listened to your speech and I read *Hansard*. The points you made reflect the views of many country residents, particularly many in my electorate.

**Mr Barry Collier**: I missed the speech, I'm sorry.

**Ms KATRINA HODGKINSON**: The member for Miranda obviously absented himself, as he has just mentioned, but many of us were watching. The Crown Lands Amendment (Special Purpose Leases) Bill allows us the opportunity once again to bring to the attention of this place to the concerns of people in rural New South Wales. We have to live with these industrial turbines. I have long considered it something of an anomaly that a

Labor Government so centralised in the Sydney metropolitan area and areas immediately surrounding the coastline is never the first to put up its hands to have an industrial turbine conglomerate in its areas, which have good, strong wind streams.

**Mr Barry Collier:** Not much room in Miranda, I'm afraid.

**Ms KATRINA HODGKINSON:** If the member for Miranda is volunteering for some in Miranda, that would be fabulous—

**Mr Barry Collier:** No, not much room in Miranda.

**Ms KATRINA HODGKINSON:** Perhaps he would then see firsthand the sorts of issues we live with every day as a result of the wind turbines and the proliferation that happens in rural New South Wales. In fact, in my electorate of Burrinjuck, something in the order of 11 different industrial wind turbine so-called farms are proposed, underway or currently constructed. It is a very big issue in my electorate. There is not a single day that someone does not talk to me as the local member about industrial wind turbines. I note that the intention of the bill is to extend the provisions permitting special purpose leases to be granted in the Western Division under the Crown Lands Act 1989 to the Eastern and Central Divisions to facilitate new renewable energy development opportunities, in particular, small-scale wind farms.

I led for the Opposition in relation to the Silverton wind farm. That is a totally different kettle to what I believe is the situation in both central and eastern New South Wales. Obviously, Silverton is much more sparsely populated than eastern and central New South Wales where there are small but very productive farm holdings. Perhaps during the Parliamentary Secretary's reply he will clarify whether the Eastern and Central Divisions include the New South Wales coastline. The legislation will apply to the Eastern and Central Divisions, and I would be grateful for clarification of whether the New South Wales coastline is included.

The bill also includes amendments enabling the Minister to grant a second lease, referred to as a special purpose lease, for a period of up to 100 years over a parcel of land within the boundaries of the pre-existing lease—for example, for grazing purposes in the Eastern and Central Division. The legislation contemplates that any special purpose lease will run simultaneously with the pre-existing lease and will be subject to the consent of pre-existing lessees who will be able to negotiate compensation with proponents. I am very concerned at the level of pressure that may be imposed on existing or future lessees who do not have the negotiating skills, the pay packets or the legal representation to be able to negotiate effectively with proponents of multinational organisations whose best interests will be served by lessees entering into a 100-year scheme. I am nervous about the pressure that might be placed on farmers as well as the impacts of a long-term scheme on their neighbours. Most of the concerns expressed to me have come from neighbours of farmers who are going ahead with industrial wind turbine projects.

Concerns are continually raised with me about multinational organisations in the context of the global financial crisis. People are worried about whether those companies will still be with us in 15, 50 or 100 years, and about what will happen if they disappear overnight, which, as we know, has been the fate of many well-known institutions over the past three years. Who would have thought that Lehman Brothers would have succumbed? While it is fair to ensure that projects and agreements are watertight, it should also be borne in mind that rural residents are entitled to a fair level of legal representation should they feel that they are being heavied in any way.

This amending bill also will enable the State to enter into a direct lease with proponents of major projects without the need for the State to compulsorily acquire the land in question or reduce the tenure connection of pre-existing tenants to their leasehold land. I was pleased that the member for Manly put the question of what constitutes a small-scale wind farm. Is a small-scale wind farm 82 turbines that are 130 metres high, or is it 15 turbines that are 80 metres high? There is a considerable difference between the two propositions. The bill contemplates kilometres and kilometres of parts of the State that will be impacted upon by this legislation. One of the latest wind turbine developments in my electorate is in Cullerin; and it is a reasonably small development of 15 turbines. For those who drive past it and keep going, it is quite an attractive piece of public art.

**Mr Barry Collier:** There you go. You said it yourself.

**Ms KATRINA HODGKINSON:** Public art?

**Mr Barry Collier:** "An attractive piece of public art". That is what you said.

**Ms KATRINA HODGKINSON:** Public art.

**The SPEAKER:** Order! The Parliamentary Secretary will have an opportunity to reply to the debate.

**Ms KATRINA HODGKINSON:** People who are driving past the wind farm at Cullerin will look at it and will be distracted by it. Unfortunately, there is nowhere to pull over on the freeway to look at it, so drivers are slowing down, which is causing something of a traffic hazard. The Roads and Traffic Authority should consider constructing an area in which drivers can stop to have a look at the wind farm and take a photograph, if they want to. Many international and domestic tourists use the Sydney to Melbourne highway. The lights on the turbines flash at night: Most motorists think that the lights belong to something from outer space because there are no signs on the highway to indicate that they are approaching an industrial wind turbine area. It is quite distracting to see 15 lights 100 metres high flashing intermittently. However, I digress.

Turbine farms are highly visible and highly intrusive: people simply cannot miss seeing them. The Cullerin industrial turbine area can be seen from as far away as the Mundoonen Nature Reserve's rest area, which is approximately 40 kilometres away. Will an industrial wind farm with 80 or 100 turbines be classified as a small-scale wind farm? I need clarification. We must have a definition; otherwise the legislation will be too loosely expressed. The people who bear the impact—those who have to look at these things every day and practically live underneath them—have a right to know.

Section 44E of the Crown Lands Act 1989, which will be amended by the legislation, prescribes that the minimum distance of a special purpose lease to a dwelling must be more than 200 metres. The usually accepted minimum setback distance for wind turbines from dwellings is 800 metres, and turbines are known to be pretty noisy even at that distance. I need clarification today of which legislation will take precedence. It could be that existing Crown lands lease holders will have a massive tower 120 metres or more in height within 200 metres of their home. As a parliamentary representative of a rural area, it strikes fear into my heart that I will have to face that type of issue. If the Parliamentary Secretary can clarify that matter, it will at least put my mind at ease.

This amending bill will facilitate the overall establishment of renewable energy generators. I realise that the major subject of this legislation is industrial wind turbines, but I emphasise to the Government the importance of renewable energy to people who live in regional New South Wales. I am constantly lobbied by people who have examined proposals for wind farm developments. They quite often ask me, "Why aren't we using solar? Why aren't we investing in our own Australian technology, in solar energy, which was invented in Australia? Why aren't we using it more? Why are we installing these hugely intrusive and enormous concrete pylons that so adversely affect people's lives, and whose energy production rate is highly contestable? Why aren't we investing more in solar energy?"

*[Interruption]*

If the member for Coogee is so intent on selecting industrial wind turbines, why is his Government not putting them into national parks? Why are they being installed on prime agricultural land?

**Mr Paul Pearce:** You want wind farms to be in national parks?

**Ms KATRINA HODGKINSON:** If they are so environmentally friendly, why are they not being put into national parks?

**Mr Paul Pearce:** So you want private commercial activity in national parks?

**Ms KATRINA HODGKINSON:** It is a fair question, and it is one that is put to me all the time by constituents. I would appreciate the Parliamentary Secretary responding to that question during his reply.

**Mr Barry Collier:** What was your question?

**Ms KATRINA HODGKINSON:** If the Parliamentary Secretary had been paying attention, he would know.

**Mr Barry Collier:** If you had stopped arguing with the member for Coogee, I would have been able to hear it.

**Ms KATRINA HODGKINSON:** It is a question I put to General Purpose Standing Committee No. 5.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! Government members will cease interjecting.

**Ms KATRINA HODGKINSON:** It is a question I put to General Purpose Standing Committee No. 5, which is currently conducting an inquiry into industrial wind farms and their development throughout the State. Approximately six months ago I wrote to Mr Ian Cohen and the Hon. Rick Colless, who are the Chair and Deputy Chair of the committee respectively, asking them to conduct an inquiry into the proliferation of industrial wind turbines in New South Wales. I was very pleased that they took up my request for an inquiry. I am delighted that they have been conducting public hearings throughout the State. I appeared before the inquiry on its first day of hearings in Sydney and put my views very strongly about representations I had received from my constituents in relation to this matter.

The Government should have had the courtesy to await the outcome of the inquiry and the committee's recommendations before introducing this legislation. I will be interested to see how willing the Government will be to adopt recommendations made by the committee as a result of its inquiry. My constituents expressed four key problems with wind farm developments that have been judged to be of sufficient importance to warrant a parliamentary inquiry. First, the public has not been informed by the proponents of how the energy economics of wind turbine developments compare with other forms of renewable and non-renewable energy production or energy saving. Energy saving strategies are being ignored because they would not be in the interest of electricity producers. Despite the claims by some proponents, electricity from wind turbines is not economically viable. The energy produced is much more expensive than that from coal-fired power stations. Wind turbines will depend on carbon credits and increases in electricity prices to become viable. Energy consumers and the taxpayer will pay these costs.

Secondly, while wind energy production claims to provide environmental benefits by reducing environmental damage from greenhouse gas emissions, it has numerous economic, social and environmental costs that are "externalised" by the producer. These include major inequities and social conflicts between landholders who receive economic benefits from "hosting" turbines and those living nearby who suffer from disruption during construction, visual and noise impacts from turbines, and losses in their land value without economic compensation. These constituents have put to me that they are effectively disenfranchised from the decision-making process.

Thirdly, the site characteristics preferred by wind farm developers exacerbate many of the adverse impacts I have noted in this and other speeches in this House. The preference for constant wind speeds places wind farms on high and exposed locations visible for long distances, as in the case of Cullerin Range Wind Farm and others. Such locations are often areas of high landscape value. These values are greatly degraded by the visual impact of wind farms. Wind farm developers also seek to locate wind farms near major power lines and reasonably close to major population centres to reduce transmission and construction transport costs. This means that industrial wind turbine developments tend to be located in the more closely populated rural areas, consequently adversely affecting a larger number of people.

Fourthly, wind farm development is proceeding without adequate public and government review. New South Wales has a potential renewable energy target but no substantial energy planning framework, so development proceeds largely on an ad hoc basis, as we have seen time and again in this State. Environmental impact assessments of individual projects, even if well executed, cannot make up for deficiencies in overall energy planning. I could contribute so much more to this debate, but I will bale it up there. I ask the Minister in his reply to address the concerns I have raised in relation to this legislation.

**Mr WAYNE MERTON (Baulkham Hills) [10.41 a.m.]:** The object of the Crown Lands Amendment (Special Purpose Leases) Bill 2009 is to extend the provisions permitting special purpose leases to be granted in the Western Division under the Crown Lands Act to the Eastern and Central Division to facilitate new renewable energy development opportunities, in particular small-scale wind farms. The amendment would enable the Minister to grant a second lease, called a special purpose lease, for a period of up to 100 years over a parcel of land within the boundaries of the pre-existing lease. Any special purpose lease would run simultaneously with the pre-existing lease and be subject to the consent of pre-existing lessees, who would be

able to negotiate compensation with proponents. The amendment would allow the State to enter into a direct lease with the proponents of major projects without the need for the State to compulsorily acquire the land in question or reduce the tenure connection to pre-existing tenants to their leasehold interest.

In my view the legislation is unique, in the sense that landholders have an existing lease on foot and then the Government, who is effectively the lessor in respect of the first lease, purports to issue a special purpose lease, which could be regarded as being a concurrent lease or to some extent could be regarded as overriding the original lease. As a person who has had some experience as a solicitor for many years, I believe that is a somewhat unusual proposition. It is a proposition in which the Government says: "We have granted the head lease, but we are now saying that we are not really taking your lease back from you but we are going to grant another lease over the same parcel of land that you already have the exclusive right of possession to." As I said, that is a unique situation.

I can understand the reasons why the Government would be seeking to do that: the amendment would facilitate the establishment of renewable energy generators, such as wind farms, on Crown lands across the State. I guess it is a balance between the public benefit and the importance of developing renewable energy sources—where possible, with existing lessees' property rights by providing an alternative to compulsory acquisition or withdrawal. The amendment would enable the Government to charge a fair rent for the use of Crown land in the Eastern and Central Division of New South Wales for energy production. Any development in the Eastern and Central Division under a special purpose lease would still have to meet all the standard planning requirements under the Environmental Planning and Assessment Act 1979. I understand that a special purpose lease in the Eastern and Central Division would only be granted for an approved purpose, being the construction and operation of facilities for the harnessing of energy from any source, including the sun or wind, and its conversion into electrical energy.

Existing leaseholders in the Eastern and Central Division, such as graziers and farmers, would be able to negotiate for adequate compensation in return for their consent, whilst retaining the right to repossess the land once the special purpose lease expires. In essence, it would require the consent of the existing lessees, who we could regard as lessee number one, before the Government, the lessor, could grant such a lease. It would mean that landholders would virtually have two leases over the same parcel of land. As I said, that is an interesting situation. From my experience, what would normally happen is that landholders would have a head lease and a sublease. However, it seems that governments have the authority, subject to being able to get it through the Parliament, to declare that tomorrow be called Tuesday. Hopefully that is just one of the things that is part of our having a democratically elected Parliament.

As I understand it from my reading, the whole issue of wind power is one that has really divided the community. There is no doubt that many people believe—probably for good, technical reasons—that wind farms are very efficient and a worthwhile source of renewable energy. There is also no doubt that our community should be looking for renewable sources of energy. However, many people simply find the prospect of having a plethora of wind turbines to be something quite contrary to what they would regard as being a pleasant or environmentally aesthetic scene. One has only to travel to some of the places in Europe where one sees wind turbine after wind turbine in rows, which seem to do very little to enhance the natural beauty of the countryside.

Undoubtedly many people, particularly those who live in these areas, would oppose the creation of such a network of wind turbines in New South Wales. I understand that total installed wind capacity in Australia is currently 817 megawatts, and that has grown strongly in recent years. No doubt it will continue to grow strongly. In fairness to the argument, in the past 15 years costs have halved to about \$70 per megawatt hour and could drop to between \$40 and \$45 per megawatt hour by 2020. At the best sites wind power might become competitive with the cheapest fossil fuel resources by 2010.

New South Wales does not have as many wind farms as other parts of Australia, but the industry is growing. I simply wonder whether, at the end of the day, people who live in rural New South Wales are prepared to face the prospect of a litany of turbines side by side on the countryside. Many people regard wind turbines as far from attractive. Should the Government proceed down the road of having wind farms on a scale to which the community as a whole would not agree? If a property owner is offered a proposal to put wind turbines on their land they should have the right to negotiate that. I accept that proposition. However, I can understand the position of a neighbouring property owner who must live with the consequences of the visual and noise impacts of a wind farm on their adjoining property, particularly when the wind farm is located on a small property close to the boundary of the neighbouring farm.

This matter must be dealt with carefully, and the rights of all the parties must be considered. While wind farms are technically an excellent source of renewable energy and, as I said, the cost of providing energy is decreasing, which is good, we must maintain a balance in terms of the rights of people who live near wind farms or near a site where a wind farm is likely to be located. Many people are totally opposed to wind farms but suddenly find that the green paddocks and rolling hills next door are gone, replaced by rows of wind turbines. As admirable as wind farms might be for providing renewable energy, we must consider the rights of neighbouring property owners and the effect that wind farms have on them. The Government must carefully consider that issue.

This legislation is unique, and I accept the reason that it has been introduced. Although I am sure this is covered in the legislation, I ask the Parliamentary Secretary to confirm that the person who holds the first lease must consent—that situation must be addressed—that they are entitled to negotiate compensation, and that no hidden problems or matters could affect their right to compensation because at the end of the day it is a great source of energy but I think it comes at a price.

**Mr PAUL PEARCE** (Coogee) [10.53 a.m.]: I compliment the member for Baulkham Hills on what was a balanced approach to the issues contained in the Crown Lands Amendment (Special Purpose Leases) Bill 2009. In many ways, it comes down to a balance between public interests and private interests, and how that balance is achieved. The reality is that as a community we must reduce our reliance on carbon-generating energy sources, and the most technologically advanced and readily available is wind power. There has been a lot of discussion about the viability of solar energy, and there have been significant advances in solar technology. It is to the shame of various governments at the Federal level that adequate support has not been given to the solar industry. Indeed, a lot of the photovoltaics developed in Australia have been exported, and many of the solar panels now being developed in China to address its carbon problems are based on Australian technology.

Notwithstanding our extensive amount of sunlight, wind power is the most economically viable and readily accessible technology to address our obligations to reduce our reliance on fossil fuels. The comments by the member for Burrinjuck on several issues were unusual, and I apologise for interjecting during the debate. It is true that wind turbines can be visually intrusive. Indeed, there has been debate in the United Kingdom about wind farms, including offshore wind farms in Scotland. In particular, the visual impact of turbines on high-value visual areas such as the Lakes District was a major concern. Interestingly, however, the member for Burrinjuck seemed to say that wind turbines would not be such a problem if they were located in national parks. I am concerned about that comment because national parks are special community resources for recreation and they provide biodiversity for wildlife—

**Mr Thomas George:** For wind farms, too.

**Mr PAUL PEARCE:** Wind farms are essentially a commercial and industrial exercise, and a commercial and industrial exercise should be placed on land either appropriately zoned or privately owned, if it is a private operation. A number of the wind farms referred to are located on private land with the agreement of the property owners. Properly structured wind farms—as can be seen in Spain and Germany—do not adversely affect the use of agricultural land for agricultural production. It is a question of where the balance sits, as referred to by the member for Baulkham Hills. In some areas the balance will clearly fall the other way; a wind farm should not be located on land that has high conservation and visual values, particularly if it is public land for recreational purposes. Wind farms, by their nature, are less intrusive than the equivalent amount of photovoltaics, which are the photovoltaics required currently to generate the same amount of energy. For a significant wind farm generating a certain amount of megawatt power, the equivalent for photovoltaics would probably approximate one square kilometre of photovoltaics.

In terms of the visual impact, I suggest that a square kilometre or thereabouts of solar generation, whatever technology happens to be used, whether it is mirrors reflecting or photovoltaics, is likely to have a greater impact than a series of wind towers. Properly designed and placed wind towers can look quite elegant on the landscape. Wind towers are industrial products that generate energy. We have a growing population, and we have a city base. If we require energy it must be generated somehow. The objective must be to generate that energy in a manner that is less intrusive in terms of carbon generation. People need to look at the purpose of the bill and place that within the bigger Government picture of ensuring the provision of renewable power and without unnecessary carbon emissions so people can continue to live their current lifestyle.

The Government is committed to the development of sustainable power. From 2010 the expanded 2020 national renewable energy target of 20 per cent is estimated to drive, on average, around \$2 billion of new

investment in renewable energy annually. From around 2020 the Carbon Pollution Reduction Scheme is also expected to drive substantial investment in renewable energy as renewable energy technologies mature and the carbon price approaches the level required to make them cost competitive with coal and gas-fired power. The member for Burrinjuck raised legitimate concerns of some of her constituents. It is true that currently wind-generation renewables are not cost-competitive with electricity from coal-fired power stations but there are a couple of reasons for that. One reason is that historically coal has been underpriced; the price of the coal capital infrastructure investment has not been taken into account, but the major reason is that the environmental cost of coal has not been included.

In the past I have expressed reservations about a market-based model for an emissions trading scheme—I think a regulatory and mandatory scheme is more appropriate—however, assuming we have an emissions trading scheme put in place which properly prices the cost of carbon on the environment and the community, the playing field will be levelled. That will see renewable wind in the first instance and, probably, geothermal and photovoltaic into the future become cost-competitive and economically more viable than a carbon-based energy production approach. Until the true costs are imposed on carbon-based energy production sources then an effective subsidy will be required to generate renewables. No-one should deny that, nor be scared of it, because we have to move towards a renewables approach.

The various technologies being developed and the impact of carbon price approach changes represent an enormous economic opportunity especially for regional economies, where most of the investment and jobs in renewable energy will occur. Look at where the wind is. Look at where we have large expanses for photovoltaic and solar power and, later on, geothermal. Overall, New South Wales is considered by market analysts to be well positioned to capture a significant portion of this surge in investment in renewable energy, but there will be stiff competition between the States to attract investment.

The Rees Government is supporting a package of measures to implement Cabinet's decision to establish wind renewable energy precincts and various other measures to facilitate the uptake of renewable energy in New South Wales. The bill will assist the sustainable power industry by providing another option to obtain land for solar power purposes. The use of a special lease is already occurring in western New South Wales with the development of the Silverton wind farm. The Silverton development has the potential to deliver 1,000 megawatts of power: the equivalent output of a coal-powered electricity plant.

It makes sense to provide the special lease provisions already operating in the Western District of the State to the rest of the State. This will enable existing lessees to retain their interest in the land but, at the same time, provide developers of sustainable energy projects with as many land options as possible—siting is important. Moreover, the same provisions should apply across the State. The enactment of the bill will ensure that the same rules apply with respect to special leases across the whole State. I have pleasure in giving my support to this bill.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [11.03 a.m.], in reply: I thank the member for Manly, the member for Maitland, the member for Castle Hill, the member for Burrinjuck, the member for Baulkham Hills and the member for Coogee for their contributions to this debate. The member for Manly has indicated that the Opposition does not oppose the bill. I will address the concerns raised by members opposite, and I agree with the comments of the member for Coogee on the learned and sensible contribution of the member for Baulkham Hills.

Dealing with environmental planning laws first, I am advised that all environmental and planning legislation and processes will remain unchanged under the bill. The member for Manly also raised a question about compulsory acquisition. Clearly, the bill does not allow it because it is not about compulsory acquisition. In fact, a special purpose lease is granted only with the consent of the general purpose lessee, and a development proponent may negotiate directly with a general purpose lessee on matters such as operating conditions and shared use of infrastructure.

The Department of Planning will continue to have an ongoing role in the approval of new developments on leasehold lands within renewable energy precincts. Additionally, a special purpose lease allows an appropriate return to the State for the use of Crown land for energy production. It also allows for the holder of the general purpose lease to gain income. The bill also extends the provisions of the previous legislation to the central and eastern divisions of the State. Lawyer Christopher Conolly wrote an article on Crown leases in the *Law Society Journal* of April 2009. I quote from that article:

The Act creates a new type of lease which is granted "in parallel" with existing Crown leases in the Western Division. This enables the Crown to grant leases for major developments such as the Silverton Wind Farm without compulsorily acquiring or withdrawing the existing leases. In practice, the benefit of the Act will depend on sensible commercial negotiations and continuing cooperation between the parties.

I will return to the Silverton project later. The usual development consents will remain. As far as the scale of the wind farms is concerned, the developer will determine the scale of the wind farm but the consent authority will be in a position to determine whether the scale is appropriate. It comes back to the consent of the holder of the general purpose lease. On distance from properties, firstly, the existing leasehold needs to provide consent and, secondly, the development consent process would clearly look at the distance of the various properties from the various wind farms.

The member for Castle Hill had a broad-ranging spray at the Government as to various things including the desalination plant, water availability and so on. His comments were quite hypocritical because he has done that without ever informing the Government as to the Opposition's policy on water or electricity. I remind the member for Castle Hill that without water we die and that the Government is developing the desalination plant at Kurnell with renewable green energy. The closest thing I heard to an Opposition energy policy came from the member for Baulkham Hills when he said that a wind farm is an excellent source of renewable energy. I thank him for that contribution.

**Mr Wayne Merton:** There were other qualifications too.

**Mr BARRY COLLIER:** I thank you for that contribution to the development of policy by the Opposition.

**Mr Wayne Merton:** Point of order: I do not take issue with the member for Miranda very often. What I said was true, but the member for Miranda did not tell the whole story—he only told part of it—and there were certain qualifications. I have been verbally in *Hansard* and I want my objection noted.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Baulkham Hills knows the forms of the House that are available to him. The Parliamentary Secretary has the call.

**Mr BARRY COLLIER:** The member for Burrinjuck referred to the Silverton project. It is important to look at what is happening in that area of the State, given that the legislation is extending from the Western Division to the eastern and central divisions. The Silverton project involves a \$2 billion development, some 500 turbines providing 1,000 megawatts of renewable energy, creating some 3,700 jobs during the construction phase and 100 fulltime positions for the operation and maintenance after its completion, and injecting some \$25 million into the economy of Broken Hill every year—something that I am sure would make the member for Murray-Darling very grateful.

I understand that negotiations took place over 18 months with four pastoralists, six principal parties and six law firms. There were also changes to the legislation, multiple economic analyses, independently facilitated workshops, and unqualified support from the Minister and the Director General. It is not about the Government overriding the wishes of the local community; it is about the Government taking full account of the consent of the holder of the head lease—which was an interesting description by the member for Baulkham Hills.

**Mr Anthony Roberts:** A very intelligent man.

**Mr BARRY COLLIER:** I have no doubt about that. The Government is committed to involving the holder of the general purpose lease, the neighbouring properties and the community in the development process. The member for Burrinjuck referred to the extent of the legislation. The eastern and central divisions do include the coastline. It may be that a special purpose lease is never used outside the Western Division. If it is used elsewhere all planning and development issues will be addressed. The leaseholders of Crown land do not own the land. Another option is for the Government to end an existing lease with compensation and to re-lease the property. In that case the current leaseholder would be required to leave the land. But that is not the purpose of this legislation. With special purpose leases the leaseholder has the opportunity of gaining ongoing income from the wind farm. The Silverton leaseholders will do very well from the project in the Western Division, particularly in relation to their special purpose lease agreements.

For the benefit of the member for Burrinjuck, the general lease holders do need to give their consent in relation to determining the minimum distance from any residence. The setback for adjoining landholders is in accordance with existing planning legislation. The member said that the wind turbines are noisy from a certain distance. It seems to me that she has not heard them herself and her comment is based on hearsay. An

inquiry into wind farms is taking place. I suggest the member for Burrinjuck wait for the outcome of the inquiry before making further comments. The member for Burrinjuck also referred to wind farms in national parks. The member for Coogee adequately dealt with that issue. As the great orator Cicero said, "Cui bono?"—to whose benefit? One of the principal beneficiaries of this legislation is the holder of the general purpose lease.

In response to concerns raised by the member for Baulkham Hills, the special purpose lease involves situations where there are parallel leases. As the member said, it is akin to the general purpose or head lease but in another sense it is not. Firstly, the special purpose lease holder cannot and does not override the existing general purpose lease holder. Secondly, this legislation applies to Crown land, in certain circumstances and in special development districts. The legislation will be used in the Western Division of the State at Silverton, where there will be an excellent return to existing leaseholders and the State. The State can use that money for other purposes.

Further in response to the member for Baulkham Hills, wind farms will be established by the private sector. A developer could purchase freehold land for this purpose, but this bill gives another option for using Crown land for this purpose that provides an appropriate return to the State and the current lessee. It simply extends the law that currently exists in the Western Division of the State. The current leaseholder definitely needs to give consent, and any sensitivity on the part of rural residents is taken into account and will be dealt with throughout the planning process and, I am sure, in negotiations between the general purpose lease holder and the special purpose lease holder.

This bill demonstrates the Government's commitment to effective and sustainable management of the Crown estate in a way that maximises the benefits for the people of New South Wales now and for future generations. Under the Government strategy, concentrating government resources on sites with the best wind speeds will maximise the opportunities to attract investment in commercially feasible renewable energy projects and make grid connection more efficient. The overall effect of precincts will be to streamline the costs and time involved in developing wind farm projects, whilst giving local communities a voice and a stake in these projects.

As has been stated, this amendment will enable renewable energy generation projects to be developed on Crown land throughout the State without the need to acquire the existing leasehold interest. Special purpose leases exist in parallel with existing leases under the Crown Lands Act and will be for a maximum period of up to 100 years. A special purpose lease is granted only with the consent of the general purpose lessee and a development proponent may negotiate directly with the general purpose lessee on matters such as operating conditions and the shared use of infrastructure. Additionally, a special purpose lease allows for an appropriate return to the State for the use of Crown land for energy production.

There will be groups, such as landscape guardians, that will oppose all wind farm projects and there will be individuals who do not like the look or aesthetics of wind turbines in their locality. This package seeks to strike, and I believe does strike, the right balance between offering developers reasonable certainty over the approval process and giving the community a stake in and input to the development of projects. The package will create benefits for all parties. New South Wales, in particular rural communities, will gain much-needed jobs, community facilities and wealth. These developments will not be affected by drought. The community at large will benefit from the contribution that these projects make to the lowering of our greenhouse gas emissions. Development proponents will have greater certainty and cheaper and quicker approval of relevant projects. I commend the bill to the House.

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

**Motion agreed to.**

**Bill agreed to in principle.**

#### **Passing of the Bill**

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

**INDUSTRIAL RELATIONS FURTHER AMENDMENT (JURISDICTION OF INDUSTRIAL  
RELATIONS COMMISSION) BILL 2009**

**Agreement in Principle**

**Debate resumed from 25 September 2009.**

**Mr ANTHONY ROBERTS** (Lane Cove) [11.17 a.m.]: I lead on behalf of the Coalition on the Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Bill 2009. I say at the outset that the Coalition does not oppose the bill. The object of the bill is to enable commissioners of the Industrial Relations Commission who are Australian lawyers to hear small claims matters in the Industrial Court and to ensure that they are able to use similar procedures to those currently utilised by the Industrial Magistrates when the Industrial Magistrates Court is abolished. The bill amends the Industrial Relations Act and certain other legislation to shift the jurisdiction of Industrial Magistrates to the Industrial Court of New South Wales, except in the case of civil matters outside the Sydney metropolitan area.

The Industrial Relations Act 1996, the principal Act, confers jurisdiction on the Industrial Relations Commission in Court Session and a Local Court constituted by an Industrial Magistrate to hear and determine small claims applications for orders for the recovery of remuneration and other amounts payable by employers. The maximum amount that an employer may be ordered to pay on a small claims application is currently \$20,000. The Industrial Relations Commission, if it is not constituted as a commission in court session, may deal with a small claims matter only if the matter arises in the course of other proceedings before the commission.

Item [2] of schedule 1 amends the definition of "Industrial Court" in section 364 of the principal Act to enable a commissioner of the Industrial Relations Commission who is an Australian lawyer to hear and determine stand-alone small claims applications without the matter having to arise in the course of other proceedings. Item [1] of schedule 1 makes a consequential amendment. Schedule 2, which amends the Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No. 32, makes various amendments to the Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 by way of statute law revision, mostly to enable certain amendments made by that Act to be incorporable as intended by that Act.

Following discussions with my colleagues the member for Baulkham Hills and the member for Terrigal I place on record what a tremendous job the Industrial Relations Commission has done since it began in 1901. I pay tribute to those members who worked so hard and diligently in that jurisdiction. They have a fantastic history and have played a major role in the development of the society we enjoy now. Since much of the former work of the New South Wales Industrial Relations Commission has been transferred to Federal tribunals and excessive unfair dismissal cases have been eliminated the Government has been trying to rationalise what it regards as overstaffed industrial tribunals.

Under the Industrial Relations Amendment (Jurisdiction of the Industrial Relations Commission) Act 2009, assented to in June 2009, the positions of chief industrial magistrate and industrial magistrate will be abolished. Existing industrial magistrates will remain as Local Court magistrates, with criminal and civil matters to be transferred to the Industrial Relations Commission, except where civil matters are to be heard in regional areas and more sensibly heard by Local Court magistrates.

The President of the Industrial Relations Commission recommended to the Government that commissioners who are Australian lawyers be able to exercise jurisdiction within the Industrial Court over small claims for the recovery of moneys owed under an industrial instrument. This will give commissioners who are Australian lawyers some additional matters to hear and may ensure that commissioners are more fully utilised than they would otherwise be. These individuals bring with them a vast array of knowledge and ability.

**Mr Barry Collier:** And experience.

**Mr ANTHONY ROBERTS:** And experience. I think it provides a large level of comfort to all members of this House that their experience and background will be better utilised as this amendment goes some way to rationalising what is seen by some as an excessive New South Wales industrial institutional system. However, whilst the Government may make some savings, the amendment does not deal with the core

issue: New South Wales still has a costly and unnecessary set of industrial institutions. I once again place on record the great work of the commission and its members and I reiterate that the Opposition will not oppose the bill.

**Mr WAYNE MERTON** (Baulkham Hills) [11.22 a.m.]: I speak on the Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Bill 2009. As the member for Lane Cove—the very hardworking, enthusiastic and competent member—has indicated, the object of the bill is to enable commissioners of the Industrial Relations Commission who are Australian lawyers to hear small claims matters in the Industrial Court and to ensure that they are able to use similar procedures to those currently utilised by the Industrial Magistrates Court when the Industrial Magistrates Court is abolished. The bill amends the Industrial Relations Act and certain other legislation to shift the jurisdiction of industrial magistrates to the Industrial Court of New South Wales, except in the case of civil matters outside the Sydney metropolitan area.

As the member for Lane Cove said, the Industrial Relations Commission and the industrial relations jurisdiction generally in New South Wales have had a very illustrious and a very creditable history. The jurisdiction has made an excellent contribution to the lives of many Australians—working Australians and people in business—and it has been a very worthy and creditable jurisdiction for dealing with difficult situations. As a very young solicitor I practised in the Industrial Relations Court and, the member for Miranda will be surprised to hear, I had a trade union as one of my clients.

**Mr Barry Collier:** I am not surprised at all.

**Mr WAYNE MERTON:** It was freedom of choice for the trade union, and in my case it made a very worthy choice. I can recall getting up at two or three in the morning and travelling to some country court where the magistrate was exercising his jurisdiction as an industrial magistrate to hear matters concerning a particular industry, and then hopping in the car, after sharing a lengthy luncheon with the union officers and officials, and being dropped back at home at 11 o'clock at night after quite an interesting day. On some occasions I even went to the Industrial Commission.

I can recall one particular case that went for about two weeks. I was fairly young and enthusiastic, as I still am, and quite tenacious, which some people say I still am. I would arrive at court with my union clients—the secretary of the union and a couple of other union officials—and we would be met by the employer's representatives, which consisted of a couple of what were then known as QCs before someone changed them to SCs, junior barristers and two or three solicitors. I would say there would have been a few thousand dollars worth of legal fees there. Pitted against such adversaries was Wayne Ashley Merton at the age of about 26. Whilst they had bags of very impressive looking books, I had as my sole book an exercise book with a few lines in it and one other text book that I think I had used when I did Law School studies.

**Mr Barry Collier:** *Halsbury's Laws of Australia.*

**Mr WAYNE MERTON:** That is right. It was a pretty generic type of book and it did not have too many detailed cases in it. But we would go into court and bat on and then go out to lunch. I remember one union officer saying to me, "Merton, we don't know whether you know too much about this but you are very good in the clinches." I gather that meant I was good at raising points of order and arguing with the opposition and putting the union's case forcefully. I represented them for some years before one of them realised I was a member of the Liberal Party. Notwithstanding that fact, they continued their patronage. In fact, I had other members of unions ask me to take their union on as a client. That was probably a defining moment in my life because I could well be sitting where the Parliamentary Secretary is or I could be the Minister for Industrial Relations in a Labor Government.

**Mr Barry Collier:** You joined the wrong party.

**Mr WAYNE MERTON:** I don't think I joined the wrong party. I am just saying it was a defining moment. I was at the crossroads then where I could well have continued in industrial relations. But it was not to be. People who have made the decision to spend their lives working in industrial relations should not be underestimated, because it is an important jurisdiction that affects the lives and families of average working Australians. I will not use the term "working families" because I think that term has been overdone recently. I mean the people in the suburbs, the people from western Sydney and south-western Sydney, and those people who are dependent on the Industrial Court for a sense of fair play. I was very pleased that I represented the union so many years.

But I return to this important issue. This bill allows Australian people who are qualified at law to hear small claims matters in the Industrial Court and to use the same procedures as those currently utilised by the Industrial Magistrates Court. The bill imposes a \$20,000 limit on the jurisdiction. That is a very good idea because obviously it will provide a mechanism by which to resolve these issues, hopefully at a far lower cost than having them heard before a full court. In other words, a qualified lawyer will act as an industrial commissioner and he or she will then determine the issue. This new arrangement has been proposed because much of the formal work of the New South Wales Industrial Relations Commission has been transferred to Federal tribunals, excessive unfair dismissal cases have been eliminated and the Government has been trying to rationalise overstuffed industrial tribunals. We have moved on and realised that the situation has changed. This new industrial relations network will enable these matters to be dealt with probably more quickly and certainly far more cheaply.

The Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Bill, which we debated earlier this year, abolished the position of chief industrial magistrate and also the role of industrial magistrates. Existing industrial magistrates will now act as Local Court magistrates, with criminal and civil matters transferred to the Industrial Relations Commission except where civil matters are to be heard in regional areas and more sensibly heard by Local Court magistrates. My experience as an industrial advocate is that the role of the industrial magistrate in a suburban or regional court is fulfilled by the local magistrate.

This legislation represents a continuation of the rationalisation of the industrial magistrate network and introduces a mechanism that gives commissioners of the Industrial Relations Commission who are qualified lawyers jurisdiction to hear small claims that do not need to be related to another matter before the court. I understand that this relates to freestanding matters worth up to \$20,000. That is very similar to the situation in other jurisdictions that do not deal with industrial matters. The Opposition certainly does not oppose this legislation.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [11.33 a.m.], in reply: I thank the member for Lane Cove and the member for Baulkham Hills for their contributions to this debate. I note that the Opposition does not oppose the Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Bill 2009. I listened with interest to the snippets of the history of the member for Baulkham Hills in the industrial courts. I have no doubt that his behaviour was well and truly in keeping with the high ethics of the legal profession.

**Mr Wayne Merton:** I am not going to be verballed.

**Mr BARRY COLLIER:** Would you like me to withdraw that comment?

**Mr Wayne Merton:** No, it balances the last one.

**Mr BARRY COLLIER:** Am I forgiven?

**Mr Wayne Merton:** No, but I will remember it.

**Mr BARRY COLLIER:** Of course, the Government thanks all members of the Industrial Relations Commission of New South Wales, past and present, for their contributions to the people of New South Wales over so many years. This bill will enable commissioners who are Australian lawyers to handle small claims for the recovery of money under an industrial instrument. These amendments will ensure that there is a simple and low-cost regime for small claims matters in the Industrial Relations Court and that commissioners are utilised to their full capacity. The bill will also resolve several minor drafting matters relating to the commencement of the Local Court Act 2007. The bill has been the subject of consultation with the Industrial Relations Commission and it is proposed that it will be the subject of consultation between the Industrial Relations Commission and relevant stakeholders. I have pleasure in commending the bill to the House.

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

**Motion agreed to.**

**Bill agreed to in principle.**

### Passing of the Bill

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

**ASSISTANT-SPEAKER (Ms Alison Megarrity):** Order! Government business having concluded, the House will now proceed to General Business Notices of Motions (General Notices).

#### DAFFODIL COTTAGE CANCER CARE SERVICES

**Mr GERARD MARTIN** (Bathurst) [11.36 a.m.]: I move:

That this House:

- (1) congratulates the Bathurst community on its support over the years in providing cancer care services at Daffodil Cottage; and
- (2) congratulates the Premier and the Minister for Health on their unequivocal support for the current method of delivering cancer care services at Daffodil Cottage, particularly the individual treatment rooms.

Daffodil Cottage, the cancer care clinic located in the grounds of Bathurst Base Hospital, has been the subject of some public angst and political scaremongering over the past 12 months. In the mid 1990s the Bathurst community decided that it needed to get involved in providing cancer care services. A community campaign was launched and raised \$500,000 and the New South Wales Department of Health provided \$100,000 and land for the erection of a building on the Bathurst Base Hospital site. The campaign was an outstanding example of local people putting up their hands to provide much-needed services for the benefit of the entire community.

The clinic is staffed and operated by the Greater Western Area Health Service, and the staff certainly take great pride in the way they look after their patients. Daffodil Cottage operates as a day clinic and services patients from Bathurst and as far afield as Kandos, Rylstone, Lithgow, Oberon, Blayney and other communities to the west. The clinic has developed an outstanding reputation for delivering timely and compassionate treatment for cancer sufferers and their families. A team of volunteers looks after the non-medical welfare of the patients and their families. I have visited the cottage on many occasions and the feedback from the patients is always the same: it is a friendly, non-threatening environment that helps users immeasurably in dealing with the emotional side effects of cancer treatment. Patients have their chemotherapy administered in a private room that they can share with family and friends. They also have access to a large common area where they can talk to other patients, family members and friends, and meet with the volunteers.

The Bathurst Base Hospital is a magnificent \$100 million public health facility. Concern was expressed in the community during its construction about the proposal to move the services provided at the cottage to the main hospital campus and to use the cottage for education and training purposes. That plan was proposed by clinicians and planners. They might have been successful, but they failed to appreciate the history of the cottage. The community reaction was hostile, and rightly so. I took immediate action and contacted the then Minister for Health to ensure that those plans were scrapped and that Daffodil Cottage continued to operate as it had from its inception.

Unfortunately, from time to time rumours have surfaced that the Department of Health or the Government have plans to change the role of Daffodil Cottage. That is not true, but the rumours have created angst in the community. Some people, particularly those on the other side of this Chamber, have been happy to exploit and fan those unsubstantiated rumours. Concern has been expressed about what will happen to the roughly \$500,000 in the Daffodil Cottage trust fund, which is appropriately administered by the area health service. Because of the value that the community places on the services provided at the cottage, it has continued to raise funds and that \$500,000 is available to be used when necessary. There was an absolute guarantee that these funds are entirely safe and will be retained for the use of Daffodil Cottage. Those guarantees have been made by me as the local member. They have also been given by the Premier and various Ministers for Health, including the current Minister.

At the height of the rumours about the future of Daffodil Cottage a public meeting was held on site. Some hundreds of people turned up on a Friday lunchtime and made it quite clear to me and the health officials that they wanted no changes to the way Daffodil Cottage operated. I gave that commitment on behalf of the Government. The Premier, the Hon. Nathan Rees, visited Daffodil Cottage and gave the same undertaking, as

did the then Minister for Health, the Hon. John Della Bosca. It is interesting that in the past couple of days The Nationals spokesman has been criticising the Premier and Ministers for travelling to Bathurst, saying it is a waste of money.

I assure The Nationals that the people of Bathurst welcome their parliamentary leaders, particularly when they can discuss upfront with them issues as important as this one. That criticism is typical of the Coalition over the past two years. It has done nothing but run down health facilities in Bathurst and undermine the confidence of the wonderful staff. On this issue the Coalition has zilch credibility, no-one more so than the current shadow Minister for Health. One of the resolutions of the public meeting was that a special Act of Parliament be legislated to give absolute protection to Daffodil Cottage. This was a particular wish of former mayor Peta Gurdon-O'Meara, who has been a passionate defender of the independence of Daffodil Cottage and, as a former cancer patient, has a deep understanding of how it is valued in the community.

A committee was formed from the public meeting and included representatives of the Daffodil Cottage volunteers, the area health service, me, the mayor of Bathurst and representatives of patients. It was agreed that we would proceed with a memorandum of understanding, the partners being the Greater Western Area Health Service, Bathurst Regional Council, the New South Wales Minister for Health and the nominated community representatives. The document, a copy which I have here, will be signed in Bathurst next week by all those parties, including one of the visiting oncologists, Dr John Grygiel, from St Vincent's Hospital. It will be signed by all the representatives, including the Minister for Health, the chief executive, the mayor and so on. This is a unique document. It will be transparent and on the table for everyone to see. Once again, it is positive proof of this Government's commitment to Daffodil Cottage.

As part of the memorandum of understanding a Daffodil Cottage Advisory Committee will be established. Its objective will be to secure the use of Daffodil Cottage in the future for the provision of cancer care services and related activities for the people of Bathurst and surrounding districts. The committee will also have a role in recommending expenditure from the trust fund. It will provide a forum for open discussion and advice in regard to any matter that is potentially impacting on the activity within Daffodil Cottage, including the material resources and education and training of staff, patients and volunteers. This has turned out to be an excellent result. The document has been worked on over the past couple of months between my office, the area health service and Bathurst Regional Council. I congratulate the mayor and his staff, particularly Brian O'Dwyer from the administrative staff, who has done a great job in working with David Wright, Danny O'Connor and other people from the area health service to ensure we put behind us once and for all the scaremongering and innuendo about the future of this wonderful facility.

The Government in supporting Daffodil Cottage—and I point out that it has been operated from day one by the area health service—is not resting on its laurels. We recognise the uniqueness of Daffodil Cottage and the standard of service it delivers. We also accept that cancer treatment, in particular, is an ever-moving feast. With increases in technology we are able to deliver better and better treatments and hopefully outcomes for patients. For that reason the area health service, along with other representatives in the community—such as the health council, clinicians and allied health workers—are working on developing a comprehensive cancer strategy for the Bathurst area. We do not know what the final result of that will be. However, there will be a big emphasis on providing on-site services locally so that people in country areas do not have to travel to Sydney, for instance, for treatment, because of the stress and cost involved. That will be a comprehensive part of the plan.

In recent years we have been successful in securing dialysis chairs at Bathurst Base Hospital. We now operate two shifts there six days a week, so many people who would have had to travel to other centres for dialysis are now having that treatment in Bathurst. I urge the Minister to increase that service by providing another shift. All those really good things are happening. Today we have an excellent chance to focus on what is a great community-government interaction in providing this wonderful system of cancer treatment. Everyone may rest assured that while ever I am member for Bathurst, Daffodil Cottage will be retained as is.

**Ms KATRINA HODGKINSON** (Burrinjuck) [11.46 a.m.]: Paragraph (1) of the motion makes a good point:

That this House:

- (1) congratulates the Bathurst community on its support over the years in providing cancer care services at Daffodil Cottage; and

However, paragraph (2) is highly debatable:

- (2) congratulates the Premier and the Minister for Health on their unequivocal support for the current method of delivering cancer care services at Daffodil Cottage, particularly the individual treatment rooms.

I shall refer to issues that have been brought to our attention by the community in relation to that. Before I address this motion, I recognise that October is Breast Cancer Awareness Month. It is an important month for people who have been victims of breast cancer, who have lost someone with breast cancer or who may know someone who is going through treatment for that illness at this time. I want those people to know that many people in this place fully support them. Our best wishes go to them and we are thinking of them this entire month. Indeed, next Wednesday is the big day: Breast Cancer Awareness Day. I will be attending a breakfast on that day as, I am sure, will many other members in this place.

Daffodil Cottage is an outstanding facility, built by the Bathurst community for the Bathurst community. I recognise, as do the many families who have used this facility over the years, that it was constructed to provide compassionate, top-quality local care for cancer patients. Cancer comes in many different forms. The member for Bathurst mentioned the need for more dialysis chairs in his town. Certainly in the electorate of Burrinjuck dialysis is an enormous issue. Many people need to access that service and have to travel many kilometres three times a week to access a chair.

For example, many people leave Cowra three times a week to travel to Orange hospital to access dialysis. People leave Yass to access dialysis in Canberra. A bus leaves Young at three o'clock in the morning, picks up five patients, travels to Canberra and arrives back in Young late at night. This is a big issue, and the member for Bathurst quite rightly raised the need for extra dialysis chairs not only in his hospital but also in hospitals across the State. I have raised this issue a number of times in this place, but I raise it again today because it is a real and pressing need in Burrinjuck. I am glad the member for Bathurst recognises the need for more dialysis chairs not only in his electorate but also throughout regional New South Wales. The need for dialysis chairs is a significant issue, and one that is just not going away.

Daffodil Cottage was set up by the Bathurst community in the mid 1990s to prevent people already suffering from the traumatic effects of cancer from having to uproot themselves from their support network of friends and family to seek cancer treatment in Sydney or another metropolitan area, such as Canberra. It is admirable that the community found the funds, had the ability, had the community drive, formed the committee and put together the infrastructure to establish this vital unit. Daffodil Cottage has been doing a wonderful job servicing the Bathurst community over the past 10 or more years. Again I commend the community for that. It is important for people going through cancer and their families to have that community support, which is the primary role of Daffodil Cottage. Innumerable Bathurst residents contributed to the construction of that facility through helping to raise more than \$500,000. Any number of local tradespeople volunteered their time and their resources through to its completion.

Since that time Daffodil Cottage has been staffed by a dedicated band of local volunteers, who have ensured that local cancer patients are made to feel at ease while undergoing their treatment. I often wonder what it would be like to be diagnosed with cancer and the difficulty in coping with the emotions. Having a facility such as Daffodil Cottage must greatly ease the burden for families. We heard in no uncertain terms, particularly when Reba Meagher was the Minister for Health, about the disastrous redevelopment surrounding Bathurst Base Hospital. That excellent facility came under threat of being annexed by stealth by the State Government's health administration.

It has come to my attention that instead of respecting the wishes of the Bathurst community and leaving Daffodil Cottage as a dedicated cancer care facility, attempts were made to move services previously housed within the hospital into the cottage. For instance, with the redevelopment of the Bathurst hospital failing to adequately provide the ambulatory care, attempts were made to co-locate these services within Daffodil Cottage, contrary to the original community wishes on the establishment of the cottage. It also came to my attention that in September last year one of Daffodil Cottage's four treatment rooms was surreptitiously converted into office space by the Greater Western Area Health Service for use by one of its health administrators, in complete defiance of the intended purpose of the facility and with no prior consultation with Daffodil Cottage volunteers, local health stakeholders or the wider Bathurst community.

With the hospital's heritage building, which was to have housed administration facilities, in complete disrepair due to the disastrous impact of the hospital redevelopment, it was deemed necessary to house some administration facilities in Daffodil Cottage. An admission at that time from the then Minister for Health, John

Della Bosca, who followed from then Minister Reba Meagher—there has been a series of health Ministers—that the rehabilitation of the Bathurst hospital heritage building may never be completed gave Bathurst residents little hope that Daffodil Cottage would ever be wholly returned to the provision of quality cancer care for which it was originally intended. These concerns have been raised with the Opposition.

I note that during his contribution this morning the member for Bathurst stated that residents have received spoken assurances from him and the Premier that Daffodil Cottage will be kept in community hands, with community ownership of the facility to be recognised through a special Act of Parliament through a memorandum of understanding. However, had it not been for Labor's disastrous management of local health administration and the outrageous bungling of the Bathurst hospital redevelopment, such moves would never have been necessary. It is only through the attempts of Labor's health administration to encroach upon this dedicated local cancer care facility that such a written undertaking would ever be required.

It is almost farcical that the member is now crowing about extracting such a commitment from his Labor colleagues. I note that during his contribution he waxed lyrical about the need to spend \$40,000 to get Cabinet to Bathurst. It should not cost \$40,000 for two Cabinet meetings in Bathurst. I do not know how that amount of money could have been spent; I struggle to work that out. I drive to Bathurst quite often and it is not really very far. It would not be a hugely onerous thing for members of Cabinet to fly by commercial airline, to drive or even to catch the train first class to Bathurst. Perhaps the Premier might like to take up the waste of public finances on getting himself and his Cabinet around the State, when really Bathurst is not a long way to travel from Sydney or the locations where members of Cabinet live.

Once again I state how much I admire the committee for all the work it has done for Daffodil Cottage. The wonderful staff provide a brilliant facility. I wish there were more Daffodil Cottages around the State. The member should not trivialise the concerns of the community. The community raise concerns with us for a reason and cancer support is an extremely important part of any community. We all know that concerns have been raised throughout the State about the Isolated Patient Transport Accommodation Assistance Scheme, where often people who are travelling 96 or 97 kilometres one way to access cancer health treatment are denied assistance—under the scheme they must travel 100 kilometres. That issue is continually raised with members of the Opposition. I conclude by urging members to celebrate Breast Cancer Awareness Month together. [*Time expired.*]

**Mr KERRY HICKEY** (Cessnock) [11.56 a.m.]: I support the motion moved by the member for Bathurst in relation to Daffodil Cottage at Bathurst, an important piece of community infrastructure. I congratulate the community on building the cottage. In the mid 1990s the Bathurst community raised more than \$500,000 to build the cottage because it was unhappy with the way cancer services were delivered at Bathurst Base Hospital. A radiothon was held at 2BS and the sum of \$75,000 was raised. At that time numerous local tradespeople donated time and services to build the magnificent facility. In addition, New South Wales Health made a contribution of \$100,000. However, the building was essentially built through community donations and handed over to New South Wales Health for its operations.

Many who have had an association with cancer treatment would realise that it is a personal experience. Daffodil Cottage acknowledges that. Those who attend the cottage are treated as a friend rather than a patient; they feel that people care. Indeed, people care whether one is in a hospital or a cottage, but the atmosphere in the cottage makes this easier. The member for Burrinjuck has been in this place for three terms. From the way she spoke, one would think this cottage is under threat. The member for Bathurst pointed out that is not the case and that the Premier and the former health Minister have guaranteed that. Many parties have signed a memorandum of understanding to ensure that Daffodil Cottage remains in community ownership and delivers services for the Bathurst region.

I just wish we could get a Daffodil Cottage for the Newcastle region. The Mater Hospital does marvellous work, undertaking an enormous amount of treatment. The massive number of patients going through that hospital every week indicates how entrenched cancer is in the community. However, science is moving forward in a positive way and people who previously would have passed away now can be successfully treated. Those who have been touched by cancer appreciate the efforts of communities such as the Bathurst community in building facilities such as Daffodil Cottage.

The member for Burrinjuck spoke about turning Daffodil Cottage in Bathurst into office space. The purpose of that office space is to provide facilities for a palliative care nurse. If ever people need a palliative care nurse, it is in a cancer treatment facility. Therefore I believe that office space is very much needed. Having

said that, the Bathurst community should be absolutely delighted with the outcome with regard to Daffodil Cottage. The member for Bathurst, throughout his time in this place, has continued his strong commitment to supporting Daffodil Cottage. Indeed, the member for Bathurst has raised the matter with me many times in the past few years. He has outlined to me the way services are delivered in the Bathurst area compared with service delivery in the Newcastle area. I must say that the health workers in Newcastle do an absolutely fantastic job in delivering services.

The only thing we need to look at as a Government is the way our transport services from outside the regions link into these facilities. We must ensure that we have tighter transport links in the western areas of the State. Area health services and Ministers are looking at that issue constantly. This is a very important area and in future years we will see a lot more money from the health department going into it. Health is using up quite a lot of dollars. Funding is being used to provide machinery and blood products to treat cancer patients. The treatment of blood products and the way nuclear science is moving forward are enabling people to be kept alive and treated in a much more sensible manner than they were in the past. I congratulate the member for Bathurst on bringing the matter to the attention of the House.

**Mr RUSSELL TURNER** (Orange) [12.01 p.m.]: It gives me pleasure to speak to this motion on Daffodil Cottage in Bathurst. In doing so I note the comments of previous speakers. The motion congratulates the Bathurst community on its support over the years in providing cancer care services at Daffodil Cottage. I certainly support that part of the motion. I am aware that the local community raised between \$400,000 and \$500,000 for the facility. I acknowledge that the State Government put in \$100,000 to build this magnificent facility as a result of some people saying that the previous facility simply was not satisfactory. People spoke about sitting on chairs in dark corridors, waiting their turn, and so on. Fortunately, they said that something had to be done.

I have not visited Daffodil Cottage in Bathurst, but I am told that it is a magnificent facility. Apparently it looks out over the floodplain, which provides people with a feeling of peace and serenity as they go through their cancer treatment. I understand the facility is within the hospital grounds. I also understand that various attempts were made by at least two general managers of the Bathurst health service—or whatever the service was called at the time; its name seemed to change constantly—to take over the facility and use it to provide other services and to, in effect, put the patients receiving treatment for cancer back in those dark corridors. Fortunately that has not happened.

I understand that more than 800 people attended a meeting to say, "Enough is enough. This is not going to happen. Our Daffodil Cottage is going to remain as we planned." The local community conducted fundraising, a lot of volunteer support and free labour was provided, and many other things went into making the cottage a reality so that people from all over the area—not just from Bathurst, but also from Oberon, Lithgow, Kandos, Mudgee, Carcoar and Blayney—could come to the cottage and use its services. As I said, prior to Daffodil Cottage becoming a reality cancer patients had to either sit in a dark corridor in Bathurst or in some cases had to travel to Sydney for treatment. Daffodil Cottage is a wonderful facility.

I understand that following the public meeting a memorandum of understanding was entered into which, amongst other things, called on the formation of an advisory committee. I would be guided by the member for Bathurst on the exact wording of the memorandum of understanding. I understand that the advisory committee was to comprise a representative of the Greater Western Area Health Service, the member for Bathurst, the Mayor of Bathurst, oncologists and other medical officers who use the facility, and some of the volunteers. I understand that as part of the memorandum of understanding any future decisions regarding Daffodil Cottage were to be made through the advisory committee. I do not know where that is up to, but it sounds like a very sensible idea that those who built the facility and those who are using the facility should be the ones to make the decisions. The facility is still part of Bathurst Hospital, so obviously the Greater Western Area Health Service should have a say as well.

I do not know why government departments try to interfere with something that is working so successfully, something that is supported by the community. Builders, plumbers and many others put work into this facility and street stalls were used for fundraising. We are going through something similar at the moment in Orange. Cancer Care Western NSW is planning and fundraising for the new facilities that are going to be built within the new Orange Base Hospital. I am aware of some of the difficulties it went through in trying to secure the land on a long-term tenure. An officer in one of the government departments said, "We will give it to you for five years, but then we want it back." All such negotiations absolutely frustrate well-meaning people who simply want to build a facility for the community.

I understand that comments have been made by builders and the volunteers—I am not sure whether it was at the meeting I referred to or at some other time—that if anything were to change the way Daffodil Cottage is run, they would demolish the facility before they allowed the Government to change it, because it was built for the people. That gives us an understanding of the passion of the people and the work that went on behind the scenes to build Daffodil Cottage in the first place. I certainly support anything that will guarantee the future of Daffodil Cottage in Bathurst.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [12.06 p.m.]: Twenty-five years ago Professor Michael Stevens, then the head of oncology at the Royal Alexandria Hospital for Children, came into my first-ever lecture on childhood cancer and, without uttering a word, wrote on the blackboard, "Supportive care never hurt anyone". He then moved to inspire us all to take up the fight against cancer. To this day I remember that simple sentence, "Supportive care never hurt anyone", verbatim because supportive care is the cornerstone of all cancer therapy. Medical care, nursing care, pastoral care, family care, and community care are all vital for those who have cancer and their loved ones. That is why the entire Bathurst community deserves congratulations on its wonderful achievement.

There has been a quiet revolution in cancer care over the last 15 years. Survival for the sufferers of many common cancers has increased considerably; however, treatments can often be difficult and, unfortunately, not always successful. Living with cancer is a journey that every member in this place has experience of, and many of us will need to travel that journey. Newer drugs, better surgical techniques, and improved networking are now all part of the picture. But, in the end, it is all about improving patient care in its broadest sense that we all work for. Daffodil Cottage is an outstanding facility built by the Bathurst community for the Bathurst community. They live the motto "It is in the shadow of each other that the people live".

All parties in Bathurst have agreed with the objective to secure the use of Daffodil Cottage for the provision of cancer care services and related activities for the people of Bathurst and the surrounding districts for as long as is necessary. I use this opportunity to pay tribute to the people of Bathurst but also to pay tribute to many of the medical staff in Bathurst. This is a great opportunity for me to pay a personal tribute to Dr Larry Fingleton, one of the greatest of his generation, who has given his life to providing high-quality surgical care to the people of Bathurst; indeed, he is typical of many of the staff I have been fortunate to meet. Unlike previous speakers who have read prepared speeches from the shadow Minister's office, I have visited Bathurst Hospital, which is an excellent facility, and have been inspired by the dedication of the staff to the people with whom they share their lives.

Cancer services statewide continue to be enhanced, and networking of these services is vital. There has been a 174 per cent increase in the Health budget over the past 12 years. I can assure the people of Bathurst that there will never be a change to the operation of Daffodil Cottage whilst there is a need for it. The memorandum of understanding is a demonstration of the commitment made when the Premier attended Daffodil Cottage to deliver this message personally to the people of Bathurst.

Bathurst is not the only area affected by cancer. In 2008-09 the Macarthur Cancer Therapy Centre, which is in my area, has seen 1,280 new patients between medical and radiological oncology, 4,000 chemotherapy treatments and 15,000 radiation treatments. Last weekend the Macarthur 24 Hour Fight Against Cancer walk was held. About 1,200 people in 67 teams pitched their tents and walked around the sports centre at Leumeah. The stars of the day were Amy Carr, aged 18, Charlotte Carr, aged 17, and Alison Carr, aged 9, whose mother Heather—whom I spoke about last year—and father David have both died of cancer. I proudly state to this House that Heather and David have left the area of Macarthur a legacy of the finest daughters that anyone could ever meet. About \$100,000 was raised for the Macarthur Cancer Therapy Centre, the paediatric ambulatory care unit at Campbelltown Hospital and the excellent palliative care unit at Camden Hospital.

I use this opportunity to pay tribute to the event chairman and Campbelltown councillor Fred Borg, who had the vision and the drive to make it work. I also pay tribute to Kathy Wong, whose beloved daughter Rachel, one of the bravest people I have ever met, sadly passed away from cancer in 1997. Kathy is one of the Macarthur 24 Hour Fight Against Cancer board members. She has been an inspiration to all with her courage and determination to help fight the battle against cancer. Today we should all congratulate the people of Bathurst on the Daffodil Cottage and provide support for that cottage.

**Mr GERARD MARTIN** (Bathurst) [12.11 p.m.], in reply: I thank the member for Burrinjuck, the member for Cessnock, the member for Orange and the member for Macquarie Fields for their contributions to this very important issue. In response to the query from the member for Orange, I can assure him that the

memorandum of understanding, of which I have a copy, will be signed at Bathurst next Friday. The memorandum will contain the signature of the Minister, me, the mayor of Bathurst, the general manager of the area health service and a medical oncologist who visits the centre, Dr John Grygiel; a representative of the volunteers at Daffodil Cottage; and Can Assist, and community representative Peter Gurdon-O'Meara, whom I mentioned earlier and who has been a great champion of the cottage.

Whilst there has been a lot of criticism by members on the other side, it should be understood that when it was first mooted that cancer treatment be moved out of Daffodil Cottage and into the main hospital it was because clinicians thought it should be done for various clinical reasons. It was not as though there was any sinister move to close down cancer care services or that the incredible level of emotional attachment to this facility by the Bathurst community was not understood. The need for this cottage was recognised 15 or 16 years ago, probably in the time of the last Coalition Government, when people were sitting on chairs in hospital corridors during the day having chemotherapy, which is demeaning.

When Frank Sartor was the Minister Assisting the Minister for Health (Cancer) he visited the clinic, and every other Minister for Health and Premier since I have been a member have visited the cottage. All those members have been struck by the unique family-oriented feeling at the cottage. Daffodil Cottage is like a huge family home with volunteers. It has a big family room and individual treatment rooms. Nothing about it is threatening or confronting. Of course, when people are undergoing cancer treatment, intense mental and emotional issues accompany it.

Recently, treatment areas modelled on the big barn approach have been looked at—rows of treatment chairs or compartments around a building to accommodate many more people. From a clinical point of view some people consider that model to be a more effective or efficient way of delivering that service. That may or may not be the case, but Daffodil Cottage is unique. I remember Frank Sartor commenting at the time of his visit that its model should be adopted everywhere. The cottage makes patients feel as if they are surrounded by a large extended family. Some of the volunteers at the cottage have been there since day one. Some were involved in the fund-raising activities. Their attachment has gone right down to the wire.

One of the things that disappoints me about the comments I have endured over the past 12 months from those on the other side, particularly from the shadow Minister for Health, is that they have never been to the cottage or to Bathurst Hospital. They are not welcome in Bathurst because the staff consider all they do is attack and run the place down, when they have not even taken the time to look at the facilities. Members opposite have been prepared to get on the back of unsubstantiated rumours and cause problems. An argument was raised that there should be a special Act of Parliament. I opposed that argument and took criticism at the time for doing so. I considered it to be over the top and unnecessary. To be fair, people such as Peter Gurdon-O'Meara, who were pushing it at the time, were doing it for the right reasons, unlike those opposite who were grandstanding. As I have said, the memorandum of understanding will be signed next week. It is a unique document that underpins the commitment that the Government and I have given to Daffodil Cottage.

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

**Motion agreed to.**

### **TUMUT HOSPITAL**

**Mr DARYL MAGUIRE** (Wagga Wagga) [12.16 p.m.]: I move:

That this House:

- (1) notes that the Government and the Minister for Health are making Tumut residents wait between 10 to 15 years for construction to start on a new hospital;
- (2) notes the Government's questionable actions in reclassifying Tumut Hospital from "average" to "good";
- (3) condemns the Government and the Minister for Health for leading Tumut residents to believe a decision would be made by 2006 and the new hospital completed by 2012; and
- (4) condemns the Government for neglecting to provide proper services for regional areas.

I will give a précis of the history of the Tumut community and surrounding areas and their wish to redevelop their hospital. In 1999 a public meeting was held to plan for a Tumut Hospital at which a hospital planning committee was formed. In 2003 the planning committee was told by Capital Works Manager and Acting

Managing Policy and Planning for the Greater Murray Area Health Service, Karen McPeake, that "Tumut is on a Forward Works Program to be built after the Wagga Wagga Base Hospital". In 2004 the committee met with the Deputy Administrator of the Greater Murray Area Health Service, Dr Joe McGirr. Submissions were made to the rural advisor for the Minister for Health calling for funding for a procurement feasibility study.

This is said to be the first step to have a new hospital by 2007. Tumut was still on the Forward Works Program. The replacement of the hospital and sign-off was expected in two to five years, that is, 2005-08. On 22 September 2005 the Greater Southern Area Health Service held public meeting number one. It was reported in the *Tumut and Adelong Times* that Tumut Hospital was no longer on the Forward Works Program. The Greater Southern Area Health Service Manager of Services and Corporate Planning, Janet Chapmen, said that Tumut Hospital was a high priority next on the list for capital works funding after Wagga Wagga Base Hospital.

In relation to Greater Southern Area Health Service public meeting number two, the *Tumut and Adelong Times* reported that the Greater Southern Area Health Service had recommended Tumut Hospital be placed on the NSW Health capital works program with planning to start within three to five years, that is, 2008-10. Residents again were told that Tumut Hospital would follow construction of the Wagga Wagga Base Hospital. The Manager of Services and Corporate Planning, Janet Chapman, said that a facility review of Tumut Hospital was to commence immediately and be completed in six to eight weeks, and a report of the facility review would be with the Greater Southern Area Health Service by March 2006 and made available to a further public meeting in March 2006.

On 13 December 2005 Dr Nigel Lyons said that Tumut Hospital was not up to modern requirements. He said the facility review would be completed by March 2006, the site master plan was to be completed by May 2006 and an asset strategic plan was to be done in the following months. In 2006 he said that the facility review to be reported by March 2006 had not started and the facility review now would be completed by May 2006. In relation to Greater Southern Area Health Service public meeting number three, the Manager of Services and Corporate Planning, Janet Chapman, said the facility review had not started and it was expected the review would be completed by December 2006. The list goes on.

The committee met with Minister Hatzistergos and Minister Della Bosca, handing over information as to the reasons why Tumut should have a new hospital. The committee outlined the growing Tumut economy and referred to the enormous amount of investment in infrastructure, particularly the Visy plan. With all that activity, the committee suggested that Tumut should be a priority. No firm commitment was given to the committee on funding. The No More Bandaid Solutions group wrote a letter dated 1 June 2007 to Heather Gray, Chief Executive Officer of the Greater Southern Area Health Service. In a reply dated 7 June 2007 Ms Gray stated:

In response to your letter of June 1, 2007, I am sure you will appreciate that processes change and the Asset Management Process across the state has and is undergoing a process of change. Each Area Health Service is now required to contribute to the State Asset Strategic Plan. Each Area health Service is going through a process of having condition audits undertaken by the Department of Commerce.

She continued:

This strategic plan is under development at present, with condition audits having been undertaken.

Should funding be allocated for Tumut some time in the future, the standard process would be as follows.

And she outlined the process. I have the audit report in relation to hospital upgrades, and I will refer briefly to some items in that report. In relation to the Tumut Hospital site: parking, below acceptable; paths, below acceptable; roads, below acceptable. In relation to the boiler house: external fabric, below acceptable; roof, below acceptable; structure, below acceptable; finishes, poor condition; fixtures and equipment, average condition. In relation to the staff amenities unit, the report states very poor condition with internal fit outs. In relation to the main building: external fabric, performing to minimum standard; roof, performing to minimum standard. The roof is made of asbestos, which, as all members know, creates problems. The administration unit is listed as: poor condition, average condition, average condition. The emergency unit finishes were assessed to be in poor condition. The report states, "General appearance is poor with eroded protective coatings, elements are broken, with services not performing." And it goes on: average condition, average condition, average condition.

I will lay the report on the table for members' edification. Members would be surprised to see such a report. All the opinions differ from suggestions by the area health service, NSW Health and the Minister that the

hospital is in good condition. The staff, doctors and nurses were commended. I commend them too. They work under trying conditions. When we look at all the assessments of the hospitals, we find that Tumut District and Community Hospital is amongst the three lowest of 24 hospitals in relation to performance of the building and its condition. I acknowledge that the hospital rates well in the delivery of service. That is as a result of the dedicated staff I have referred to. On 11 April 2008 an ABC news report stated:

Mike Kelly, the Member for Eden Monaro, says he will not stand for Tumut residents having to wait almost a decade for a new hospital.

To his credit, Mr Kelly arranged for Minister Roxon to visit Tumut. The *Tumut and Adelong Times* on Friday 19 September 2008 stated:

The Federal Minister for Health, Nicola Roxon fulfilled her promise by meeting with community members and conducting an inspection of Tumut Hospital on Wednesday.

The Minister said funding for the hospital was ultimately the responsibility of the State Government, but did acknowledge the risks of the century old building, noting potential problems such as Asbestos.

While it was a fly-by visit for the Health Minister, who managed to squeeze a community meeting and a hospital inspection into an hour, she did announce a funding boost for rural and remote health infrastructure.

"The new Rural Infrastructure program will invest in health services in the region, and directly assist communities like Tumut," she said.

The article continues:

Mr Kelly said the visit would give Ms Roxon the ammunition to put Tumut's case before parliament.

In a quick examination of Federal Parliament *Hansard* I could not find where Ms Roxon had put the case before the Parliament, nor the member for Eden-Monaro. He had mentioned Tumut Hospital once in a speech in which he basically said if \$120 million had not been wasted there would be \$40 million for the hospital. By way of motion in this place, which the member for Burrinjuck supports, I have called on the Government to ensure that Tumut Hospital is put on the priority list. I understand that list is kept secret. The hospital redevelopment committee has tried to get access to the list, without success. This is an important motion. It is important for the region. Because of the growth within the Batlow-Tumut-Tumbarumba-Gundagai area and the problems with Wagga Wagga Base Hospital, it is important that the Government commits to the redevelopment of Tumut District Hospital.

**Mr FRANK TERENCE** (Maitland) [12.26 p.m.]: I speak against the motion. All too often the Opposition moves a motion in this House simply to put its whinges and gripes on the record and to call into question our hardworking public servants, particularly those who work in hospitals. The Tumut Health Service provides a comprehensive range of services that meets the needs of the local community. Those services include Tumut District Hospital, which provides emergency care, surgery, obstetric services and medical care, and Tumut Community Health Service, which offers a range of local and visiting community-based services. I am advised that Tumut Health Service continues to serve the local community with 34 beds; emergency, acute and medical care; general surgery; gynaecology and post-surgical care; palliative care; chronic and complex care; medical imaging; physiotherapy; speech therapy; dietician services; Aboriginal health and women's health; and a broad range of community health services.

I am further advised that there are no critical safety issues at Tumut Health Service and no shortage of available beds. Service provision at Tumut District Hospital meets the level three role delineation. That is consistent with its role as a district hospital providing surgical and obstetric services. In November 2005 the Tumut Health Service Plan recommended that a facility review be completed and a site master plan be developed to improve safety and efficiency at the site. I am advised that both these recommendations have been completed and in June 2006 works to the value of \$250,000 were completed, including security upgrades, improvement to access points across the site, and improvements to hospital bathrooms.

The Greater Southern Area Health Service will continue to work with the local health service advisory council to ensure ongoing service delivery is maintained at Tumut Health Service and also to ensure that consultation with the local community is improved. Last month the general manager for the central sector of the Greater Southern Area Health Service met with representatives from Tumut Shire Council and the local health advisory council to discuss health services in the region. Regular meetings will be held in the future. Most importantly, this is not about bricks and mortar; it is about the safe delivery of patient services.

The New South Wales Government is committed to providing rural and regional communities with the best possible health services. This financial year we are channelling more than \$4 billion into health care in rural and regional areas. That is an enormous amount of money and commitment. It is all very well for members opposite to shake their heads, but these are the facts.

**Mr Steve Whan:** How many hospitals have they rebuilt?

**Mr FRANK TERENZINI:** I am getting to that. The member for Monaro is well acquainted with these issues. I am getting to the issue of the closures of the hospitals that occurred under the Liberal Coalition Government. But getting back to the figures for the Labor Government, there has been an increase of about \$270 million from the previous year—more than double the investment just eight years ago. In the greater western and greater southern areas, of which Tumut is a part, we are investing almost \$1.2 billion. A range of capital works projects will be undertaken in rural and regional areas this financial year, and we have built or rebuilt virtually every major hospital in the State during our time in government.

**Mr Daryl Maguire:** You haven't.

**Mr FRANK TERENZINI:** We have. The member for Wagga Wagga knows that; he just does not want to hear it. Not only did the Liberals not build any hospitals; they closed them down. They excel themselves when they get into government. They do not just sit there and watch hospitals crumble; they close them down and be done with them. These works include major hospital redevelopment in 51 rural and regional hospitals. Tumut Health Service is one of 47 hospitals and 62 community health services provided by Greater Southern Area Health Service.

In 2009-10 the Government is investing \$607 million in the Greater Southern Area Health Service. The 2009-10 budget represents an increase of \$37.8 million on last year's budget. This is hardly a government not committed to health services in rural and regional New South Wales, as the Opposition would have us believe. The Government is fully committed to rural and regional health services, as demonstrated by the range of initiatives we are undertaking to tackle these and other issues.

As we know, workforce shortages are affecting health systems across the country, both in the city and in the bush, and right around the world. Attracting and retaining medical professionals in rural areas, especially in remote communities, is particularly tough. There is no single solution, so we have taken a comprehensive approach. The Government offers a range of incentive packages to support and encourage doctors, nurses and allied health professionals to come and work in the bush and become part of those communities.

Through Caring Together: The Health Action Plan for New South Wales the Government is investing a total of \$42 million over four years to increase the supply of skilled doctors to outer metropolitan and rural areas. This will see the creation of 45 extra training places in rural areas for doctors in their second and third year of training and an additional 22 trainee specialist places in outer metropolitan and regional areas. These are all initiatives consistent with a government that is fully committed to health services. Health takes a large proportion of the budget in New South Wales. The Government clearly recognises that initiatives for reform and changes are needed to make sure that we can uphold a high standard of health care services—and the government to do that is the New South Wales Labor Government. I would hate to think where our health services would end up if there were a change of government. We would go back to the days of all the hospitals being closed down around New South Wales and the dreadful experience with Port Macquarie hospital that the Government had to step in and fix up.

**Mr Steve Whan:** And none rebuilt.

**Mr FRANK TERENZINI:** None of them fixed or rebuilt. It is a bit rich for the Coalition to go on about health services when our health services are all making the grade. We have hardworking clinicians, professionals, doctors, nurses and administrative staff making sure that rural hospitals are all making the grade. For the Opposition to criticise those services and make out that they would be better than this Government in maintaining health services is a little bit rich. Even in the short time I have been in this Parliament it is blatantly obvious to me that for the Opposition political gain and political notoriety take precedence over substance in the provision of services in New South Wales. I strongly oppose this motion.

**Ms KATRINA HODGKINSON** (Burrinjuck) [12.35 p.m.]: I make a contribution to the motion moved by the member for Wagga Wagga in relation to Tumut Hospital. It is extraordinary that this country

district has been promised a hospital for so many years and it is still waiting for that facility, and will perhaps have to wait another 10 or 15 years for construction to start on a new hospital. I have taken a continuing interest in this situation because Tumut was in the electorate of Burrinjuck up until the redistribution of boundaries following the last general election in 2007. I continue to take an interest because the No More Band-aids group, which the member for Wagga Wagga mentioned during his contribution, was very active during my time as the member for the area.

It is very unfortunate that there has been very little progress made in relation to this very important issue. The Government is only too well aware that Tumut is thriving. It is a growing area that young families, single people and young couples are moving to because of the mill development, all the construction work, the hardwood industry and the softwood plantation industry, particularly the pine plantations in and around the Tumut region. With growing families moving into the area there is a real need for a state-of-the-art hospital, and we have been calling for that from this side of the House for certainly as long as I have been the member for Burrinjuck. I remember raising this issue in 1999. When I entered Parliament I took a very active interest in Tumut and Batlow. The Batlow multipurpose service centre was another issue of great concern at that time.

The No More Band-aids group is obviously still very worried. Sue Swann, the secretary of the organisation, located in Tumut, has been in contact with the Greater Southern Area Health Service since 1999 regarding the need for a new hospital at Tumut. In 2003 I remember very clearly that Karen McPeake, the capital works manager and acting manager of policy and planning, told our community that Tumut had been placed on the forward works program. In 2004 the Deputy Administrator of Greater Murray Health Service, Joe McGirr, made a submission to the health Minister's rural adviser regarding a procurement feasibility plan, which was said to be the first step to having a new hospital by 2007. At that stage Tumut was still on the forward works program and sign off for a new hospital was expected to be within two to five years, which was then 2005 to 2008.

In September 2005 the manager of services and corporate planning of Greater Southern Area Health, Janet Chapman, announced that Tumut had been removed from the forward works program, but she assured us that Tumut Hospital was a high priority and next on the list after Wagga Wagga Base Hospital for capital works funding. Two weeks before the general election the then Premier, Morris Iemma, spoke about new multipurpose service centres and new hospitals. Talk has been going on for so long in relation to Tumut Hospital that the people of the district are starting to wonder whether it will ever happen.

It is appalling that Tumut Hospital has once again slipped down the list—in fact, it is not clear where it is on the list. I inspected the hospital shortly before the election, when I was still the local member, and there were holes in the floor and asbestos in the roof. The building was in appalling shape. I know some of the nurses who work at the hospital—indeed, I am proud to call them friends—and they should not be subjected to those conditions. The time has come for a new hospital to be built in Tumut and the Government must urgently allocate the appropriate funds so that residents from the Burrinjuck and Wagga Wagga electorates can access a good hospital in the area.

**Mr RICHARD AMERY** (Mount Druitt) [12.40 p.m.]: I join the member for Maitland in opposing this motion. I am not opposing it simply because members opposite have raised the need for facilities in their electorates; that is honourable and appropriate. I question the tactic of tacking onto this motion about Tumut Hospital, and perhaps hurrying the Government along, statements condemning the Government and the Minister for Health "for leading Tumut residents to believe" and so on, and "for neglecting to provide proper services for regional areas". That would be comical if we were not addressing the serious issue of rural health services.

We should all acknowledge the health service challenges facing people living in rural areas. Those of us who live in western Sydney have access to many hospitals. However, rural residents face a number of inherent problems such as the distance they must travel to hospitals, towns and large facilities. They must also allow for the limited number of doctors who are interested in working in regional areas and, of those who are, the number who are prepared to bulk bill. As a result many regional patients pay much more than people living in metropolitan areas.

Both Federal and State governments must address those challenges. Members opposite blame the State Government for that situation. This Government has the best record in Australia for building health facilities. There are obviously delays in any project. When explaining the situation in response to many questions on this issue over the past few years Ministers have invariably mentioned John Howard. Members opposite should think about him for a moment. During their contributions they did not once mention the impact of his policies.

They came into this place every day and said that the Federal Coalition Government had increased health funding; however, they hid the fact that the Howard Government's increased funding to the States was based on the normal consumer price index increases, not the health price increases.

As a result, the Howard Government's health allocations to the States declined from about 45 per cent or 46 per cent to about 40 per cent. It is great to see that the Rudd Government is restoring that allocation—hopefully to 46 per cent or even more in the future. The impact of that erosion of Federal money over the years means that State governments must keep reprioritising and increasing their contributions. Only in recent years our health budget has grown from \$10 billion to more than \$15 billion.

Members opposite have a terrible track record on regional health care, but they come into this place and ask why the construction of the Tumut Hospital has been delayed. We would all like a hospital to be built at Tumut and for the Wagga Wagga hospital redevelopment to be expedited—and that is happening. The Parliamentary Secretary said that he cannot think of one rural hospital, other than the Port Macquarie hospital, that was built by a Coalition government. Of course, that hospital had to be paid for by the Government three times. That is the Coalition's regional health record. If members want to know what would happen if a Coalition government were elected in this State they should look at what happened in 1988. Nick Greiner established the Curran review and health, education and virtually all capital works budgets were slashed. The same thing would happen given the Max Moore-Wilton strategies that the Opposition is concocting now.

Documents provided by the Minister's office point out that the Tumut health service plan recommended that a facility review be completed and that a site master plan be developed to improve safety and efficiency. I am advised that both recommendations have been addressed and that in June 2006 works to the value of \$250,000 were completed. The Greater Southern Area Health Service will continue to work with the local health service advisory council to keep the Tumut community informed and to ensure that ongoing service delivery is maintained. Underscoring the Government's commitment to rural and regional health services, a number of other major capital works projects have been completed or are underway throughout country New South Wales, including in the area covered by the Greater Southern Area Health Service. Of course, these include the nearby Wagga Wagga Base Hospital, which is in the electorate of the member who moved the motion. This is an incredible and inappropriate motion that is based on many falsehoods, and I totally reject it.

**Mr DARYL MAGUIRE** (Wagga Wagga) [12.45 p.m.], in reply: I thank the members representing the electorates of Maitland, Burrinjuck and Mount Druitt for their contributions. I also thank the member for Maitland and the member for Mount Druitt for reading onto the record the Department of Health response to this motion. Many of the 50-odd hospitals that members referred to being built were completed in partnership with the previous Federal Government. Much of the funding was provided by the Federal Government and they were constructed in partnership with the State Government. The hospitals on the drawing board are also being provided in partnership with the Federal Government.

I have been a party to the workforce strategies solution. However, the problem is that no-one wants to work in this Government's hospital system. There are 100,000 nurses registered in New South Wales, but only about 30,000 work in the State system. When the Greiner Government came to power it inherited a \$20-billion debt and it had to make many difficult decisions. The same will happen in 2011 when the Coalition takes office. However, this time I am advised that we will inherit a \$60-billion debt.

The Tumut community has been campaigning for the establishment of a renal unit at the local hospital because local patients must travel to Wagga Wagga Base Hospital for treatment. That hospital has had to triple its services, which are provided at an old building that was not designed for the procedures involved. The redevelopment of Wagga Wagga Base Hospital has been a 25-year project. Again, no commitment has been made to complete that project. Capital works on the most important hospital in the southern region have been repeatedly delayed. Many patients come from far and wide to access its services. Members opposite talk about recruitment, retention and workforce issues. Without the appropriate infrastructure to support the staff, the problems will continue.

The member for Mount Druitt was quick to condemn John Howard. Kevin Rudd promised before the last election that he would take over the provision of health services if the States did not perform. A report was released last week indicating that the States had not met their obligations. Did he take over? No, he did not; he again ducked the issue. Members referred to an article in the *Tumut-Adelong Times* about Minister Roxon's announcement on funding. She stated:

The new Rural Infrastructure program will invest in health services in the region, and directly assist communities like Tumut. ... The grant's conditions would mean that investments in facilities like Sheahan House—

which is part of the Tumut hospital—

would be applicable for the grant, which has an upper limit of half a million dollars.

Did it get any money? No, it did not. Did anyone mention that in Federal Parliament? A précis of Federal *Hansard* contains a couple of mentions of Tumut Hospital. That is all there is. So much for glib promises! Government members can talk about investment in health, but waiting lists continue to be at record levels. Tomaree hospital was mentioned yesterday by the member for Port Stephens. Such hospitals are continually transporting patients to larger centres. That also happens at Tumut. Indeed, Batlow hospital, in partnership with the State and Federal governments, had a new multipurpose service built. What did the area health service do? It downgraded it. It downgraded all the positions. It has now become basically a bandaid station without basic equipment such as an X-ray machine to allow doctors to do basic procedures—equipment we have argued should have been in that new hospital.

This means that the load is then transferred to Tumut. We have a network of ambulances sitting at Wagga Wagga Base Hospital with ambulance block almost daily—six to eight ambulances locked up there unable to do their job because the base hospital is full because this mob opposite has not redeveloped it. Because the Government has not reinvested in the Tumut hospital we should be a priority. As for no more bandaids, Government members should know that some members of the No More Bandaids committee—Labor Party members—have held positions in the party. They are strong in their views and have been passionate advocates for a new hospital.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 36**

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

**Noes, 44**

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

**Pairs**

|              |               |
|--------------|---------------|
| Mr O'Dea     | Ms Hornery    |
| Mr O'Farrell | Ms Judge      |
| Mr Page      | Mr Khoshaba   |
| Mr Piccoli   | Mrs Paluzzano |

**Question resolved in the negative.**

**Motion negatived.**

### **PREGNANCY AND INFANT LOSS REMEMBRANCE DAY**

**Mrs SHELLEY HANCOCK** (South Coast) [12.58 p.m.]: I move:

That this House:

- (1) notes that the United States of America and Canada recognise 15 October each year as Pregnancy and Infant Loss Remembrance Day;
- (2) notes the efforts of South Coast resident Nicole Ballinger to effect a similar Remembrance Day in New South Wales and Australia; and
- (3) calls on the Government to give consideration to recognising an annual Pregnancy and Infant Loss Remembrance Day—preferably 15 October—in New South Wales.

I am pleased to move this important motion today. It is a simple motion, and therefore should not be controversial. No member should speak against it. This is an important issue for women who have lost babies through either miscarriage or stillborn births. It is important that those women have some recognition, acknowledgement and support during their time of grieving because many mothers who have lost infants in this manner continue to grieve, and their grief is profound. This motion, of which I gave notice 12 months ago, is the result of significant lobbying from a lady called Nicole Ballinger, who came to my office. There is also a support group in my electorate.

Nicole was concerned that when women have miscarriages or stillborn births they are merely told that they can have another baby and to get on with their lives and forget about it. Unfortunately, there is enormous grief, which is shared by their husbands, their siblings and other family members. It is important to respect these women, to acknowledge what has happened to them and to support them. I imagine this will not be a controversial debate. I acknowledge that the member for Macquarie Fields is at the table and I respect his medical credentials. I hope that he supports the motion, which merely asks the Government to give consideration to recognising an annual pregnancy and infant loss remembrance day. I am not calling on the Government to do it; I am merely asking the Government to consider it.

I can imagine the defence that because it should be a day recognised annually throughout Australia the matter should be passed on to the Federal Government. My response is that New South Wales can do something on its own for a change. The State Government should start lobbying the Federal Government if it considers the matter is important and lead the way, rather than passing it on to a Federal Government authority. I repeat some of the comments I made last year when I spoke on this matter in the House. Basically, I support the establishment of a pregnancy and infant loss remembrance day in New South Wales, as occurs in Canada and the United States of America. It is interesting—and at the same time disturbing—to note that 32 per cent of pregnancies end in loss and that one in four women in New South Wales has suffered a miscarriage. That is pretty significant. Not only does each woman who has lost a child grieve that loss, but so does her partner, family and siblings, as I stated before.

For those women who have suffered this loss, such as my constituent, Mrs Nicole Ballinger, and many others in my electorate, recognition is a very important part of the healing process. It should be noted that the statistics of pregnancy and infant loss are perhaps higher than most people expect. It is an issue that is forgotten and swept under the carpet, with women told to get on with their lives. In the developed world an estimated 500,000 miscarriages occur each year, the vast majority of which have no explanation. One in every 148 babies is stillborn, with 73 per cent of those unexplained. There is still a lot we do not know about miscarriage and stillborn births. One in every 2,000 babies dies from sudden infant death syndrome [SIDS]. We have come a long way in trying to understand the causes for SIDS, yet those deaths still occur. One can only imagine the statistics for the developing world.

The tragedy of these statistics is compounded by the fact that many of the deaths could have been prevented with prenatal screening. For instance, vasa praevia is a condition where the mother often shows no symptoms at all. One in every 2,500 births results in stillbirth due to severe haemorrhaging caused by vasa praevia. Its infant mortality rate is 95 per cent, yet when the condition is diagnosed prenatally using ultrasound technology the survival rate is 100 per cent. We can certainly do a lot more to prevent infant death. One in three

pregnancies will end in loss, and the grief that follows is often suffered in silence, as the mothers affected may feel a sense of guilt or feel that society has judged them as being somehow responsible. This occurs largely due to ignorance and prejudice. Mrs Ballinger, who suffered four miscarriages due to blighted ovum, has not only suffered those losses but also experienced the judgement of others and their inability to provide comfort and to empathise. There is also an expectation that women who suffer miscarriage will soon recover from their loss and simply try to conceive again. Women are just expected to get on with their lives without grieving.

I am informed that for many women the sense of grief and loss following such an event is intense, prolonged, agonising and exacerbated merely by the sight of another pregnant woman or a young family. It is interesting to note that in other countries, such as Japan, the grief of pregnancy and infant loss is acknowledged and supported by special temples and shrines devoted specifically to honouring Japan's tiniest angels. In the Shinto faith there is also the Ojizo-san, a God who protects unborn babies. Statues of the Ojizo-san adorn these temples as well as private homes and gardens. The grieving in Japan have a place to go to honour their babies and a social standard that is caring and sensitive to their loss. However, in Australia silence, guilt, fear and intense grief characterise the long, private struggle of each survivor.

Therefore, on behalf of all those women who are grieving in silence I request that the Premier set aside a day each year so that we can remember, acknowledge and support those women who have suffered in this manner. It has been formally requested that it be 15 October because this day has been set aside elsewhere, in countries such as Canada and the United States of America. On that day we will honour not only the lives of babies who have been lost but also the women and their families. Finally, I wish to acknowledge the efforts of Nicole Ballinger. She has fought an ongoing battle to have 15 October recognised. She started this campaign probably two years ago. She has also lobbied the local Federal member of Parliament. We have to come at this issue with a two-pronged approach so that Federal and State can work together. Nicole has received responses. I have also written to the Minister and the Premier. The Premier bypassed my request and referred it to the Minister for Health. The Minister for Health did not respond but I received correspondence from NSW Health addressed to Mrs Ballinger, which unfortunately was most inappropriate.

The letter does not address the need for a remembrance day. It outlines problems in early pregnancy and refers to the work of early pregnancy units and early pregnancy assessment services—which are very useful, and I acknowledge that advances are being made. The letter states that women in rural communities now receive improved antenatal care through medical and midwifery assessment, support, advice and information. The letter contains considerable information about services and recognition of women who have problems in early pregnancy but it is not an appropriate response to the core of this motion and the lobbying by Mrs Ballinger and her supporters—that is, the need to set aside a special day to remember babies who have died and to support women who are suffering enormous grief. It is terribly sad that often blame is attributed to women when they lose their child. It is often suggested that somehow they may not have looked after themselves during pregnancy, or there is an implication that they did something wrong. Those women feel that blame, and fear and guilt, enormously. Instead, they should be acknowledged and supported.

There are many other so-called victims in our society who are supported in many circumstances, and there are many mechanisms for providing that support. But women who lose a child do not really have a support mechanism—except for ladies such as those in Nowra who meet regularly to support each other. If we had a national pregnancy and infant loss remembrance day, it would mean so much to them. I have not suffered this kind of experience; I have been lucky. But I sympathise deeply with the women who have come to me. I feel that their grief and loss should be acknowledged and supported, and that we should assist them through the New South Wales Parliament. It is an important issue. I call on the New South Wales Labor Government and members opposite to acknowledge what I have said and provide any assistance they can.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [1.08 p.m.]: I thank the member for South Coast for moving the motion and bringing this matter to the attention of the House. I can inform her that the Government will support her motion. In my opinion this is one of the most important motions to be debated since my election to this place in 2007. One in four women will suffer at least one miscarriage, and at least 32 per cent of pregnancies result in pregnancy loss. This is often an unmentioned and unrecognised tragedy that affects the families involved for generations because of the grief, depression and sadness it causes. In many cases the families involved do not feel that they receive adequate support from the wider community.

I can state from personal experience that the greatest tragedy anyone can ever witness is the loss of a child. I could name many of the children I have been involved with over the past 30 years, and I could describe

in vivid detail the circumstances of their loss. It is something that stays with the families forever. Indeed, often the last words mothers utter when they die are that they will be reunited with their lost child—who may have died 50 or 60 years before. It is something that stays with mothers, fathers and families forever. I would like to pass on my condolences to Ms Ballinger and salute her determination in pursuing this matter. Having four miscarriages is a dreadful legacy for anybody to have to live with. Ms Ballinger cites eloquently the inability of many to provide comfort at this time of dreadful loss.

The rate of pregnancy loss is higher than is expected in the general community. That is one of the major reasons why a pregnancy and infant loss remembrance day is necessary. This is a subject that has been kept quiet in the wider community for too long. Many people, when experiencing miscarriage, are surprised at the number of others who describe having lost their own child, because it is such a dreadful tragedy. It is not just early pregnancy loss that we are talking about. Sudden infant death syndrome is still a problem in one in 2,000 births. That is a reduction over the past 15 years, from one in 500. We have come a long way. We have come a long way as a result of extensive public messages about the need for everybody to be conscious of the preventative measures that have to be taken to cut the rate of sudden infant death syndrome. Those campaigns have been extremely successful. It is only through everybody knowing about early pregnancy loss that we can do something to improve the public health messages that may reduce the pregnancy loss rate.

Unfortunately, not all pregnancy losses are preventable. Many of them are preventable, but not all. The tragedy of stillbirth at or near term is often a complete surprise. Indeed, stillbirth is unpreventable through many modern medical technologies. Electronic foetal monitoring, for example, which is one of the mainstays of medical treatment, has not been proved infallible in predicting or preventing stillbirth. The tragedy of pregnancy loss affects the lives of everybody involved forever. As I said, often the tragedy affects the families involved for generations, because the depression and sadness that is often caused affects people's ability to parent their children. I have found untreated depression to be extremely common and often unrecognised because this is a loss that is not usually discussed in the wider community.

I have also found post-traumatic stress disorder to be extremely common. As the member for South Coast eloquently described, often the sight of a pram, the sight of a pregnant woman, or simply walking past an antenatal clinic will provoke vigorous flashbacks in mothers who have lost a child. I am aware that perinatal mortality is strongly socioeconomically determined. It is a great tragedy that many of our vulnerable communities, such as the Aboriginal community with which I work, have very high rates of pregnancy loss. This is another tragedy that is often not spoken about, and for that reason we do not do enough to address this dreadful problem in our most disadvantaged communities.

The Government supports the use of 15 October as the date on which to recognise the tragedy of pregnancy loss, as occurs in Canada and elsewhere. Pregnancy loss is a tragedy that needs to be brought into the public domain and discussed in the wider community. Parents who have lost a child need to be supported and comforted and their grief needs to be recognised by everybody who has to deal with them, including professionals, family, and the wider community. Pregnancy loss is an issue that for far too long has not been adequately addressed by the wider community. This is a perfect opportunity to do something to help these families. Pregnancy loss will be with us for many generations, and this is a wonderful opportunity and a wonderful idea. I pay tribute to Ms Ballinger and also to the member for South Coast for bringing this motion to the attention of the House. I wish that from this motion will come a day on which we can all remember the tragedy of pregnancy loss, for the benefit of all our families.

**Mrs JUDY HOPWOOD** (Hornsby) [1.18 p.m.]: I also totally support the motion moved by the member for South Coast, which calls on the Government to give consideration to establishing an annual pregnancy and infant loss remembrance day in New South Wales, preferably on 15 October. I do so for a number of reasons. The motion is timely, given that a fundraiser will be held this Saturday night to celebrate the fortieth anniversary of St Ives Rotaract and to raise money for the Stillbirth Foundation Australia. The event is being organised by Evan and Barb Burrell of my electorate. It will be held at Hornsby RSL Club, and the funds raised during the celebration of the fortieth anniversary of St Ives Rotaract will go to the Stillbirth Foundation.

When I raised with Evan and Barb Burrell the possibility of the Government establishing preferably 15 October as the pregnancy and infant loss remembrance day, they were thrilled. They recently suffered the tragic loss of their son Thomas through stillbirth when Barb was about 25 weeks pregnant. Evan and Barb are trying to make something positive out of something so negative. They experienced enormous grief—perfectly normal grief over losing something so precious. Evan and Barb have a long history of community work. In order

to assist with their grief they are trying to turn a personal tragedy into something that will help many others: raising funds for the Stillbirth Foundation Australia. I will read into the *Hansard* part of an email that Evan sent me today. It states:

Thank you for speaking with me today. Here are some of the details about stillbirth in last Thursday's Wave of Light campaign on 15 October, which was also International Baby and Infant Loss Remembrance Day as well as Barb's birthday. It was a tough time for us, as you can understand. As I said over the phone, I do not think that they got much exposure from the media or the Government.

That is a tragedy in itself. The motion is timely and happily supported by both sides to give recognition to such an important day of remembrance. Everyone in this House will know of a family member or someone in their wider circle of friends who has suffered a stillbirth. Everyone who returns a positive pregnancy test result expects to deliver a healthy baby, but unfortunately a percentage of pregnancies are not successful and babies do not survive.

About two years ago I had the sad experience of my cousin's son and his wife losing a baby girl. The woman was approximately two weeks from full term and in the last couple of weeks her baby girl died. That family then had to confront the tragedy of a stillborn birth and its subsequent difficulties, including attempting to explain to an older brother what had happened to his baby sister. I tried very hard to collect information for them to assist the family in explaining to the little boy why his baby sister had died. A number of women in my wider circle of friends have also suffered stillbirths. One case involved a twin-to-twin transfusion and both twins died in utero. Sadly, the outcome for that woman was not a happy one. I give 110 per cent support to this motion. I commend the member for South Coast for her initiative. Many people will support her call and it will be a wonderful day of recognition—preferably on 15 October. I look forward to its official recognition next year.

**Mr GRANT McBRIDE** (The Entrance) [1.23 p.m.]: I support the motion and I commend the member for the South Coast for bringing it to the attention of the House. I also hope what happens in this Parliament today will be reflected across the whole of Australia and at the end of the process we will have a day that commemorates this loss. Our sixth child, Gabrielle, was born 25 years ago. Gabrielle was full term but died two days after she was born. It is now 25 years later but the pain remains the same—it never goes away. Prior to that we had five normal births. They were all healthy kids and, happily, are now healthy adults. After Gabrielle we had two more children. They, too, were healthy kids and are now healthy adults.

It does not matter what counselling or assistance you receive, it is such a personal thing that it never leaves you—it stays with you all the time. Having said that, I have always found that every sad experience in my life has an upside. The upside in this case is that each of our children carries with them a recognition of Gabrielle's life. They talk about her as if she were here today. Through her death she has transmitted a sense of love that would not have existed otherwise. We celebrate her death because we see the positive way that it has shaped the whole of our family. All our kids have a sensitivity to life that possibly other kids do not have. They also have a sensitivity to people that goes beyond what they took from that particular experience.

What I have learned from our experience is that you should never say to a person who has had this experience that you know what their pain is like. No-one ever knows what another's pain is like. This sort of pain is unique, and it will affect people differently. It can be positive or it can be negative. What we are doing in this Parliament will be of enormous benefit to a whole range of people, not only today but well into the future. I commend the member for South Coast for moving the motion—it is not often I commend Opposition members. This is a very important matter. It seems small in some ways but the impact it has on those people who have been through this experience is enormous. It happened to us, but, at the end of the day, my family has benefited from it, even though Gabrielle lived for only two days.

**Mrs SHELLEY HANCOCK** (South Coast) [1.27 p.m.], in reply: I thank most sincerely the member for Macquarie Fields, the member for Hornsby and the member for The Entrance for their contributions. I thank the member for Macquarie Fields for his absolutely sincere contribution. I always find him to be an extremely sincere individual. The member for Macquarie Fields brought his profound medical experience to the debate on the motion, and I thank him for indicating the Government's support for something that seems so simple yet may affect the lives of so many.

I thank the member for Hornsby, who always shows extreme enthusiasm for matters such as this. She can relate to events in her community as she is always in her community supporting those who are suffering or who need assistance of some kind. The member for Hornsby referred to the upcoming Stillbirth Foundation

fundraiser for the Sudden Infant Death Syndrome Foundation. Such events occur around the State and the nation at different times, but would it not be nice to have one day of the year when we could all come together and remember these kinds of events that affect the lives of so many people?

Finally, the member for the Entrance epitomised what the motion is all about. He demonstrated through his sincere emotion that this kind of grief lasts for a long time. It is not just the grief of a mother, but the grief of a father, siblings and other family members. It goes on and on, and has so many effects on people's lives. Those of us who have had successful pregnancies and those of us who have seen our grandchildren born—my first grandson was born in the past two months—cannot empathise with others because we have not shared their experience. Yet as members in this place we need to understand when people come to us and say it is an issue for them. We should combine our efforts to try to do something to assist them.

Often the Government or Opposition opposes a motion moved by a member on the other side of the House for no good reason other than we are on different sides of the political fence. However, on important issues, such as the subject of this motion, we come together. I am gratified that the House will support my motion. Many members are not present in the House because they are attending to other matters. I hope they will read *Hansard* and reflect on the fact that there are issues that bring us together. As I said in my inaugural speech, there are certain issues that will always bring us together. Despite our political persuasion, we agree on important issues.

I frequently see Nicole Ballinger at events and functions in Nowra. She is tireless in her efforts. She tells me that they are hanging in there, they are fighting, and they will make it happen. I concur with her. We will continue until we get a positive outcome. I believe that with the support of the Government for my motion we will get a good result. I believe that the Government has supported my motion not because it would be politically incorrect to oppose it but because it will result in a positive outcome. Perhaps that means working with NSW Health or the Federal Minister for Health to institute a national day. We must have concrete results. These women need to know that we have spoken in this place not just to hear ourselves speak but to get a positive outcome.

I call on the member for Macquarie Fields, the member for The Entrance and the member for Hornsby, who are present in the Chamber, to remember this motion and take away the lesson that we should not give up on this issue, which is vitally important to many women in our State, in our country and throughout the world. Great strides are being made in the support of pregnant women and mothers who are struggling with their babies. All sorts of advances are being made, far more than we envisaged, in the health system. But today we come together and ask for a special remembrance day to honour the babies who have died in stillbirth or miscarriages and to recognise, acknowledge and support their mothers, fathers and siblings.

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

**Motion agreed to.**

*[The Assistant-Speaker (Mr Grant McBride) left the chair at 1.32 p.m. The House resumed at 2.15 p.m.]*

### **NATIONAL WEEK OF DEAF PEOPLE**

**The SPEAKER:** I welcome to the gallery a group of people from the deaf community who are attending the Deafness Awareness Conference. The group has been involved in various activities for the National Week of Deaf People at Parliament House, celebrating the achievements of deaf individuals. They are accompanied by interpreters from the Deaf Society, who will interpret question time today. I wish them every piece of luck with that!

### **DISTINGUISHED VISITORS**

**The SPEAKER:** I welcome Councillor Gareth Ward, the Deputy Mayor of Shoalhaven City Council, and Councillor Bodhan Brumerskyj, guests of the member for South Coast.

### **REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS**

**Mr NATHAN REES:** I advise members that during the absence from the Chamber today of the Minister for Fair Trading, Minister for Citizenship, and Minister Assisting the Premier on the Arts, due to illness, the Minister for Community Services will answer questions relating to her portfolio.

**BUSINESS OF THE HOUSE****Notices of Motions**

**Government Business Notices of Motions (for Bills) given.**

**General Business Notices of Motions (for Bills) given.**

**QUESTION TIME**

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*[Question time commenced at 2.20 p.m.]*

**RAIL INFRASTRUCTURE**

**Mr BARRY O'FARRELL:** My question is directed to the Premier. Given these leaked Cabinet documents reveal RailCorp failed to spend a quarter of its capital budget last financial year, delaying various projects such as upgrades to rail lines and stations, how can the Premier continue to justify his incompetence and the inconvenience it is causing to commuters?

**Mr NATHAN REES:** It is clearly not having any effect at all on on-time running, which is at a decade high rate. We have a record infrastructure spend for transport.

**The SPEAKER:** Order! Opposition members will cease interjecting.

*[Interruption]*

**Mr NATHAN REES:** I will talk about the Chatswood interchange now if the member for Willoughby would like.

**The SPEAKER:** Order! Government members will cease interjecting.

**Mr NATHAN REES:** There will inevitably be some unders and overs when we spend the sorts of dollars that we are spending on infrastructure. The Clearways program that this Government has been implementing for some years, which is worth billions of dollars, has delivered an on-time running rate of 99 per cent this week despite the new timetable being introduced.

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

**Mr NATHAN REES:** I am advised by the Minister for Transport that the figure this morning was 97.6 per cent and the figure for the Sydney system is generally 95 per cent plus. Despite the new timetable having been introduced only 10 days ago, trains ran on time almost 100 per cent of the time yesterday morning when students were travelling to school to sit the Higher School Certificate English exam. Investing billions of dollars in rail infrastructure has meant that our trains are now running on time with a greater degree of reliability than at any other time in the past 10 years, and that is sustainable. In addition, hundreds of new carriages and buses are under construction as this Government goes about making the New South Wales transport system the most reliable in Australia.

Can we do more? Yes, we can. Will we do more? Yes, we will. In contrast, this question was asked by an Opposition that purports to have a transport policy, but it does not include a single new bus or train and it is not costed. Members opposite do not have a policy; they have a mirage. The shadow Minister for Transport has been humoured in being given a front bench job because the shadow Treasurer has not provided her with any costings. That is the reality, and it is stark. I accept that the Government may have underspent, but in a budget as big as this State's budget there will always be unders and overs.

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

**Mr NATHAN REES:** Small amounts—

**The SPEAKER:** Order! The member for Willoughby was not called to order during question time yesterday. I make special mention of that because it is the first time it has happened. I call the member for Willoughby to order for the second time. I remind her that we are only four minutes into question time.

**Mr NATHAN REES:** I will familiarise the Opposition with the basics of the budget. It is a four-year estimates period and any underspending one year will be rolled over to be spent the next year. It is as straightforward as that. It delivers on-time running at a decade high rate.

### STATE ECONOMY

**Mr ALAN ASHTON:** I address my question to the Premier. Will the Premier update the House on what effect Government initiatives are having on the economy?

**Mr NATHAN REES:** That is an excellent question. Yesterday the Minister for Planning advised the House about what the Government is doing to promote jobs and investment through the planning system. She pointed out that 40 major projects worth more than \$1.8 billion and creating 1,843 jobs were approved in September. The New South Wales unemployment rate is currently 5.6 per cent, which is the second lowest rate in Australia and the lowest on the mainland. That is a fundamental turnaround from where we were only 12 months ago. Despite these results from the planning system and the thousands of jobs that have been unleashed as a result of a proper approach to planning, the Opposition wants to rip apart part 3A of the Environmental Planning and Assessment Act. Approvals under that provision have created some 60,000 jobs in New South Wales that would simply not exist if members opposite had their way. That is twice the number of people who live in Bathurst.

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

**Mr NATHAN REES:** By their own admission, if members opposite had their way every one of those projects, which are generating 60,000 jobs, would hit the sand. They are a recipe for economic anaesthesia in New South Wales. What would the scrapping of those 60,000 jobs do to the unemployment rate? This State's unemployment rate is 5.6 per cent. By their own admission, members opposite would not have approved any of the projects that delivered those 60,000 jobs. If members opposite ever occupied the Treasury benches, this State's unemployment rate would be 7.3 per cent and another 60,000 more people would be in the dole queue. It is as straightforward as that. That is what the Opposition's lack of policy with regard to part 3A would deliver for the people of New South Wales.

Members opposite keep saying they think they will get rid of part 3A—perhaps part of it or all of it, or perhaps they will modify it just a little. It is an utter shambles and hypocrisy. I point out that 11 members opposite voted for part 3A in June 2005: the Leader of the Opposition voted for it, the Leader of the Nationals voted for it, the spokesman for planning voted for it, and the members representing the electorates of Willoughby, North Shore, Albury, Bega, South Coast, Burrinjuck, Wagga Wagga and Orange voted for it. They all voted for it three years ago. Now, in an exercise in cheap populism, they want to rip it up. I am talking about the very provision that has helped to insulate New South Wales from the global recession. That is a memo to the business community of New South Wales: The Coalition supported part 3A for some years, but it now wants to tear it up and in so doing plunge our planning system into chaos and uncertainty. That is the policy of the so-called party of business. The story on this side of the House is very different. This Government is backing investment, employment, tradespeople, suppliers and homebuyers.

Today's good news relates to homebuyers. This Government is putting more first home buyers into dwellings than ever before, and I am delighted to say that western Sydney continues to lead the way. New South Wales first home buyers have notched up an impressive first: They have received more than \$150 million in first home buyer benefits in September this year alone. First home buyer benefits helped 6,079 first home buyers to achieve their dream of homeownership last month. September 2009 produced the best results since figures started being kept in 2000. That is terrific news for first home buyers. I am delighted that the top five suburbs for first home buyer grants were all in western Sydney. In Liverpool 129 first home buyers received benefits worth more than \$3.3 billion.

In Blacktown 99 first home buyers—we visited a couple of them—received benefits worth more than \$2.6 million. At Blacktown Ashley and Duncan, who is a fourth year apprentice, were able to buy their first home with \$25,000 worth of combined assistance from State and Federal schemes. That was a great outcome and certainly would not have happened if the Coalition were anywhere near the Treasury benches. In Parramatta, 78 first homebuyers received benefits worth more than \$1.9 million, and in Wentworthville—a suburb that the member for Parramatta and I share—107 first homebuyers received benefits worth more than \$2.8 million.

The good news continues on the stamp duty front as well. I know how much every piece of good news tortures the Opposition but in July the Government cut stamp duty by 50 per cent on newly constructed dwellings up to the value of \$600,000. That is our housing construction acceleration plan. In the 14 weeks since it started dwellings worth almost \$392 million have been sold under that plan. That means 895 families and investors have taken advantage of the 50 per cent cut in stamp duty and we put \$6.8 million worth of stamp duty back into their pockets. Major projects under part 3A are going gangbusters. In school stimulus works we lead the nation. In public housing stimulus works New South Wales leads the nation. New homebuyers are at record high levels, and new housing investment is at record high levels. All we get from those opposite is the carping, the whining and the daily bagging of New South Wales. There is an exception. One conservative commentator has said this month:

We always get criticism for talking New South Wales down but one of the privileges of my previous roles in banking was having the chance to see the world and I can honestly put my hand on my heart and say that New South Wales is literally one of the best places in the world if not the best.

New South Wales is the best and I thank the member for Manly for his wholehearted endorsement of New South Wales and this Government in this month's *Club Life* magazine.

### CLEARWAYS AND PUBLIC TRANSPORT

**Ms GLADYS BEREJKLIAN:** I ask my question of the Premier. Given that these leaked Cabinet-in-confidence documents state that the 2008-09 budget papers wrongly detailed spending on the clearways project and reveal continuing underspending and further delays to the project, why should the public believe any claim he makes about improved public transport?

**Mr NATHAN REES:** I refer the member to my previous answer: on-time running is at a decade high.

### PARAMEDIC SERVICES

**Mr FRANK TEREZINI:** My question is addressed to the Minister for Health. Will the Minister advise the House of new measures to increase the skills of the paramedic workforce to reduce pressure on emergency departments?

**Ms CARMEL TEBBUTT:** I thank the member for Maitland for his interest in health issues. I am sure it is no surprise to every member of this House that the Ambulance Service receives many calls for assistance following a minor illness or injury or for people who require basic medical advice or reassurance. Ambulance services throughout the world are addressing this issue by developing the capacity in their workforce to respond to these changing needs. I am pleased to advise the House that the Ambulance Service has established the Extended Care Paramedic Program, which provides healthcare choices for patients with non-acute conditions and low-risk patients that are safe and effective.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. If members wish to conduct conversations they should do so outside the Chamber.

**Ms CARMEL TEBBUTT:** Extended care paramedics are experienced paramedics who receive additional training in patient assessment and clinical decision-making. Some patients who access health care through 000 do not necessarily want or need to be transported to hospital. Increasingly, the Ambulance Service is attending patients with care needs that would benefit more from care in the community rather than from transport to the emergency department. The Extended Care Paramedic Program was set up to offer safe and effective healthcare choices to patients and to improve their clinical outcomes. Our extended care paramedics focus on patients with minor injuries such as lacerations and wounds, sporting injuries, falls and minor back pain and, where appropriate, identify and initiate alternative non-emergency department care such as community general practitioners, co-located general practitioners, hospital-based services or community-based services.

These paramedics, as I said, receive additional training and they are able to provide care for minor injuries or illnesses, replace catheters and provide wound and risk assessment. I want to be absolutely clear that only low-risk patients are offered alternatives to the emergency department. Data has been collected that shows that extended care paramedics have been most effective in caring for people with falls, bleeding and lacerations, breathing problems and fainting. Patients are reporting satisfaction. For example, I am advised that the daughter of an 89-year-old patient with long-term health issues requiring regular changes of catheter had complimented

the Ambulance Service on the benefit to her father being treated by an extended care paramedic at home. The paramedic was described as being, "nothing short of brilliant ... pleasant, informative and overall just so reassuring for the patient." So, this service works for patients and also for our emergency departments.

An independent evaluation of the first phase of the program found that extended care paramedics are able to get low-risk patients the services they need more quickly than they would in a standard trip in the ambulance to the emergency department. This means that our ambulances are kept available to attend to urgent cases. The evaluation also found that the Ambulance Service had implemented a rigorous clinical safety review process for the program and the feedback received from other healthcare providers reported they were satisfied or very satisfied with care and advice their patients had received. The economic evaluation of the program also identified more efficient use of resources in relation to set-up and ongoing vehicle costs and recognised that a single extended care paramedic response results in freeing up double-crewed ambulance responses for more life-threatening cases.

Extended care paramedics have already been located in the Penrith and Blacktown areas of Sydney's west, at Foster-Tuncurry and Port Macquarie and also on the Central Coast. To date, extended care paramedics have attended to approximately 10,000 cases and have had a non-transport rate of 37 per cent. Commissioner Garling recommended an increase in the number of extended care paramedics in New South Wales. The Government has accepted this recommendation and I am pleased to advise that 25 additional extended care paramedics will be trained this year for deployment to locations in metropolitan, rural and regional areas. Twelve of these new paramedics are currently studying at the Nepean clinical school to enable expansion of the program in Sydney's south-west and Newcastle and an increased extended care paramedic presence on the Central Coast and the mid-North Coast. There will be 47 trained extended care paramedics across New South Wales by June 2010. This is an example of how we are responding to the challenges of the future. It is a significant milestone in the Government's commitment to the principles and actions of Caring Together.

#### GOVERNMENT PERFORMANCE

**Mr ANDREW STONER:** My question is directed to the Premier. Now that Kevin Rudd plans to snub the New South Wales Labor conference and Sussex Street has introduced new rules to stop Joe Tripodi from going to Canberra, does the Premier agree that Federal Labor has joined New South Wales in its contempt for his Government?

**The SPEAKER:** Order! Such questions are out of order. I have made a number of rulings about questions asked by the Leader of The Nationals. I will allow the question. However, the Leader of The Nationals should not test the good-will of the Chair by asking questions clearly designed to provoke acrimony.

**Mr NATHAN REES:** That was an interesting question from Mr Zero Per Cent—

**Mr Adrian Piccoli:** Point of order: Standing Order 128 relates to the form and content of questions. There was nothing particularly out of line—

**The SPEAKER:** Order! I allowed the question. The member for Murrumbidgee will resume his seat. He should read the question. The Premier has the call.

**Mr NATHAN REES:** From Mr Zero Per Cent we get a question on relevance. Earlier today I was made aware of an online newspaper article purported to be put together by Ern Malley. The Leader of the Opposition went on to say in his attack on a hardworking journalist that he has released more than 30 policies in areas ranging from economic growth. We have just talked about that. The Leader of the Opposition would constrain economic growth; it would shrink. New South Wales would grind to a halt if the Opposition were ever near the Treasury benches.

On the most rudimentary examination of the Opposition's approach to part 3A, unemployment would rise from 5.6 per cent to 7.3 per cent—that is irrefutable—and 60,000 people would be on the dole scrapheap; 60,000 jobs would simply not occur if the Opposition were ever near the Treasury benches. The Leader of the Opposition goes on to boast about his policy on fiscal responsibility, which is summed up in his own quote, "How long is a piece of string" when talking about the sort of debt that the State might incur. We know its policies on health: not a comprehensive reform of the system in response to Garling, and not more nurses or doctors. Instead, the reinstatement of health boards around New South Wales, which has been fundamentally rejected.

**Mrs Jillian Skinner:** They were very popular.

**Mr NATHAN REES:** What a telling interjection.

**Mr Andrew Stoner:** Point of order: I refer to Standing Order 129. The question was clearly about the Prime Minister wanting to distance himself from this Government, not about Coalition policy.

**The SPEAKER:** Order! The Leader of The Nationals will resume his seat. If members ask these sorts of questions, they will get these sorts of answers.

**Mr John Aquilina:** Point of order: In accordance with your ruling, the question of the Leader of The Nationals had nothing to do with the administration of the State. You ruled it out of order, but kindly allowed the question to stand. The Premier, therefore, can answer the question in any way he feels relevant under the rules of the House.

**The SPEAKER:** Order! The Premier has the call.

**Mr NATHAN REES:** I remind the House of a series of by-elections last year. It was a disappointing night for me but one man more disappointed was Andrew Stoner when the new member for Port Macquarie steamrolled The Nationals' presence in what had once been its stronghold.

*[Interruption]*

Do you want to go down this path, do you?

**The SPEAKER:** Order! I call the Leader of The Nationals to order. I call the member for Wakehurst to order.

**Mr NATHAN REES:** When the member for Baulkham Hills wakes up, you might offer your support for his preselection, or support for the member for Cronulla. Turn around now and back him; I dare you.

**The SPEAKER:** Order! Members will cease interjecting. The House will come to order. The Premier will make his contribution through the Chair.

**Mr NATHAN REES:** The Opposition leader's proud boast of a policy prescription for economic growth leads to a direct increase in unemployment. With regard to his policy on fiscal responsibility, and how much debt New South Wales should carry, he is on record saying, "How long is a piece of string?" He calls that a policy. We have been talked about health.

**The SPEAKER:** Order! I call the Leader of The Nationals to order for the second time.

**Mr NATHAN REES:** The shadow health spokesperson interjected and said her proposal to reinstitute health boards across New South Wales was very popular. I can tell her that good policy is not just about being popular.

**The SPEAKER:** Order! The member for North Shore will come to order.

**Mr NATHAN REES:** The Opposition has had a decade to come up with an alternative health policy yet they have come up with that nonsense.

**The SPEAKER:** Order! I call the member for North Shore to order.

**Mr NATHAN REES:** The Leader of the Opposition boasts about policies in transport, and we have talked about that. They have not a single new bus or train carriage. He then has the hide to talk about policies in environment when the Coalition, State and federally, refuses to recognise the reality of a carbon constrained future and back the Commonwealth Government's proposals on carbon trading.

**The SPEAKER:** Order! The member for Bega will come to order. The Leader of the Opposition will cease interjecting.

**Mr NATHAN REES:** That is utterly in keeping with the long history of environmental vandalism by Coalition governments around Australia.

**Mr Andrew Stoner:** Point of order, Mr Speaker—

**The SPEAKER:** Order! Does the Leader of The Nationals rise on a new point of order?

**Mr Andrew Stoner:** Yes, it is, Mr Speaker. You have allowed the question, which is valid because this is a matter of public debate. It is about whether or not the Prime Minister wants anything to do with New South Wales and this Government, but the Premier will not answer the question, even though you have allowed it.

**The SPEAKER:** Order! I have ruled on this matter. I suggest the Leader of The Nationals read the question.

**Mr NATHAN REES:** My relationship with the Prime Minister is on the record—cordial, friendly, polite.

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

**Mr NATHAN REES:** I contrast that with the relationships between some of the leading mouths of The Nationals. I quote from this headline:

Andrew Stoner says Alby Schultz should be blindfolded and shot.

All of us will remember that. The Leader of The Nationals is grinning; he actually thinks it is hilarious. The Leader of The Nationals said he would like to take him outside, blindfold him and shoot him. This is the putative Deputy Premier, and that is the calibre of debate. I went right through this nonsense that masqueraded as a newspaper article that the Leader of the Opposition drafted earlier today. The element that did create some mirth was in the final paragraph where he claims that his side of politics is competent. The Opposition is unable to put together a policy. The Leader of the Opposition perpetrated a lie on the people of New South Wales earlier this week and he does not have the intestinal fortitude to stand up and say he was wrong—

**The SPEAKER:** Order! I call the member for North Shore to order for the second time.

**Mr NATHAN REES:** The Coalition does not have a water policy, an electricity policy or a health policy that stacks up—no buses, no trains or transport policy. It has an education policy that says nothing, other than "Give everyone an opportunity". Competent—wrong! Then the Leader of the Opposition claims that he is mainstream. If he believes that mainstream is never having a proper job, then he is probably right. He goes on to talk about a united team. He should tell that to the member for The Hills, the member for Cronulla and the member for Manly.

## TERRORISM COUNTERMEASURES

**Ms TANYA GADIEL:** My question is addressed to the Minister for Police. Can the Minister update the House on the work of the New South Wales Police Force in the biggest counterterrorism trial in the history of New South Wales?

**Mr MICHAEL DALEY:** I thank the member for Parramatta for her question. She is always giving great support to the police in New South Wales, particularly those who reside in her electorate. I anticipate that every member of this place would be more than pleased with the outcome of last week's trial and proud of the work done by our law enforcement agencies. Last week five Sydney men were convicted in what I think is one of the most significant trials and verdicts in the history of the law enforcement and judicial system of our State. The result is a testament to the excellent work of the men and women of the law enforcement agencies and the Federal counterterrorism units in this State and country, who worked tirelessly to uncover this very real threat and to protect the people of New South Wales.

I congratulate the New South Wales and Australian Federal police forces, the New South Wales Crime Commission and the Australian Security Intelligence Organisation on their success in this investigation and trial. I heard the Leader of the Opposition a moment ago under his breath say, "Yes, this was all about the Howard

Government". Let me say that the Commissioner of Police advised me that from the New South Wales Police Force alone, around 400 men and women were involved in the investigation phase alone—400 New South Wales police officers—

**Mr Barry O'Farrell:** And in the Federal counterterrorism units—

**Mr MICHAEL DALEY:** Stop being wrong and sloppy! I congratulate those police officers on behalf of everyone in this place on their perseverance and professionalism in preparing briefs and evidence for this epic trial, resulting in a successful outcome. Material seized and prepared for the trial comprised nearly 38,000 rounds of ammunition, including 18,000 rounds for automatic and semiautomatic military-style rifles—not hunting rifles but rifles specifically designed to kill people; chemicals used to manufacture home-made explosive devices similar to those used in terror attacks overseas, including the attempted acquisition of more than 850 litres of bomb-making chemicals and 25 kilograms of citric acid; electrical and other components used to make explosive devices; and more than 2,000 physical exhibits, of which around 1,000 ultimately were tendered by the Crown in evidence. In addition—and this is astounding—more than 2,100 witness statements were taken, with approximately 300 witnesses giving evidence in court. And a paper brief comprising in excess of 150 A4 lever arch folders was presented.

It has been five years since Operation Pendennis began in July 2004. Investigations led to the arrest of nine men. On Friday of last week our Police Force and law enforcement agencies received the ultimate reward for their work—seeing the last of this group of criminals brought to justice. Again this reinforces that our community is in the hands of one of the best police forces in the world. All nine of these dangerous criminals have now been brought to justice. Any racial or religious categorisation of these people is simply unhelpful and irrelevant. It does not matter where they or their families come from, or who, if anyone, they worship; they are now simply criminals.

Countering terrorism is a priority for the Rees Government. Since the events of 9/11 and the Bali bombings we have worked hard to build our police tactical capacity, testing it and our command systems in regular exercises to ensure that we have the necessary capabilities and powers in place to initiate, investigate and achieve the very outcomes seen in Operation Pendennis. In New South Wales our Police Force is supported by the Terrorism (Police Powers) Act, introduced by this Government in 2002 and since made stronger.

**Mr Andrew Stoner:** Oh, wow!

**Mr MICHAEL DALEY:** The response from the Opposition is, "Oh wow!" Nine terrorists have been locked up, and the only response the Opposition can give is "Oh wow!" That is terrific!

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

**Mr MICHAEL DALEY:** The Act gives the police important counterterrorism powers. These include the power to apply for preventative detention orders for up to 14 days and the ability for police to respond effectively to an imminent terrorist threat—powers activated for the first time in Operation Pendennis. New South Wales' counterterrorism efforts are directed by our Counter Terrorism and Special Tactics Command, which comprises a team of over 600 specialist and support staff. That is a huge resource. The command consists of five groups: the anti-terrorism and security group, the coordinated response group, the operations group, the State protection group, and the business group. Together, the command provides a comprehensive and coordinated response to acts of terrorism and politically motivated violence through intelligence gathering, analysis, investigation, and supporting police tactical responses.

The command's efforts are reinforced by more than 200 officers in other police units, including the public order and riot squads. I will give some examples of specific responses. We know that from time to time the Sydney Harbour area has been a potential target. The Government has invested in major improvements to the New South Wales Police Marine Area Command fleet, with the offshore patrol vessel *Nemesis*, which is a significant addition to the force's ability to fight maritime crime. New South Wales Maritime's role in emergency planning and exercises has also increased. Nationally, New South Wales continues to be a lead participant in developing Australia's counterterrorism capability through the National Counter Terrorism Committee, and actively engages in the development of national policy reform agreed to by the Council of Australian Governments.

Community information on how residents, workers and business owners can prepare for a possible emergency in Sydney is outlined on the New South Wales Government's secureNSW website, a one-stop shop

of information for the community in the event of a significant incident. I encourage everyone to go online and have a look at the secureNSW website, [www.secure.nsw.gov.au](http://www.secure.nsw.gov.au). The work of our counterterrorism units in New South Wales is gold standard; however, the assistance of the community remains an absolute necessity. For example, seven years has passed since the Bali bombings. Being a peace-loving people, we simply want to be left alone to live our lives. We cannot afford to let complacency set in. Complacency is the terrorists' best friend. The fact remains that there are individuals in our midst who would cause great bloodshed if allowed to do so. This Pendennis group may not be the only terrorist cell in Australia.

For the benefit of those who want to accuse me of being excessively dramatic, I can say that the nine convictions that occurred as a result of Operation Pendennis arose from a single telephone call to the National Security Hotline by a single member of the public who witnessed something that he thought was out of the ordinary on a particular day. A reference was given to the New South Wales police, and investigations then uncovered particular links between certain organisations—all coming from one phone call from a single member of the public. I encourage everyone to remain vigilant and report any suspicious incidents to the police through Crime Stoppers on 1800 333 000 or the National Security Hotline on 1800 123 400.

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

**Mr MICHAEL DALEY:** The police rely on the community's help. The Rees Government will continue to do whatever is necessary to give our police the resources they need to protect the people of New South Wales.

### WATER CHARGES

**Ms KATRINA HODGKINSON:** My question is directed to the Minister for Water. Can the Minister explain to Sydneysiders why New South Wales Labor is rewarding them for reducing water consumption by increasing their water bills by up to 40 per cent? Or is this just further evidence that the Rees Government has completely lost touch with hardworking families?

**Mr PHILLIP COSTA:** I thank the member for Burrinjuck for her question. I inform the House that Sydney Water, through the Government's leadership, is delivering the world's best practice in water management and water services to the largest city in this country. What is happening to the water supply system in New South Wales, under the strong leadership of this Government, has led us to become very secure for many decades to come. Sydney's water supply is extremely robust. What we are doing is putting in world's best practice and world's best infrastructure, and we are giving an assurance to the people of Sydney that the water supply we are delivering is not only of the highest quality but of the highest reliability possible for many, many decades to come. As a consequence, that is leading to a number of changes. We are very proud of our results, and I would like to go through some of them.

With regard to the pricing issue that has been raised, the Independent Pricing and Regulatory Tribunal determines Sydney Water's charges. The tribunal is an independent body that sets the charges of Sydney Water based on the recommendations put forward by the Government. We want to assure the people of Sydney that the economy of Sydney will survive because we will ensure water supply and water reliability. What we are doing, and are doing extremely well, is ensuring that we have a robust system. Our system depends upon a whole range of projects. As I have been given the opportunity through the member's question, I will outline some of those projects. Our plan is four-pronged, the first of which is what we do with our dams. We have put a significant amount of investment into all our dams. We are also doing some great work with recycling. In addition, we are building a world-class desalination plant, which will come on stream this summer.

But most importantly has been the water efficiency program right across the catchment by the people of Sydney. I will give members an idea of some of the investments that the Government has made, and which have been put to IPART and therefore are reflected in the pricing. Major projects with an investment of around \$5.6 billion include the western Sydney recycling initiative, including a recycling plant at St Mary's which, when it is completed, will process 150 million litres of recycled water per day; maintenance of the water sewerage network, the largest sewerage network in this country—

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

**Mr PHILLIP COSTA:** Yesterday I visited Neutral Bay—a beautiful part of the city—just to show that it is bipartisan. It does not matter where it is, if there is poo I will go to fix it.

**The SPEAKER:** Order! Opposition members will not encourage the Minister.

**Mr PHILLIP COSTA:** I went to Neutral Bay, where we will invest another \$33 million to improve the sewerage scheme and to improve the quality of the local environment by ensuring that through storm events we do not have problems with sewer overflows into our beautiful harbour. I have a huge list, which I would like to share with members, but I will not because of time constraints. IPART sets the overall increase for the average household water bill of about one-third spread over four years. That is comparable with other States. Average bills in Western Australia are set to rise at about 34 per cent. In Victoria they are expected to double by 2012. Sydney Water is still good value for money—

**The SPEAKER:** Order! I call the member for Coffs Harbour to order.

**Mr PHILLIP COSTA:** Sydney Water delivers 1,000 litres of drinking water to every household, around half the cost of a 750 millilitre bottle of water. We are very, very efficient and very good at what we do. We are very proud of what we do. A recent survey across the community supports and appreciates what the Rees Government is doing to ensure Sydney's water is robust, healthy and reliable.

### ALCOHOL-RELATED VIOLENCE

**Mr ROBERT FUROLO:** Will the Minister update the House on the Government's latest measures to target alcohol-related violence in our community?

**Mr KEVIN GREENE:** I thank the member for Lakemba for his question. I am pleased to advise the House of the Government's latest initiative to tackle alcohol-related violence and anti-social behaviour announced earlier today. The pilot Community Safety Partnership scheme to be trialled in Manly this summer involves a precinct-wide approach to addressing this issue of significant community concern. The partnership will bring together key stakeholders to develop localised solutions to reduce alcohol-related problems, including violence and public disturbances.

The Community Safety Partnership initiative will focus on alcohol-related problems in local licensed venues, public spaces on the Corso, the beachfront, Manly wharf and shopping areas, including late night food traders. Manly is a popular entertainment precinct drawing thousands of people from across the State every weekend. It has a high concentration of licensed venues in a relatively small area in and around the Corso. This is compounded by other challenges relating to late-night transport and safety in public areas. There are 103 liquor licences in Manly and three-quarters of the 287 alcohol-related assaults recorded last year within the Manly local government area occurred in Manly itself. As summer approaches more people will want to take advantage of the recreational and entertainment options Manly offers. It is important to ensure everyone can enjoy a safe summer in this beautiful area.

If successful, community safety partnerships could be established in other locations across Sydney and New South Wales. The Manly Community Safety Partnership will bring together local council, police, the Office of Liquor, Gaming and Racing, transport operators, the Chamber of Commerce, licensed venues and other business, industry and community representatives. The Community Safety Partnership will take a wide-ranging approach to reducing alcohol-related violence and could look at issues such as lock-outs and closing times, improving late night transport, strengthening training for bar and security staff, targeting repeat troublemakers, issuing health and safety messages, managing crowds entering and leaving the precinct, reducing litter and glass, and ensuring adequate public toilet facilities and lighting.

The Government is committed to reducing alcohol-related violence and public disturbances in our public spaces, and in and around licensed venues. We think a partnership is the best way to achieve this outcome. The Government is firmly committed to reducing alcohol-related problems and violence across New South Wales. This new precinct-wide approach builds upon actions already taken by the Government, including the imposition of special conditions on the most violent licensed premises in the State, a freeze on liquor licences in specified areas of Sydney, a freeze on further 24-hour trading by licensed venues, and a range of initiatives directed at ensuring individuals take more responsibility in consuming alcohol. A person has the choice to stop drinking when they have had enough and it is an individual's decision to throw a punch or walk away from a fight. In some cases, people will have to live with the results of their decisions for the rest of their lives. These new measures tackle crime, alcohol-fuelled violence and anti-social behaviour in our most vibrant entertainment areas such as Manly, and are essential to ensure that these areas are safe and enjoyed by all.

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

### WENTWORTH PARK

**Ms CLOVER MOORE:** I direct my question to the Premier. Will your Government return the trusteeship of Wentworth Park land recently handed to the Sporting Complex Trust for car parking back to the City of Sydney for much-needed community recreation for Ultimo and Glebe residents, given there is an under use of on-site trust parking as well as on-street parking during 95 per cent of events?

**Mr NATHAN REES:** I thank the member for Sydney for her genuine interest in this matter. I am concerned at all times to protect open space for recreational purposes but also to ensure the ongoing viability of greyhound racing at Wentworth Park. I used to work with a gentleman called Michael Blissett, who won the Greyhound Trainers Premiership with a dog named Bosun's Mate after it had broken its leg. I know firsthand how seriously the thousands of greyhound racing supporters take their sport; unable to resist the majesty of greyhound in full flight.

I am advised that the total grassed area at Wentworth Park, both at the northern and southern ends of the park, is in the order of 8.5 hectares. I am further advised that the area of land sought for hard surface courts to be used on occasion for car parking is less than half a hectare. I am concerned that an agreement be struck between the City of Sydney and Wentworth Park. I am happy for the head of my department to meet with the officials of the member for Sydney to negotiate an outcome.

### STORMWATER HARVESTING

**Ms ALISON MEGARRITY:** I direct my question to the Minister for Water. Will the Minister inform the House of how the New South Wales Government is working with councils to harvest stormwater?

**The SPEAKER:** Order! The member for Bathurst and the member for Wakehurst will cease interjecting.

**Mr PHILLIP COSTA:** We just cannot help good luck, can we? I thank the member for her question. As I said earlier, the Government is very proud of the great work it is doing and stormwater management is one such area. We all know that climate change and irregular rainfall has placed increased pressure on the more traditional forms of water storage—our dams. That is why the Rees Government is leading the way in the search for additional water sources for areas such as Sydney, where additional dams are not an option for long-term drought security. To date, the Rees Government has funded more than 120 stormwater harvesting projects across New South Wales. From the urban areas of greater Sydney to the regional centres and beyond, we are helping to save more than 2 billion litres of water each year that would normally be flushed down the drain.

This morning I had the pleasure of joining the Premier and the Lord Mayor of Sydney to announce a new partnership with the City of Sydney to capture millions of litres of water from the streets and local parks. This exciting partnership will potentially save up to 440 million litres of stormwater run-off that would normally go out to sea. That is enough water to fill about 400 swimming pools for the entire year. For the first time this project will bring together the combined resources of Sydney Water and the City of Sydney to harvest water from Sydney Water's stormwater network. Initially the project will capture 50 million litres of water. This water will be reused to irrigate Sydney Park—one of the city's most treasured parks and visited by thousands every week—keeping it green and lush for the community.

The Government has also committed \$100,000 to help monitor and implement the scheme. To date, individual councils have carried out most stormwater projects. That is why today as part of National Water Week we are launching guidelines to make it easy for councils within the Sydney Water network to adopt local harvesting projects. These new guidelines provide a step-by-step guide for councils to implement their own stormwater harvesting projects from concept to construction—a road map to tap into Sydney Water's stormwater system that transports a quarter of all Sydney's run-off.

**Ms Katrina Hodgkinson:** Point of order: With the volume of noise coming from the Government benches, I cannot hear the Minister. I am interested in his answer.

**The SPEAKER:** Order! I uphold the point of order. Members will listen to the Minister in silence.

**Mr PHILLIP COSTA:** I appreciate the member's interest. The Government's efforts to reuse stormwater do not stop at Sydney. The Government has made a contribution towards more than 90 projects in

the Sydney, Central Coast and Illawarra regions. We have also funded 36 projects for stormwater harvesting in regional areas under the Climate Change Fund, saving 295 million litres of water a year. These projects make a real difference to our driest communities, which are trying to work through a serious drought. Earlier this year I officially opened the Orange City Council stormwater harvesting project. I thank the member for Orange for attending the opening. The New South Wales Government invested more than \$2.2 million through the Country Towns Fund towards the Orange project, which helps to contribute around 1.3 billion litres a year to the town supply. This project is collecting stormwater from the town and putting it into a water storage dam. It is a first and a very good project indeed. It is a proud achievement for Orange City Council, which has received numerous awards for this wonderful project.

Effective water management needs a Government that can deliver projects from concept to construction. That is what we are doing on this side of the House. We are trying to ensure that we are delivering projects. There is a cascade of silence on that side of the House. We have a drought-affected policy regime. Under this Government's water policies, we are securing water for life for all, including for Sydney. By 2015 recycling and reuse will account for 12 per cent of Sydney's water needs. We will have a desalination plant and water efficiency programs. Silence is golden. I can only assume the policy vacuum on the other side of the House is a ringing endorsement of the Government's wonderful track record. I appreciate the Opposition's support. We look forward to delivering more wonderful outcomes for all across New South Wales.

**Question time concluded at 3.13 p.m.**

### **NATIONAL WEEK OF DEAF PEOPLE**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Leader of the Opposition) [3.13 p.m.]: I acknowledge the presence in the gallery of those who have attended in relation to the National Week of Deaf People. I cannot remember a time when there have been such numbers of deaf and hearing-impaired people in the gallery. I acknowledge them today, as I am sure all members do. During question time I have been observing the incredible work of the two interpreters. They have brought a degree of rhythm in their interpretation of the words of members on both sides of the House, which is a miracle.

**Mr NATHAN REES** (Toongabbie—Premier, Minister for the Arts, and Minister for the Central Coast) [3.14 p.m.]: I join with the Leader of the Opposition in welcoming those attending in recognition of the National Week of Deaf People. Yesterday we held a terrific event in Parliament House and I was pleased to meet you and your families. Tomorrow a function will be held at St Gabriel's School for Hearing Impaired Children. I am delighted to have you join us in Parliament today.

### **UNPROCLAIMED LEGISLATION**

**Ms Carmel Tebbutt** tabled a list detailing all legislation unproclaimed 90 calendar days after assent as at 20 October 2009.

### **PETITIONS**

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

#### **Wagga Wagga Base Hospital**

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

#### **Tumut Renal Dialysis Service**

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

#### **Tumut Hospital and Batlow Multiple Purpose Service**

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

### **Tumut Hospital Anaesthetic Services**

Petition asking that anaesthetic services at Tumut Hospital be made available immediately, received from **Mr Daryl Maguire**.

### **South Coast Rail Services**

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

### **South Coast Rail Line Staffing**

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

### **Princes Highway Rest Areas**

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

### **Bus Service 311**

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

### **Edgecliff Interchange Upgrade**

Petition requesting the upgrading of Edgecliff interchange, received from **Ms Clover Moore**.

### **Pymont Metro Station**

Petition opposing the Metro proposal for a Pymont station at Union Square and requesting community consultation for a suitable site, received from **Ms Clover Moore**.

### **Pet Shops**

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

### **Game and Feral Animal Control Amendment Bill 2009**

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

### **Shoalhaven Police Station**

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

### **Culburra Policing**

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

### **Drink Container Deposit Levy**

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

### **National Parks Tourism Developments**

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

### Water Fluoridation

Petition requesting a moratorium on the addition of fluoride to New South Wales water supplies and a statewide referendum on fluoridation, received from **Mr Andrew Stoner**.

### CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY

#### Carers Week

**Ms MARIE ANDREWS** (Gosford) [3.16 p.m.]: This motion is a matter of urgency for the more than 750,000 people who provide care to others in New South Wales. Their efforts are not always fully recognised by the wider community. This week we honour the hard work and commitment of our dedicated carers during Carers Week and confirm the Government's support for carers throughout the State. This motion deserves to be accorded priority.

#### Government Performance

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [3.17 p.m.]: Both sides of the House support carers and acknowledge Carers Week. However, the House must deal with a very important issue, that is, that this State is suffering because of the relationship between the New South Wales Government and the Government in Canberra. New South Wales is falling behind and losing out. As Nathan Rees flails from one blunder to the next, Canberra is distancing itself from this State. The Premier once claimed to have a special relationship with Canberra. Kevin Rudd has made it crystal clear that that is far from the truth. For the first time in more than a decade a Federal Labor leader will not attend the New South Wales Australian Labor Party conference. The Australian Labor Party has introduced new rules to stop members of this Government running in Federal seats.

**Mr Andrew Fraser:** Joe.

**Mr ANDREW STONER:** Joe for Fowler, Joe for Canberra. It has stopped them from running because it is bad for the Rudd Government. Why is this an important issue for public debate? It is important because New South Wales is being left behind. We are suffering as a result of this broken-down relationship. Clearly, Kevin Rudd knows that the State Government is electoral poison, and as a result this State is suffering. This motion deserves to be accorded priority because the fracturing of the relationship between Kevin Rudd and Nathan Rees is clear for all to see. In this year's Federal budget Sydney, Australia's largest city, received less than 1 per cent of the total road and rail funding, leaving our long-suffering commuters with little or no hope. In comparison, Victoria received \$3.2 billion for rail alone. Even the Western Australian Liberal Government fared better than the New South Wales Labor Government. Kevin Rudd later confirmed on radio that Sydney missed out on transport funding because of the Rees Labor Government's failure to plan. I have seen the documents that were submitted to Infrastructure Australia. They were embarrassing.

**Mr Barry O'Farrell:** Shoddy.

**Mr ANDREW STONER:** Shoddy, as the Leader of the Opposition says. They were full of typographical errors, they had no costings, and there were contradictory priorities between Government documents. It was, frankly, embarrassing, and New South Wales was penalised as a result. But it gets worse. The Premier promised the people of New South Wales a better GST deal under a Federal Labor Government. This has proven to be another empty assurance. The truth is that the Commonwealth Grants Commission is now making New South Wales taxpayers foot the bill for State Labor's underinvestment in vital infrastructure, including roads and rail transport. What this means is that when the GST is next carved up, New South Wales taxpayers will be at least \$500 million worse off. It is a disgrace. That is why this motion is important.

State and Federal intergovernmental relations are very important to the people of New South Wales. It is blatantly obvious that Kevin Rudd has no faith or confidence in the Premier, and now New South Wales taxpayers are paying the price. As a result, we will have to endure more State Labor tax increases, more cuts to front-line services and less money to build vital infrastructure. In short, the people of New South Wales are being penalised because Kevin Rudd and his government in Canberra view the Rees Labor Government with open contempt.

The second part of the motion deals with hardworking families in this State. The Premier and his Government are totally out of touch with them. As hardworking families slowly find their feet after the global

financial crisis, the Government has no shame in ripping more money from their pockets. This year the Independent Pricing and Regulatory Tribunal approved electricity price increases in the order of 20 per cent, following the Government's failure to invest in electricity infrastructure, despite ripping \$11.4 billion out of those utilities in dividends. Water charges are going up around 40 per cent to pay for an unwanted and unnecessary desalination plant.

Not only is the Premier out of touch with the Federal Government, he is out of touch with hardworking families in New South Wales, who are being penalised for his incompetence and the moral turpitude of this Government. A Government that is out of touch Federally and out of touch with its own constituents is hitting them in the hip pocket.

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

## CARERS WEEK

### Motion Accorded Priority

**Ms MARIE ANDREWS** (Gosford) [3.22 p.m.]: I move:

That this House:

- (1) acknowledges the significant contribution carers make to communities in New South Wales; and
- (2) commends the Government for its ongoing support to help carers assist the most vulnerable members of our society.

More than 750,000 people provide care to another person in New South Wales. These carers are the toast of their communities this week during Carers Week 2009, which has as its theme, "Anyone, Anytime across Australia". These remarkable people provide practical and emotional care and assistance to family members, friends, neighbours and other people in the community. Carers provide assistance to the frail aged, to people with a disability, and to those with mental health disorders or alcohol or drug dependency. Carers help those with dementia or a chronic or terminal illness and people who live with HIV-AIDS.

Caring often means providing physical and emotional support or medical assistance. It can mean doing practical household tasks, helping with financial management or simple social interaction. Some carers provide a small amount of help, while others provide significant amounts of care every day. But regardless of the level of care, without support from their carers many people would simply not be able to continue living in their community close to the people and the places that have significant meaning to them.

The celebration of the value of carers is well underway. Carers Week is celebrated across Australia every October. It is a time to promote the valuable role carers play in our community and it is a time to talk about the many issues carers encounter every day. The theme of Carer's Week, "Anyone, Anytime across Australia", recognises that carers come from all walks of life, from any stage of life, and from every place in Australia. Carers Week, which wraps up tomorrow, is an opportunity for carers to come together to share their stories and celebrate their achievements.

I am proud to say that the New South Wales Government salutes the contribution of carers in our State by providing funding to Carers NSW to support more than 100 events across New South Wales. Carers Week ensures the wider community becomes more aware of who these remarkable people are and the extraordinary feats they achieve. Carers Week is a great opportunity for carers to obtain information about caring and about the condition for which their family member requires care and support. Carers Week is a celebration of the tireless efforts of all carers and the invaluable role they play in our community. Activities are held on the Central Coast, in the Central West, the Hunter, the Illawarra, and in almost every region of our State. There are barbecues, exercise sessions, luncheons, evenings of respite for carers, pamper days, cruises, Yum Cha lunches—the list goes on and on. The activities are as varied as the carers themselves, who, in turn, come from every walk of life and represent just about every nationality in New South Wales.

Care is not the exclusive domain of an ethnic or a social group. Care is celebrated in all societies, and those who provide it are the epitome of human compassion. While caring is a normal part of life, concern for the wellbeing of the carers and an appreciation for the work they do makes carers a key social policy concern. That is why the Rees Government funds a range of services to help carers in their vital role. The services provided by

the Rees Government to assist carers include respite, domestic assistance for light housework, personal care to help with bathing and dressing, case management to ensure access to the right mix of services, post-school programs to provide young adults with a disability employment or life skills, and counselling and information about available services, and supports for people with a disability and their carers. Each service gives vital support to carers so that they can support the wellbeing and independence of the person for whom they are caring.

The New South Wales Carers Action Plan 2007-2012 was released in March 2007. This whole-of-government approach to supporting carers includes strategies to increase the respect and recognition of carers, to reach out to family members who may not identify as carers, to improve services to carers and the people they care for, to encourage agencies to view carers as partners in care, and to support carers to combine caring and work. Yet, in the middle of Carers Week, the shadow Minister for Aged Care and Disability Services said that the immense social and economic value provided by carers goes largely unnoticed by the majority of Australians.

Sadly, the member for Bega used Carers Week as a platform for whinging. He used words such as "undervalued", "disillusioned", "empty promises", "crisis points" and "unmet needs". This litany of misery written by the member for Bega on 20 October is in direct contrast to the upbeat mood of carers and their supporters in Gosford, Wyong, Bateau Bay, Orange, Barraba, Wagga Wagga, Deniliquin, Bankstown, Penrith, Villawood, Canley Vale, and the scores of suburbs, communities, towns and villages across the State who have made carers their local heroes for this week.

The member for Bega conveniently neglected to mention Stronger Together: A new direction for disability services in NSW 2006-2016, which is the Rees Government's 10-year plan for disability services. Stronger Together provides greater assistance and long-term practical solutions for people with a disability, and their families and carers. Stronger Together is backed by \$1.3 billion worth of funding for the first five years. Over the first three years of Stronger Together almost 3,900 new respite places have been recurrently funded. This includes nearly 1,030 places jointly funded with the Australian Government to encompass older carers.

In 2008-09 more than 1,120 new recurrently funded respite places were allocated under the Stronger Together initiative. This included 561 flexible respite places, 184 centre-based respite places and 377 Teen Time places. In April 2009 the Rees Government committed to ongoing funding worth \$18.5 million for the Respite for Older Parent Carer Program from 1 July 2009. The program will continue to provide 903 flexible respite packages, 126 centre-based respite places, day programs for 125 clients, and a Support Coordination Program for up to 2,160 families. These services are in addition to the 718 flexible respite places for older carers funded under the Disability Assistance Program. I commend the motion to the House.

**Mr ANDREW CONSTANCE** (Bega) [3.29 p.m.]: I thank the member for Gosford for moving this motion. It is important for the Parliament to recognise the role of carers during Carers Week. The celebrations marking the week around the State are marvellous. The member for Gosford mentioned the statement I released earlier this week highlighting that carers face a number of key challenges because the Government is not supporting them as it should. For that reason, I move:

That the motion be amended by leaving out paragraph (2) with a view to inserting instead the following new paragraph:

(2) calls on the Government to support carers to assist the most vulnerable members of our society.

It is a bit rich for the Government to give itself a big pat on the back during Carers Week when it should be doing more to support carers in the community. Unlike a number of other States—in particular, Western Australia—New South Wales does not have carers recognition legislation. Such legislation is designed to recognise the enormous value of carers to our community. In New South Wales 748,000 carers—that is, one in 10 of us—provides some form of care. That represents an economic benefit to the community of about \$10 billion. However, the Government does not give \$10 billion of support to carers in return. As a result, all too often carers face significant challenges because of social isolation, financial disadvantage and significant impacts on their health and wellbeing.

As the shadow Minister for Ageing and Disability Services I recently issued a statement highlighting the plight of carers during Carers Week. I do not apologise for doing so because it is important that we as a society—and as politicians in particular—recognise that being a carer is not easy. Of the 748,000 carers in New South Wales—about 11 per cent of the population—149,700 are primary carers, and 12.4 per cent of our indigenous population are carers. As I said, their unpaid work is worth \$10 billion.

The week before last, I met the Blinman family from Newcastle, which includes two children with disabilities. As a direct result of this Government's inaction the family was forced to make a horrendous and heart-wrenching decision to relinquish responsibility for eight-year-old Aaron to the care of the Government. They could no longer cope because of the high level of support that he required. Of course, they did not make that decision lightly. What happened subsequently was an absolute disgrace. The Government decided that Aaron, who required host family placement or, as argued by the family, full-time, 24/7 supported accommodation, should be put into a respite bed, where he languished for six months. The family decided they should speak out to get their message across to the Government that something needed to happen.

What disappoints me most about this case is that it is not unique. Families like the Blinmans are unable to care for their loved ones because they are not getting the support they require, such as respite, which allows carers to take a break. The member for Gosford felt compelled to refer to the Stronger Together program. It might be a \$1.3-billion program, but it did not provide the on-the-ground, community-based support that the Blinmans needed. And thousands of other families are in exactly the same position. More must be done to support carers, to recognise their needs and to acknowledge that many of them face enormous challenges in delivering the 24/7 support that they must provide for their loved ones.

The 2007 Deakin National Survey of Carers' Health and Wellbeing revealed a number of key points that are worth putting on the record. First, carers have the lowest level of wellbeing of any group in Australia. More than half reported some level of depression, with one-third found to be severely or extremely depressed. More than one-third of carers are experiencing severe or extreme stress, and caring does not get easier with time. Caring compounds the effect of any other factor that leads to reduced wellbeing, and any level of consistent, daily, immediate care and responsibility is sufficient to severely damage wellbeing. As I said, wellbeing decreases as the number of hours spent caring increases.

All too often carers miss out on important social relationships and work opportunities and they feel isolated. They also face significant financial disadvantage. The average income of carers is more than 25 per cent lower than the income of non-carers. It is estimated that carers forgo earnings in excess of \$4.9 billion each year. It is all very well for Government members to move motions congratulating themselves on their support of carers in New South Wales, but the reality in the community is starkly different. That is why I have moved an amendment to the motion. The Opposition fully supports the first part of the motion recognising carers; however, we are not prepared to allow members to pat the Government on the back given its lack of support for carers.

**Mr MATTHEW MORRIS** (Charlestown) [3.36 p.m.]: It is with pleasure that I support this important motion moved by the member for Gosford recognising the significant contribution made by carers. As we reflect on Carers Week, and as it draws to a close, it is worth mentioning a discussion paper released by the shadow Minister for Ageing and Disability Services dealing with individualised support programs for people with a disability. It is clearly a mishmash of nonsense and offers no new ideas.

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

**Mr MATTHEW MORRIS:** On close inspection, one sees that it actually endorses the Rees Government's Stronger Together program, which the member for Bega just opposed. The document represents a masquerade by the shadow Minister and is nothing but rot. It is a lame excuse crafted in a policy-free zone by people who are often referred to as zealots. It would appear that the Coalition's definition of individualised support is simply cutting people loose and letting them make decisions without access to experts and support.

The discussion paper also states that the provision of individual packages to people with a disability would be cost neutral to government. However, the paper critically fails to document a commitment to funding. That is not uncommon for the Opposition. That means there is no funding commitment by the Coalition. Let us be clear about that. The member for Bega and the rest of the Coalition firmly believe that government services are better delivered by the so-called free-market forces.

**Mr Andrew Constance:** Point of order: I refer to relevance. The member for Charlestown is discussing individualised funding packages, which are a component of a Coalition policy. He is not talking about carers; he is talking about a program that is specifically designed to assist people with disabilities to avoid being dictated to by the Labor Party. He should be discussing carers.

**The DEPUTY-SPEAKER:** Order! There is no point of order. The comments of the member for Charlestown are relevant to the amendment moved by the member for Bega.

**Mr MATTHEW MORRIS:** This is in stark contrast to the Rees Government's well-articulated funding strategy. Let me give an example. The Rees Government substantially increased funding to disability services in Stronger Together, which is delivering an extra \$1.3 billion in funding over its first five years. The member for Bega referred to those figures a moment ago. The intention of Stronger Together is to allow carers to continue to play a significant role by helping their loved ones to live at home and participate in the community. It is well known that providing care to another person can adversely affect the carer's physical health, emotional wellbeing and financial security. With this in mind, the Rees Government, through the Ageing, Disability and Home Care part of the Department of Human Services provides Carers New South Wales with recurrent funding of more than \$500,000 through the Home and Community Care Program. This funding supports Carers NSW in its role as the peak body charged with representing the carers of our State.

Ageing, Disability and Home Care continues to fulfil its significant commitments under the carers action plan. A good example of this is the working with carers training package which is currently being rolled out across the State in partnership with Carers New South Wales. This package enhances the way Ageing, Disability and Home Care and its funding service provider staff work with carers. A support guide for Aboriginal carers, which also has been distributed through New South Wales, provides additional information about key contacts and organisations designed to assist Aboriginal carers.

Under the carers action plan the Government is committed to identifying and supporting the needs of young carers. New South Wales Government agencies are working together to develop strategies that better identify and support the 90,000 people under 25 years of age who have caring responsibilities. A report on the impact of caring on children and young people is due next year. This research will also inform the New South Wales Government responses into the foreseeable future.

**Mrs JUDY HOPWOOD** (Hornsby) [3.41 p.m.]: I support the shadow Minister's amendment in recognition of carers. We all acknowledge the tremendous and selfless efforts that carers put into looking after their significant others and some of the most vulnerable people in New South Wales. It is quite a surprise that the Minister for Disability Services is not here today to add his comments in a most important debate in recognition of carers in the week that is dedicated to them. The shadow Minister and I and the rest of the Coalition join in recognising Carers New South Wales. That peak organisation has worked tirelessly over so many years to advocate for better conditions and a fairer deal for carers in New South Wales. This Government has not supported carers the way it should, and much more could be done.

In 2005 Access Economics estimated that carers save Australian taxpayers an estimated \$30.5 billion annually, the cost of replacing carers providing informal care with paid care workers, which equates to nearly \$10 billion for New South Wales. Like every other member in this House, I have had much to do with carers through my office. As a registered nurse and having worked in the community, I have had a lot to do with carers first hand, on the ground. Many times when I visited homes where carers were looking after either a very disabled person or a person fighting a battle with cancer I thought the carers looked sicker than the person they were looking after. It is important that we as legislators make the important decisions to improve the carers' lot and that we support them while they are supporting the most vulnerable. I have received a letter from a carer, Leo Dagg, relating to his son, Matthew Dagg. Matthew Dagg is a very disabled young man. The letter is dated 20 August 2009 and stated:

I am writing to you in the hope you can help us and others in our situation get a better service for the disabled and their carers in the community.

You would be aware of my son Matthew Dagg getting a Hart Walker donated from The Lions Club of Hornsby and has completed his schooling and had great support from Sir Eric Woodward Memorial School. Matthew was in hospital in August 2008 to get a jejunostomy tube inserted and it was explained the current chair he was using was not suitable.

After that there ensued a series of non-events that were not helpful to the carers. In a letter dated 18 August 2009, Matthew's mother, Maureen Dagg, wrote to Mr Lynch pleading. She stated:

I am the mother of a severely disabled 22 year old young man. I have my son living at home with me. 27<sup>th</sup> of November 2008 I had our first appointment at Northcott, the first available, to start the process of a new wheelchair for my son. The next ... available appointment was 17th August 2009 to measure him up for his insert for this chair. I am led to believe that the insert will take 6 weeks to make but our next appointment is 17th November 2009—12 weeks. My question is why is it taking so long between appointments. My son's insert will sit in storage for 6 weeks waiting for us to have a fitting to final[ise] the chair. My son at the moment I have been told by his doctor has his left lung compromised when sitting in his wheelchair. He has also started making constant breathing noises in the last 2 months while sitting in his wheelchair, therefore his breathing is extremely compromised.

Why are we waiting so long for appointments? Why are there not enough trained staff to perform these necessary assessments?

That shows the absolute desperation from a mother and father of a severely disabled young man who came into my office to meet with me with his parents. He has severe scoliosis and the scoliosis is becoming worse. It is made worse also by the fact that he is waiting so long for an insert for his chair. Support for those comments by his parents comes from Dr Geoff Le Marne in his letter of 18 May 2009, in which he said:

I have today examined Mr Dagg who has a marked scoliosis which is reducing the ventilation of his left lung. This is not helped by his current unsupportive chair. Please supply a new chair as soon as possible.

[*Time expired.*]

**Ms MARIE ANDREWS** (Gosford) [3.46 p.m.], in reply: I call upon members on both sides of the House to support the motion I have moved acknowledging the significant contribution carers make to the community and commending the New South Wales Government for its ongoing support to help carers assist the most vulnerable members of our society. The Stronger Together program, which members opposite have been critical of, is the best thing that has happened to this State in many years, because it is the Government's response to a call from the community and service providers to allocate more funding into increased respite care for those people who have disabilities.

Speaking personally on what has happened in my electorate of Gosford, the calls for respite care and help in the area have subsided significantly following the introduction of Stronger Together. It is a genuine and good response to an issue we all know is very sensitive and emotional. I am proud the Government has responded to the calls from the community and the service providers. It has been the policy of this Government and has been carried on by subsequent Premiers, and I am proud of that.

The supported coordination program provides case management to assist older parent carers to access services and to strengthen social and other support needed to plan for the future needs of their son or daughter. In my electorate of Gosford I have many older parents who are caring for their now middle-aged children who have disabilities and needs of one type or another. At the same time, while the Rees Government provides support for older parent carers, the carers of children and young adults with a disability are also benefiting from expanded services, most particularly in respite and parenting support services. The carers of adults with a disability are benefiting from a wider range of support. These are respite expanded playschool programs that teach employment-related or life skills, day programs and behaviour support services.

I call on the member for Bega and other members opposite to join the Government in unreservedly celebrating the hard work and dedication of the carers of New South Wales, who each day provide for family members and friends. I give an assurance that the Rees Government will progress the implementation of the New South Wales Carers Action Plan to continually improve our responsiveness to carers and the people for whom they care. I commend the motion to the House.

**Question—That the words stand—put.**

**The House divided.**

**Ayes, 44**

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

**Noes, 37**

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

**Pairs**

|               |              |
|---------------|--------------|
| Ms Hornery    | Mr O'Dea     |
| Ms Judge      | Mr O'Farrell |
| Mr Khoshaba   | Mr Page      |
| Mrs Paluzzano | Mr Piccoli   |

**Question resolved in the affirmative.**

**Amendment negated.**

**Motion agreed to.**

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

**ANIMALS (REGULATION OF SALE) BILL 2008****Agreement in Principle**

**Debate resumed from 14 November 2008.**

**Mr PAUL McLEAY** (Heathcote) [4.01 p.m.]: I oppose the Animals (Regulation of Sale) Bill 2008. The bill claims to protect the lives and wellbeing of cats, dogs and other mammals, but not livestock, as follows: by prohibiting the keeping of cats and dogs at shops or markets for the purpose of this sale; by prohibiting the sale of cats and dogs at or from shops or markets; by prohibiting the display of mammals other than cats or dogs in shop windows or in parts of shops visible to passers-by; by regulating the advertising of the sale of cats and dogs; by requiring any person who offers a cat or dog for sale to inform prospective purchasers of the basic care requirements of the animal; and by restricting who can carry on the business of selling cats or dogs, or breeding cats or dogs for sale.

One of the highlights of my family's weekly shopping trip with our eight-year-old daughter and three-year-old son is to go to the local pet stores and have a look in the windows. Our children like to look at the dogs and other animals that are for sale. At the moment my daughter is infatuated with the Australian silky terrier, which she is very keen for us to purchase. We hope to purchase a house in the next couple of weeks. This weekend we are going to look at a house that has a large backyard. One of the reasons we would like a large backyard is that we want to have a dog. When we go to purchase that dog, we will probably go to the RSPCA first. However, to get some ideas about our purchase, we will look at our local pet stores at Miranda and Engadine. We will look at the dogs in those pet stores to see if we can get an idea of the sort of dog we want to purchase. The great thing about pet stores is that the staff are friendly and helpful, they can provide assistance and guidance no doubt to the extent and qualification of a breeder—

**Mr Brad Hazzard:** Point of order: It appears that the member for Heathcote does not intend to speak to the bill or the object of it. He is now speaking well outside the leave of the bill. I ask that you direct him to speak to the bill.

**The DEPUTY-SPEAKER:** Order! There is no point of order. The member for Heathcote has indicated that he opposes the bill.

**Mr PAUL McLEAY:** The bill aims to introduce a significant number of offences prohibiting the advertisement, keeping and sale of animals in pet shops. There needs to be some consideration of how difficult and costly it would be to effectively enforce the provisions in this bill. This effort needs to be weighed up against the very limited outcomes the bill is capable of delivering. For example, the scheme proposed in the bill would require regular inspections of over 500 pet shops, plus the targeting of breeders who sell animals in New South Wales. This is not to mention the need for some level of inspection of private pet owners to ensure compliance.

It is highly unlikely that the general community would support the invasiveness and cost of the inspectorate this would require. And the return to the community for all this cost and effort is the possibility of a reduction in the number of pets that end up in pounds or shelters, based on the fact that a small proportion of pets currently sold through pet shops later end up in a pound or shelter. However, this assumes that people would not go elsewhere to get a dog or cat if they want one, and that the proportion of pets that are later dumped would be different. These are both unfounded assumptions.

The costs to enforce the provisions of the bill are clearly not justified on the basis of the possible outcomes. In addition, the bill would create a number of offences with penalties that are disproportionate and impractical. For example, the bill treats the illegal sale of an animal as an offence that is equivalent to animal cruelty under the Prevention of Cruelty to Animals Act. It is clearly ridiculous to suggest that the act of selling an animal is somehow comparable to committing an act of cruelty on that animal. What is even more nonsensical is that the bill does not even empower enforcement officers to investigate any of these offences. While the object of this legislation is admirable, it is clear that the mechanisms set out in the bill are flawed, costly to the New South Wales community and inappropriate. For these reasons I oppose the bill.

**Mr CHRIS HARTCHER** (Terrigal) [4.07 p.m.]: The member for Sydney is to be commended for the enthusiasm with which she has approached this difficult issue and the commitment she has given to the protection and welfare of companion animals and mammals other than livestock in New South Wales. The Animals (Regulation of Sale) Bill 2008 is important because the protection and care of animals is important in our society. Australia has probably the highest rate of pet ownership of any society in the world. It is estimated that almost 75 per cent of Australian households have a pet cat or dog. Many people have an enormous emotional attachment to their pet; indeed, the pet is often regarded as a member of their family. The dog or cat, in particular, becomes part of the family unit and is loved and cherished as a member of the family. Indeed, these days in many retirement villages one of the great issues of concern for prospective residents is whether they will be able to bring their dog or cat with them into the retirement village. People have said to me that they do not wish to buy a home unit because they would not be able to have their cat or dog with them in the unit.

Dogs and cats are not only valuable companions, they also play an extraordinary role in our society as therapy aids for residents in nursing homes and for children who have special difficulties. Dogs also play an important role with regard to customs, and as guide dogs, police dogs, security dogs and cadaver dogs in the investigation of dead bodies. At all levels of our society, mammals, but especially dogs, are integrated into our daily lives, so their protection and wellbeing is of vital interest to us as a civilised society. The New South Wales Coalition therefore approaches the bill with great respect because of our regard for the animals it seeks to protect.

The member for Sydney has introduced legislation that regulates the sale and breeding of mammals. I shall place some figures on the record. However, before doing so I acknowledge my research officer, Mr Spence, for his work in preparing them. Currently in New South Wales Guide Dogs NSW/ACT provides approximately 260 guide dogs and Seeing Eye Dogs Australia has approximately 14 dogs. I quote from the website of Guide Dogs NSW/ACT:

The primary role of a Guide Dog is to assist its user to avoid obstacles in their immediate path ... A Guide Dog can allow a person to walk at their preferred pace especially in complex situations such as crowds. Many people find moving about with a Guide Dog less stressful than other means of getting about. The dogs are taught special techniques for using stairs and lifts, as well as learning to use all forms of public transport.

Pets As Therapy, a well-established organisation, is a free community service provided by Guide Dogs NSW/ACT that is designed to fulfil the companionship needs of people who may be disadvantaged because of age, illness, disability or isolation. Notwithstanding the role played by mammals in our society and the

enormous respect all of us afford to mammals, especially dogs, RSPCA New South Wales stated that in 2005-06 it received more than 38,000 dogs and cats at its shelters, 18,000 of which had to be destroyed. That is over 1,000 mammals per month, according to the RSPCA, simply because of irresponsible pet ownership. That does not claim to total all figures across New South Wales.

In addition, it is estimated that councils across New South Wales receive more than 20,000 dogs per year through their dog pounds, most of which are destroyed. That number does not include other animals such as rabbits, mice and guinea pigs that are put down, nor does it include animals, especially cats, that are dumped in national parks and die of starvation or, if they live, cause extensive damage to our ecosystem. The proponents of the bill—the member for Sydney and those who support her—argue that the display of pets in shops promotes impulse buying, especially at Christmas. Breeders and suppliers produce animals in environments such as puppy farms, where animals are kept in appalling conditions to reduce cost and maximise profit. The proponents of the bill argue that there is a lack of regulation with regard to the source of the animals for sale.

Animals may come from unregistered backyard breeders, puppy farms or other pet owners. There are many cases of adorable puppies or kittens being sold to children at fetes or simply given away, especially as Christmas presents. Purchasers then have no advice as to the genetic history of the pets, past treatment or possible behavioural problems. The minimum age for the lawful sale of puppies and kittens is eight weeks, with exceptions. Prepaid vouchers for desexing are rarely used by pet shops—the onus is on the purchaser to bear the cost of desexing or face the implication of unwanted litters, which then have to be disposed of. The Say No to Animals in Pet Shops organisation has been campaigning to prevent the sale of animals in pet shops, claiming that there is a link between pet shops, impulse buying and the number of animals killed every year in shelters and pounds.

In my case, my family took a dog at Easter 2008 from the RSPCA at Somersby. The dog had been born in November 2007 and was sold as a Christmas present in December 2007. The dog lasted with its new owners only until Easter 2008, when it was dumped on the RSPCA. Tragically, that is common practice. I commend the splendid animal welfare centre operated by the RSPCA at Somersby, in the electorate of the member for Gosford, who I note is present in the Chamber to participate in this debate. I commend the work of all the animal rescue organisations across Australia. It is not without significance that when President Obama got a dog for his two daughters on moving into the White House, he stipulated that it had to be a rescue dog. President Obama wanted the message to go out that responsible pet ownership starts from the President of the United States of America and works its way down in America.

The New South Wales Coalition has received a number of submissions in relation to this bill. Submissions have been received from a wide range of animal welfare and protection organisations, many of which the member for Sydney spoke about when she introduced the bill and its predecessor some time ago. The Coalition has received representations from other organisations and it is important for the views of those organisations to be put before the House. The Pet Industry Association of Australia Ltd, the peak body for pets, believes that all parties in the New South Wales Parliament should reject the bill. The association listed its reasons against the bill as follows:

1. Only 5% - 10% of dogs and cats come from pet shops. The Bill *won't solve any problems*.
2. The NSW Government has revised and relaunched the Pet Shop code of Conduct, and Pet Industry Association Pet Shops commit to a Code of Practice. Pet Shops are now the safest and most regulated source of kittens and puppies.
3. The proposed Bill takes no action against "black market" animals and will effectively hand these operators a monopoly.
4. The bill's object has changed, from "preventing euthanasia" to "stopping puppy mills". The Bill will achieve neither. The real agenda appears to be reduction in responsible pet ownership.
5. Around 90% of kittens sold in pet shops come from "surrendered" litters. These kittens will be dumped or end up in shelters if pet shop sales are banned.
6. Pet shops don't buy from "puppy mills"—

as defined by the bill—

...The POCTA [Prevention of Cruelty to Animals] Act allows strong punishment of puppy mills without additional legislation REQUIRED.

7. The Bill will INCREASE animal populations (especially cats) in shelters because pet purchase (and particularly dog purchase) appears to be *not substitutable*.

The Bill is bad policy. Regulation only works on those who choose to be regulated. Parliament should forget legislative "populist fixes" and initiate real change.

The views of the Australian Veterinary Association Limited also need to be put before the House. It stated:

**Key Concerns regarding the Proposed Bill**

**A Summary**

Our concerns regarding the proposed Bill have been realised through scientific research and founded on years of experience and expertise.

**1. There is an alarming lack of scientific evidence to support the proposed Bill**

There is no evidence to show that pet shop purchased animals are any more likely to be euthanased or are any less well-loved or cared for than those pets acquired from other sources.

**2. The proposed Bill is based on flawed logic**

Prohibiting people from purchasing animals from a highly visible source that can be readily regulated is counter intuitive. Instead, the introduction of "best practice" pet shops sales legislation has shown to significantly improve animal welfare.

**3. There are practical difficulties with the proposed Bill**

Preventing the sale of animals through print and electronic media is both costly and impossible to enforce. Similarly, animals shifted from location to location on a daily basis will suffer stress and subsequent related illnesses.

**4. The proposed Bill will cause unintended negative outcomes**

Restrictions on the breeding and advertising of animals will create serious ramifications across many sectors of our society. It will affect the already vulnerable rural sector, the regular pet owner, and the health of cats and dogs across Australia.

**5. Pet ownership in Australia is becoming increasingly socially responsible**

95% of owned dogs and cats never require the services of a welfare shelter or pound. Research shows that Australian pet owners are becoming more socially responsible. Why should they be punished for this?

Both the Pet Industry Association of Australia, which represents hundreds of responsible people in the pet industry, and the Australian Veterinary Association Limited effectively have expressed their opposition to the bill. The New South Wales Farmers Association, when approached by the Coalition, indicated that it was unhappy with the bill, particularly as it affected farmers. Although the bill does not relate to livestock, it does relate to working dogs on farm properties. Accordingly, the New South Wales Farmers Association declined to endorse the bill.

The Department of Primary Industries has introduced a code of practice for pet shops. That was referred to in the Pet Industry Association document, which I read out. The updated code of practice entitled "Animal Welfare Code of Practice: Animals in Pet Shops", issued by the New South Wales Department of Primary Industries, seeks to enforce an appropriate code of practice for the keeping of animals in pet shops. It sets out the standards required in relation to the various mammals referred to in the bill—dogs, cats, rabbits, rats, mice and guinea pigs—and birds and fish. This comprehensive document was obviously compiled with a good deal of thought and community consultation. It is to be commended. The code of practice, in paragraph 12 on page 20, sets out 19 points of standards for the sale of dogs and cats. I will not read them to the House. They are available on the website and in this document. It is a valuable document. It shows that New South Wales, through the Department of Primary Industries, has a proactive policy in ensuring the welfare and protection of animals in pet shops.

It should not be considered that those who do not support this bill in its present form do not support the welfare or protection of mammals. New South Wales and all civilised societies must have a responsible code, which is effective and capable of being enforced, to look after mammals. There are problems with this bill, as has been illustrated not by the Coalition but by organisations such as the New South Wales Farmers Association, the Veterinary Association and the Pet Industry Association. These problems and other issues must be addressed. Accordingly, the Coalition has adopted a policy to seek to have the legislation reviewed by a select committee inquiry into the protection of companion animals and mammals in New South Wales. In accordance with the standing orders, I move the following amendment:

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

the bill be referred to a select committee of members of the Legislative Assembly for consideration and report.

This amendment, if carried by the House, does not mean that the bill will be defeated. It means that the bill will be delayed while a select committee of members of Parliament drawn from the Legislative Assembly inquire into the objects of the bill—that is, the protection of all those mammals the member for Sydney and animal welfare associations have sought to advance. A select committee will conduct its inquiry in a public manner, as all parliamentary committees do. It will be able to hear representations from organisations, such as the Veterinary Association, and individuals. It will be able to examine the policies of the Department of Primary Industries. It will be able to produce a comprehensive report, bringing together all the issues, and make appropriate recommendations. The inquiry will be based upon the principles and objectives set forth in the bill introduced by the member for Sydney.

As it stands, the bill presents problems. It is inappropriate for a legislative body to ignore them. The appropriate response is not to vote the bill down, as it is an important bill. The appropriate response is for a select committee to investigate the issues the bill raises and to bring back to the Parliament a full report on the advancement of the protection of mammals in New South Wales. An inquiry can address issues such as costs, enforceability and the practicality of the legislation. When my office sought to obtain from the member for Sydney the estimated costs that would be imposed on councils, which would be the primary enforcement bodies, she was unable to provide that information. The bill would impose additional costs upon councils, but we do not know what the costs will be. For all those reasons, in the spirit of advancing the protection of animals in New South Wales, the Coalition has sought to refer the legislation to a select committee of the Legislative Assembly.

**Mr ALAN ASHTON** (East Hills) [4.26 p.m.]: The Government opposes the Animals (Regulation of Sale) Bill 2008. The bill purports to protect the lives and wellbeing of dogs, cats and other animals through a range of narrowly focused measures relating to the sale of these animals. The bill sets out ways to do this that are clearly out of step with community needs and expectations. It will unnecessarily and unfairly target the New South Wales pet industry, which is worth an estimated \$1.6 billion a year. The New South Wales Government recognises the value of the pet industry and the positive contribution that pets make to the lives of so many people.

As have all members, I have been subject to advice and lobbying from proponents and opponents of this bill. That is why I have considered this matter seriously before speaking to the bill. The Government already has appropriate legislation in place that regulates the pet industry and imposes reasonable requirements on the keeping of companion animals. Clearly, the stated object of the bill—"to protect the lives and wellbeing of dogs, cats and other mammals in New South Wales"—is comprehensively covered by a range of regulatory requirements under the Prevention of Cruelty to Animals Act 1979 and regulations, the Animal Trades Codes of Practice, the Companion Animals Act 1998 and regulations and policies made under that Act, and the Veterinary Practice Act 2003. I would assume it also is covered under sections of the Local Government Act.

This is the second time the member for Sydney has introduced a bill of this type; she introduced a similar bill in 2007. While some of the more unworkable provisions have been removed, this bill will decimate an industry that is worth an estimated \$1.6 billion a year. Prudent and careful consideration of the issues would have shown that the objects of this bill are already well regulated in New South Wales and that the proposed mechanisms set out in the bill are flawed. The member for Terrigal commenced to make a good speech. Then he chickened out and moved an amendment to refer the bill to a select committee. That will keep the issue kicking along for a few more months. Opposition members will not take a stand on the bill because they may offend some voters in marginal seats.

The member for Terrigal said that the member for Sydney was unable to provide the estimated costs that would be imposed on councils. Obviously, it is difficult to assess the estimated costs. That is a good reason not to support the bill. The Opposition should work with the member for Sydney to introduce an amended bill before the Parliament rather than move an amendment to refer the bill to a parliamentary committee inquiry. No doubt a committee inquiry will be set up in the upper House, with the appointment of the usual upper House members that dominate the show.

I do not doubt that the Government will oppose the bill. The Opposition opposes it also but is not brave enough to say so. At the moment only the member for Sydney supports it. For those who have watched me in this place over the years I point out that I have always supported motions moved by the member for Sydney and I have supported bills dealing with cats, dogs and other animals introduced by her. I pointed out to one of my colleagues in the House that the picture I have on this new boysenberry or strawberry machine is of my cattle dog cross bull terrier. I have owned six or seven animals—mainly dogs but cats also—and all of them have come from pounds or have been found at schools or on the side of the road where they have been dumped.

I mention personal information to show that one cannot assess a person's response to a bill on face value. I have never bought a dog from a pet shop and I would not. But that does not mean that I do not consider that the bill has flaws. The bill is based on the misconception that severely limiting the sources of animals available to the public will mean fewer animals end up in shelters. However, companion animal loss is a complex issue. Studies indicate that there are many reasons given for relinquishing a companion animal. These include accommodation, health and personal issues. I am advised that some of the most difficult animals for pounds and shelters to deal with are unidentified strays with behavioural problems that cannot be rectified through training. These types of problems usually reflect a lack of ability or commitment on the part of the owner, and this will not change simply by changing the point of purchase.

There would not be a member in this place who has not at sometime had the sad situation of a person in their electorate keeping up to 40 or 50 dogs. I encountered this in my electorate of East Hills. A lady had 47 dogs in a housing commission apartment. Those dogs were in a terrible condition. The lady could not look after them. She wanted to set fire to the apartment because the dogs—and probably her too—were going to be evicted. That would have meant that she and all the animals would have been burnt. Her love for the animals was a great commitment but it also reflected a mental illness, which is an issue we should be aware of. Her loving of the animals was doing them no favours at all. They were slowly dying. That is one of the tragedies: Not all dogs that are overly loved are looked after.

The bill attempts to limit access to animals, but clearly does not take account the major factors that persuade people to surrender their pets. The bill also fails to recognise the complex nature of the human animal bond. This again reinforces the limited impact that targeting pet shop sales and unregistered breeders will have on the operations of pounds and shelters. In fact, it is clear that the bill would do very little to meet its stated object of protecting the lives and wellbeing of dogs and cats.

It is useful to compare this proposal with existing Government initiatives such as the Companion Animals Act 1998, which provides for the identification and registration of companion animals. Microchipping facilitates the return of animals from pounds and shelters to their owners. Two weeks ago I wanted to get away for two or three days. I thought I would go down to the South Coast. I got to the top of my street and saw a very little old dog running around. I pulled up in the middle of the road and got out of the car—I probably nearly got myself killed. I had my cattle dog in the back of the car and my family. I grabbed this little dog and took it to the vet, who discovered that it was microchipped. I explained that I had to get away and that I had my dog in the back of the car. I rang the vet a few days later and was told that the vet had found where the dog lived and had returned it.

There are good people out there. I am not trying to overly personalise my contribution to this debate but I want the House to know that very good people who may speak against this bill would not necessarily be prepared to leave animal welfare rights to the whim of bad pet shop owners. Clearly, we expect people in a position of trust with animals to do the right thing. Rather than being seen as a problem, the New South Wales pet industry should be recognised for its positive contribution to responsible pet ownership. The little dog I found had a collar but no name tag. It was an elderly dog that obviously had been owned for quite some time and certainly did not deserve to get run over on that main road. If I had not grabbed the little dog off the street a car would have come around the blind corner and the dog would have been killed or people may have been killed trying to avoid it.

I thank the Panania vet service—Monique Gollop and the staff—for taking the dog in and reuniting it with its owner. It is not the first time I have picked up an animal. I once found a cat on the road that I thought was thoroughly deceased. I picked it up, put it in a little box and took it to the vet. It woke up; it was not dead at all! It was about 15 years old and was very slow. Again, the vet returned it to its owner. I received a letter from a little girl and her father, who were obviously the owners, thanking me very much for what I had done.

Dogs and cats sold through pet shops are required to be microchipped and vaccinated. They have to be easy to identify. This means there is a much lower likelihood that these animals would be euthanased in a pound or a shelter. Pet shops and responsible breeders, whether registered or not, provide an orderly and visible outlet from which the public can buy pups or kittens. This arrangement reflects community expectations regarding peoples' rights to own a pet and the desire for a reasonable opportunity to purchase their pet of choice. In fact, pet shops and breeders can provide a great service. They are required to provide advice to prospective owners and are perfectly positioned to ensure that basic requirements such as microchipping and vaccinations are done. Simply removing pet shops and responsible breeders from the equation will not change community expectations or peoples' desire to purchase a pet. But it may push people away from a responsible outlet and towards less scrupulous backyard operators.

Unlike this bill, the animal trades codes provide a solid foundation for future progress on a broad range of animal trade issues. These codes cover the keeping and trading of birds, animals in pet shops, dogs and cats in animal boarding establishments, breeding dogs and breeding cats, companion animal transport agencies, animals in pet grooming establishments, security dogs, and horses in riding centres and boarding stables. The codes are formally enshrined in legislation. The Prevention of Cruelty to Animals (General) Regulation 2006 requires the proprietor of a business that conducts an animal trade, and each person concerned in the management of the business, to comply with these codes.

Proprietors and those concerned with the management of pet shops already need to comply with the recently revised animal welfare code of practice, animals in pet shops, which has raised standards for companion animals in the pet shop industry. This code provides enforcement agencies—including the RSPCA—with a clearer mandate to act when the minimum requirements of the code are not being met. It also allows enforcement agencies to issue penalty infringement notices against pet shops for certain offences in lieu of prosecution. This provides a simpler and cheaper option than if the matter were dealt with by a court, and aims to encourage increased compliance by enabling enforcement agencies to act more quickly to address non-compliance. Importantly, the code also seeks to educate prospective pet owners about the responsibilities involved in choosing to become a pet owner and not falling for impulse buying.

Since the introduction of this code in 2008 experience indicates that it has worked effectively. A revised code of practice for breeding dogs and cats now has been developed and will be implemented shortly—and that is why a further inquiry in another place is unnecessary. This will impose increased welfare requirements on people in the business of breeding dogs and cats. The new code has had input from industry and the community, including peak bodies such as the New South Wales Animal Welfare Advisory Council, Dogs NSW, the Waratah National Cat Alliance, the NSW Farmers Association, enforcement agencies under the Act, the Australian Association of Pet Dog Breeders and the New South Wales division of the Australian Veterinary Association.

The code will deliver improved outcomes for animals held in dog and cat breeding establishments, particularly in terms of health care, hygiene and breeding regimes. Like the pet shop code, it will require that people wishing to purchase an animal be provided with information, in writing, about their new responsibilities. It will also circumvent the possibility of impulse buying. These provisions will ensure that the sale of pets is sensibly and effectively regulated, and this will contribute to reduced levels of euthanasia. The code also includes appropriate requirements to regulate the farm working dog industry, which were developed in consultation with the NSW Farmers Association.

A further code of practice—to provide standards for dogs and cats in pounds and animal shelters—is currently in development. Codes of practice are the appropriate mechanisms to foster progress in the way these sectors operate while also ensuring appropriate input from the pet industry and key stakeholders. To give credit where credit is due, I am advised that the pet industry has actively engaged with Industry and Investment NSW and the Animal Welfare Advisory Council in the updating and development of these codes.

The codes of practice help protect animal welfare by focusing on practical measures that the pet industry can deliver. This approach fosters industry collaboration and cooperation while helping to ensure that industry practices support appropriate animal welfare objectives. In addition to ignoring the opportunity that already exists to build constructively on progress that has been made, the bill contains a number of proposals that, at best, have not been well thought out. The bill will unfairly restrict the ability of pet owners to breed from their animals and sell or give away the offspring. This is because many of these people may not meet the requirements of "recognised" breeders. Furthermore, the bill will affect families. Parents in New South Wales will have no choice but to surrender unwanted or accidental litters to pounds and shelters; they will have to explain this to their children.

I note that the bill contains provisions that try to exempt the breeding and selling of working dogs from the general requirements of the legislation. However, these provisions are simply unworkable and demonstrate that the member for Sydney does not understand rural New South Wales. The 2007 bill did not make any provision for those on the land who breed and sell working dogs. I am pleased to see that the bill at least attempts to resolve that issue. Unfortunately, the proposed solution is still unworkable. For example, there is a limit on the number of working dogs that a farmer can sell in any year, and if that number is exceeded the farmer is presumed to be in the business of selling dogs. By contrast, the revised code of practice for breeding dogs and cats appropriately regulates the farm working dog industry by requiring the sector to comply with the standards in the code while not unfairly limiting a trade that is important to the rural sector.

I reiterate that the Government is committed to ensuring that the principles of responsible pet ownership are promoted in the community. The Government has backed that commitment with initiatives including the Companion Animals Act 1998 and subsequent amendments that made microchipping compulsory. I also make it clear that, while the Government opposes the bill, there is no suggestion from this side of the House that pet ownership should be undertaken without proper consideration. I have already recounted my personal experience in that regard. That is why the New South Wales Government has endeavoured continuously to improve animal welfare standards and to educate the community.

The Government will continue to work with the pet industry and animal welfare organisations to implement the improved animal welfare codes of practice. In reality, it does not matter whether pets are sold by pet shops or unregistered breeders, banning their sale will not stop them being dumped or make a substantial difference to the number of animals that end up in shelters. People have a right to own pets and should be free to do so. The bill cannot fail to impact on the freedom to own a pet: People will not be able to buy pets from pet shops and no-one will be allowed to advertise pets for sale unless they are an authorised seller.

**Mr GREG PIPER** (Lake Macquarie) [4.41 p.m.]: I speak in debate on the Animals (Regulation of Sale) Bill 2008. I have previously spoken in this House on the concerns raised in the electorate of Lake Macquarie about the welfare of unwanted companion animals. It is unacceptable that some 63,000 animals are euthanased each year in New South Wales and it is deeply concerning to many that the pet industry produces a supply that so greatly exceeds sustainable demand. My office has received an ongoing stream of emails and letters supporting the legislation and/or a parliamentary inquiry into the pet industry. It is obvious that there is widespread and passionate concern for animal welfare and that that is reinforced by relevant facts. It is appropriate to recognise that those involved in the pet industry opposing the bill have made representations. I have no doubt that those who have made such representations are very genuine in their beliefs, and that the vast majority are responsible and respectable breeders and traders.

It is unacceptable that the community bears the cost of destroying unwanted animals. Councils within my electorate have reported to me the enormous and costly burden of dealing with unwanted pets. Wyong Shire Council advises that it spends more than \$880,000 on its animal care facility and mandatory compliance responsibilities under the Companion Animals Act. Lake Macquarie City Council does not operate an animal pound and relies on the RSPCA through an agreement—which was recently re-signed—costing \$170,000 annually and must also cover the significant cost of deploying its own staff in the collection and handling of unwanted animals.

Even with the best intentions of the Companion Animal Act, the way many in our community treat companion animals is not good enough. Too many people choose to buy animals without making, or perhaps even conceiving, a commitment to the responsibility of ongoing ownership. Too many animals are bred without good reason and are consequently killed, and the cost to the community is onerous and difficult to justify. Local government in New South Wales pays a high price to support the status quo of the pet industry.

The bill introduced by the member for Sydney is a genuine attempt to address a significant problem in our society, where many companion animals are seen as consumer items and often dealt with as a disposable item. Eliminating or greatly reducing impromptu decisions on pet ownership would reduce these outcomes. The bill would align the production of animals more closely with the actual demand rather than with the ability of the pet industry to sell. It would link the sale of animals to a preconceived intention, rather than a whim inspired by the sight of a cute puppy or kitten.

There are strong ethical arguments about the euthanasia of many thousands of animals and there are weighty questions about the cost of it. The Animals (Regulation of Sale) Bill is an attempt to deal with the issues surrounding the oversupply of companion animals. While the bill will clearly not be supported by the House, it and the sentiments expressed by other members—even those not supporting it—should serve as a wake-up call to the industry to further improve its policies and codes of practice, and to drive out the unscrupulous minority.

I have listened to the contributions of members from both sides of the House, including the members for East Hills and Terrigal. There is a common sentiment that we should support the animals that are cruelly treated, but there is a difference in approach. The member for East Hills said that it was unnecessary to establish a committee and the member for Terrigal disagreed. Given the representations made to me, if this bill is not supported, it would be appropriate for this House to establish a select committee to examine the issues affecting companion animals and the pet industry.

**Mr PETER BESSELING** (Port Macquarie) [4.46 p.m.]: Like other members, I commend the member for Sydney for introducing the Animals (Regulation of Sale) Bill 2008 and for her ongoing commitment to all animals, particularly puppies and kittens sold in pet shops. The Government notes her attempts to deal with the issues in the bill and to draw them to public attention so that people realise how many pets are euthanased or taken home by families who have no regard for the responsibilities involved in pet ownership. Pets make a valuable contribution to our community. Members have mentioned the companionship that they provide, and that is an important issue in the electorate of Port Macquarie, which has the largest number of people over the age of 65 in the State. Dogs, cats and other pets play an important companionship role, including in aged care facilities, nursing homes and so on.

Of course, they are also members of our families. My children enjoy letting our dog sleep on their bed. I am not keen on that, but it is sometimes difficult to stop. Our dog, Hunter, plays an important role in our home and is a valued family member. Requiring our children to care for the family pet teaches them to be responsible and is an important part of growing up. Pets are supplied by pet shops, so-called backyard breeders, registered breeders, animal shelters such as council pounds, the RSPCA and so on. This bill deals specifically with dogs and cats. The member for Sydney provided very concerning statistics and details. Her agreement in principle speech states:

Based on local government and RSPCA statistics, in New South Wales alone last year more than 50,000 cats and dogs were killed in council pounds and animal shelters.

Last financial year, the number of dogs and cats re-homed by the RSPCA in New South Wales increased 6.85 per cent on the previous year. However, the number of cats and dogs euthanased also increased by more than 9 per cent for dogs and almost 30 per cent for cats. It is worth reminding the House that an un-desexed female cat and her offspring can produce 420,000 cats in only seven years. I note the concerns of the member for Sydney. They are examples of what is going on in our society. Something must be done about the number of animals euthanased.

This bill goes to the core of responsible pet ownership, but there is no way Parliament can legislate for responsible parenting. If it could, I have no doubt that legislation would be applied first to responsible parenting. I would love to see a means by which that could occur. We can do what we can to raise awareness of how to be a responsible parent or how to be a responsible pet owner, but legislation is often very difficult and could restrict personal freedoms. Certainly I am one who believes that parents should be given the right to determine the best way to raise their children, within certain boundaries of course. It should not be the role of government. The same issues apply to responsible pet ownership.

I have issues with pet shops that keep animals in confined spaces and from which purchases are made on the spur of the moment. One of the main drivers behind such purchases is empathy. People see a dog or a cat in a small cage and think, "The poor thing needs a good home, and who better than me? I can take the cattle dog home and the kids will be happy." That should not be motivation for buying a pet. It goes back to what was said earlier about responsible pet ownership. One must take into account the size of the dog or cat, the amount of feed the animal needs, fences around the home and the ability of a person to look after the animal—whether that person has a busy lifestyle and whether that person lives in a house or an apartment. Simple things like that should be considered whenever one is considering buying a pet.

We have also heard about puppy mills. A puppy mill or a puppy farm is a large dog-breeding facility created to mass-produce puppies for profit. Like battery hens, the breeding dogs are kept in cages or pens for their entire life with the sole purpose of producing puppies for profit at the direct expense of the welfare of the dog. Within the Port Macquarie electorate we had a pet shop that bought its puppies from a puppy farm. Thankfully that is well in the past and is no longer the case. The puppy farm was providing dogs to this pet shop. At the time there was a parvovirus epidemic in Port Macquarie. For those who are not aware, parvovirus is a relatively new disease. It is sometimes referred to as parvo. It is highly infectious. It attacks the gastrointestinal tract and cardiovascular system of dogs. The main source of the virus is the faeces of infected dogs. That infection was being passed along through the puppy mill. Thankfully, both the puppy mill and the pet store that was relying on puppy mill pups to sell are no longer in business.

In order to avail myself of as much information as I could, I spoke with a number of pet shops and vets within our area as well as the local council pound to try to ascertain the size of the problem within Port Macquarie. I understand the problem was probably larger in other areas than within the Port Macquarie electorate. I put that down to responsible pet ownership. Whether that is by design or otherwise I do not know. The first pet shop owner I spoke with takes any dog he considers for sale to the vet for check-up. The dogs are

immunised and checked over for diseases. The pet shop owner will not accept them for sale unless they pass scrutiny and are declared healthy. The owner actively participates in trying to maintain the health of the animal. Following discussion with me, the owner said he would consider desexing all the dogs and puppies that are for sale.

It is a difficult situation, certainly in regional and rural areas. Once again, I thank the member for Sydney for raising it. It is something that should be discussed openly and debated not only in Parliament—it is a shame all members are not involved in this debate—but also within the broader community. It is something that should be discussed with children as well so they learn responsibility when dealing with pets. A great way to get children started is with a goldfish or something like that, or even a dog or a cat so they can learn about responsibility. Hopefully when they become parents they can draw on what they have learned about responsibility from that experience.

I suggest the Government consider the feelings within the broader community and throw the Opposition a bone—no pun intended—and consider referring this bill to a Legislative Council committee where it can be discussed more broadly. I would certainly support that, and I would love the Government to do the same. Once again, I thank and commended the member for Sydney for bringing this important issue to the attention of the House.

**Ms CLOVER MOORE** (Sydney) [4.56 p.m.], in reply: The Animals (Regulation of Sale) Bill 2009 is about responsible pet ownership. It would ban the sale of cats and dogs in pet shops and markets and limit dog and cat sale advertisements to rescuers, to shelters and to recognised breeders. This bill is about the humane treatment of animals. It stops pets being treated as commodities that can be bought and then discarded once the novelty wears off. With more than 60,000 cats and dogs being put down every year in New South Wales alone because homes cannot be found for them, pet shops should not be able to continue to promote the sale of pets in their shops. That figure does not include the pets that are dumped in national parks or at tips. Puppies and kittens are displayed in the windows of pet shops in shopping centres and they evoke, as we would all expect, an emotional response. This point has been emphasised in its guide for pet shops by the Entrepreneur Business Centre, which gives the following advice to pet shop owners:

The scenario is simple: Someone will walk by, fall in love with an animal and buy it. These sorts of impulse buys can add dramatically to your profits ... if your shop is accessible and your sales and service ability is convincing, it will not be long before you convert walk-in traffic into buying customers.

Of course people fall in love with little puppies and kittens. They do it while they are doing their shopping or they buy one spontaneously as a Christmas present. I know the RSPCA is very concerned at this time of the year, as are other shelters and pounds, because this is when their numbers dramatically increase. But when that cute animal starts to grow, bark, scratch and shed hair, gets bored and needs to be walked, needs to be vaccinated and needs to be microchipped, needs love and attention and incurs large food and veterinary bills, the owners change their mind about keeping it and dump it. I think it is vitally important that we discourage impulse buying of animals, that we promote responsible ownership and we ban displays of mammals, including rabbits and guinea pigs, in shop windows.

The City of Sydney's Companion Animals Policy promotes responsible pet ownership. We provide leash-free areas in parks. We educate non-pet owners and children about animal behaviour and the wider community about the benefits of pet ownership. We offer a \$40 cap for desexing and free microchipping for animals of residents on pensions and low incomes. We also offer discounted dog desexing on the first Tuesday of each month. We have gone into partnership with Sutherland Shire Council to provide a pound that has the lowest euthanasia rate in New South Wales, where 25 volunteers walk the dogs every day, sometimes three times a day, and where all the dogs are rehomed. Responsible pet ownership should start from the moment that a pet is acquired. Potential owners need to be compelled to think about the responsibility they are taking on before they adopt a pet. In fact, nearly three years ago the then Minister for Local Government issued a press release stating:

Poorly planned purchases from pet shops and newspaper ads often result in more unwanted animals turning up at the RSPCA and council shelters.

The Minister urged people to buy desexed pets from the shelters. Rescuers and shelter staff work tirelessly, and many of them are in the gallery today. They work to find homes for animals and to interview potential owners. Unlike pet shops, they are not driven by profit. They desex animals to prevent unwanted litters. Rescuers and shelter staff are distressed by the sheer number of loving, healthy animals being dumped. This is a poor reflection on our values. I was shocked when I first learnt about puppy farms and backyard breeders, who,

unlike responsible breeders, breed pets purely for profit, in confined conditions with little or no social interaction. RSPCA inspectors in Queensland recently seized more than 160 dogs taken after raids on puppy farms.

One of these dogs had an ear infection and her fur was matted with faeces and urine. Others have ongoing urinary tract and ear infections, as well as stomach problems. In fact, the RSPCA shelters were so full that the organisation had to cancel another raid on a suspected puppy farm. On these puppy farms young female dogs start breeding at six months with back-to-back breeding until they can do it no longer—I find it very distressing—and then the dogs are destroyed. The cute little pets in the pet shop windows are the result of these practices.

Puppy farms and backyard breeders are supported by the pet industry. They sell to pet shops and markets and through classifieds. Pets are incredibly important in the lives of many people. They give us unconditional love and companionship. They teach us to care and nurture. They increase our sense of security and they encourage us to exercise. In fact, they save the national health bill more than \$4 billion a year and in return we should not treat them as commodities that can be manufactured and discarded. Respect and compassion for animals are essential to a humane and just society.

I turn now to some of the comments made about the bill. I refer first to opposition to the bill. It is quite clear that the pet industry and the Australian Veterinary Association want to protect their business. They are effective lobbyists and the Minister is quite responsive to that lobbying. I think opposition to the bill is a real cop-out and is the result of strong lobbying by vested interests. Dogs NSW traditionally opposes dogs in pet shops and my office worked with that organisation to draft this bill, so its opposition came as a surprise. I understand the industry tried to convince it that the bill is about banning dog shows and particular breeds. These were scare tactics, because this bill would not do that. I have received numerous messages from individual vets and breeders who care about animals and strongly support this bill.

In response to the bill the Government has tweaked an existing code of practice. That tweaking is pathetic. It does minor things such as making animals more comfortable in pet shops but it does nothing to prevent impulse buys and unscrupulous breeding. The Government states that it is working on updating the breeders' code of practice. These are not public processes. The Government has failed to act for so long. The Opposition has said that it will move to defer debate on the bill to form a select committee on companion animal welfare, and I commend it for that. While the links between cruel backyard and puppy breeding, farm breeding, the unregulated pet industry and the high number of animals being put down every year are clear, this bill would address them. Members of Parliament with any fortitude and sense of a humane society would support it.

However, I will support the Opposition's amendment to create a select committee to look at companion animal welfare. Of course, that will not prevent me from supporting this bill today. An inquiry would give the thousands of people I have heard from who work in shelters and pounds, who try to rescue unwanted pets, who breed animals responsibly, who treat pets and who have worked in pet shops the opportunity to tell their stories to Parliament. The wider community and interested organisations would be able to make open and public submissions about animal welfare problems, and I support that. The inquiry could look at the broader animal welfare concerns that need to be addressed, including difficulties for pet owners who rent or live in apartments, mandatory desexing, backyard breeding, puppy farming for the international cat and dog fur industry, eugenics, inbreeding of pedigree dogs, as well as conflicts of interest in the bodies that advise government. That conflict of interest in the bodies that advise government relates very much to the opposition to this bill today.

I support an inquiry into companion animal welfare, as do the thousands of people who support my bill and have nothing to hide. I think it is alarming that the Government apparently thinks that the deaths of over 63,000 cats and dogs every year does not warrant an investigation through an inquiry. The codes of practice that the Government has updated are pathetic and will do nothing to change the appalling toll that we in this House are so concerned about. I stress that I intend to hold the Opposition to account if it is in a position to initiate an inquiry at a future time. I believe that supporters of my bill who are here today or who read *Hansard* subsequently would like a commitment from the Opposition in the lead-up to the election that an inquiry will be a committed part of its animal welfare policy.

With respect to comments about the worth of the pet industry, the Government has said that the pet industry is worth \$1.6 billion a year. The bill does not ban the lucrative trade in other mammals or the sale of fish, birds, and spiders and reptiles, which I regret is the case. We know some successful pet shops do not trade in live sentient beings: shops that sell pet food and accessories and do very well. In fact, I was in one of them

last Saturday. Paws on The Coast in the main street of Umina is a very successful pet shop that does not trade in live sentient beings. Given the 63,000 cats and dogs that are destroyed in New South Wales alone each year, I believe we should stop treating these pets as commodities and should not promote impulse buying. A responsible Parliament should promote responsible pet ownership.

The pet industry here can operate profitably with an emphasis on responsible pet ownership, as the industry in many European countries, including the United Kingdom, does. It would be great if Australia, New South Wales and Sydney could start showing some leadership instead of always being behind the rest of the world. Under my bill, pet shops would be able to help shelters rehome dogs and cats. The member for Terrigal said that the New South Wales Farmers Association opposes my bill because it affects working dogs. The initial bill was subsequently withdrawn and updated in response to these concerns and working dogs are now exempt. So that claim is misinformation put before the Parliament. The member for Heathcote raised concerns about the costliness of enforcement. Inspectors under my bill will be the same as they are now. These enforcement officers will be able to respond to community complaints that pet shops are selling cats and dogs.

The Government's response to my bill has been to upgrade the code of practice for pets in pet shops. If the Government believes that enforcement officers will not be able to enforce the bill, how will the officers be able to enforce the code of conduct that the Government is boasting about? There is no substance to the Government's claims, other than responding to the vested interests of the pet industry. The result is something that should make this Parliament hang its head in shame.

Before concluding I wish to thank Kay Vernon, a long-time volunteer in my office who worked very hard on this bill. Kay worked tirelessly throughout the process and has always been a dedicated advocate for animals. I also thank Angela Radich from the Young Lawyers Animal Law Committee, who provided invaluable help with the legal drafting of the bill and is also a strong advocate for animal protection. I also thank everyone who provided information to my office, and everyone who took the time and effort to contact their members of Parliament on this issue. I understand that members of Parliament have received more representations on this important issue than probably any other issue ever. The public have called for a more humane policy that does not treat companion animals as consumer items that can be discarded.

I particularly thank the volunteers from Paws for Action, Death Row Pets and Lead the Way who worked very hard to create excellent campaigns specifically to get support for the bill. I welcome the new Give Pets a Chance campaign that is being developed. I understand that the campaigns will continue beyond this debate today, and I look forward to continuing to work with these groups. I also wish to acknowledge the support of a large number of animal welfare, animal protection and animal care organisations who supported the bill by distributing information to their members, providing media comment, and including articles in their newsletters and magazines. There are too many of them to name individually.

I say to all those who worked hard to gather support for the bill: Do not be disheartened. We have achieved much. Since introducing the bill, problems with the pet industry have been reported on the *Sunday Program*, *Stateline*, *9am With David and Kim*, and in almost every State and local newspaper in New South Wales. More people now know about puppy farms, backyard breeders, and the appalling number of cats and dogs that are destroyed every year in this State compared with previously. I am certain that many members of this House never thought about this issue before I introduced my bill. I noted that speakers in this debate gave anecdotes about their pets. It is a pity they do not have a greater conscience about the good of animals across the State.

I have received thousands of letters and emails on the issue, and I have been encouraged by the many communities that care about the plight of animals. Indeed, I understand that the bill was studied in a university animal law course. I remain committed to raising this issue in the Parliament in the future. I encourage everyone to continue to inform their friends, family and colleagues about the problems with the pet industry, and to continue to write to their elected representatives in this House to protect animals. I will conclude with the words that I have spoken in this House before regarding this issue. I quote Mahatma Gandhi, who said:

The greatness of a nation and its moral progress can be judged by the way its animals are treated.

The world's great thinkers have long understood that social progress can be seen in the way a society treats its animals. Animals cannot speak; they cannot vote. I think we have a comment today in this place about how this Parliament treats its animals, and it is a real comment on our society. It is a comment I really regret, and a comment I will work to change.

**Question—That the words stand—put.****The House divided.****Ayes, 44**

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

**Noes, 33**

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

**Pairs**

|               |              |
|---------------|--------------|
| Ms Hornery    | Mr Hazzard   |
| Ms Judge      | Mr O'Dea     |
| Mr Khoshaba   | Mr O'Farrell |
| Mrs Paluzzano | Mr Page      |

**Question resolved in the affirmative.****Amendment negatived.****Question—That this bill be now agreed to in principle—put.****Division called for and Standing Order 181 applied.****Ayes**

Mrs Fardell  
Mr Piper  
Ms Moore

**Question declared resolved in the negative.**

**Motion negatived.**

**Bill not agreed to in principle.**

**The SPEAKER:** Order! It being close to 5.30 p.m., the House will now proceed to private members' statements.

### **PRIVATE MEMBERS' STATEMENTS**

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#### **ROCKDALE ELECTORATE EDUCATION FUNDING**

**Mr FRANK SARTOR** (Rockdale) [5.28 p.m.]: I speak about the \$39.4 million investment in Rockdale schools and the \$377,000 funding boost in local preschools. Recently five preschools in the Rockdale electorate were awarded a total of \$377,145 in extra funding as part of a new national partnership between State and Federal governments on early childhood education. This additional funding will enable more children to attend preschool in the year before starting school. This new funding is also aimed at reducing preschool fees and increasing access to quality early childhood education for families in New South Wales.

The evidence is compelling: The early years of a child's life lay the foundations for their ongoing healthy development. Quality preschool education provides children with the best possible start in life. It gives them an early introduction to numeracy, literacy and all-important social skills. Increased funding is being provided across all local government areas, with the greatest increases in low-income areas. New South Wales preschools will receive \$278.6 million over five years under the National Partnership Agreement on Early Childhood Education. This new investment means that 85 per cent of community preschools in New South Wales will get a boost in funding this year. This is the first time in many years that the Federal Government has made early childhood education a national priority.

The national partnership builds upon New South Wales's current Preschool Investment and Reform Plan—the biggest reform to preschools in New South Wales in over 20 years. In Rockdale, the Arncliffe Preschool will receive a funding increase of \$55,000, a 47 per cent increase on last year; Frederick Street Kindergarten will receive almost \$73,000, a 51 per cent increase on last year; North Brighton Preschool will receive \$72,000, a 63 per cent increase on last year; Sans Souci Community Preschool will receive \$137,443, a 73 per cent increase; and St Mark's Preschool will receive nearly \$40,000, a 57 per cent increase. The Government's investment in education, however, does not end there.

Recently I visited Brighton-Le-Sands Public School with the Federal Attorney-General and member for Barton, the Hon. Robert McClelland, to announce the start of work on the local primary schools for the twenty-first century component of the Rudd Government's \$16 billion investment in education. Under the program, schools in Rockdale will receive the following funding: Brighton Le Sands Public School, \$3.2 million towards the refurbishment of school facilities, a new hall and new classroom facilities; Arncliffe Public School, \$2.6 million for new classrooms and refurbishment of school facilities; and St Francis Xavier's Primary School, \$955,000 towards the construction of an outdoor learning area, installation of wireless broadband, and refurbishment of classrooms, staff amenities and library

In addition, Athelstane Public School will receive \$2.6 million for the refurbishment of school facilities, library upgrade and new classroom facilities; Cairnsfoot School, \$925,000 for the refurbishment of school facilities and toilet upgrade; Arncliffe West Infants, \$925,000 for new classroom facilities and refurbishment of school facilities; Al Zahra College, \$2.1 million for the refurbishment of existing space into school library and construction of a multipurpose hall; Bardwell Park Infants, \$850,000 for new classrooms; Bexley North Public School, \$3.2 million for a new hall, covered outdoor learning area, classroom upgrade and refurbishment of school facilities; Bexley Public School, \$2.6 million for a new hall, covered outdoor learning area, classroom upgrade and refurbishment of school facilities; and St Mary and St Mina's Coptic Orthodox College will receive \$2.1 million for the refurbishment of school facilities and construction of a library-multipurpose hall complex.

Further, St Joseph's Primary School will receive \$1.7 million for a new library, installation of wireless broadband and refurbishment of classrooms and staff amenities; Rockdale Public School, \$3.2 million for new classrooms and refurbishment of school facilities; Kyeemagh Infants, \$925,000 for a new library and refurbishment of school facilities; St Thomas More's Primary School, \$1.9 million for the installation of

wireless broadband, refurbishment of student amenities, classrooms and associated works and construction of a new library; Ramsgate Public School, \$3.4 million for classroom facilities upgrade and a new library; Sans Souci Public School, \$3.2 million for a new hall, covered outdoor learning area and canteen, and refurbishment of school facilities; and St Finbar's School, \$1.9 million for the installation of wireless broadband, refurbishment of hall and construction of new library.

This investment will not only improve school infrastructure but also provide economic stimulus and support jobs. I am delighted the work has commenced in our local area so quickly. I look forward to many more projects starting across Rockdale. In addition, Moorefield Girls High School has been selected as one of 14 high schools in the State to receive a \$625,000 upgrade of food technology facilities this financial year as part of the New South Wales Government's \$2 billion four-year Building Better Schools program. Food technology is a growing Higher School Certificate course, with 3,500 students undertaking it in 2008. That is a 10 per cent increase since 2004.

The Food Technology course provides students with knowledge and understanding of the nature of food and human nutrition, as well as of food systems in the production, processing and consumption of food. The new modern facilities that this upgrade provides will encourage more students to enrol in this course. The food technology upgrade will provide a light commercial standard kitchen to Moorefield Girls High School. The upgrade will include a light commercial kitchen with stainless steel benching and commercial stoves, a seminar room, and an updated preparation area, pantry and laundry. These initiatives and upgrades to local schools, as part of the national program, are fantastic and have given our education system a great boost.

### **TICK BITES AND LYME DISEASE**

**Mr STEVE CANSDELL** (Clarence) [5.33 p.m.]: Today I raise a serious issue in relation to a young lady in my electorate who works as a ranger for the National Parks and Wildlife Service. Whilst undertaking her work clearing lantana and carrying out bushland regeneration she has been subject to tick bites. She regularly has had 20 tick bites a day and on one occasion had more than 100 tick bites. She now has been diagnosed with Lyme disease. Unfortunately, this disease is not recognised as being able to be acquired in Australia. In a letter to me she states:

I am writing to you in the hope that you can answer some of my questions and in relation to my struggle with Lyme disease which I contracted working here in bushland in the Coffs Coast Region—

that is near Coffs Harbour, in my electorate—

I am also hoping that any of you may be able to help me receive the appropriate treatment I deserve seeing as though I contracted this insidious disease through neglect of duty of care at work.

It is neglect of duty of care. Part of a question I recently put to the Attorney General states, "Does NSW Health warn National Parks and Wildlife officers of the dangers of tick bites and the threat of contracting Lyme disease while at work from tick bites?" The answer was "No." My constituent goes on to say in her letter:

I am also hoping you can provide some advice as to how to get all of my WorkCover medical costs sought as I am having trouble getting my reimbursements.

Her name is Natalie Young and she lives in Glenreagh. She has suffered many side effects and illnesses from the Lyme disease. She states:

In 2003 I started to suffer from aching knees and aching hands and wrists. I just thought this was due to the nature of my work. However my hands began to become quite sensitive to the cold and I forever had cold hands. I also suffered from lower back pain and my right arm for one week just went completely weak then came back normal.

Since the birth of my daughter in 2006 I never felt the same. I had severe nausea, vomiting, headaches, tiredness, motion sickness and sensitivity to light. My moods changed and I became quite aggressive ...

Recurring viral illnesses became more common.

In 2007 an ultrasound showed a slightly thickened gall bladder. She continues:

Nothing was done about it as doctor said not to worry. However, every few months I would be hit by this excruciating thrust of pain in the abdomen.

Approximately two years ago Ms Young returned to work for two days a week. After receiving more tick bites, she became sicker than ever. She indicates that she wore personal protective clothing at all times. In January 2008 she was diagnosed with cancer of the cervix. A result of infection, which affected her for three to four weeks, she was admitted to hospital with severe pain. After she commenced IVF treatment in July 2008 she had extreme muscle pain. She was told that the drugs she had been given lowered her immunity and worsened the Lyme disease.

Her husband contacted me yesterday by phone. He said that regardless of whether his wife has Lyme disease or some other disease as a result of the tick bites, they just want WorkCover to cover the medical and other expenses incurred to deal with her sickness, which was contracted during working hours under the direction of the National Parks and Wildlife Service. The protective gear she wore did not provide adequate protection. Her husband told me they are unable to cover the medical and pharmaceutical costs. She is getting weaker every day. If she has two days out of bed it is a good week. I ask the member for Macquarie Fields and Parliamentary Secretary for Health, who is also a medical practitioner, to investigate this matter. It is a very important issue that has dire consequences for the family.

### WYONG COMMUNITY CENTRES

**Mr DAVID HARRIS** (Wyang—Parliamentary Secretary) [5.38 p.m.]: As part of my role as the member for Wyong I visit many community groups and see firsthand the great work they do to support and help the people within the local area. I am always impressed with the dedication of the staff and volunteers as they go about their work selflessly and tirelessly. Their only motivation is to improve the community they serve. Kanwal Family Support Centre is a good example of one of these groups. I visited the centre in August and met with the coordinator, Seanne Culbert Smith, and her management committee. As their website states, Kanwal Family Support Centre has a friendly and caring team that strives to help all local families. Its doors are always open. Some of their many projects include a centre-based family worker, an activity van and a mobile playgroup, which has been operating for more than 25 years in the Wyong shire. Kanwal Family Support Centre also has a community outreach worker providing counselling, support and advocacy.

Another wonderful centre within my electorate is the Wyong Neighbourhood Centre. During a recent visit to the centre the coordinator, Jodie Morgan, enthusiastically outlined all the services that the centre offers on a daily basis. These include emergency relief funding, financial management, youth services, a food bank and much more. Over its 30 years of operation the centre has grown from a drop-in-for-coffee centre to a large, multifunction organisation on which the community relies. The San Remo Neighbourhood Centre is another vibrant community centre within my electorate with which I am pleased to have a longstanding relationship.

In particular, I have taken part in the Graffiti Forum and the GOATS Festival, which is a rock music festival for young people. This annual event has grown over the years and is now a premier event on the Central Coast. It is often referred to as the Central Coast's version of the Big Day Out, with more than 12,000 people attending last year. It is family friendly, and drug and alcohol free. Jillian Hogan, the services manager, and her team of 22 workers and 35 volunteers not only provide a huge array of services and activities but also, like all the other groups, they work hard to develop positive relationships within the community.

**ACTING-SPEAKER (Mr Thomas George):** Order! There is too much audible conversation in the Chamber. The member for Wyong will be heard in silence.

**Mr DAVID HARRIS:** Apart from their service to their communities, the one thing that unites these community centres and, indeed, all the community centres across the State is their reliance on government funding to deliver and expand their services, ensuring they continue to serve their communities well. However, all too often they are stretched to the limit by the demands placed on them as communities grow and families are placed under greater pressure from the current global financial crisis. The one thing we do not want to happen is for these centres to cut or downsize their projects and neglect the many needs in the community. Yet while ever the Community Services Grants Program is only increased by the consumer price index this is inevitable.

Seanne Culbert Smith from the Kanwal Family Centre said that without increased funding it "becomes increasingly difficult to respond adequately to the community's needs without impacting on the agreed service delivery". Jodie Morgan from Wyong Neighbourhood Centre highlighted that wages, insurances and general consumable costs have continued to skyrocket over the years, so that when funding does not increase proportionally centres have no alternative but to cut back services to reduce costs. She also acknowledges that

there is an effect on the sustainability of workers within community services as often workers who are highly qualified professionals are being paid less than most casual shop assistants. This means that it is difficult to attract and retain good workers and that there is a high reliance on volunteers.

I do not say this to undervalue any of the workers or volunteers but rather to highlight how we, as a society, are treating these vitally important services. On behalf of all the community centres in my electorate and across the State I urge the Government to boost the current funding levels to ensure our communities continue to benefit from the great work being done by these people. I conclude by quoting Jillian Hogan of the San Remo Neighbourhood Centre, who said:

The role of Neighbourhood Centres should be acknowledged and supported just like nurses and fireman. They are the quiet achievers who every day, continue to connect, bridge, bond and support people and communities and reduce social and geographic isolation which in effect improves the social, physical and financial well-being of all people.

These are very important organisations within our communities and we must recognise that fact in the funding they receive, not just to keep their operations going but also to improve the work that they do into the future.

### MANLY COMMUNITY SAFETY PARTNERSHIP

**Mr MIKE BAIRD** (Manly) [5.43 p.m.]: Tonight I share with the House details of an announcement the Government made in my electorate today about the Manly Community Safety Partnership. Whilst we welcome the tenets of that announcement and appreciate a whole-of-government response and attention to the problem of assaults and alcohol-related violence in my community, particularly on Friday and Saturday nights, the process has not been what I would call in the spirit of the partnership it is supposed to establish. It is disappointing that the Minister made a decision to come into the electorate without consulting not only me but also Manly Council, which is a critical player and has done a huge amount of work to address this problem in the past few years.

I register that disappointment but put it aside in the hope that this is not just an attempt to grab headlines for the nightly news and that it is a genuine attempt to attack a real problem in my community. If the Government comes with the intent of solving these problems—and from my discussions with senior members of the Government I believe it does—then we welcome it. However, there are certain things that we would ask that this partnership consider as a matter of priority. Almost a year ago I spoke in this Chamber on the Liquor Legislation Amendment Bill. It was disappointing at that time that the Government had not consulted key stakeholders such as the Manly Liquor Accord, which governs events in the Manly community that are related to alcohol and associated safety and transport issues. Many measures were introduced at that time, which saw various changes to what has transpired in the past 12 months. However, I believe we can all agree that they have not worked. I said in debate on the bill:

We urge the Government to recognise the importance of consultation and cooperation in achieving meaningful reform of the liquor industry and, most importantly, achieving outcomes. It is only through genuine cooperation between the licensees, police, council and the local business precinct that Manly has started to have significant success in reducing alcohol-related violence.

In the three months preceding the passing of the Liquor Legislation Amendment Bill, the number of assaults had decreased. My hope is that the Manly Community Safety Partnership is an endorsement of the plan that was in place before the legislation came in and is an opportunity for licensees, council, local police and businesses to go about supporting the outcome and trying to deliver a uniform approach to tackling this issue for at least 12 months, if not 24 months, to see if we can continue the trend of decreasing assaults. People are sick of continued assaults in the area.

We started to achieve gains in 2007-08 with the adoption of the Venue Management Plan for Manly, which appears to have key tenets in the announcement of the Minister today. Crime statistics produced by the Auditor-General show that while alcohol-related assaults have doubled in the past decade across the State such incidents have stabilised in Manly. We support that plan. We believe that the closing times of venues have to be addressed. The community is very concerned about closing times and my position with licensees is clear: they should cease the serving of alcohol at 2.00 a.m. and have a 2.30 a.m. close. During the three months we ran with that we started to see results with reduced assaults and improved community amenity outcomes.

We welcome any moves that aim to reduce alcohol-related crime in my community, and I can attest that fact by the many people who walk through my door to raise the issue with me and by the many people who

write to me about their concerns. There is no doubt that a lot of work has been done, and I pay tribute to the local police, the council, the licensees, the Manly Liquor Accord and the various business groups who worked to put together a plan that was working. We ask that that plan be brought forward. We hope that this is not just a measure to get around my call for a liquor licence ban, which I will continue to call for, and we ask the partnership to consider a liquor licence ban for a 12-month or 24-month period while we try to stabilise the number of assaults. We think there should be a targeting of pre-fuelling, which is a problem in the area. We also think the Ministry of Transport should work constructively on transport issues. We certainly endorse the idea of the partnership but we hope that a whole-of-government response follows, not just words.

### SNOWY MOUNTAINS SCHEME SIXTIETH ANNIVERSARY REUNION

**Mr STEVE WHAN** (Monaro—Minister for Emergency Services, Minister for Small Business, and Minister for Rural Affairs) [5.48 p.m.]: Tonight I acknowledge the hard work done by the community and the community committee, led by Wally Mills, in organising the sixtieth anniversary reunion for the Snowy Mountains Scheme. Last weekend was the sixtieth anniversary of the commencement of the Snowy Mountains Scheme. Due to the hard work of Wally and his committee, the reunion attracted at least 300 former Snowy Mountains Scheme workers and their families and many others who came to town to celebrate the scheme. It was a fantastic weekend and it was a wonderful opportunity for Snowy Mountains workers to get together with old mates and reminisce about the Snowy and the hard work they did, and also to remember the 121 people who died working on the Snowy Mountains Scheme. That was the official death toll, but many of the workers suspected it was somewhat higher.

There were amazing scenes as many of the workers caught up with people they had not seen for 20 years or so. Obviously time has aged them, but they were still enthusiastic about their memories. During the week they had the opportunity to participate in a number of events. Many of them went on tours of the region and looked at the old sites where their housing was. The member for Gosford was on one of those tours, accompanying members of the Rodwell family, who came back to the Snowy for the weekend. I know that they enjoyed the weekend, along with all the others who visited.

There was an amazing event in Adaminaby on Saturday 17 October, which included a re-enactment by the local schoolchildren of the opening ceremony. Adaminaby Public School students played the roles of the various officials and dignitaries who were at the opening ceremony. Hannah Kolve played the Hon. William McKell. Georgina Kingston played Nelson Lemmon, the Commonwealth Minister for Works. Angus Locker played one of my predecessors and the longest-serving member for Monaro—a Labor member. He did a great job. Amelia Wilson played Alan Fraser, another long-serving Federal Labor member. Gene Bennetts played Lieutenant-General Northcott, the Governor of New South Wales. Gene also did a terrific job. Andrew Wilson played Joe McGirr, the Premier of New South Wales. Billy Peckover played Ben Chifley. It was a fantastic event. All who attended responded enthusiastically and told me how much they enjoyed it. A great deal of credit is due to two parents—Linda Squire and Gillian Kolve—who did a huge amount of work. The master of ceremonies was another of my predecessors, Peter Cochran.

I also attended the major reunion event on Sunday at the Cooma showground. It commenced with an engineering award recognising the innovation of the Snowy scheme, particularly rock bolting. I discovered the interesting history of this technique only a few years ago when I walked up Lambie Gorge and saw the rock bolting experiments in the walls. Workers on the Snowy Mountains Scheme developed the technique and improved it significantly. It is used to secure loose rocks at the top of tunnels and is now used in cuttings and mines around the world. It was great to see that brilliant work recognised. I also visited the Snowy Mountains Engineering Corporation's hydrology laboratories in which much of the modelling work was done for the dams, tunnels and so on. The laboratories have a mock-up of the Dartmouth Dam in Victoria and the spillway. The staff replicated a one in 100,000-year flood, which was spectacular.

The event celebrated the 100,000 workers from 30 countries who worked on the scheme. It was wonderful to see so many of them back to Cooma to celebrate their achievements, to reminisce and to meet with old friends. The reports would suggest that they had a wonderful time looking around the scheme again and reliving some memories. A couple of important books were being circulated, including one by Frank Rodwell featuring all the Snowy scheme towns. Of course, many of them no longer exist because they were only ever meant to be temporary. The scheme has a fascinating history and it is no wonder that it captures the imagination of all who visit the area. I again congratulate Wally Mills and his terrific committee. They worked from scratch with assistance from the State Government, the Federal Government and sponsors.

## HAWKESBURY ELECTORATE BUS SERVICES

**Mr RAY WILLIAMS** (Hawkesbury) [5.53 p.m.]: Many bus services in my area have recently been cancelled. The State Government has used a new rail timetable as an excuse to cancel existing bus routes and many school bus services. The lack of community consultation has meant hundreds of children and commuters have been left without buses, similar to the problems we experienced earlier this year in region 4. Parents of children with disabilities who depended on the same bus route—the 677 from Richmond to Penrith—have contacted me. This was suddenly removed without reason and when these people contact the transport information line their calls are never returned and their concerns are ignored.

Colleen and Stephen Hicking, residents of Richmond, have a son with a disability who works at Afford, a supported workplace in Minchinbury. Their son has been catching the 677 bus to work, leaving Richmond to connect with a bus from Penrith station. They were upset to discover that this bus would be cancelled. John Watson also of Richmond has a son who is intellectually disabled and uses the same service. He catches the 6.15 a.m. bus from Richmond to Penrith and then the 7.10 a.m. special bus service from Penrith to Minchinbury via Kingswood, St Marys and Mount Druitt stations. This is a special service put on to meet the needs of disabled workers at Afford Packaging, run by the Australian Foundation for Disability and the House With No Steps. This uncaring and callous State Government cancelled the service.

Ebenezer Public School has lost school buses. Up to 24 children no longer have a school bus from remote rural areas to this school and one of the buses, which services the school in the morning, now arrives 10 minutes after school starts, meaning an entire busload of children is forced to sign a register of late arriving children, which is Department of Education and Training policy, and means the entire school is disrupted. People across western Sydney, such as Ken Moriarty of St Marys, and 60 residents of Athel Road, Boronia Road, Griffith Street and Kurrajong Road, all signed a petition because the 782 bus was cancelled and they were unable to get to shops or rail stations and their children could not catch the bus to Chifley College.

Children on East Kurrajong Road have been forced to walk on rural roads without street lighting or footpaths because five kilometres of their bus route has been removed. In addition, 19 children live on this section of road, many of whom are under 10 years of age. These parents are concerned the safety of their children has been jeopardised. Betty Wilks, an elderly lady from Castlereagh, advises me the 678 bus from Richmond to Penrith via Castlereagh Road was cancelled and left her stranded at Richmond station without any means of transport. Nickolai Liu wrote to me saying he can no longer visit his parents in Glossodia because the 668 bus route to Glossodia from Windsor Station, which has operated since 1983, has also been cancelled.

Dale Michelutti of East Kurrajong wrote to me stating that her child travels to Penrith High School, a selective school, from East Kurrajong. Last Monday there was no bus for her to get home. Her daughter can catch the bus from Penrith station, but she will have to leave school approximately 30 minutes early each day and walk there by herself. There is only one bus service to East Kurrajong in the afternoons and she will be unable to connect with it. After raising this issue, Dale was advised that her daughter was instructed to catch a bus to Windsor station, where a special bus would be waiting to take her to East Kurrajong. The bus failed to turn up on the very first day.

Janet Stafidas is the mother of two young children who attend Trinity Primary at Kemps Creek. For the last two days their bus has taken the wrong route and 10 children have been forced to walk a distance of one kilometre to get home. Janet said, "We entrust the safety of our children to them and they get dumped at the side of the road like garbage." The 668 Route from Windsor to Richmond via Wilberforce, Glossodia and North Richmond, catering for children who attend Penrith High School, has been changed and means children will now be dropped off a kilometre from their homes in Glossodia. They will have to walk on rural roads without footpaths or street lighting. In winter this bus does not arrive in Glossodia until after 5.00 p.m. Peter Neal of Quakers Hill advises that the 745 service from Quakers Hill operated dedicated services for schoolchildren. This vital school service has been deleted. The 745 bus still operates, but no dedicated school timetable exists for children to use. Peter has written to the Minister for Transport but is yet to receive a response.

Diana Toffoli of Freemans Reach, whose 11-year-old son attends North Richmond Public School and finishes school at 3.00 p.m., wrote to me Her son used to catch a bus at 3.24 p.m. that took him directly home. He now waits for his new timetabled bus at 3.42 p.m. However, the bus does not arrive until 4.00 p.m., which is outside the Department of Transport's regulations. Her son then arrives home one hour and 45 minutes after the school bell for a total distance travelled of less than five kilometres. These are just some of the people who have contacted me. There are hundreds more, but this gives a brief overview of how incompetent, irresponsible and uncaring this State Government is when it comes to providing basic bus services.

It is beyond belief that a government could cancel buses that service the most vulnerable members of our community: the elderly, the disabled and little children. Sometimes changes are necessary, but change must be done to compliment existing services, not cancel and delete them, such is the case with these new bus cancellations. The Government cannot design and implement bus routes from the ivory towers of Farrer Place or Macquarie Street. The bus routes that have been cancelled have been in place for almost half a century and have served the needs of the community. That is what bus routes are supposed to do—service the community. It is a pity that this Government does not recognise that. I also take the opportunity to thank Alan Jones of radio 2GB, who has raised these matters publicly on behalf of many of these people.

### **WOMEN IN BUSINESS PROGRAM**

**Mr GRANT McBRIDE** (The Entrance) [5.58 p.m.]: On Friday 9 October I took part in the Central Coast Women in Business Mentoring Graduation at the Business Enterprise Centre at Tuggerah. The Women in Business program has been operating for 14 years and assists women to grow their businesses through a mixture of mentoring, networking and specialised skills workshops. The program is part of a suite of initiatives administered and by Industry and Investment NSW in its support of small business. One of the aspects that stood out for me was the diversity of the businesses in the group. There were florists, interior designers, pet groomers, photographers, gourmet and fine food producers, and a host of innovative companies. All of them are a part of the great and growing tradition of New South Wales businesswomen—businesswomen who are a part of the ever-expanding army of small businesses in New South Wales.

At the moment there are 650,000 small businesses in New South Wales and they contribute to the quality of our way of life. They are the backbone of employment in this State. Each of those 650,000 businesses, including those run by the women who were represented on the night, help to secure the continuing wealth of New South Wales. I welcome the Government's recognition of their contribution by the development of these types of programs, which cater for the needs of businesspeople throughout all stages of their commercial cycle. We are dedicated to their success; their success is our success. Some of these specialised programs that the Government provides include the Stepping up Program, which links small business owners across New South Wales to help build profit, create jobs and promote exports.

It provides a path to new skills as well as to developing growth plans and strategies. It is designed to equip business owners to face the challenges of today's highly competitive, rapidly changing global marketplace. The Stepping Up Program establishes vital skills and introduces participants to networking with other groups of business owners. Another program, the Business Advisory Service, is a statewide help package for new and existing businesses that provides assistance, seminars, workshops and networking opportunities for business owners and managers to plan their growth and development. Mentoring programs, such as the one just completed at Tuggerah, matches each participant to an experienced businessperson.

The New Export Opportunities program assists small business owners to become involved with the export market. It helps business owners to take the first step, and provides contact with advisers who have years of experience in the international trade and export industries. It helps explain complex procedures and regulations and puts business people in touch with the right contacts here and overseas. Another program implemented by the department earlier this year is Managing Through Turbulent Times.

These State Government programs are up to the minute and professionally developed. Every day they help small businesses at the coalface. As a regional State member of Parliament, one of the things that stands out for me is that these services are available right across the State. Courses are being conducted from Broken Hill to the Tweed and from Bega to Albury—in fact in all regional and city centres in New South Wales. I am encouraged by the fact that the Government realises that a healthy small business sector is the lifeblood of a healthy New South Wales economy.

The Women in Business mentoring function at Tuggerah highlighted these business programs, and I am pleased to acknowledge the women who attended the course: Jo Thompson, Susan Rodak, Louise Foyel, Alison Mortis, Jane Tryon, Lisa Haymes, Glynis Newberry, Nicky Mann, Sue Johnston, Browyn Hall, Michelle Roberts, Ilze Juanberzins, Jenny Kent, Vicki Burris, Jeda Denning, Anne Stimpson, Gaylene Biega-Down, Debbie Warburton, Angie Anthony, Virginia Ede, Corralie Clarke, and Michelle Skidmore. I also recognise the contribution of dedicated mentors who guided them through the maze of helpful business information: Kristy Lee Johnston, Simone Preston, Helen Monks and Carolyn Dufton. The program was a great success. Importantly, it will encourage more women to develop their business, and that is essential for the future growth of the Central Coast and New South Wales as a whole.

## TWEED HEADS HOSPITAL

**Mr GEOFF PROVEST** (Tweed) [6.02 p.m.]: I would like to inform the House of my most recent visit to the Tweed Heads hospital. I regularly arrange a guided tour to demonstrate my high level of support for clinicians, doctors and nurses, and hardworking auxiliary staff. I do so because I believe it is important to keep up to date with the roles performed at the hospital and the issues that confront staff daily. My most recent visit to the hospital was on Thursday 15 October 2009 when I met the newly appointed general manager, Deb Podbury, and Denise Harris, who is the acting director of nursing and patient care services. On each occasion I visit the hospital I usually try to see four or five different areas.

The first area I visited was the very significant mental health unit, where I met Julie Butler, the acting nurse manager for mental health. I noted the facilities and opportunities provided for mental health patients within the ward. I was informed that there are times when the unit is very close to 100 per cent full and that patients who cannot be accommodated in the unit are transferred to Lismore. That is a matter of major concern because recently a magistrate sent a person to jail because there were no mental health facilities available.

The unit's team of healthcare professionals is focused on providing activities involving patients—activities such as cooking classes, yoga and walks along the river to the local shopping centre. The patients also have at their disposal a large outdoor area and several lounge areas where they can watch television. I was very impressed with the obviously high levels of professionalism of the staff and the many different levels of service. The unit offers patients facilities and activities to facilitate teambuilding and provide them with important social outlets.

The second area I visited was the outpatients and fractures clinic, an area of the hospital that responds to very high demands for medical treatment and services. Sections of the outpatients and fractures clinic will be relocated in coming months to accommodate high demand. The relocation will assist in addressing waiting periods. The clinic will be located at the front of the hospital. Under the Federal Government's Sustainable Regions Program, I chaired a conference that included representatives of Bond University, Griffith University and Southern Cross University. The outcome was the establishment of a regional doctors training facility at the hospital. However, additional funds are needed because outpatients seeking treatment have to queue around the corner—even in the early hours of the morning—and at times bear the brunt of inclement weather and heavy downpours.

Because the treatment of cancer patients is an issue that is very dear to my heart, I visited the oncology unit and met Sharon Clark, who is a very interesting person. Sharon is the manager of clinical trials in oncology and collects vast quantities of data to ensure that appropriate levels of cancer treatment and care are provided at the Tweed Heads hospital. The oncology unit's facilities are first class and a great deal of research is currently being conducted. Nevertheless, I continue the Coalition's campaign for radiation treatment facilities to be provided at Tweed Heads because the closest available radiation treatment for the 3,500 registered cancer sufferers of my electorate is either in Coffs Harbour or Brisbane. I have referred to that many times previously in the House.

I also visited the maternity unit, which is one of the busiest units of the hospital. Last week 14 babies were born at that unit, and that is not an unusual number of births for the unit. The current birth rate in the Tweed electorate is very high. Approximately 1,400 births occurred this year in the electorate, compared with 1,100 over the previous 12-month period—a significant increase. Currently the Tweed Heads hospital has five birthing wards. The maternity unit has plans for expansion in the near future to meet the very high demand. I pay tribute to the doctors and nurses: they do an excellent job.

Following representations that were made to the New South Wales Institute of Medical Education and Training [IMET], the Tweed Heads hospital was accredited as a level 4-5 hospital, which means that a significant number of doctors will be trained there. Currently the hospital has three interns. It is anticipated that next year the number of interns will increase to 12 and that there will be 24 in the following year. Recently I spoke to the chairman of the Institute of Medical Education and Training. I played a small part in facilitating the hospital's accreditation, but my participation was far outweighed by the high quality of treatment and services that resulted in accreditation. Sadly, however, I must draw the attention of the House to the fact that the hospital's brand new 30-bed ward continues to operate at only half its capacity because of inadequate funding for staff. Notwithstanding that, as always, I am 100 per cent in support of not only the doctors and staff at the hospital but also the Tweed electorate.

**ACTING-SPEAKER (Mr Thomas George):** While I acknowledge that the member for Tweed is 100 per cent for his electorate, I point out that a significant percentage of the births for which he claims credit on behalf of his electorate were from Murwillumbah in the Lismore electorate!

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [6.07 p.m.]: Earlier this year I visited the excellent oncology unit at the Tweed Heads hospital. I also pay tribute to the staff of that unit for the great work they do for patients who are suffering from cancer. The staff are a very impressive group of clinicians. I am pleased that the member for Tweed also visited the maternity unit of the hospital. I state for the record that for many years the paediatricians of the Tweed Heads hospital have been recognised as among the finest in the State. I pay special tribute to Dr Richard Cherry for the wonderful work he has done over many years for the people with whom he shares his life.

I congratulate the Tweed Heads hospital on its accreditation by the Institute of Medical Education and Training. It is a tribute to the high standard of clinicians who work in the Tweed that hard-won accreditation has been achieved. I congratulate them on their well-deserved accreditation, which will give them many fine opportunities for training over many years and assist in alleviating staff shortages in the Tweed.

### **BANKSTOWN SPORTS JUNIOR AUSTRALIAN FOOTBALL LEAGUE CLUB**

**Mr ALAN ASHTON** (East Hills) [6.08 p.m.]: Over many years I have been involved in Australian Rules football variously as a coach, a player, a regular spectator at Swans matches and, prior to that, a follower of the Richmond Tigers. But in my electorate, the Bankstown Bombers are the great club to follow. The Bankstown Sports Junior Australian Football League Club was established in 1969—the year that Balmain won the Rugby League premiership and Richmond won the Australian Rules premiership. This year the Bombers celebrate their forty-first year of competition. On 29 August 2009 the junior teams in the competition played in all five grand finals at Kelso Park, which is sometimes referred to as "Lake Kelso" because the grounds are a former landfill site and, despite all the money expended by the Bankstown City Council—for which the club's supporters are very grateful—some games have had to be relocated following a wet winter season.

Our under-11s, under-12s, under-13s, under-14s and under-16s made the grand finals. That was a great achievement. They played teams from Miranda, Penshurst and Cronulla. There is quite an interesting competition in that part of Sydney, but Bankstown dominated. Bankstown won two premierships and was runner-up in the other three matches. I acknowledge the work of the committee, the life members and the player life members who make all these sporting teams such a success. All members, when we make these types of speeches, can make them from the heart because we are close to our community and we know the effort these volunteers put in.

I acknowledge the contribution of the president, Mr Craig Guthrie; the vice-president and football operations manager, Derek Waters; secretaries Charlie Vassallo and Adam Proudfoot; treasurer, Tony Davies; registrar, Rick Wicken; Sports Club delegates, Ross Bowen and Adam Proudfoot; and canteen manager, Phillip and Sue Pfoeffler, and Tom Hure to the club and its success this year and in previous years. I also presented some awards at the club's annual presentation night held at the Bankstown Sports Club on 27 September this year. I know from reading the very well presented year book that the club had great success. Craig Guthrie reports:

I am proud to say that we did not have any players reported, no officials, parents or supporters were reprimanded by the Association or our club Committee for any unacceptable behaviour at games.

Zero tolerance of umpire abuse was strictly enforced and adhered to.

Such a good record for any club is an outstanding achievement over a long football season in any code. I also thank the Bankstown Sports Club, particularly Dick Phillips and John McKay, the Secretary Manager, for their continued support of the Bankstown district Australian Rules football club. There is a debate going on at the moment about where Australian Rules is placed. I am one of those who follow all sports—too many sports, if you ask my wife—but I want to see the growth of Australian Rules football in the western parts of Sydney. Although I love the Swans, they are located in the eastern suburbs and parts of the North Shore and Sutherland Shire. If a western Sydney team can get up, good luck to it.

I acknowledge some of the great achievements in the course of the year. As I said, the under-11s and under-13s were premiers, and the other teams were runners-up. I thank those who play a role every weekend in running the canteen, setting up the grounds and coaching the different sides. Some coaches were taking on that

challenge for the first time. Anthony Podbury was coach of the under-11s. The coach of the under-12s was Anthony Carey. The under-13s coach—a proud coach of a great team—was Rick Wicken. The coach of the under-14s was Derek Waters, and the coach of the under-16s was Mark Maunder. I also acknowledge the timekeeper, Brendan Guthrie, and his girlfriend, Breanna Ashton. On behalf of the football club I thank her for her efforts, too.

### CENTRAL BUSINESS DISTRICT SPEED LIMIT

**Ms CLOVER MOORE** (Sydney) [6.13 p.m.]: Just 15 per cent of people travel to work in the central business district [CBD] by car. The rest use public transport, bicycle or travel on foot. Road polices must start to reflect this ratio to make the CBD of our global city and its inner suburbs safer for the majority of users. In 2007 pedestrians made up 28.3 per cent of road casualties within the City of Sydney, compared with 8.3 per cent on average for the rest of the State. More than one million people are in the City of Sydney local government area on a typical weekday, and as more people walk and cycle to work the potential for conflict between pedestrians, cyclists and motor vehicles increases. The City of Sydney has long called for a 40-kilometre speed limit in the CBD and on local roads throughout the local government area, but the Roads and Traffic Authority has failed to take action, putting pedestrians at risk from cars travelling at dangerous speeds.

The relationship between vehicle speed and the risk and severity of accidents is well established. Travelling at lower speeds improves a driver's ability to stop and avoid accidents. When crashes occur they are less severe, especially for children and the elderly. Lower vehicle speeds result in fewer pedestrian injuries and deaths. A pedestrian hit by a car travelling at 50 kilometres per hour is two to four times more likely to be killed than if he is hit by a car travelling at 40 kilometres per hour. Consider this situation: A car is travelling at 40 kilometres an hour. The driver sees a pedestrian stepping off the kerb about 27 metres ahead, recognises the danger and brakes. The car stops safely after 26 metres, avoiding the pedestrian. If the car was travelling at 50 kilometres per hour, it would take an extra nine metres to stop, and would still be travelling at 42 kilometres an hour when it hits the pedestrian.

For every extra kilometre per hour that a vehicle travels, it takes longer to stop, the impact of a crash is more severe on vehicle occupants and pedestrians, there is less reaction time to avoid a crash, and the likelihood of serious injury or death increases. The Monash University Accident Research Centre supports successive reductions in speed limits to 30 kilometres per hour, which reduced the road toll in Stockholm Sweden by 25 per cent and in Holland by 30 per cent. I understand that this year the speed limit in Brisbane's CBD has been reduced to 40 kilometres per hour to improve safety. Councils should be given the power to approve appropriate lower speed limits on local roads, including 10 kilometre per hour limits in shared zones. The standard speed limit for high pedestrian activity areas like central Sydney should be set at 40 kilometres per hour. Councils need to be able to impose a standard 40 kilometres speed limit in local traffic areas, particularly where traffic plans have been developed in consultation with the local community.

The Government must increase pedestrian green crossing times at all signalised crossings, particularly in central Sydney and on main arterial roads. Former London Lord Mayor Ken Livingstone, who was out here recently, referred to the long waiting times—he was really quite appalled—that Sydney residents are forced to endure as forced "detention". He talked about the fact that it took longer for him to wait to cross the road at Channel 7 than it took for him to conduct the Channel 7 interview and subsequent interviews. Public space expert Professor Jan Gehl studied pedestrian activity in our CBD and found that pedestrians spent more time waiting at lights than walking—the same experience that appalled Ken Livingstone. It does not do much for international visitors when they compare our city with New York, San Francisco, Shanghai or London.

Long waiting times significantly reduce safety, as pointed out by Professor Gehl. They force pedestrians to cluster at lights, causing a sense of crowding that makes pedestrians feel frustrated, encouraging them to cross against the lights. Professor Gehl is also appalled that pedestrians have to "apply" to cross the road, as it reflects a class system within road policies. Imagine requiring car drivers to apply to cross intersections. Pedestrians that arrive at a crossing just as the lights change can miss their opportunity to cross and have to wait extensive times for combinations of traffic movements before they can cross. The result is that frustrated pedestrians jaywalk and many get injured.

Increasing competition for limited road space, congestion and the environmental impact of pollution and greenhouse gas emissions requires us to follow the example of many cities around the world and restrict motor vehicle movement where people walk or ride bicycles. I call on the Government to reduce the standard speed limit to 40 kilometres per hour, give councils the authority to reduce speed limits, and significantly reduce waiting times at crossings, which will dramatically increase the safety of our community.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [6.17 p.m.]: I thank the member for Sydney for her private member's statement. I place on record the high quality of the submission to the Staysafe committee from the City of Sydney in its inquiry into pedestrian safety. Liverpool, near my electorate, has a 40 kilometre per hour central business district restriction. I place on the record my personal support for a 40 kilometre per hour speed limit for the CBD.

### GOSFORD EAST PUBLIC SCHOOL

**Mr CHRIS HARTCHER** (Terrigal) [6.18 p.m.]: I acknowledge that today is the birthday of the member for Sydney. I am sure all members of the House wish her a happy birthday.

**ACTING-SPEAKER (Mr Thomas George)**: I am sure everyone joins with you in wishing the member a happy birthday.

**Mr CHRIS HARTCHER**: I have had a long and rewarding association with the Gosford East Public School since I was elected to Parliament in 1988 and it gives me great pleasure to outline the latest developments at the school. The school is located on the shores of Brisbane Water and has an enrolment of around 340 students in kindergarten to year 6. Local Lions and Lioness Club members have recently completed a major community service project—a Rehabilitation Activity Centre for Children with Disabilities at the school. The project was initiated by the Lioness Club of East Gosford and, with the assistance of the East Gosford Lions Club, it became a Lions Zone project once its magnitude was determined. After discussions with staff members of the school, a wish list budget was established. A compromise design was agreed on and the budget was set at \$183,000.

The project was funded by the following grants: \$62,000 from the Lions Club International Foundation, \$52,200 from the Newcastle Permanent Charitable Foundation, \$15,000 from the Australian Lions Foundation, \$10,000 from the Central Coast Kids in Need, \$9,000 from the local Freemasons, \$6,820 from the Central Coast Children's Fund, \$3,500 from the New South Wales Cancer Council and \$500 from Woolworths. Local Lions and Lioness clubs conducted a number of fundraising activities and contributed the balance. Gosford East Public School has a long history of meeting the educational needs of students with disabilities. In June 1977 a special support unit for children with physical disabilities was opened. This regional resource was a joint venture of the Department of Education and the Department of Health.

Initially, there were 17 enrolments from preschool to primary school, placed in two classes. These classes were in addition to the Support Unit [IM] for students with mild intellectual delay, which already existed at the school, and a class for students with sight and hearing impairment. The new unit was designed to bring students with special physical needs into the mainstream of ordinary school life. The cooperative team effort of school and health staff enabled the school to achieve that goal. Today there are 43 students with special needs enrolled at the school. Of those 43 students, 14 use wheelchairs or walking frames, 18 are in the IM class and 11 are in the general classes. The students are involved in staged and whole-school inclusive activities.

Support Unit students are aged from 4 to 12 years. They live on the Central Coast, have a major physical disability and are able to access the mainstream curriculum, but they require therapy, health or educational support and services. Special consideration placement may be approved for children with severe medical conditions requiring high-level support and services. The objective of the project is to provide an equal access rehabilitation activity centre to enable special needs children to gain a physical benefit from play-based activities and to provide interaction with the general school population in the play environment. Her Excellency the Governor-General, Ms Quentin Bryce, AC, will officially open the Rehabilitation Activity Centre for Children with Disabilities at Gosford East Public School on 27 October.

The new centre will enable children with mobility and learning difficulties to participate in motivating activities, which develop motor planning skills and body strength in a play environment. I trust that both current and future students at the school will obtain many years of pleasure and help from this wonderful project. I take this opportunity to congratulate the staff at Gosford East Public School, the parents and citizens, Lions and Lioness clubs on both their initiative and their drive to complete the project. I also acknowledge the excellent relationship I have had over many years with the principals and staff of the school. They are wonderful people who do a great job in looking after children who suffer from disabilities and integrating them into mainstream education.

When I visit the school it is wonderful to see how the children are looked after, the dedication of the staff and the way the other students relate to and accept them as children who have a problem but as children

nonetheless with whom they play and interact. It is great grounding in accepting that we live in a society with people who have a disability and that they deserve both our support and our respect. Gosford East Public School is a wonderful school, and I commend this project and the Lions and Lioness clubs.

**ACTING-SPEAKER (Mr Thomas George):** I thank the member for Terrigal for bringing such a wonderful story to the attention of members. I add my congratulations to all the organisations, the parents and students involved at the school. It gives me great pleasure, as president of the New South Wales Parliamentary Lions Club, to hear such stories. I note that the member for Macquarie Fields is also a member of the Parliamentary Lions Club. It is good to know that Lions, in true fashion, are doing a tremendous job, especially in Terrigal.

### **LAKE MACQUARIE UNIVERSITY OF THE THIRD AGE**

**Mr GREG PIPER** (Lake Macquarie) [6.23 p.m.]: It is good to be the final speaker because I get to hear about all the wonderful things that are happening in other electorates. The Lions do a fantastic job throughout the country and, indeed, the world. I draw the attention of members to the work of the Lake Macquarie University of the Third Age [U3A] operating at Toronto. The U3A, as it is commonly known, provides a range of learning opportunities for mature inquiring minds. The Third Age refers to the period that comes after adult working life. It is the stage of life reached after the First Age of childhood dependence and the Second Age of working life and home making.

The Third Age is the time when people can broaden their personal horizons by pursuing interests they could only dream about when they had work and family responsibilities. This Third Age has often been regarded as a time of physical and mental decline, but can and should also rightly be seen as a time of opportunity for enrichment through social contact and mental stimulation—a time to grow. Programs offered by the U3A cater for those who want to remain mentally stimulated by a variety of educational topics at a minimal cost. The U3A is non-academic, non-sectarian and non-competitive. This concept of adult education originated in France in 1972 and first reached Australia in the mid 1980s. National membership is now approximately 64,000 retired or semi-retired people.

The development of the U3A in New South Wales began in 1987. The Hunter Regional Council of Adult Education established the Hunter U3A and assisted the Lake Macquarie U3A to commence in 1994. There are now 66 such groups across New South Wales. The U3As are like universities in the original sense of the word: communities of people who come together to learn from one another. In practical terms they are learning cooperatives of older people. By offering many educational, creative and leisure activities to their members, they encourage positive ageing. The U3As draw on the huge resource of skills and experience of people in their third age—the age of active retirement.

The U3A is one way in which people can engage in learning in a relaxed and non-competitive environment, without a requirement for prior qualifications and without examinations. It has been developed as a community of students who seek learning for its own sake and for the satisfaction it gives. It offers retired people the chance to participate with an affordable outlay. Where possible, course leaders come from the group's membership. The Lake Macquarie U3A is open to those over 50 years of age who are retired or semi-retired, and it now has 700 members. The modest annual membership subscription entitles members to attend an unlimited number of courses. None of the activities is strictly academic or formal, but the courses, study groups, lectures and workshops are sprinkled with enjoyable social activities, always keeping in mind that it is not a lecture society or a social club.

The range of courses is extensive. It includes foreign languages, music, dance, art, history, travel, photography, embroidery, writing, meditation, tai chi, climate change, gender diversity, dealing with grief and loss, sports and games, computing, information technology, spirituality, and managing sleep and stress, as well as lectures on a broad range of topical issues. Essentially, U3A study is a sharing of ideas and an interaction of people to help them learn more about their chosen topic. The success of its activities results from the enthusiasm, willing participation and commitment of its members. All courses are quite informal, and there are no examinations. As well as its structured offerings, the U3A maintains a website with links to a huge variety of useful information on issues such as motor vehicles, finance, health, leisure, legal, government, community and travel.

The organisation issues detailed programs and regular newsletters to all financial members. Two programs are offered each year, covering courses held in the periods of February to June and July to November.

Course lengths may vary from one to eight weekly sessions of 1½ hours each. A range of venues is used for courses, all close to Toronto and easily accessible. Because the U3A is a non-profit, self-help organisation, it relies where possible on members volunteering to share their experiences, interests and knowledge with others by leading courses or groups. This reliance on dedicated people who give their time freely is something the U3A has in common with most other community groups, and all those who provide leadership or contribute to running the Lake Macquarie University of the Third Age deserve the thanks of the community at large.

Mention must be made of the Lake Macquarie U3A President, Penny Stanford, and the Secretary, Glenys Chambers. These two ladies, and 10 other office bearers, put in an effort that is roughly equivalent to managing a high school, based on those numbers. This contribution is matched by the tutors who lead the huge range of activities. This whole effort is entirely voluntary. The Lake Macquarie U3A contributes much to the life of the Lake Macquarie electorate, and I extend my gratitude to those whose foresight established it and whose efforts maintain it.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [6.28 p.m.]: I thank the member for Lake Macquarie for bringing the achievements of the Lake Macquarie University of the Third Age to the attention of the House. This is an important topic and shows the member's well-known and much-admired commitment to his electorate. Meaningful engagement in society is vital for wellbeing at all ages, and the Lake Macquarie University of the Third Age does vital work in the Lake Macquarie area. The need for universities of the Third Age will increase over the next few years. The Government thanks them for their work to date and wishes them well for the future. We are all life-long learners, and the University of the Third Age has much wisdom to offer us all.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 6.30 p.m. until  
Friday 23 October 2009 at 10.00 a.m.**

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