

# LEGISLATIVE ASSEMBLY

Thursday 26 November 2009

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

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

## OMBUDSMAN

### Report

**The Speaker** tabled, pursuant to section 23 of the Law Enforcement (Controlled Operations) Act 1997, a report entitled "Law Enforcement Controlled Operations Act Annual Report 2008-2009", dated November 2009.

**Ordered to be printed.**

## BUSINESS OF THE HOUSE

### Notices of Motions

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

### ELECTRICITY SUPPLY AMENDMENT (SOLAR BONUS SCHEME) BILL 2009

#### Agreement in Principle

**Ms LYLEA McMAHON** (Shellharbour—Parliamentary Secretary) [10.05 a.m.], on behalf of Mr David Campbell: I move:

That this bill be now agreed to in principle.

The Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 amends the Electricity Supply Act to establish a solar bonus scheme for New South Wales, broadening our commitment to creating viable renewable energy alternatives and investment in green skills and green jobs. In creating a solar bonus scheme the New South Wales Government has three objectives: it seeks to encourage and support those who want to generate renewable energy as a response to climate change; it seeks to develop jobs in the renewable energy sector by assisting renewable energy generation to compete with non-renewable energy generation; and it seeks to increase public exposure to renewable energy technology to encourage the whole community to respond to climate change. These objectives are clearly set out in the bill to establish the solar bonus scheme.

The New South Wales Government has long been a leader in promoting the uptake of renewable and sustainable energy practices. We have the best mix of sustainable energy, consumer protection and competitive energy market policies. The solar bonus scheme places New South Wales in a prime position to make a meaningful and significant contribution to our clean energy future and the expanded national renewable energy target. The solar bonus scheme will operate with a gross tariff. A gross tariff pays consumers for all the electricity they generate and feed in to the electricity grid. The scheme will be concentrated over seven years, giving customers greater certainty about scheme payments. Until now the Australian Capital Territory has been the only Australian jurisdiction offering a gross scheme.

Our scheme has the most generous feed-in tariff rate in Australia, making New South Wales a great place to invest in renewable energy and boosting green jobs at home. The scheme will pay a flat rate of 60¢ per kilowatt hour for all electricity fed back into the electricity grid from eligible solar photovoltaic [PV] systems up to 10 kilowatts in size. This is around three to four times the average price of electricity in New South Wales. I am delighted to advise that the scheme will also include micro-wind turbines up to 10 kilowatts in size. Including wind technology provides greater options for people thinking of installing renewable energy

technology, particularly in rural areas. Our gross tariff scheme provides the right mix of incentives for people considering installing solar panels or wind turbines, and gives them an assurance on the rate of return on their investment.

The solar bonus scheme has been designed to complement the Australian Government's solar credits scheme that multiplies the number of renewable energy certificates that can be created for small-scale renewable energy generators and provides a discount on the purchase price of these systems. Overseas trends are quite conclusive on the benefits of a gross-tariff model. In Germany, when its scheme moved to a gross-tariff design, it is understood that the amount of electricity generated from renewable energy sources doubled, allowing Germany to increase its renewable energy targets. In September this year an Access Economics report, commissioned by the Victorian Electrical Trades Union, found that a national gross feed-in tariff could create over 22,000 jobs nationally in the next 10 years.

Industry participants in New South Wales already have indicated their intention to dramatically expand their operations as a result of this bill. The gross scheme will give households and businesses planning to invest in solar photovoltaic or micro-wind systems the benefit of being able to better plan for and understand what return they will get on their significant investment. We expect the scheme will reward participants with a standard solar panel system of 1.5 kilowatts with around \$1,500 annually. Customers with a standard installation can expect to receive more than \$10,000 during the course of the scheme. The scheme will be concentrated over 7 years. A 20-year scheme in today's rapidly changing environment is too long. It creates too many uncertainties for customers, places an unreasonable cost burden on electricity customers who will fund the costs of a longer scheme and it is unnecessary given that the price of renewable energy technology is widely anticipated to drop in time. Small retail customers including households, small businesses, community organisations and schools which use less than 160 megawatt hours per year will be eligible to participate in the scheme.

Under the bill, the tariff rate will be fixed at 60¢ per kilowatt hour for the term of the scheme. This reduces complexity for retailers and distributors administering the scheme, thereby keeping costs down for all energy consumers. In order to recognise the efforts of customers who have already chosen to install photovoltaic systems and connect these to the grid, existing photovoltaic systems that meet the scheme requirements will also be eligible to participate in the scheme from its commencement on 1 January 2010. Transition arrangements will be in place for those customers who have installed net metering. This will be welcome news for the early adopters of renewable energy technology with over 8,000 customers in New South Wales already feeding electricity into the grid from their own solar photovoltaic systems. The financial benefit to these customers will significantly increase over the seven-year life of the solar bonus scheme.

The bill sets reporting obligations on electricity distributors to ensure the scheme is stringently monitored. Two reports will be provided each year setting out the number of participants in the scheme, their location, generating capacity and the amount of electricity supplied to the network. The bill sets a review of the scheme in 2012 or when scheme capacity reaches 50 megawatts, whichever occurs first. The solar bonus scheme will be reviewed against its objectives. It is intended that the review will only impact on new entrants to the scheme. This will provide certainty to people who participate in the scheme prior to the review. Customers who are eligible to participate in the scheme have the right to be connected to the electricity network and this is provided for under the bill.

Clause 15A of the bill provides that distribution network service providers are to authorise the connection of eligible generators to their network, provided the generator complies with specified technical, metering and safety requirements. The bill places an initial liability on distribution network service providers to pay for the scheme. They will recover these costs from their broader customer base. Distribution network service providers are to record a credit against network charges payable by small retail customers for all electricity produced by a complying or eligible generator. Retail suppliers, which are responsible for billing customers, are to reduce the amount payable by the customers by an amount representing the amount of the credit. Subject to the regulations, cash payments may also be made.

The obligations on distribution network service providers and retail suppliers to implement the solar bonus scheme will be enforced through licence conditions. To ensure that the introduction of the scheme is as streamlined as possible for both consumers and businesses, the design of the solar bonus scheme was developed following a rigorous consultation process. The process included a dialogue with the community and industry, including the appointment of a taskforce that considered public submissions, investigated a range of options and their impact on consumers, and prepared a detailed public report. This was followed by a detailed eligibility review and public submission process, which has led to the inclusion of small-scale wind turbines in the scheme.

The Government has worked to ensure that any changes to existing operations of businesses are minimised. This keeps costs down for all energy customers. The Solar Bonus Scheme is a demonstration of our commitment to supporting renewable energy. The scheme will include a review by the Auditor General on or after 1 July 2011. I commend the bill to the House.

**Mr MIKE BAIRD** (Manly) [10.13 a.m.]: I do not lead for the Opposition on this bill but while we wait for the shadow Minister, I will make my contribution. While the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 is a good start, it is only a beginning to utilising solar energy in New South Wales. We heard from the Parliamentary Secretary that this should encourage renewable energy, and indeed it should. Importantly, it encourages public participation, and the more public awareness and participation, the more chance we have of succeeding. This bill plays a key role in doing that. It is proactive as a climate change response, but it is short on vision. The community across New South Wales wants to see more vision and much more to be gained from solar energy. I am looking forward to outlining a framework that I strongly encourage the Government to consider if it wants to be a serious participant in the solar energy industry in this State rather than just making a token start. This will be important not only as a climate change response but also as a driver of the New South Wales economy. This is a big opportunity. The Government has started but it has not done enough.

The purpose of the bill is to establish a gross feed-in tariff that lasts for seven years. The shadow Minister, together with my colleague from Pittwater, will talk on this aspect but there are questions as to why it is such a short term. Anyone who comes into the scheme late will not be able to receive the benefit. It is clear the longer-term approach, whether it is up to 20 years, makes more sense. I am yet to understand from the Government why it has chosen the seven-year timeframe, but that is what it will be for small-scale solar photovoltaic panels and wind turbines, retrospective to 1 January 2009. The scheme will pay 60¢ per kilowatt hour for all electricity generated by systems of up to 10 kilowatts by residential, small business and community groups.

I note that the Government initially proposed a net feed-in tariff, which would have paid only for additional electricity fed into the grid after household consumption. Why, for so many months, did the Government criticise the Opposition proposal for a gross feed-in tariff, which is what we have in this bill? Why did the Government spend all those months criticising the Opposition when today it has adopted the Opposition's proposal? There should be an acknowledgment from the Government that it has adopted the Coalition's position, which was proposed in March this year, for a gross feed-in tariff. We are delighted the Government has taken up some good policy but it should acknowledge this was an idea from the Opposition. We refute any criticism and wonder why the Government spent so long criticising our policy when today it has said it is a marvellous thing. Certainly, we think it is a start.

Across the world, feed-in tariffs promote more investment in renewable energy, reduce costs through economies of scale and create jobs. There is proof of that from many world economies. I said it is only a start. It is important to look at the processes to get us to this point and to look at how will this bill take us further. Like all announcements from the Rees Labor Government, it is incomplete, because it is only a start. Dr David Mills is an Australian scientist and former University of Sydney academic, a world-renowned and well-respected expert on solar technology now based in California. He is convinced that solar technology is capable of large-scale electricity generation in Australia. He told the *Sydney Morning Herald* last month that solar energy could eventually supply base load power. That is a transformational thing should this technology be proven, but that is his considered opinion. He also told the news site *Carbon and Environment Daily* last month:

A vibrant solar industry could be the salvation of the Australian economy ... This is the future Australia could have, but governments will have to embrace that future and stop clinging to the past.

That is the challenge for the Government. It has started along this trek but where are we going? The people of New South Wales want to see that broader vision, and there is much more the Government could be doing right now to look at the potential for solar and put New South Wales at the heart of some of those developments. So, I provide some ideas. We regularly hear criticism from the Government about what sort of policy comes from the other side. We are happy in this context to outline a framework that I encourage the Government to pick up and run with.

**Mr Richard Amery:** We are hanging on every word.

**Mr MIKE BAIRD:** I am glad you are hanging on every word. I want to make five points. The first thing the Government should do is to undertake a comprehensive review of the existing New South Wales

infrastructure to determine optimal localities for utility scale solar facilities. For the benefit of the member for Shellharbour I will give her the details of the review. The review should look at environmental planning and permitted requirements, including flora, fauna, water bodies and indigenous estates. It should look at available infrastructure, including transport—road and rail—population centres to operate and maintain facilities, water, natural gas and existing generation facilities. It should look at electricity transmission and identify transmission access points with capacity for additional generation.

In relation to solar resources, the Government should be identifying preferred localities based on currently available data, which is critical, and it also should look at proximity of generation sites to load centres, particularly in regional areas. The second point in relation to a comprehensive review is solar resource monitoring. That will involve the provision of solar weather monitoring stations at optimal locations to provide a consistent and bankable solar resource dataset for projects. The third point is that the review should also undertake consideration and selection of further incentives for solar energy development that provide an ongoing strategy for continued project development. The fourth point is that the review should ensure that solar energy complements and is therefore part of a broader policy vision.

The Government has made small announcements of gross feed-in tariffs and is trying to promote the benefits. However, there should be a broad vision. Solar energy must complement and be an integral part of the overall vision and objective for energy generation in New South Wales. It must complement other energy developments in coal, gas and broader renewable energy sources, and align with transmission developments to bring remote generation from wind, solar and geothermal sources to major load centres. That is the future. That is the direction in which we need to be going. How does this all fit in? It fits in, but the Government needs to finish the links and enable the community to understand where we are going with energy policy. The fifth point is that there should be support for industry by providing solar infrastructure developments.

The final point I make is that the Government should provide support for technology development to improve performance and efficiency in solar infrastructure development. That will involve research and development activities, energy storage for solar energy, which is critical as technology continues to improve. That is essential. We should support through research and development activities that further such development. Plans also should involve design for integration with other energy generation from wind, gas and geothermal sources.

If the Government is serious about trying to promote a renewable future, it should adopt the framework I have outlined. It should march forward and take the State forward, not only in terms of overall energy policy, but also, while the economy is in transition, towards a renewable energy future. I believe that solar power is integral to the future of New South Wales. It is essential for the Government to adopt the framework I have outlined and link its isolated energy policy to a broader vision. An opportunity has been presented to the Government to make significant headway. However, the Government has been very silent about its ability to tap into the Federal Solar Flagships Program. The Federal Government has outlined a program that is available for any State Government that has some vision, commitment and will, and which is genuinely committed to making solar energy an integral part of the economy.

The Federal Government has introduced incentives to support the development of solar power stations in Australia. The stated objective is to support thermal, solar and photovoltaic large-scale projects. A solar flagship project will be developed only if the risks of the project are low enough to attract equity and debt funding. Solar projects are being developed around the world. For a New South Wales project to attract funds, it needs to be competitive on a risk and return basis with other solar projects throughout the world, and clearly will need government support. The State Government should pick up incentives from the Federal Solar Flagships Program and work out how to facilitate attraction of equity and debt funding. The State Government also needs to work out how to obtain access to Federal Government funds that are available to support development of solar energy generation.

Western New South Wales is an ideal location for solar energy generation in terms of isolation, energy demand and potential for good connection, and is a good candidate for solar flagship funding. That may be proven by reference to various maps. A number of sites are available in western New South Wales, but in that context we should be pushing the suitability of western New South Wales and working towards implementing a solar flagship project in western New South Wales. If the Government wants to maximise opportunity, it should be looking for land that is suitable for solar project development. Obviously, dry desert conditions will work and will be critical to success, but a water source also will be required for cooling. The location should facilitate connection to the grid, or there should be an agreement to provide connection to the group.

There should also be a long-term purchase agreement, or at least some form of State Government involvement in a long-term power purchase agreement. That is how the Government will be able to access or tap into some of the funds that are available under the Federal Solar Flagships Program. If the Government is serious about solar energy development, it will take up funding and create conditions to ensure that New South Wales is proactive in relation to climate change. The Government's solar policy is merely about creating the impression that it is serious about climate change, but the truth is that solar policy can be much more than that. This is a transformational opportunity to take this State from the ho-hum approach currently adopted by the Government to an attitude of participating in a vibrant future.

*[Interruption]*

**ACTING-SPEAKER (Mr Thomas George):** Order! The Minister for Commerce will direct her comments through the Chair.

**Mr MIKE BAIRD:** I know the Minister and member for Newcastle is a strong supporter of solar energy, so I am sure she will support the concept I have outlined. That is what we need. We need a Government that is committed to not making small announcements that try to give an impression. The Government should focus less on trying to give the impression it is doing something and more on actually doing it. This legislation provides the Government with an opportunity to make a statement to the New South Wales community that the Government is not just trying to pursue small short-term political wins, but is trying to transform the State and ensure that the future of renewable energy is central to the State's economy as well as take us forward for the next 40 years, not just to the next election.

In conclusion, I reiterate that I support the measures outlined in the bill to boost current and future use of solar energy in New South Wales, but it is a very small start. There are concerns and questions about tenure, such as why we have chosen seven years in relation to the overall context of development. The industry is telling us that tenure should be much longer. There is a suspicion that the Government's approach is tuned solely towards trying to deliver a green credentials argument to the electorate, and I think the Government's approach should be much more serious than that. The Government's legislation does not go far enough. I urge the Rees Government to explore the full potential of solar in New South Wales, embrace its future, and transition the economy of the State to one that embraces renewable energy—or, indeed, has renewable energy at its core.

**Ms NOREEN HAY (Wollongong) [10.26 a.m.]:** The New South Wales Solar Bonus Scheme is a testament to the New South Wales Government's commitment to supporting the renewable energy industry and boosting green jobs in New South Wales. It will deliver the most generous feed-in tariff rate in Australia, making New South Wales the best place in which to invest in renewable energy technology and will provide a welcome reward for people who choose to participate. The Solar Bonus Scheme will commence on 1 January 2010 and run for seven years. The Government's goal for the Solar Bonus Scheme is to accelerate the deployment of at least 50 megawatts of capacity in distributed micro-renewable energy generation in New South Wales.

This will more than triple the existing capacity of small-scale solar photovoltaic [PV] systems in New South Wales. The New South Wales Government's ambitious goal of 50 megawatts capacity equates to approximately 33,000 new customers with average sized 1.5 kilowatt solar panels on their roofs. Over the past two decades, the cost of manufacturing and installing a solar photovoltaic system has decreased by about 20 per cent with every doubling of installed capacity. Solar photovoltaic costs are expected to continue to decrease. Solar photovoltaic cost reductions in excess of 50 per cent from 2007 levels have been predicted. Within three to seven years, solar energy's unsubsidised cost to consumers could approach the cost of conventional electricity in a number of markets. New technologies are more expensive than traditional technologies during early development. Over time, more efficient production and economies of scale result in new technologies becoming cheaper and prices converging with traditional technology prices.

During the life of the Solar Bonus Scheme, there will be potential for technological breakthroughs that could significantly reduce the cost of producing solar power, such as non-scale thin file technology, which is now on the horizon. The Government's goal for the Solar Bonus Scheme—tripling the current solar photovoltaic capacity—not only will support the renewable energy industry but also will drive innovation and reductions in costs across the industry. That will make renewable energy generators more affordable for the average home and business. Solar photovoltaic electricity generation will vary between any two individual installations, depending on various factors including cell and panel efficiency, inverter efficiency, system size, and angle and facing of installation.

In addition, electricity generated by two otherwise identical solar photovoltaic installations may vary from one place to another due to variation in factors such as daylight hours, cloud cover, altitude, and the seasonal angle of sunlight incidence. The Solar Bonus Scheme will operate with a gross tariff, paying a fixed rate of 60¢ per kilowatt hour for all electricity that is fed back into the grid from eligible solar photovoltaic or micro wind systems up to 10 kilowatts in size. This is around three to four times the average price of electricity in New South Wales. The amount a household or business receives under the scheme will depend on a number of factors, including the capacity or size of their solar photovoltaic system and the amount of sunlight.

A solar photovoltaic system with a capacity of 1.5 kilowatt generates approximately 2,500 kilowatt hours in a typical year. A customer with this size system is likely to receive a credit of around \$1,500 each year through the Solar Bonus Scheme. That is up to \$10,000 over the course of the scheme. The Solar Bonus Scheme will provide assistance to householders and businesses wanting to invest in the industry and will accelerate the reductions in costs of renewable technology over time. The Government has designed the Solar Bonus Scheme to give the best shot in the arm to the renewable energy industry. I commend the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 to the House and urge members to support it.

**Ms PRU GOWARD** (Goulburn) [10.31 a.m.]: I lead for the Opposition on the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 and state that the Opposition does not oppose the bill. In fact, it is a most sincere form of flattery to be so imitated, although we need to make it very clear that there are some serious differences between our proposal and this bill that gives cause for some concern. For that reason the Opposition welcomes the fact that the bill has a built-in review period, which will be the only opportunity to review and reform what is undoubtedly a very flawed piece of legislation. However, as the solar industry itself has said, it is better to have flawed legislation than no legislation at all. It certainly ticks the two public relations boxes that the Government is always so concerned with. It has the terms "solar gross feed-in tariff" and "\$0.60".

As was stated in the other place, there are several significant limitations to the scheme because of the Government's persistence in pushing forward with the scheme when it has had years to properly consider, develop and model a scheme. The Opposition announced its support for the scheme last year and earlier this year it developed a detailed case, with some modelling attached for a gross feed-in tariff. The Government has had all that time to produce a comparable scheme, yet at the last minute rushes in a scheme that will be law in just under six weeks time. It is disappointing that the Government and particularly the Minister, who often parades her green credentials, have been so careless in the development of this scheme, which is really our best chance to develop a sustainable solar industry and to enable us to transition from coal to renewable energy in the most effective way.

**Ms Lylea McMahon:** We missed something overnight.

**Ms PRU GOWARD:** No, a year ago a woman was Minister.

**ACTING-SPEAKER (Mr Thomas George):** I can understand the member for Goulburn losing track of who has been a Minister.

**Ms PRU GOWARD:** A bloke is now Minister, as far as we know. Who knows who will be Minister in six weeks time? We trust that whoever it is, the scheme will be closely monitored because it has a number of serious flaws. The Opposition consulted widely on the scheme and the overwhelming view of the solar industry is that it is "one of the shortest, strangest and most oddly cobbled together schemes the world has seen", to quote the shadow Minister. The renewable energy industry that the Coalition has championed acknowledges that the bill is a step in the right direction but is poorly drafted.

I turn to the five key issues. The first key issue relates to duration. The Government's tariff is fixed at seven years. Many would argue that the period should be much longer if we are to see a sustainable industry that has a chance of making a significant difference to the production of energy in this State and for the longer term. There are some question marks over why it should be limited to a mere seven years. In addition, if one joins in the seventh year, one gets only one year of the gross feed-in tariff. The Coalition would prefer that all participants have a set number of years in which they could recoup their investment. That would ensure a phase-out that would avoid the boom and bust that could be created by an earlier excessive incentive.

The second issue of concern is the taper. The Government's tariff is set at 60¢. The Coalition prefers a tariff reducing annually, say at 5 per cent per annum, to encourage greater efficiencies and cost savings in the industry. The third concern is eligibility. The scheme is capped at systems of 10 kilowatts and only allows

residential, community groups and small business with an energy use of up to 160 kilowatts per hour to access the scheme. The Coalition would prefer the inclusion of larger businesses and systems within the scheme. This is a very clear form of class prejudice because logically one will only get widespread adoption and use of solar power if it is extended to large industries and businesses that use a lot of power. Not to allow larger businesses and systems the same access to the scheme is a very disappointing reflection on the scheme itself and is code for the Government's expectation that this will not make much difference. The Government does not want the scheme to make much difference. If it did, it would have ensured that larger businesses had decent access to the scheme.

The fourth concern is that there is one tariff for all eligible systems. A number of systems can be used under the scheme but there is one tariff for all of them—one size fits all. The Coalition would prefer a different tariff for each technology type and size. This would reduce the costs of the scheme because obviously some systems will be more effective and cheaper than others. It seems unfair that they should enjoy the same benefit as those that have a greater capital cost. The restricted eligibility of the Government's scheme also limits the ability to differentiate the tariff.

Finally, costs will be a \$1.90 to \$7.47 per annum increase in household bills from a low to a high uptake. In other words, if there is little uptake, it will only cost an extra \$1.90 for individual households but if there is a large uptake it will cost \$7.47. The Opposition supports costs mitigated by displaced infrastructure and efficiency measures. The bill will provide a boost to the uptake of the panels, especially those smaller than three kilowatts, with a payback period as little as 2½ to 4 years, depending on system sizes and the price of renewable energy certificates. Compared with the net feed-in tariff that the Government adopted until its backflip, the Opposition would suggest that the scheme is certainly an improvement.

Having stated that, the concerns of industry have been voiced loudly and clearly. Although the Opposition does not oppose the bill, it urges the Government to conduct its review as quickly as possible. It asks the Government to acknowledge that there are inherent flaws in the bill that have inevitably occurred as a result of the indecent and inexplicable haste in drafting the bill, given the amount of time that the Government has had to do so. The Opposition believes that the Auditor-General should review the scheme after 12 months, that it should be tabled no longer than 1 March 2011, and that the review should report on take-up rates, costs and other issues. Such a review would be timely and would assist us to develop a better policy approach for the remainder of the scheme's life. Again we thank the Government for adopting our policy, but we are disappointed that there are some major differences that we believe will be to the detriment of the development and adoption of the solar power industry.

**Mr PETER DRAPER** (Tamworth) [10.40 a.m.]: I will make a brief contribution in support of the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009. The scheme is a gross feed-in tariff model. A feed-in tariff provides payments for electricity produced by small-scale distributed sources, such as solar photovoltaic systems, when their output is fed back into the electricity grid. I am encouraged by the fact that the scheme will be available to small electricity customers, including households, as well as some small businesses, schools and community organisations. However, like the Opposition, I am concerned that an opportunity is being lost: if larger businesses were able to access the scheme they would be best positioned to make a true difference and contribute a great deal of electricity into our grid. That is a shortfall in the proposal.

I commend the work of the New South Wales Feed-in Tariff Taskforce, which invited submissions on the design of a feed-in tariff scheme for New South Wales. It has held stakeholder forums, and it considered submissions made to the Senate inquiry into the Renewable Energy (Electricity) Amendment (Feed-in Tariff) Bill. When I highlighted the call for submissions in the Tamworth electorate I received many phone calls and emails from constituents who were pleased that such a scheme was being proposed and who commented that it was about time such a scheme was introduced. A standard home produces on average 4,500 kilograms of greenhouse gasses each year. By installing solar power, a home's gas emissions can be reduced to an average of 2,500 kilograms.

Furthermore, each kilowatt hour of electricity produced by coal-fired power stations uses 2½ litres of water. By installing a one-kilowatt home solar panel system, customers can save the environment about 3,750 litres of water every year. The scheme has a double benefit for customers as their grid-connected electricity consumption is significantly lower than without a solar system as a result of the household consuming a portion of its electricity direct from the solar scheme. When so many people are concerned about the effects of greenhouse gases and the fact that coal-fired power stations are among the greatest offenders, it makes common

sense to pay households and other small customers for the surplus electricity generated from roof-top solar photovoltaic panel systems that is then exported to the New South Wales electricity grid. The clean energy produced by solar panels does not contribute to climate change.

Apart from the production of the systems themselves, there is no subsequent pollution, noise or costly fuel bills. This should encourage more people to look at solar as an alternative power source. The New South Wales solar bonus scheme is one of the most generous schemes of any State that are currently on offer. It will boost the use of renewable energy in New South Wales and it should make solar power more affordable for people across New South Wales. I hope it will stimulate the solar power industry and, importantly, encourage energy efficiency. I hope it will drive efficiency, because the amount of power a customer returns to the grid will depend on how much energy is being consumed while the solar panels are generating power.

It will encourage customers to maximise their solar bonus by improving the energy efficiency of their home so that they can export more electricity to the grid, and it will be an incentive for these customers to reduce standby power consumption by shifting some tasks to the evening, minimising the use of air-conditioners, and other sensible activities. The Alternative Technology Association [ATA] applauded the solar bonus scheme. The ATA's Energy Policy Manager, Damien Moyse, said:

We welcome the decision to pay households for all the clean energy they contribute to the State's electricity supply. It is a win for families who are taking action on climate change and for green jobs in NSW.

There are a range of emerging and existing renewable energy generation technologies that need government support to assist in their further development and application. These technologies should play an important role in our transition to a sustainable energy economy. It would also be sensible to identify opportunities for government buildings and other community assets to be used in the production of clean energy. I am concerned about the seven-year fixed term for the scheme that the Government is proposing. It is a very short time frame, given the impetus that is building across our nation to reduce our reliance on coal-fired power. I share the concerns of the member for Goulburn that people who come into the scheme late will not get the full advantage.

Thought should be given to encouraging people, via an extension of the scheme, to ensure that they can participate fully. I hope that the solar bonus scheme can be expanded in the future to include other technologies such as micro wind generation or community-owned solar farms. However, this bill is a good start. The price of electricity is increasing massively in our State, and it will only increase further in the future. The price of solar systems is reducing, and I hope that that will continue into the future. I commend the Government for this initiative, and I commend the bill to the House.

**Mr ROB STOKES** (Pittwater) [10.45 a.m.]: The Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 amends the Electricity Supply Act to establish a solar bonus scheme for New South Wales. I note that this will establish a gross feed-in tariff for system owners lasting seven years for small-scale photovoltaic panels and wind turbines and other infrastructure commencing on 1 January 2010. While the Coalition fully supports a solar bonus scheme for New South Wales, the proposal put forward by the Government in this bill has disappointed me on two main fronts, and no doubt will raise concern with the people of New South Wales. First, the bill is yet another chapter in Labor's history of backflipping to support the policies introduced by the Coalition, repackaging them and then trying to sell them as its own. Secondly, the policy fails to hit the mark and hampers the potential benefits which could be provided to New South Wales.

The Minister in his second reading speech proudly declared that the New South Wales Government has long been a leader in promoting the uptake of renewable and sustainable energy practices. This is despite Queensland, Tasmania, South Australia, Victoria and the Australian Capital Territory already having introduced solar bonus schemes and despite the fact that this Government had to be dragged kicking and screaming to introduce a scheme. Indeed, the Coalition was first to announce its support for a solar bonus scheme in New South Wales, and it was the first to commit to a gross feed-in tariff. When the Government finally got around to announcing a solar bonus scheme in June this year the solar industry was deflated with the news that this would only involve a net feed-in tariff rather than a gross feed-in tariff. This decision was initially championed by the Government, which criticised the Coalition for its scheme because it involved gross feed-in tariffs. On 2 September 2009 the former Minister for Climate Change and the Environment said:

This is an example of what little attention the Coalition pays to serious policy development, what little attention it pays to the important issue of renewable energy, and how it would take renewable energy development in New South Wales backwards.



Yet just two months later, after coming under criticism from industry and environmental groups and smelling a political disaster, the Government did one of its trademark backflips by agreeing to support a gross feed-in tariff for New South Wales. This backflip has proven a number of things in relation to the Government's environmental credentials. First, it is a massive vote of confidence in the Coalition's policy development because, as with a number of policy areas, the Government eventually realised that the Coalition was on the right side of the argument. Secondly, and most importantly, it highlights the Government's utter incompetence to get things right and the impacts that this has had on families throughout New South Wales. Because the Government got this policy so wrong in the first place, many thousands of families installed in their homes meters that are compatible with a net feed-in tariff rather than a gross feed-in tariff. As a result, these families have been left out of pocket by the Government by having to replace those meters in order to take advantage of the revised scheme.

The Minister in his second reading speech also claimed that the scheme will be the most generous in the country. While I am sure that this claim is made on the basis of the 60¢ to be paid per kilowatt hour returned, I note that the seven-year duration of the scheme is paltry when considering that the schemes in Queensland, South Australia and the Australian Capital Territory have a span of 20 years and the Victorian scheme has a span of 15 years. In response to this, the Minister pointed out that a scheme duration of more than seven years is too long and creates too many uncertainties. On the contrary; it means that households, small businesses, community groups and schools must get in and make hay while the sun shines because in seven years time they will lose all of the certainty, guarantees and assurances that this bill talks about. Rather than promoting certainty, the bill promotes uncertainty.

It is for this reason that the bill is seen as likely to create a boom-and-bust scenario as investors, unclear about the Government's future commitments, diminish as the tariff enters its final years. Therefore, whilst the bill may be appealing at first glance, when one starts to strip it down one sees it is simply a hastily put together policy that aims at quick political point scoring at the expense of long-term benefits for New South Wales citizens. We have all heard of the seven-year itch. This scheme is setting up New South Wales for the seven-year scratching in relation to gross feed-in tariffs. No-one knows what lies ahead and whether the scheme will be extended, and therefore it is clear why such a short scheme may provide a disincentive for many investors into the future.

I also note that the Minister proudly highlighted an Access Economics report suggesting that a national gross feed-in tariff could create more than 22,000 jobs nationally over the next 10 years. Firstly I congratulate the Minister on acknowledging that these figures are in fact national—as this Government has a dubious record of claiming national figures as State figures. But, more seriously, what will happen to the New South Wales portion of these jobs in seven years time? The Minister spoke about providing certainty and assurances. But what will happen to all those workers employed during the boom period of the scheme who will then find they are laid off as the tariff approaches its final years? Because people do not have any certainty, they will be dissuaded from taking up the scheme.

The bill places a big question mark over 2017 and, unfortunately for those employed under the seeds of the scheme, perhaps also over the later years of the scheme, 2015 and 2016. What the solar industry in New South Wales wants is long-term, sustainable growth. Yet all the bill provides is something that is best described as temporary growth, which is unsatisfactory for many stakeholders. While speaking about time frames under the bill I note that under new section 194, which relates to a review of the solar bonus scheme by the Auditor-General, the review is conveniently scheduled to be undertaken as soon as practicable after 1 July 2011. In other words, the Auditor-General's review of the benefits of the scheme, the take-up of the scheme and the achievements under the scheme will be safely left until after the next State election, so that the Government will not be accountable to the electorate in terms of the success or otherwise of the scheme.

I also note that the scheme is restricted to small retail customers such as households, small businesses, community organisations and schools that use less than 160 megawatt hours per year and have a generating capacity of no more than 10 kilowatts. The first thing this does is exclude all the large businesses and organisations with both the financial ability and resources to make a sizeable contribution towards the success of solar schemes. Unfortunately, this is where this bill fails to reach its full potential; it blocks out a significant opportunity for New South Wales to see a real drop in our carbon dioxide emissions. Of real concern, however, is the fact that the scheme exempts those with a generating capacity of more than 10 kilowatts.

I cite the example of Pittwater High School, in my electorate. The school has a wonderful solar panel project that is led by Principal Ross Cussworth, local parents such as Bill and Chrissie Holland, local architect

Linda Haefeli, Kolin Thumbadoo, and many others. The school has adopted the highly admirable goal of becoming the first fully sustainable high school in the world, not only meeting all its own energy needs but also sending surplus energy back into the electricity grid. Combined with a raft of energy efficient improvements to the school, more than 100 solar panels have already been installed on the school's roofs with an aim of increasing this number of panels to over 750. This is an incredible achievement, which often sees the school returning upwards of 100 kilowatt hours of energy back to the electricity grid each day.

Whilst Pittwater High School should be supported and rewarded by the Government for its efforts in reducing its carbon footprint and crediting the State's electricity grid, the bill appears to exclude the school from the emissions scheme as its generating capacity currently exceeds 10 kilowatts. Therefore, instead of the State Government rewarding and encouraging the school for its achievements in generating solar power, the bill at first glance effectively appears to punish the school for its overzealous efforts. I therefore ask that it be clarified whether a school, business or organisation that has a generating capacity of more than 10 kilowatts is excluded completely from the scheme, or is just enabled to claim a tariff up to the 10 kilowatt limit.

It seems ridiculous that the scheme could completely exclude those who only slightly exceed the 10 kilowatt limit. For example, does it mean that those who have a generating capacity of, say, 11 kilowatts miss out completely on any financial return or benefit? Should they be getting up on their roofs and ripping out panels so they fall under the generating capacity of 10 kilowatts? If this is the case, it is extremely disappointing that groups such as Pittwater High School who have made an incredible investment not only financially but also environmentally might miss out on the much-needed funding this scheme could provide. I certainly believe this is something that needs to be clarified. I received from the Minister's office a vague suggestion that this matter may be dealt with in regulations. However, I ask that the matter be addressed in reply.

As other members on this side of the House have already indicated, we will not oppose the bill as we have long been supportive of improved renewable energy practices for New South Wales. Whilst it is not exactly the type of scheme the Coalition would have introduced, and it is ultimately full of shortfalls, grey areas and missed opportunities, New South Wales needs a solar bonus scheme and it appears that this is the one we will be required to accept. Therefore, despite the opportunities that have been missed in this legislation and the numerous issues that I believe require urgent review, I certainly hope that the scheme assists New South Wales in cutting the amount of carbon dioxide emissions produced, facilitates employment in the solar energy sector, and relieves the pressure placed upon the State's electricity grid, which remains almost entirely reliant on non-renewable fossil fuels.

*[Business interrupted.]*

## **DISTINGUISHED VISITORS**

**ASSISTANT-SPEAKER (Mr Grant McBride):** I welcome to the Legislative Assembly delegates from Ningxia Province in China, guests of the Hon. Marie Ficarra, a member of the Legislative Council.

## **ELECTRICITY SUPPLY AMENDMENT (SOLAR BONUS SCHEME) BILL 2009**

### **Agreement in Principle**

*[Business resumed.]*

**Mr GREG PIPER** (Lake Macquarie) [10.56 a.m.]: I speak in support of the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009. The bill is an important step in the transition to the greater use of renewable energy in New South Wales. I spoke on this topic in this House on 18 November 2007 when I supported the proposed 60¢ per kilowatt tariff, and I am pleased that the time for enactment is getting closer. The announcement by the Minister for Climate Change and the Environment that New South Wales would introduce a feed-in tariff for solar photovoltaic systems up to 10 kilowatts was good news for the photovoltaic industry and for people wanting to invest in this form of renewable energy. Installing domestic photovoltaic systems is a significant step that people can take in their personal actions against climate change. There are also proposals for small-scale wind turbines, a technology that has seen some recent significant innovation and which would also benefit by the new premium tariff.

In my speech two years ago I referred to the importance of truly acknowledging the production from domestic photovoltaic systems and paying a premium tariff for the gross production, not just to any surplus fed

into the grid. This is an appropriate step to take because it provides encouragement to those who are prepared to invest in the new technology and who want to show leadership on an important global environmental issue. The cost of domestic photovoltaic installations has been prohibitive to all but the most committed: with lengthy pay-back periods on the capital investment there has been little or no financial incentive to make such a considerable investment. The new feed-in tariff is a move that will provide a real incentive for investment in photovoltaic systems, and in so doing will create jobs and further encourage investment in improving the technology.

There is, however, a risk that the seven-year limitation on operation of the scheme will lead to a boom-and-bust cycle that will surely test the industry's capacity firstly to step up production to meet demand and then to achieve economies of scale prior to the end of the scheme. If domestic photovoltaic systems have not become cost competitive within the next seven years, continuing uptake of the new technology could again be stifled. It is important that the review to take place in 2012 considers a stable future for the industry. Let us face it, if investments are not made within the very early days of the scheme there will once again be very little incentive to invest. Who would choose to install a relatively expensive alternative energy system with a view to gaining a gross feed-in tariff when there are only two or fewer years left of the scheme? My guess is: not many people. And the benefit to potential investors will gradually and inexorably decline as the end date approaches.

The Minister in his second reading speech stated that customers with a standard installation can expect to receive more than \$10,000 during the course of the scheme. This simplistic statement is clearly misleading as this outcome could only apply to those who invest from the very start of the scheme—following that there is a diminishing return down to zero at the end of the seven-year period—unless of course changes are made in the ensuing period. I suggest that any consumer joining the scheme should be provided the same opportunity and therefore at whatever point they join the scheme that customer should be guaranteed seven years of feed-in tariff from that point.

The scheme could still be limited for the taking up of new customers to seven years, however this variation would provide equitable and consistent incentives over the life of the Solar Bonus Scheme. I strongly urge the Government to consider this option during or even prior to its review in 2012. That having been said, I am pleased that the Government has taken the step of introducing the new solar bonus, but I continue to support an extended time frame for the premium tariff. I was delighted when the former Minister for the Environment and Climate Change, the Hon. Carmel Tebbutt, first announced this scheme, and I am very pleased that it is now being delivered.

**Mr GEOFF PROVEST** (Tweed) [11.00 a.m.]: The purpose of the Electricity Supply Amendment (Solar Bonus) Scheme Bill 2009 is to establish a feed-in tariff lasting seven years for small scale solar panels and wind turbines, commencing on 1 January 2010. The scheme will pay 60¢ per kilowatt hour for all electricity generated by systems up to 10 kilowatts by residential, small business and community groups. It will increase the uptake of small-scale renewable energy within the community. The bill is a step in the right direction, but some interesting anomalies arise about which I have some concerns. The Tweed has a large number of renewable energy generating outlets including solar, wind and even water; it is an environmentally conscious area. Only recently a number of people expressed their concerns to me.

I have been monitoring the Government's decision on the legislation. As previous Opposition members have said, we were very concerned because for a long time we thought we were going down the net feed-in tariff road. Once again a lot of comparisons are made between my electorate and those across the border. This scheme will last only seven years, but in Queensland it will last for up to 20 years. Once again, Queensland seems to support renewable energy, particularly solar. Queensland's scheme is a lot larger than ours. Some time ago it was the first State to introduce rainwater tank rebates. Feed-in tariffs exist in approximately 50 countries in the world and in most Australian States and Territories. The Australian Capital Territory is the only jurisdiction that currently has a gross feed-in tariff.

I am also concerned that the Government has done little modelling in relation to the cost to it and consumers. I want the scheme to be extended. In recent times a number of owners of commercial premises, particularly in the Tweed, have made representations to me. They produce more than 10 kilowatts per annum and will therefore be excluded from the scheme. The scheme is capped at 10 kilowatts, which refers only to residential community groups. I know the Coalition would prefer the inclusion of larger businesses and other systems within the scheme. The Government has only one tariff for eligibility systems. The Coalition would have preferred there to be different tariffs for each different type of technology to reduce the overall content of the scheme. It would also stimulate research and investment in other forms of renewable energy.

Pertinent to this debate is that last September I asked a question on notice about how much money the Government had spent on solar energy research and development in 2007-08 year to date, to which I received a reply that one key project is a \$5 million New South Wales Energy Challenge prize that encourages innovative solutions for providing clean energy. I was also advised that since the 2006-07 financial year the Government has invested only \$2 million for solar energy research and infrastructure and \$2.6 million for renewable energy and climate change related research. Considering the Government's total budget and the community's concerns to be involved in renewable energy projects, I find that lack of investment in research and encouragement of solar, geothermal and myriad other renewable sources amazing. More should be done and more money should be spent in those areas.

An argument against the scheme is that it is unbalanced, being generous to systems less than three kilowatts, but excluding larger systems and businesses. I would like the Minister to respond to the argument that the scheme could encourage investment in less efficient and less durable small systems. There has been no modelling of its impacts on the Renewable Energy Certificate Scheme. The Government should consider that rather than just say it is a Federal issue. I support the bill, which is a step in the right direction, but there is a long way to go in relation to limits and investments in other forms of renewable energy. The Tweed has a number of renewable energy or electricity generators that use water from the streams in the area. The Tweed is fortunate compared with other parts of New South Wales because its rainfall is usually significant and the flows of its rivers are strong. The Tweed also has small providers of wind generation. The total picture should be looked at rather than being focused on one area. The longevity of the scheme in New South Wales is seven years compared with 20 years across the border in Queensland. I do not oppose the bill, but more work has to be done.

**Ms CLOVER MOORE** (Sydney) [11.06 a.m.]: I strongly support the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009, which will introduce a gross tariff system to reimburse small users for the renewable energy generated on their property from solar panels and wind turbines at 60¢ per kilowatt hour. I have long called for a gross feed-in tariff scheme to promote the market for renewable energy and the development of alternatives to large centralised power stations. According to the Federal Government's "Greenhouse Gas Emissions" December 2008 report, Australia's net greenhouse gas emissions across all sectors totalled 576 million tonnes of carbon dioxide. The energy sector was the largest source of greenhouse gas emissions accounting for 69.6 per cent of emissions, most of which are caused by the production of power. And coal-fired electricity is the dirtiest form of power.

Coal-fired electricity loses approximately 66 per cent of its energy directly to the atmosphere in the form of heat, and further energy is wasted in transmission from distant power stations. I support the call from environment groups for a moratorium on new and expanded coal-fired power and for a long-term plan to phase out coal power as part of our transition to a low carbon economy. Encouraging people to install solar panels and wind turbines in their homes will help manage growing demand for power and reduce dependency on coal. We have an abundance of sun and wind in this country. It is a major embarrassment that we are not the world leader of solar power, that countries like Germany produce more solar energy, despite having considerably less sunshine.

I welcome the gross feed-in tariff system to guarantee people a reasonable price for the renewable energy that they feed back into the grid. A gross system reimburses not only the renewable energy that people give back to the network, which energy retailers on-sell as green power to other customers, but also reimburses people for the pressure they take off the network reducing the need to invest in infrastructure upgrades. There is no question that installing solar panels requires an expensive upfront payment. A gross feed-in system will enable people to pay off their systems, and make the upfront payment more achievable. But it is still an expense and, as such, requires motivation in terms of cutting greenhouse gas emissions.

I was very concerned to learn earlier this year that, under the Federal Government's proposed Carbon Pollution Reduction Scheme, individual actions like installing solar panels would not contribute to Australia's greenhouse gas reductions but instead make more pollution permits available to the big polluting industries. Without recognition of voluntary action in an emissions trading scheme, Australia's emissions target, which currently stands at a weak 5 to 25 per cent depending on international agreements, becomes a cap that we are unable to improve on regardless of what we do. Voluntary actions to reduce emissions must be additional to mandatory targets under the scheme if we are to deliver carbon pollution reductions on the scale needed.

Australians are, shockingly, the highest carbon emitters per capita in the world; we must change our behaviour. We need to change the way we live and work, the energy we use and the way we travel. Many businesses and private citizens have already voluntarily embraced the sustainability agenda. They can see that it

makes sense at every level and they are leading governments in making the changes essential for our planet's future. But these efforts must not be in vain. Australian cities, our communities, residents and businesses, must have the option to reduce greenhouse gas emissions.

While I welcome the very recent commitment from the Rudd Government to let household emissions count over and above the target, I understand that emission cuts by councils and businesses will not count. At this stage it is not clear exactly what will count. Councils and businesses are leading the way, and I support the Total Environment Centre's proposal that the Carbon Pollution Reduction Scheme be amended to ensure that permits are retired for every tonne of abatement caused by all voluntary action. At the City of Sydney we have committed to 70 per cent emissions reduction on 2006 levels by 2030, not because we think it can be easily achieved—indeed we are taking incredible steps to achieve it—but because the best available research shows us that this is the scale of change needed to avert irreversible climate change.

When the City of Sydney became carbon neutral last year we made our substantial purchase of green power—around 2.5 per cent of national sales—with the intention of stimulating demand in a market lacking Federal direction. Under the expanded Renewable Energy Target Scheme and the proposed Carbon Pollution Reduction Scheme, the City of Sydney's use of green power may not make a difference to Australia's total emissions. To remain carbon neutral the City of Sydney recently tendered again for the provision of green power. We have stipulated that renewable energy certificates must be retired in 2010, so the Australian Government will have to subtract our purchase when setting its future emissions targets.

If the renewable energy feed-in tariff proposed is to successfully reduce our greenhouse gas emissions, we must ensure that when people install renewable energy generators in their homes and businesses the reduction in greenhouse gas emissions does not just help big polluting industries to pollute more. I call on the State Government and the Opposition to put pressure on their colleagues in Canberra to make voluntary action by everyone in the community—including businesses, councils and the State Government—contribute over and above Australia's proposed weak greenhouse gas emission targets.

**Mr DARYL MAGUIRE** (Wagga Wagga) [11.12 a.m.]: I do not want to delay the progress of the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009, nor do I want to revisit the very important points that have been made in relation to it, but I must highlight an issue that was raised with me on a recent visit to a school in my electorate: solar tariffs and credits that can be obtained under the bill. The bill provides that 10 kilowatt hours is the limit at 60¢ per kilowatt hour. The member for Pittwater remarked that his local school had embraced solar technology. I truly believe that solar technology is part of the solution to our energy needs, along with peak-load gas generators, which have half the carbon emissions of coal-fired power stations. There are many opportunities to reduce carbon emissions, and in the long term that will be achieved, but in the meantime schools are being encouraged through various programs to invest in solar energy and return that energy generated to the network.

I draw to the attention of the Minister and his staff, who constructed the bill and are responsible for its passage, that Talbingo Public School has been leading the way in our region in environmental studies. All the schools in the region are brought to Talbingo to use its environmental centre. The school has embraced solar power and put in place water reticulation—all the things that we understand are important in addressing the environment. But it was pointed out to me that the school is unable to receive credits for the solar panels installed on its roof, which are generating energy for the network. I would like the Parliamentary Secretary or the Minister to comment on this because it is very important. I understand that the reason is that schools purchase their energy through one energy supplier under competition regulation conditions.

This means that the New South Wales Government negotiates with a provider of energy—AGL, Country Energy, or one of the other entities that provide power or gas. I understand that the networks to which the schools are connected are managed or owned by one or other of those entities. It has been suggested to me that because the State Government purchased its energy in bulk from one supplier and feeds its energy back into the network—a Country Energy network—they are unable to negotiate a benefit or payment for the energy that they produce through solar power. Therefore all schools that are out of the AGL distribution network are unable to get a credit for the energy that they produce.

Should it be correct, it is an issue that needs to be addressed and should have been addressed long ago. The new principal, who came to the school in recent times, is still trying to get to the bottom of some of the arrangements that have been put in place. Some 2,000-plus great schools in New South Wales—public schools and private schools—are embracing environmental teachings that are encouraging our next generation of

citizens and leaders to be wise about the consumption of energy and precious resources and everything else that we do. The Government must step up and resolve what may be a problem. If what has been suggested to me is correct, those schools are missing out on benefits that could be reinvested in their school. Producing up to 10 kilowatt hours may not return a huge amount of money, but it is money that is valuable to schools that are forever scraping money together to try to provide vital resources to educate future generations.

Talbingo leads the way. It is an example that can be followed, as the member for Pittwater said about his school trying to be the world's first. Talbingo is a very small school. In fact Talbingo was a Snowy Mountains town when the Snowy Mountains system was created in the electorate of Wagga Wagga and the shire of Tumut, not far from the famous Tumut power station and Blowering Dam. It is understandable that its school students have a very strong sense of environmental responsibility and have taken the program on with gusto. I would like to see them encouraged. If this can be resolved or if the Parliamentary Secretary could make a statement to that effect I am sure the school would appreciate it, as would all schools in New South Wales—and so would I.

**Mr PETER BESSELING** (Port Macquarie) [11.18 a.m.]: I support the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009. There are a lot of positives in moving forward with a gross feed-in tariff. It is good to see that the Government has taken on board many submissions from around the State regarding the feed-in tariff. We have seen it consider a net feed-in tariff and a gross feed-in tariff. The previous announcements regarding the net feed-in tariff were well received in my area, given that most people are aware that they need to participate actively in considering renewable energy resources and trying to reduce carbon emissions and greenhouse gases.

We want to encourage a greater uptake from not only individuals but also businesses and communities who can perhaps get together and look at some form of system that is similar to our sewerage system, whereby a centralised system services a lot of small communities. That would be a more efficient way of providing for solar electricity and it should be looked at, particularly with regard to any new developments that may be on the drawing board. It would be of benefit to those communities if they could feed into a communal solar panel system. One of the issues in our area recently was the diesel-fired peaking power plant that was proposed for Herons Creek, which was thankfully knocked on the head. An outcome of that was a greater consideration of how electricity will be provided for our area, given that it is a sensitive area and people move there for the natural beauty of the place. Solar thermal systems were one of the opportunities that were thrown up. I am a big fan of solar thermal because it can produce good peak loads. It should be firmly under consideration by both the State and Federal Governments when considering the supply of energy needs to communities.

I do not understand why the seven-year time frame was chosen, but I acknowledge the comments of some previous speakers who raised concerns that as we approach the end of that seven-year period it will be more difficult and less encouraging for individuals and communities to make the reasonable capital investment required and get a payback over only a few short years. A larger scheme should be included, as I have already discussed, for communal benefit and communal purposes. One thing that has not been discussed, which was brought to my attention in a number of letters of concern from members of my community, in particular one from Naomi and Alan Callaghan, from Arranbee Road, Wauchope—which is in King Creek and part of my electorate—is the impact on the providers of electricity, Country Energy and the like. We are obviously going to move from a net feed-in tariff to a gross feed-in tariff and the providers have not been able to catch up with supplying the net feed-in tariff and the infrastructure that is needed for it. The Callaghans said:

We have consulted with Country Energy (our energy supplier) and 2 local installers of photo voltaic panels. We have read those parts of the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 available to us and read the NSW Solar Bonus Scheme – frequently asked questions.

If the scheme is to start on the 1<sup>st</sup> January 2010 (as per answers to faq) what arrangements are in place for "gross" metering to be installed. Country Energy as late as 23<sup>rd</sup> November 2009 say they are not equipped to handle such installations. They are currently approximately 5 months behind in installing all "net" metering systems currently to be serviced for start-up. If these have to be eventually changed to "gross" metering, as well as those currently installed with "net" metering, the backlog will blow out exacerbated by the fact that Country E. say they have insufficient trained staff. Country E. say the government will not permit the employment of extra staff to perform this work.

If there is a backlog as a result of the net feed-in tariff, we need to make sure we can move forward with this new gross tariff and that the employees are in place to deal with that. The infrastructure has to be in place to get the true benefit of this scheme and encourage people to take it up. We all have a responsibility to move forward with more efficient electricity consumption in our households and I support this bill as part of the measures in progressing towards that.

**Mr PAUL PEARCE** (Coogee) [11.24 a.m.]: I will speak briefly to the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 and will not repeat the comments of previous members. I support this bill absolutely and compliment the Government on going down the path of a gross feed-in tariff. Like other members who have spoken, I have a query in my mind as to whether the seven-year time frame is an adequate payback period. However, the most important thing is to establish the gross feed-in tariff as a principle to encourage the take-up of self-generation of power, particularly through the household sector and smaller community-based groups. The member for Tweed referred to the Queensland model comparatively favourably. I point out that the Queensland model has the same cap, 10 kilowatts, and the rate proposed is 44c, compared with New South Wales' rate, which is 60c.

**Mr Geoff Provest:** How long is it?

**Mr PAUL PEARCE:** It is a 20-year period, but it is a lower rate of return and I think the calculation has been made between the two as to whether the payback period sits accordingly. My local surf club at Bronte is looking at options to generate into the grid and power the surf club, such as a combination of photovoltaics and wind power. This approach of a gross feed-in tariff will improve the economics of what they are proposing to do. The member for Sydney referred to aspects of the emissions trading scheme. I am pleased to see that the Rudd Government will probably be able to achieve an emissions trading scheme, although I believe a carbon tax is a better option than some market-based mechanism.

We have to consider the most effective method of improving photovoltaics and encouraging their take-up, which is essentially what we are dealing with here; there will not be too many people with geothermal or wave power on their property. Wind is an option, although some of the small wind generators are more of a boutique item rather than a genuine generation process. We are essentially looking at photovoltaics and solar energy. The adoption of a gross feed-in tariff by the German Government in the early 1990s gave an enormous boost to solar power generation and has put Germany on course to achieve a significant improvement in renewable energy production. We are talking about a country in northern Europe where they do not have anything like the sunlight we have here, although modern photovoltaics operate on light effectively; they do not need just the sunlight.

The bill contains certain definitional issues in relation to proposed section 15A as to the type of generator. However, I think this is an excellent piece of legislation. I know the Opposition from time to time is critical of the New South Wales Government, but I draw to its attention the comparison nationally of the various schemes. Victoria and South Australia have net feed-in models; the Australian Capital Territory has a fairly complex gross feed-in model, varying the rate of feed-in depending on the kilowatts produced; Tasmania has a net feed-in model, the details of which are unclear, but it is a fairly low rate of return—about 20c per kilowatt; the Northern Territory has a net model, at about 23c per kilowatt; Western Australia is talking about a net model, but I have been unable to ascertain the details, and that may change with the election of a conservative Government there; Queensland, as I have said, has a net model at 44c; and New South Wales has a gross model at 60c per kilowatt, up to 10 kilowatts.

This means the New South Wales scheme is far and away the most generous scheme in the country and will clearly give the greatest boost to the solar industry that is possible and achievable. Many members have put forward suggestions as to how emissions trading will fit into the overall scheme. Once the Senate agrees to the scheme—I am assuming that it will be passed—we will work through its details. This scheme will contribute significantly to the broader issue of reducing the carbon footprint for which we are all responsible. I commend the Government for introducing this bill and I give it my full support.

**Mr THOMAS GEORGE** (Lismore) [11.30 a.m.]: I speak briefly in debate on the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009, the purpose of which is to establish a gross feed-in tariff that lasts for seven years for small-scale solar photovoltaic panels and wind turbines commencing on 1 January 2009. The scheme will pay 60c per kilowatt hour for all electricity generated by systems of up to 10 kilowatts by residential, small business and community groups. It will increase the uptake of small-scale renewable energy in the community. This policy, which is geared towards a short-term uptake by residential users, can provide unprecedented payback periods of as little as three years for some customers.

The Government should focus on longer-term industry development with larger systems and staggered reductions in tariffs to encourage a long-term, competitive renewable sector. I am sure that all members of Parliament support the generation of renewable energy. The Government's tariff is fixed at seven years. Anyone joining in the seventh year will receive one year of the gross feed-in tariff, which is set at 60c. The

Liberal-Nationals Coalition would prefer that tariff to reduce annually by 5 per cent to encourage greater efficiencies and cost savings in the industry. The scheme, which is capped at systems of 10 kilowatts, allows only residential and community groups and small business with an energy use of up to 160 kilowatts an hour per annum to access it. The Government has one tariff for all eligible systems. There will be increase from \$1.90 to \$7.47 per annum in household bills as a result of this low to high uptake.

The Liberals-Nationals Coalition supports the introduction of a gross feed-in tariff. As I said earlier, this scheme will increase the amount of solar photovoltaic installed in New South Wales, which should provide significant incentives to households, community groups and small businesses. Industry acknowledges the rushed nature of this scheme and its resultant problems. However, it prefers to have a scheme rather than having no scheme at all. People to whom I have spoken favour a modification of the scheme in the future rather than expressing opposition to it now. The inbuilt review period will allow for modifications to be made in light of the performance of the scheme. Some parts of the solar industry fear that the scheme will result in a boom and bust as the tariff enters its final year.

I have had discussions with Simon Thomas of Sunsparks Electrics at Kyogle who said that a gross feed-in tariff was the way to go. He asked me to encourage the Government to legislate for 15 years, as that would ensure that systems were implemented across the country, which would be good for farmers and for other people in rural areas. Simon told me that he could install a 9.8-kilowatt system on a farmer's shed for about \$37,000 after GST and after renewable energy certificates had been taken into account. These systems could be installed at a lesser amount if those farmers ordered one before the end of the year, as they could take advantage of the investment allowance. Based on the gross feed-in tariff these systems will earn about \$9,000 per annum and will involve very little maintenance.

Simon said this was a fantastic opportunity for people in the country and for the wider Australian community to access renewable energy without the Government investing in infrastructure. Industry believes there is great scope for renewable energy to be accessed by community groups and farmers in regional areas. However, the scheme should be extended to 15 years to provide further encouragement for them to take it up. Simon is a great advocate of renewable energy. I received an email from, and my office has had discussions with, the Rainbow Power Company Ltd based at Nimbin—a great organisation that is a leader in this field. When it heard about the introduction of this bill it expressed concern and said:

- 1) You will no doubt recall the government's promise to start a net Feed In Tariff (FIT) on 1 Jan 2010. With the scrapping of rebates by the federal government this initiative is very important to our industry. As I have heard nothing further, I was wondering if you can confirm if the necessary legislation has been passed by Parliament. If not, will it happen on time and is it being supported by the Coalition.
- 2) The government is also reviewing whether to allow solar farms to proceed as in other states. This is also very important—

especially in regional areas of New South Wales—

in fact a local one funded by the federal government is at risk of not proceeding because of the lack of progress on this matter by the State government. We ask you to use your good offices to ensure that this matter is resolved quickly and that solar farms at least up to 30 kW should be approved.

Industry is telling this Government what it needs to do. It must support companies such as Rainbow Power Company Ltd and Sunsparks Electrics, which are working with people at the grass roots—with householders, industry and country businesses. Their ideas should not be ignored. This State Government should heed the suggestions put forward by David Lamb of the Rainbow Power Company Ltd to work with the Federal Government. Many farms in regional areas could take up this offer and supply a lot more renewable energy. The Opposition does not oppose the bill.

**Mr GRANT McBRIDE** (The Entrance) [11.38 a.m.]: The Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009, which is important legislation, is part of a bigger agenda to mitigate or reduce electricity consumption by every individual across the whole of New South Wales. The solar bonus scheme has three objectives: to support those who want to generate renewable energy in response to climate change, to develop jobs in the renewable energy sector by assisting renewable energy generation to compete with non-renewable energy generation, and to increase public exposure to renewable energy technology to encourage the community to respond to climate change.

Opposition members who contributed to debate on this bill neglected to emphasise the importance of this legislation, which will increase public exposure to renewable energy technology and encourage the



community to respond to climate change—objectives that are set out in the bill. This legislation is part of a raft of legislation that is being discussed, and implemented, by the Federal Parliament. The agreement in principle speech also stated:

To ensure that the introduction of the scheme is as streamlined as possible for both consumers and businesses, the design of the solar bonus scheme was developed following a rigorous consultation process.

That has been the Opposition's debate. A rigorous consultation process preceded the development of the legislation. The speech continued:

That process included a dialogue with the community and industry, including the appointment of a task force, which considered public submissions, investigated a range of options and their impact on consumers, and prepared a detailed public report.

What more can be done in developing policy? We set out the objectives, we undertook community consultation and we also set up a task force that talked to businesses, consumers and all participants. I am disappointed that all Opposition members can talk about are minor things covered by regulation.

The member for Pittwater said that most of the provisions in the bill would be dealt with by regulation, but he would like it included in the bill today. That is not the way it works. The process is that legislation is passed by both Houses of Parliament and the regulations are developed later as part of the process. Those regulations must be tabled in the Parliament and sit on the table for two weeks before they can be debated. It must disappoint everyone in this place to listen to comments about regulations that do not exist, but will in the future. Dare I say, the Opposition is just playing petty politics by not recognising or acknowledging that the Government went through a thorough process to develop this legislation with a long-term commitment to reduction of energy consumption in this State.

**Mr WAYNE MERTON** (Baulkham Hills) [11.41 a.m.]: The purpose of the Electricity Supply Amendment (Solar Bonus Scheme) Bill 2009 is to establish a gross feed-in tariff lasting seven years for small-scale solar panels and wind turbines commencing 1 January 2009. The scheme will pay 60¢ per kilowatt hour for all electricity generated by systems of up to 10 kilowatts by residential, small business and community groups. The scheme will increase the uptake of small-scale renewable energy in the community. The solar bonus scheme obliges energy retailers to purchase electricity generated by solar photovoltaic of up to 10 kilowatts at a premium rate of 60¢. This increases the attractiveness of investment in renewable energy by reducing the time it takes to pay off a system. On 23 June 2009 the Government adopted a net feed-in tariff, which pays only for additional electricity fed into the grid after household consumption. This was in contrast to the Coalition's position, adopted by shadow Cabinet, for a gross feed-in tariff.

The Government was criticised by the renewable sector, the property sector and the environment movement for supporting a net feed-in tariff. This bill copies the Coalition's support of a gross feed-in tariff. Feed-in tariffs exist in around 50 countries and in most Australian States and Territories. Many members have spoken about the merits of the scheme. As I have said, the Opposition supports the scheme, but I should like to address a couple of issues. The first is that the scheme is for a fixed duration of seven years. My concern is that if someone joins in the seventh year, they will receive only one year's benefit from the gross feed-in tariff. The Coalition preferred all participants to have a set number of years to ensure that phase-out avoids a boom and bust that excessive early incentives could create. The home insulation industry recently displayed evidence of a boom and bust mentality.

The solar energy industry is well structured with experienced operators, people with great traditions and history. The last thing we want is to have cowboys entering the industry in the dying days of this seven-year period causing tragic circumstances for the industry. The Government's tariff is set at 60¢. The Opposition preferred a tariff that reduced annually, for example, by 5 per cent per annum, to encourage greater efficiencies and cost savings in the industry. Of some little concern is that eligibility for the tariff is capped at systems of 10 kilowatts and only allows access to residential, community groups and small businesses with energy use up to 160 kilowatts per hour per annum. The Coalition has preferred the inclusion of larger businesses and systems within the scheme. The Government provides for one tariff for all eligible systems. I shall not take up the time of the House as I acknowledge the limited time available for this debate. The Opposition supports this bill, but a number of issues raised by other Coalition members should be addressed. I have enunciated my concerns about the fixed seven-year period. With those comments, I conclude my observations.

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

## SOCIAL HOUSING

**Mr BRAD HAZZARD** (Wakehurst) [11.45 a.m.]: I move:

That this House:

- (1) recognises the need for adequate and appropriate social housing, especially for the elderly and disabled;
- (2) notes the community's concern about proposed Department of Housing developments in the Maitland, Charlestown, Swansea, Lake Macquarie, Ryde, Port Macquarie and Kiama electorates which are being pushed through using the Federal Government's stimulus money; and
- (3) calls on the State Government to consult each community and address their concerns before plans are finalised and development commences on the proposed public housing developments.

This is a story about Labor deception. It is about Labor members of Parliament in the Hunter and on the South Coast, particularly the member for Kiama and the member for Wollongong, deceiving the communities they are supposed to represent. Being a member of Parliament means having a bond of faith with the local community—the community you represent. It is supposed to be about listening to, and understanding, their concerns and ensuring that the government responds to those concerns. Instead, the Labor members representing the electorates of Swansea, Charlestown, Kiama, Wollongong and many other electorates say one thing to their communities and another when they get to Macquarie Street.

This case study in deception is about steamrolling local communities by State Labor enforcing on local communities massive increases in medium-density housing without consultation, without listening to community concerns and without responding to those concerns. The Coalition acknowledges that after 15 years of incompetence the State Labor Government has delivered an insufficient amount of public and social housing, and insufficient support for the most vulnerable in our community. But Labor's knee-jerk response to the realisation of its own incompetence has been to steamroll over local planning controls under the guise of either Federal stimulus funds or the affordable rental housing State environmental planning policy [SEPP].

Whether it is the State environmental planning policy or Federal legislation, the net result is that State Labor has thrown out any semblance of decency or consultation, and the people of New South Wales are discovering blocks of medium density have been dropped into their neighbourhoods. The three Hunter Labor members of Parliament would be more adequately described as the three Stooges but with nothing comical about them. The member for Maitland, the member for Charlestown and the member for Swansea are Nathan Rees's three Hunter stooges. Each member of Parliament deserves to have his name writ large for his deceptiveness. Maitland member Frank Terenzini, Charlestown member Matthew Morris, and Swansea member Robert Coombs have all sold out their local communities.

**Mr Matt Brown:** That's not very nice.

**Mr BRAD HAZZARD:** I am coming to you, Matt. The list of destructive developments in the Hunter is extensive.

**Mr Matt Brown:** I hope you're nicer to me.

**Mr BRAD HAZZARD:** It's coming. I place on record a number of those properties: Alexandra Avenue, Rutherford, 20 units; Churchill Crescent, Rutherford, 18 and 13 units; Capper Street, Telarah, 14 units; Glenroy Street, Thornton, 10 units; Government Road, Thornton, 10 units; Greenhills Avenue, Woodberry, 18 units; Lawson Avenue, 10 units; Flinders Street, East Maitland, 15 units; corner of Barton and Turton streets, East Maitland, 28 units; Brooks Street, Telarah, 8 units; Frewin Avenue, Woodberry, 12 units; Third Avenue, Rutherford, 12 units; and Gillies Street, Rutherford, 15 units. What is the community saying? The Liberals-Nationals will make sure that Premier Nathan Rees, planning Minister Kristina Keneally and housing Minister David Borger hear the community. We will deliver that message because the Hunter members of Parliament are duplicitous, dishonest and deceptive, and they are failing to make any changes. The message from local residents, local councillors and the duty member of the Legislative Council, Robin Parker, is that the community needs to be heard. Charlestown local resident, Phil Regent said:

They [the State Government] override Council processes and that's what angers us ... everyone else has to abide by some process, but these people can come in and bulldoze everything.

The best response from the member for Charlestown is mealy-mouthed excuses and pretence. He said, "This is not too dissimilar to any other development application." That is a lie, and he knows it. Local residents also are

entitled to know it. In Maitland, residents such as those in Gilles Street, Rutherford and Flinders streets, East Maitland, and local councillors, including Councillor Philip Penfold, have called on Frank Terenzini to "stand up to his masters in the Government and put forward the concerns of residents, to give Maitland residents reasonable and considered development".

**Mr David Borger:** Give the money back, Brad.

**Mr BRAD HAZZARD:** Let us all understand that the residents of these streets are being asked to cop over 200 two-storey housing units.

**Mr David Borger:** Give it back, Brad.

**Mr BRAD HAZZARD:** I note that the Minister for Housing is in the Chamber. Interestingly, for the benefit of the people of the Hunter, I also note that the Minister can make it into the Chamber to make interjections, but he cannot make it up to the Hunter, other than for a couple of cameo performances, to listen to all their concerns. Let us all understand that the residents of these streets are being asked to cop over 200 two-storey housing units, with no right to have a say. They are being conned by their local Labor member. Edna Morris, who has lived in Gilles Street for 37 years, has been quoted as saying that most residents are upset about the development and lack of consultation. Issues including overshadowing, privacy loss, property depreciation, water and drainage issues and on-site parking problems were all quoted in the Newcastle *Herald* on 9 November. In September the member for Maitland, who is actively interjecting, was quoted in the *Maitland Mercury* as saying that he would take the concerns to the Government.

**Mr Frank Terenzini:** I have.

**Mr BRAD HAZZARD:** He says he has, but he has not achieved a result, and that is the point. Needless to say the Government does not appear to be responding to any of his so-called messages because the messages are fake. Frank "the Fixer" Terenzini has led his community right up the garden path.

**Mr Robert Coombs:** This is a disgrace.

**Mr BRAD HAZZARD:** He is, and the member for Swansea is, a Labor stooge through and through, and the member for Maitland certainly will not stand up to the Government. The member for Swansea, Robert Coombs, appears to have no interest in conveying his communities' concerns to Labor.

**Mr Robert Coombs:** Point of order: The member for Wakehurst is clearly misleading the House.

**Mr BRAD HAZZARD:** Robert, you will get your chance to address that shortly.

**The DEPUTY-SPEAKER:** Order! I will hear further from the member for Wakehurst.

**Mr BRAD HAZZARD:** He has just stonewalled his local community. If the member for Swansea wants to say something, he should begin by justifying why he has not been able to persuade his Government to change.

**Mr David Borger:** Point of order: The member for Wakehurst should make his comments through the Chair and not call out across the Chamber.

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

**Mr BRAD HAZZARD:** The Minister likes to say a few things in the Chamber, but he will not go up to the communities in the Hunter and say a few things. Frank "the Fixer" Terenzini has led his community right up the garden path. Robert Coombs appears to take no interest, as I said. He has stonewalled the local community. He is not a representative of the local community. He is Labor's man in Swansea.

**Mr Robert Coombs:** Point of order: The member for Wakehurst clearly is misleading the House. What he has just said is not correct, and should be so noted.

**Mr BRAD HAZZARD:** Let me make it very clear that Robert Coombs is Labor's man in Swansea. The Opposition understands that. Labor wanted to cover up actions of the previous member for Swansea. This

time Robert Coombs is covering up for his Labor mates. This is about a no-holds-barred grab for cash by a State Labor from Federal Labor, and damn the local community! The three Labor stooges from the Hunter do not give a damn about their communities. Not one of them has condemned in this House State Labor's affordable rental housing State environmental planning policy or the Federal legislation that provides two methods of steamrolling local communities. There is absolutely no question that public housing needs to be improved. A decade and a half of State Labor has destroyed the availability of public housing in New South Wales, but it must be improved in a way that is sensitive to local communities.

**Mr Robert Coombs:** Blah, blah, blah.

**Mr BRAD HAZZARD:** The member for Swansea and the member for Maitland are the new boys on the block. Since being elected, they quickly learned to be Labor stooges. They do not stand up for their communities. They will not admit that their predecessors did nothing about public housing for a decade and a half. Public housing must be improved in a way that is sensitive to local communities. The State Government's approach is typical of its approach to many planning issues, including the use of part 3A of the Environmental Planning and Assessment Act. It is all about behind-closed-doors decision making and decisions being made in a fast and furious way. That is happening right across the State. The member for Kiama is a clone of the Hunter Labor members and fails to stand up for his community. I cite, for example, Bomaderry. Sites in Bunberra, Karawa and Ritchie streets have been copping 61 units, but there has been no consultation. Members should note the words of Andy Muzzall of Bunberra Street, who states:

It's ... a high building above everyone else, ... and looking right into the backyards of neighbours.

He went on to state:

The State Government can just build whatever they want without consulting anyone.

Where does the member for Kiama stand in relation to all of this? We all remember him dancing on the couch, but in relation to this issue he seems to be dancing on local residents' concerns. He has certainly not brought about any changes whatsoever. It has been left to the Liberals-Nationals parliamentarians to raise communities' concerns. The member for South Coast, Shelley Hancock, has raised concerns; the member for Ryde, Victor Dominello, has raised concerns and the Hon. Robyn Parker has raised concerns. The message I send today to Labor members of this House is to stand up for their communities, stop behaving like Labor stooges and show your colours on behalf of your communities.

**Mr DAVID BORGER** (Granville—Minister for Housing, Minister for Western Sydney, and Minister Assisting the Minister for Transport) [11.55 a.m.]: I move:

That the motion be amended by leaving out paragraphs (2) and (3) with a view to adding a new paragraph that reads:

(2) opposes the scare campaign by the Opposition on this issue.

I speak against the motion moved by member for Wakehurst because it is an insult to Parliament and to the communities that Labor members represent. It is blatant pandering to the lowest common denominator in our communities. This is a once in a lifetime opportunity.

**Mr Brad Hazzard:** Point of order: The Minister for Housing has an enormous number of staff, yet he cannot get to meetings. But what is concerning is that this place has very clear forms. If an amendment is moved to alter the motion I have moved, it must be in the prescribed form. It was handed up and I asked to see a copy of it. The amendment has been written on a copy of the *Notice Paper*. It is not in any decipherable form and it has not been signed. The Minister should write out the amendment properly if he wants to speak to it; otherwise the House should debate my motion. The Minister does not have an amendment before the House.

**Mr DAVID BORGER:** It is a written motion.

**Mr Brad Hazzard:** It is not a written motion.

**The DEPUTY-SPEAKER:** Order! I uphold the point of order. The amendment must be in the appropriate form, but is not at this stage.

**Mr DAVID BORGER:** I foreshadow that my amendment will retain the first paragraph, but will delete paragraphs two and three to state instead that Labor opposes the scare campaigns that the Opposition has

undertaken throughout New South Wales against housing for the most disadvantaged people in our communities. We oppose the scare campaign that is being run across the State by the Opposition against housing for our most disadvantaged communities. That is the amendment that I will move.

**Mr Brad Hazzard:** Point of order: At the very least under the standing orders, the Minister should thank the Clerk for quickly drafting what he is trying to move as an amendment. This shows again that the Minister does not know what he is doing.

**The DEPUTY-SPEAKER:** Order! There is no point of order. The amendment is being prepared in the appropriate form. We have very efficient Clerks.

**Mr DAVID BORGER:** Affordable public housing is an issue in relation to which we must show leadership for communities of New South Wales. This is a once-in-a-lifetime opportunity to right the wrongs of the Howard Government, which ripped more than \$1 billion out of the social housing system in New South Wales. Quite a lot of lies have been peddled in the streets, neighbourhoods, communities and electorates of New South Wales by those pedlars of lies, those characters on the opposite side of the Chamber. Opposition members have been whipping up fear in local communities against housing for our most disadvantaged people.

Opposition members do not have a plan or a policy for increasing housing affordability in New South Wales. They do not recognise the significant economic driver for tradies, building professionals, architects as well as the army of builders who are delivering housing for the most disadvantaged people of the State and who would otherwise be out of a job—the Government's investment in social housing. They would happily give back \$2 billion to the Federal Government out of this State. They would deny the right to housing for people over the age of 55 who are pensioners struggling to pay high private rents in their electorates.

The hypocrisy is that when people visit the electorate offices of Opposition members and say, "We would like some public housing. We cannot afford to live in the high private rentals in our area", what do they hear from those members? They hear, "We would like to help you but we can't help you because we would rather pander to the base elements of our community who are opposed to these projects." Why are they opposed to these projects? The projects are not opposed on the basis of design, because we are using the best architects in New South Wales. They are not opposed on the basis of the material quality of the buildings, because we are using the best materials in these buildings. We are fitting these buildings and ensuring that they link with the desired character of local neighbourhoods. It is a low number of modest, small-scale units of generally one or two storeys. That is right—they are no different to what the private sector is delivering. Indeed, in many areas they are beating the market in terms of design. They are utilising lower footprints. We know that these are well-designed projects.

What is happening is that a minority of people in our communities are objecting because they do not like public housing tenants. There is the elephant in the room. Some people do not like disadvantaged people. Guess what? The Liberal-Nationals are supporting those who do not like public housing tenants. They should be ashamed when they say, "We would like to help the disadvantaged, the poor, elderly seniors who cannot afford their own places, but we would like to give \$2,000 million to the Rudd Government because we won't spend it. We want these tradespeople out of work. We don't want to create the additional jobs." I remember hearing this speech from the member for Coffs Harbour.

**Mr Brad Hazzard:** Point of order: We acknowledge the Minister's position—

**Mr Gerard Martin:** What's the point of order? Get on with it, dopey!

**Mr Brad Hazzard:** That is the pot calling the kettle black.

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

**Mr Brad Hazzard:** We are entitled to have a copy of the amendment moved by the Minister. He has two minutes remaining and we still do not have a copy of the amendment. He has had three people helping him. Surely he can put his signature on it and give us a copy.

**The DEPUTY-SPEAKER:** Order! The Minister has submitted the amendment. I am sure it will be copied and distributed to Opposition members.

**Mr DAVID BORGER:** Members opposite do not want to hear this but they need to hear it because they need to understand about hypocrisy. In this House the member for Coffs Harbour said:

Prior to being elected in this House I had a caravan park, and I saw many families on low incomes who permanently lived in caravan parks. The majority of them, both elderly and young families, could not obtain Department of Housing accommodation. They had been on the waiting list for a number of years. The waiting list for some 15,000 people between Newcastle and Tweed Heads is now 12 to 15 years. It is the responsibility of members of Parliament—

listen to this—

to ensure that people are given an opportunity to better themselves by providing them with public housing.

That is what members opposite say in their maiden speeches, but they fail to do the hard job of standing up for something that is right in their local communities. When it comes to explaining to the community that an application complies 100 per cent, is well designed, will create a few jobs and will help our mums and dads, brother and sisters who cannot afford the high rents to get housed, members opposite squib out of it. They show a lack of leadership. Frankly, they should be ashamed of the motion moved by the member for Wakehurst.

Members in the Hunter have met with me on a number of occasions. They have been working over time to ensure that the views of their residents are represented. They have been lobbying me about these issues. Guess what? These applications are advertised to local residents. That is the big lie. These applications are advertised to adjoining neighbours, who get a chance to make a submission. They can say what they think about an application and it will be considered. In many cases we have withdrawn applications, amended them and changed them because the process is a fair one. Frankly, the process is not dissimilar to the process undertaken by local councils. I move:

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

(2) opposes the scare campaign by the Opposition on this issue.

This is a fundamental issue of leadership. On this occasion members opposite have failed to stand up for disadvantaged people. [*Time expired.*]

**Mr VICTOR DOMINELLO** (Ryde) [12.05 p.m.]: I support the motion moved by the member for Wakehurst, and I commend him for bringing this important issue to the attention of the House. The issue before the House today was developed not only in my electorate but throughout New South Wales, thanks to the incompetence of the New South Wales Labor Government. Following the early days of the global financial crisis, the Federal Labor Government offered to provide the New South Wales Labor Government with \$3 billion for the purpose of constructing social housing. Many of these projects were subject to conditions by which the construction and completion were required within a specific time frame. In order to use the \$3 billion that was offered, the State Labor Government rushed through extraordinary legislation that bypassed existing planning laws and effectively allowed the Department of Housing and Housing NSW to avoid proper consultation with the community on the construction of public housing.

On 25 September 2009 Housing NSW sent a letter to all residents in the Ryde electorate concerning a proposed 23-unit development in Kathleen Street, North Ryde. The letter provided that the residents had only 21 days to respond. It noted that after submissions were received the New South Wales Infrastructure Co-ordinator General would examine an environmental assessment report and then determine whether the development was authorised to proceed. Similar public housing developments have also been proposed across Ryde, in Clifton Street and Darvall Road, West Ryde; Tramway Street and Cheers Street, West Ryde; Brush Road, West Ryde; Alison Street, Eastwood; and Longview Street, Eastwood. The process outrageously deprives ordinary citizens of the right to appropriately voice their legitimate concerns over developments that will have a significant impact on their day-to-day lives.

One blatant problem with this process is that it is completely unfair to give residents only 21 days in which to prepare submissions that will have such an impact on their lives. Even if the residents are able to cobble together adequate submissions in this short time frame, they will not be given an opportunity to consider, let alone respond to, the environmental assessment report. The determination by the New South Wales Infrastructure Co-ordinator General is made behind closed doors and, unbelievably, is final, with absolutely no right of appeal. On 29 October 2009 I asked the New South Wales Labor Government a series of questions about its heavy-handed approach to planning in and around the State, including for example whether the New South Wales Infrastructure Co-ordinator General was required to provide written explanations for the

determinations. To date, the residents of Ryde and New South Wales are yet to receive a reply. The Government is quick to impose its will on the people of New South Wales when it chooses to do so, but it is disgracefully slow in providing answers to critical questions to which the public rightly demands answers.

**The DEPUTY-SPEAKER:** Order! Members will come to order. I am sure Hansard is having difficulty hearing the member for Ryde.

**Mr VICTOR DOMINELLO:** Problems with public housing are not just limited to neighbouring residents affected by proposed redevelopments. They also extend to the public housing tenants residing in pre-existing properties scheduled for demolition.

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

**Mr VICTOR DOMINELLO:** I have also addressed in this House the concerns of tenants who have lived in their housing for many years and then on short notice have been given boxes in which to pack their belongings before vacating their premises. The whole process is riddled with incompetence and is emblematic of this broken New South Wales Labor Government. We all agree that we require public housing. However, it needs to be developed in a considered and planned way. If there were detailed plans, and if this Government had a vision beyond doing everything it can to get re-elected, those plans would already have been in place, and approved by council, for the redevelopment of public housing with the \$3 billion offered.

On 27 October 2009 I presented a petition with 199 signatures to this House that highlighted the strong community concerns about this development. I wish to acknowledge the work of a number of active community members who continue to address this issue with other local residents in an attempt to find a suitable solution to this problem. This new approach to planning is eroding the rights of members of our community and their ability to participate in important community decisions that have an immediate impact on their quality of life. The Government must take steps to improve its consultation with the community by allowing for open and transparent planning and development of public homes and major infrastructure around the State. The current arrangement is an absolute outrage and disgrace. Members of the Government should be ashamed of themselves.

**Ms CHERIE BURTON** (Kogarah) [12.10 p.m.]: It is well documented in my maiden speech that when I was about seven years old I was the first resident to move into the Minto housing estate. At that age people in that community, who are now represented by those who sit opposite, said that I would be a bad influence on the children who went to the local school and that a special school had to be built for the Housing Commission kids. That was in 1975 under the Liberal Askin Government.

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

**Ms CHERIE BURTON:** I never thought that at the age of 41, in the twenty-first century, having been a representative of my community for the past 11 years, I would have to defend in this Chamber the right of every citizen in New South Wales to have decent and adequate housing without fear of discrimination and retribution. Yet, here I stand, and I am so angry. Look at the Opposition! The real issue is that members of the Opposition want to delay the development of social housing that will house the elderly and women fleeing domestic violence. Will the Opposition tell women who are fleeing domestic violence, who are now living in caravan parks or out of the back of their cars, that they have to wait 12 more months to get adequate housing while the member for Ryde decides whether it is an adequate development? What an absolute disgrace.

This seriously insidious motion has nothing to do with development or development applications. The credibility of the member for Ryde is shot! In his maiden speech he said, "I met a disadvantaged person once." What a disgrace that the member for Ryde or any other member should say that they represent their community when they really want to deny people the rights of people who are in desperate situations, who cannot get adequate housing and are living in cars and caravan parks! The most vulnerable in our community, the elderly and children, suffer the most. I cannot believe what members of the Opposition are saying in this twenty-first century.

As a seven-year-old in 1975 I just had to accept that under a Liberal Government that was the way the community saw people in public housing. That view should not be evident in the twenty-first century but it is alive and well on the opposite side of the Chamber. It is an absolute disgrace that members of Opposition try to make out that social housing is not about people. Time and time again the member for Ryde has said we need to provide social housing, but I will advise the House about the real agenda of the Opposition.

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

**Ms CHERIE BURTON:** Members of the Opposition want social housing all right, just not next to them! What an absolute disgrace. I have some news for them. I used to be the Minister for Housing and the Department of Housing has been spot purchasing properties for people who are desperate for housing for many years and the member for Ryde might have a housing tenant next to him! That makes him very, very nervous. This is a farce! Let us be clear what the Opposition is about. I have to say to women who come into my office and are fleeing domestic violence that they have to wait 12 more months before I can house them and their children. They have to struggle for another 12 months.

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

**Mr Victor Dominello:** Fifteen years ago you had the opportunity. Why didn't you do it 15 years ago?

**Ms CHERIE BURTON:** I will take up that interjection. He said, "Why didn't you do it 15 years ago?" I will tell him why we did not do it—because John Howard slaughtered the public housing budget in New South Wales. He cut \$850 million out of the budget.

**Mr Victor Dominello:** Point of order: The member for Kogarah was the Minister and she had 15 years to look after this mess—15 years. What have you done over the last 15 years? Nothing.

**The DEPUTY-SPEAKER:** Order! There is no point of order.

**Ms CHERIE BURTON:** I have really hit a nerve here because the Opposition is a mob of classist, elitist spivs. That is what they are: a bunch of classist, elitist spivs!

**Mr KEVIN HUMPHRIES** (Barwon) [12.15 p.m.]: All I say to the member for Kogarah is that she should never be ashamed of where she grew up. Growing up in a housing estate is not a disadvantage. Many members of this House grew up in housing estates, including myself, and many of us still live in communities where there are large and significant amounts of public housing, about which we are proud. I do not think anybody has a problem with that. I live in the middle of housing estates. It is estimated 30 per cent of Moree's population is in social housing—one of the highest densities of population in social housing in this State. The member for Kogarah should never be embarrassed about where she comes from. I acknowledge the Minister for Housing in the Chamber and say that all members are supportive of the need for adequate and appropriate social housing. We are in heated agreement on that.

There are concerns in our community, including the Kogarah electorate, about which I know the Minister is aware. I first became aware of the package earlier this year when the Department of Housing sought to remove a large number of my elderly residents, as the Minister is aware, who were left out of the process. They were concerned that the accommodation into which they were being moved was inadequate. One legally blind resident was extremely upset and relocation caused him an enormous amount of stress. The upshot, when we drilled down into the matter, is that the Department of Housing is cannibalising its own estates.

**The DEPUTY-SPEAKER:** Order! The House will come to order. Members who wish to contribute to the debate will seek the call.

**Mr KEVIN HUMPHRIES:** In country areas they are trying to overlay a city-based proposal. It is all about convenience, speed and over-riding communities. It is not about whether communities want social housing and upgrades. Everybody wants that program in their electorates, something that the Opposition acknowledges. I know Paul Vevers is in the House today. Paul heads up the stimulus package and has been quite helpful in dealing with many of those issues with some of my constituents and no doubt constituents of members of the Government. The problem is that bureaucrats are being forced to adopt a package that does not necessarily meet the needs of our communities. I will provide an outline of the 10 projects for Moree, eight of which people do not have a problem with but they are concerned about the remaining two. I also state that the consultation process has not been transparent. A letter was sent to all residents, and I will quote from a letter from the Department of Housing addressed to one of my constituents in Boston Street:

Housing NSW has consulted with Council to guide the design of the proposed development, and an Environmental Impact Assessment (EIA) under Part 5 ... This will fully assess all potential impacts of the proposed development such as traffic, heritage, noise, overshadowing and privacy.



Here there was a combined response coordinated by the local council, and the council said in response:

There has been concern that consultation and preliminary meetings on the housing projects have been predominantly design-based, with little, if any, regard to social issues and impacts.

That is the problem that members opposite are dealing with and that we are all dealing with and we want it to be resolved. We do not need to rush through all of these projects. Some of them are quite acceptable and some of them are not. Everybody—the residents, the councils—knows that those opposite are bulldozing this. It is all about density and inappropriate development. It is not about social impact. The Government has a failed history over 14 years in relation to housing developments in New South Wales—

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

**Mr KEVIN HUMPHRIES:** Government members get up and say, "Let's have a go at the Opposition because they are trying to create an issue." The issue is in their area. Why do they not stick up for their areas? I will say what we on this side are going to do—certainly in Moree. Our houses have been demolished, ready for redevelopment, but the Department of Housing will not get one of those blocks. I have told the Minister that there will be serious public disobedience in one of those areas, backed by all of the community, and we will blockade and it will not get in there. Why do Government members not stand up for some of their constituents? Constituents are going to see what we are doing in the country and they will say to Government members, "Why don't you stick up for us?" But Government members just will not have a go. What they are saying here and what they are doing in their own communities are two totally different things. They should get on the phone and talk to the Minister, start to readjust, and get back and talk to local communities. Nothing has changed. Government members are being steamrolled and will lose. This is of serious concern. Slow it down and get it right.

**Mr FRANK TERENCEZINI** (Maitland) [12.20 p.m.]: I share the anger of the member for Kogarah at this low base political stunt that has backfired on the Opposition today. Let me say something about what is happening in Maitland.

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

**Mr FRANK TERENCEZINI:** Let me inform the member for Wakehurst of what is happening in Maitland. There have been many proposals put forward that will transform the scene in public housing in Maitland. There is a full consultation process going on to the extent that we have organised meetings with the residents, but not only is Housing New South Wales following everything that council will do, not only are they involving council, they are also forwarding to the council—this is for the benefit of the member for Wakehurst—the plans. The development control plans set overshadowing concerns, setbacks and height, and they are running the development control plans over the plans that have been designed by professional architects and making sure that the houses comply with the council.

I will tell the House something that occurred during one of the consultation processes. I organised a meeting with residents at Gillies Street, Rutherford. Who turned up? Robyn Parker, MLC. Who else turned up? An adviser to Barry O'Farrell. We were all there. When I asked Ms Parker to make a contribution—and this indicates how the Liberals regard housing—what did she say? "This is just a whinge-fest," she said. Those were the words that came out of her mouth: "This is just a whinge-fest." Not only is she part of the Hunter Liberals, she is part of the Hunter hypocrites, but sitting in front of the constituents that I represent she called them whingers. What a disgrace. Then councillor Bobby Geoghegan goes around telling everybody that the development control plan prohibits all these kinds of development. What a load of rubbish. These guys should go back to the drawing board. They should start doing their homework and go below the surface.

This is about the surface-skimming, shallow-thinking and low-flying member for Wakehurst. And what happens when you do that? You bump into leaves and branches and power lines. That is what happens when you fly low. The member for Wakehurst is a low-flying member. He is coming across all the leaves and branches and today he has come down crashing. The stunt has gone wrong. It is absolutely abysmal. Look at him. He has some explaining to do to the people of New South Wales. Why is he so much against public housing? What is his problem? The person who should be studying Debating in Parliament 101 is here trying to make all this trouble. What is the problem with public housing? Every time we mention social housing for the disadvantaged, members on the other side have a problem.

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

**Mr FRANK TERENCE:** Why do they send someone to a public meeting who calls my constituents whingers? I would be embarrassed if I sent a member of the Legislative Council along who called my constituents whingers. I would be terribly embarrassed about it, but that is what is going on. The Hunter hypocrites are trying to make political gain from an issue and it has backfired totally. Why? Because there are people like the member for Wakehurst, who does not do his homework, does not find out what is going on, comes in here half-baked, leading with his chin, putting on this extraordinary motion that the member for Ryde just stumbled into—he is a bloke who stumbled into this debate and tried to make some good of it, but there was nothing at all in what he said—and it is about time that, if they want to be a credible Opposition, they did their homework.

The member has been caught out once before with the Planning Minister when he embarrassed himself when he could not come up with one decision that was based on wrong law, and he has done it again today. He has come into the House without doing any homework whatsoever. His mates in the Hunter are embarrassing him no end. It is about time that members on the other side started doing some homework and got their act together so that at least they look like a credible Opposition when they go for government at the next election.

**Mr BRAD HAZZARD** (Wakehurst) [12.25 p.m.], in reply: When you lift a rock, it is amazing what crawls out from under it, isn't it?

**Mr Gerard Martin:** Yes, it is—have a look at them.

**Mr BRAD HAZZARD:** It is. Two of the three members for Charlestown, Maitland and Swansea have not even chosen to speak today. The member for Maitland stood up. Let me recap. The Minister for Housing stood up but did not address any of the issues that the Opposition raised. I remind the House that the Opposition raised concerns. We have acknowledged that there is a need for more social and public housing. It is in paragraph (1) of our motion, which I will read again because members on the other side apparently cannot understand it:

- (1) recognises the need for adequate and appropriate social housing, especially for the elderly and disabled;

We have supported that. I was the shadow Minister for Housing. I have held a succession of Ministers to account. Each one of them has failed. Today we have heard from two of the most junior Ministers—which is part of the problem under State Labor because the most junior people get the housing portfolios when it should be senior people. David Borger is the new boy on the block. Cherie Burton, the member for Kogarah, came in here today and gave us her histrionics.

**Mr Gerard Martin:** Point of order—

**Mr BRAD HAZZARD:** Speaking of histrionics, now the king of histrionics is standing.

**Mr Gerard Martin:** I ask that the member be directed to refer to members in the correct form as laid out in the standing orders.

**Mr BRAD HAZZARD:** Yes, Bundy.

**The DEPUTY-SPEAKER:** Order! I uphold the point of order. The member for Wakehurst will refer to members by their correct titles.

**Mr BRAD HAZZARD:** As I was indicating, the most junior people are put into the housing portfolios and the member for Kogarah today gave an hysterical defence, but it was a totally misdirected defence. Who was the Minister for Housing for some years? It was the member for Kogarah. She put up a defence today focused not on the substantive issue that the Opposition was raising, which is that the Government is steamrolling over local communities in its effort to put public housing in place—

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

**Mr BRAD HAZZARD:** For the record, at the moment there are nine Labor members making ridiculous childish noises. They are trying to talk me down when the Opposition is simply trying to bring to the forefront the concerns that it has about the fact that across New South Wales, and particularly in the Hunter and in Kiama and in many other Labor electorates, there are Labor members of Parliament who are not speaking up

for their communities. There are communities right across this State who say, day after day, "We are quite happy to have public housing. We support public housing and we support social housing. We support those who are the most vulnerable in our communities receiving support from Government. We know that we have to have public housing and we want it, but we do not want to be steamrolled and have it dropped into our neighbourhoods all across the State." What a character the member for Maitland is. He said the council are all on board. Here is a letter—

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

**Mr BRAD HAZZARD:** It says, "Frank Terenzini, where are you?" He is here in the Parliament making a racket but he is not in his electorate and fighting for his people—no way.

**Mr Frank Terenzini:** Point of order: I did not say the council was on board. I said it had been consulted.

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

**Mr BRAD HAZZARD:** I point out that the same councillor said, "I call on our local member, Frank Terenzini, to stand up to his masters in the Government and put forward the concerns of residents to give Maitland residents reasonable and considered development." The message back to the Hunter today is that the Government's three stooges came into this place and failed to address the real concerns of their communities. Not one of them spoke a word about local communities being steamrolled by planning. I formally thank the members for Ryde and for Barwon for supporting the Opposition motion. I also thank the members for Granville, for Kogarah and for Maitland, but I note that two out of three members from the Hunter failed to say a word. The member for Kiama also failed to say a word about this issue today.

**Mr Gerard Martin:** Point of order: The standing orders allow only a certain number of speakers from either side, so therefore they could not speak, you dope!

**The DEPUTY-SPEAKER:** Order! The time for debate has expired. The member for Wakehurst will resume his seat.

**Mr BRAD HAZZARD:** I was going to ask for an extension of time, Madam Deputy-Speaker.

**The DEPUTY-SPEAKER:** Order! I do not think it would have been granted, just quietly.

**Question—That the amendment be agreed to—put**

**The House divided.**

**Ayes, 51**

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

**Noes, 36**

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

**Question resolved in the affirmative.**

**Amendment agreed to.**

**Motion as amended agreed to.**

## **VIOLENCE AGAINST WOMEN**

### **WHITE RIBBON DAY**

**Mr GERARD MARTIN** (Bathurst) [12.40 p.m.]: I move:

That this House:

- (1) notes that 25 November is designated by the United Nations as International Day for the elimination of Violence Against Women;
- (2) notes that violence against women remains the most widespread human rights abuse in the world and that a recent report by the White Ribbon Foundation found that one in four 12- to 20-year-old Australians surveyed were aware of domestic violence against their mothers/stepmothers by their fathers/stepfathers;
- (3) notes that the white ribbon is the symbol for the day, and that on 25 November around Australia thousands of men and women will be wearing a white ribbon to show their support for this cause;
- (4) notes that the white ribbon campaign is the largest effort in the world of men working to end men's violence against women, and that wearing a white ribbon is seen as a personal pledge never to commit, condone or remain silent about violence against women;
- (5) congratulates the men and women who have taken this pledge by wearing a white ribbon on 25 November 2008;
- (6) notes that White Ribbon Day aims to build cultural change around the issue of violence against women through education and by promoting a culture of non-violence and respect, particularly among men and boys; and
- (7) commits itself to eliminating violence against women.

I gave notice of this motion just on the cusp of our observance of White Ribbon Day in 2008. The genesis of the white ribbon movement came from the Universal Declaration of Human Rights. The United Nations General Assembly resolved in its Declaration on the Elimination of Violence against Women:

Violence against women constitutes a violation of the rights and freedom of women. There is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of all violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women.

I suggest that the declaration could include the words "and children" after the words "against women". The rights and freedom of women and children are basic human rights. Violence against women and children, which appears to be a culture in Australia, is prevalent in our society and we have a habit of burying the problem. There has been an explosion of the observance of White Ribbon Day since its implementation in Canada in 1991. New South Wales, one of the States that has been driving this campaign, has a cohesive and well-organised White Ribbon Foundation that has been working hard to change this culture.

Members would be aware that 80 per cent of the violence against women and children is perpetrated by men, and that the great majority of that violence occurs in normal nuclear families or in personal relationships. White Ribbon Day seeks to ensure that this problem is placed fairly and squarely on the shoulders of men. The White Ribbon Day ambassador program is the strategy being used by white ribbon campaigners. I have been an ambassador for this cause for about five years. Sue Conde rang me—I had worked for her husband for many years in the coal industry—and she said, "We need members of Parliament to become involved." Andrew O'Keefe, a well-known television personality who chairs the White Ribbon Foundation in New South Wales, introduced me to the foundation, and thereafter White Ribbon Day became a reality.

For about 20 years a domestic violence committee has been active in my community. Mimi O'Reilly chaired that committee for many years, but she stood down a couple of years ago and was succeeded by Jack Goldenberg. Jack is still involved with that committee, but someone else has taken up the presidency. That organisation, which is located in my electorate, was quick to support me in spreading the word. Yesterday a number of White Ribbon Day functions were held in Parliament House. The day commenced with a breakfast in the Strangers Dining Room, which was well organised by the Hon. Marie Ficarra, a Liberal member of Parliament in the upper House. I do not know how many people attended but there would have been 200 or more, including a number of my colleagues from both sides of the House.

Richard Harry, the guest speaker at the breakfast, is a well-known and prominent Wallaby front row forward, who retired seven or eight years ago. He played for the Wallabies when they were winning the Bledisloe Cup and the World Cup. Richard, who appears fit enough to play again with the Wallabies, said that men should shoulder this burden and thus make a difference in society. Questions were asked from the floor and people expressed a number of opinions on how to go about making a difference. The white ribbon campaign encompasses a number of programs. The free television and radio campaign, which is run by Sacchi and Sacchi, one of the world's biggest advertisers, has copped some criticism over the years because of its confronting advertisements. However, that was done for a purpose.

We cannot take this issue lightly. We cannot walk around the edges or tread carefully; we need a hard-hitting campaign. We must ensure that we get the message across in the community. Men must develop a cultural respect for women in their communities and we must get across the message that violence is not the answer. When there is some sort of conflict in a relationship, in a family, or in a group, people tend to resort to violence. The violent culture that has developed seems to be a worldwide phenomenon. The White Ribbon Foundation is working in cooperation with other organisations and with the Government. As a result, this Government has introduced a number of domestic violence initiatives and laws.

One of the great things we have done in this country is to place a restriction on firearms. The worst violence to which women have been subjected has always involved the use of a firearm, and that still occurs from time to time. Yesterday the Minister for Community Services and the Attorney General announced an in-depth study into deaths from domestic violence over the past 20 years. I am sure that that sort of information will help us to understand this phenomenon and to find solutions to this problem. However, we must continue to spread the word. A great cross-section of the community attended yesterday's breakfast at Parliament House. Apart from Richard Harry there was a group from the Cronulla Sharks rugby league team, Wendell Sailor from the St George Illawarra Dragons, and members from a few other codes and clubs.

Michael O'Loughlin, who recently retired as the 300-game plus player for the Sydney Swans, was present, as was Adam Spencer from radio 2BL. A number of senior people from the police, the Army and the New South Wales Fire Brigades also attended. No matter where we come from, we must all stand together and keep spreading the message. For 16 days there is much publicity in the media about White Ribbon Day. We must recognise that for the other 364 days of the year the problem remains.

Vigilance is the key. We have to work with our friends and families. From time to time we might detect physical violence against women and children amongst our friends and families. We men must stand up and not be silent. Being silent is the greatest cop-out. Saying nothing makes one as negligent as the perpetrator. We need to talk to people about this problem. Yesterday Richard Harry said that it is not easy to confront someone close to you and tell them that their behaviour is, at the very least, unacceptable and probably criminal. Unless we all stand together on this issue and work with organisations like the White Ribbon Foundation and spread the message in the community, we will all have a case to answer. The New South Wales public school system is trialling a scheme in the Sydney region aimed at building relationships between male and female students based on mutual respect. Hopefully this scheme will be rolled out to all schools. These are the sorts of things we have to do to overcome this problem.

**Ms PRU GOWARD** (Goulburn) [12.50 p.m.]: Obviously, the Opposition is delighted to support this motion, certainly not to oppose it, and join with the member for Bathurst in acknowledging the importance of White Ribbon Day. I should say though that since White Ribbon Day was yesterday, the responsible Minister should have made a ministerial statement to the House to acknowledge the importance of this issue. That is the very least the Government could have done. It is disappointing that the Government chose instead to move a Dorothy Dix-type motion and make a limited announcement about the homicide review team. Of course, the homicide review team is a good thing, but it is three years too late. The Ombudsman certainly recommended such a procedure in 2006 and the Opposition called for it last year.

It has taken the Government a year to make up its mind on something that really should have been the obvious next step in improving our response to domestic violence. The elimination of violence—not just domestic violence but also the rape and death of women in war and armed conflict—against women is an international concern. However, in this country we are primarily concerned with the elimination of sexual assault and domestic violence against women. A number of other States already have homicide review teams in place, and I welcome the Government's announcement. The relevant authorities in countries with similar procedures, such as the United Kingdom, have managed to improve their response to domestic violence as a result of being better informed about what was not working.

New South Wales Government agencies feared that a homicide review would expose their systems and attract unwelcome political criticism. Those agencies can take comfort in the fact that elsewhere these reviews have produced sensible recommendations and have not been used as an opportunity to place blame on or pursue individual public servants. Domestic violence in its most serious form results in intimate partner homicide. In Australia 88 per cent of intimate partner homicides are committed by men against women, leaving a small, but significant, proportion of women who kill men. Sadly, domestic violence is a crime of men against women. White Ribbon Day is significant in the campaign against domestic violence because as part of this campaign it engages those men in the public spotlight who are admired by other men.

We should remember how far we have progressed as a community. It was more difficult 10 or 20 years ago than it is today to get men to stand up against the violence men perpetrate on women because of a sense of embarrassment and of betraying their mates. I am pleased that we can now draw on a cross-section of men of all ages, all socioeconomic groups, all professional groups and all occupational groups—regional and city—to stand up against those violent men with pride. Ward Hansen, deputy commander in my local area command of Goulburn, certainly has done so with pride. It is a welcome change that reflects the success of ongoing public awareness campaigns, which are particularly focused on the criminality of this crime.

Domestic violence is like any other crime; it should not be excused because it happens between people who love each other and, therefore, it is a private family affair. When the movement against domestic violence began more than 30 years ago the challenge laid down by women to the churches and the courts was to stop thinking of domestic violence as something in which the State had no place. It is pleasing to know that 30-odd years later the clear acceptance is that it is not just a family's business; it is the business of the State. When domestic violence is perpetrated, innocent lives are at stake, particularly the lives of children. The involvement of children must make the State an active participant in domestic violence awareness and, of course, its prosecution and elimination.

The domestic violence incident rate is a vexed issue. It is tempting to suggest that any improvement is a real increase in the level of domestic violence. Certain factors will affect the incidence of domestic violence—seasons or even an economic cycle—but the general view is that an increase in the incidence of domestic violence reflects greater confidence by victims in reporting the crime and greater support from the police, which is the reporting agency in the first instance, and their preparedness to act. Whether that trend continues depends very much on the services provided as the case proceeds from the reporting stage through to the court hearing.

It depends also on a well-integrated response between agencies so that the woman is not forever asked to retell her story. One of the abiding issues of domestic violence is the victim's view of the incident. Often victims take a long time to report the incident and when they eventually do, it is never a report of the first time the victim has been hit. Sometimes domestic violence goes on for years. By then the self-confidence and self-belief of the victim is so badly damaged that it is difficult to persuade the victim that she has the right to complain and that she should take action.

I am sure others in this place will agree that often women have withdrawn the charge or withdrawn their willingness to give evidence against their loved ones. They do this for a number of reasons: "He's

apologised and he said, 'It won't happen again. I was drunk.'; they do not want to embarrass the family; their extended family has put enormous pressure on them to preserve the family's respectability; or they are frightened that the perpetrator will go to jail, which not only would bring further dishonour on the family, but also would lead to a loss of income in some instances; and, of course, the effect on the children and their fear of losing their father.

For any number of reasons women have often contributed to the under-reported statistics or have failed to pursue a domestic violence charge to finality. This course of action is frustrating to the police and, indeed, to women's welfare agencies. It is impressive to know that we have now reached an unusual point in the law relating to domestic violence offences: The evidence of the victim is not necessary for a magistrate to find an offender guilty of the offence. That clearly reflects the need to relieve women of the responsibility of, as they see it, dobbling their partner in and bringing disgrace and embarrassment upon the whole family.

We should be telling women and victims of domestic violence more generally that it is not just about them. If domestic violence is occurring in a household where children are present—which of course until recently was a ground for mandatory reporting to the Department of Community Services—victims of domestic violence need to know that by staying in that household and coping abuse for the sake of the family and the children, they are increasing the risk of their children suffering irreparable psychological and emotional damage. Indeed, as statistics show, there is also a risk that those children will go on to be either perpetrators or victims of domestic violence.

We must ensure that services are available to match White Ribbon Day so that when increased incidences of domestic violence are reported, they are met with decent levels of service and that victims do not walk away feeling unsupported—which is a point I have made previously in the House. We should also ensure that our public awareness campaigns emphasise to victims that they are not only letting themselves down and jeopardising their future safety but also jeopardising the future of their precious children.

**Ms ALISON MEGARRITY** (Menai) [1.00 p.m.]: For those of us who are blessed to live in loving and supportive relationships, the reality of domestic violence for many children, women and some men is impossible to fully comprehend. But it is a reality that many in our community endure daily as they live in fear of those who exercise a most despicable power over them. The word "home" should invoke comforting feelings of nurturing and sanctuary. How tragic it is that for so many it is the scene of physical and emotional misery as well as violence. It is equally tragic that many of the victims psychologically process their experience of domestic violence to mean that they are the cause of what has been thrust upon them. Obviously, that is a very bad misconception, but perhaps it is the only way that they can process what is happening to them.

Last Friday, 20 November, together with my parliamentary colleague the Minister for Ageing, Minister for Disability Services, and Minister for Aboriginal Affairs, Paul Lynch, I attended an information day at the Liverpool Women's Health Centre that focused on domestic and family violence. I mention as background that the Liverpool Women's Health Centre was established through a grant by the Whitlam Government in 1975 that was obtained by women from what was then known as the Women's Liberation Movement—we do not hear that term very often these days—who worked in close consultation with a group of women from Green Valley. It was the second women's health centre to open in New South Wales.

Last Friday at the centre the focus was on the Aboriginal Women Against Violence project, which was developed by the Joan Harrison Support Services for Women in consultation with Aboriginal workers and the community in the south-west Sydney area. It was identified that Aboriginal women were not accessing local women's services due to a lack of knowledge, information and a historical fear of using primarily Anglo-Celtic services. So their issues, particularly pertaining to family and domestic violence, were not being heard. As a result, the Aboriginal Women Against Violence project was developed. In its development, two tiers were identified: the first was the Peer Support Program and the second was the Aboriginal Women Against Violence Committee. The project was funded for two years by the Federal Attorney-General's Department.

The program identified that often knowledge in Aboriginal communities is distributed by word of mouth. The Peer Support Program is specifically designed to equip women from the Aboriginal community with knowledge of the issues, resources and services available to those who are experiencing or escaping domestic or family violence. The program was open to any Aboriginal woman in the community and ran for nine weeks. On the day we gathered together in the covered outdoor area of the Liverpool Women's Health Centre, which is appropriately known as the healing area, and watched many wonderful women receive their certificates for

completing the Peer Support Program. Despite the very oppressive heat of last Friday—I am sure members who cast their minds back will remember that day—we were nonetheless pleased to attend and were very moved by the stories of the women who participated in the program.

There was also some entertainment. Before performing, an older indigenous woman who is a professional blues singer—she is very good—shared the story of her hard life. She left home at an early age and grew up knowing rape and violence as everyday and almost acceptable occurrences. One might say that she had plenty of life experience to draw upon in singing the blues, but she was nonetheless very charming. She had battled her own issues of addiction and at one stage even managed to invite a local police officer in attendance to do a little dance with her. I think he was a great sport to do so. She said she invited him because he was the only gungy there.

It was certainly a lovely atmosphere and a very moving event. However, as Kath Jones and her dedicated team at Sutherland Shire Family Services in Jannali would say if they were here today, race, social advantage and relative affluence are not determinant factors when it comes to the scourge of domestic violence. The Sutherland Shire Family Services Centre has been recognised formally on many occasions for the work it does in consultation with the local police, the Department of Community Services, the Department of Housing and other non-government services.

We are indeed very lucky to have services such as the Liverpool Women's Health Centre, the Sutherland Shire Family Services Centre and, as I have mentioned, the government and non-government people who assist those organisations and others to do good work for people who live in very tragic circumstances. In dealing with those cases, they must suffer a great deal. I am very grateful that they undertake that role. I do my best as a local parliamentarian to support them in what must be a very tough role, but hopefully a very satisfying one when they achieve a good outcome. To all the people who look after others who need so much help and support, we say "Thank you".

**Mr JOHN WILLIAMS** (Murray-Darling) [1.05 p.m.]: I support the motion moved by the member for Bathurst to recognise White Ribbon Day. There is no doubt that White Ribbon Day is certainly a step in the right direction towards addressing something that has been occurring in society for many years, if not throughout our entire history. White Ribbon Day recognises the value of women in our society. Throughout my life I have noticed the contribution that women make in our society and the absolute importance of women. I have gained respect for women over time for their ability to play a major role in society and in framing the future of society.

I have talked with police officers in my electorate and I am aware of their frustrations when dealing with domestic violence. They have been given a domestic violence kit for use when they attend a domestic violence incident. The kit enables them to make a video recording of the events. The evidence they record at the time is clear and detailed and the victim is present. The video recording shows some of the injuries that are suffered during the assault. In most instances the perpetrator is also present, admitting that he committed the attack.

Frustration arises for the police when the perpetrator is charged, the charges are processed and the matter proceeds to court but the victim decides not to give evidence. In every instance, without corroborating evidence from the victim the charges are dismissed and the perpetrators revert to their normal lives—such as they may be. In most cases the perpetrators repeat the assault, but to an increasing degree. Before I was elected to Parliament, I ran a business in Broken Hill. A young girl who worked for me had been assaulted by her partner on many occasions. One day she did not come to work. Her sister came to tell me that she was in hospital because her partner, not being satisfied with physically beating her with his hands, had taken to her with a brick and she had been seriously injured. That is how the violence increases.

Police find that domestic violence tapes are not being recognised by the court. A magistrate could easily look at the contents of a video that was taken on the night and proceed with prosecuting the perpetrator. Unfortunately, most magistrates choose to ignore the contents of material that is raised post the event. The material is a clear indication of what happened, and it presents an opportunity to charge the perpetrator of the crime in court. Perhaps that would cause the perpetrator to start changing his ways. We need to recognise that in most cases victims rejoin their partners and continue life; there is a degree of love in the relationship. As we heard, in most cases domestic violence occurs when the perpetrator is under the influence of alcohol.

If the perpetrator is charged, that gives them an opportunity to address their alcohol or inebriation problems, make changes in their life, and recognise the benefits of a marriage that works without violence. Let



children enjoy life, knowing that their parents support them. They should not see first-hand incidents of domestic violence, which clearly become intergenerational. I appeal to the Government to ensure that magistrates use domestic violence tapes in the manner they were intended.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [1.10 p.m.]: This issue is above politics. No issue is more important than stopping violence against women. Quite simply, violence in our families has to stop. The effects are so damaging that we can no longer as a society tolerate making domestic violence solely the problem of those who are directly affected. The reality is that we are all affected already by the effects of domestic violence. As a paediatrician I have seen countless lives destroyed by the effects of domestic violence. One case that springs to mind concerns the mother of one of my patients who had a longstanding heroin addiction problem. She said to me, "Andrew, my life is a long one of violence and betrayal." Domestic violence is summarised by those two words. Violence and betrayal are the long-term effects of domestic violence and they do not go away when the domestic violence stops. We need to prevent it happening in the first place.

Children with behaviour difficulties in our schools are often witnesses to domestic violence, and this is usually not admitted to, even upon direct questioning. Only by stopping domestic violence as a society will we be able to protect those most vulnerable children. Professor Deborah Phillips, Professor of Psychology and Public Policy from Georgetown University in the United States of America, spoke in this place last year of "toxic stress". Early childhood experiences create a weak or sturdy foundation on which subsequent efforts can build. The brain is like an enormous computer that is hardwired in early childhood. From birth to age three, the brain lays down the stress response system. For that reason, exposure to toxic stress is a major concern. The major cause of this toxic stress is traumatising events such as domestic violence, which is often associated with abuse or neglect.

The greatest tragedy of domestic violence is the intergenerational one. It is often repeated down the generations, either as victim or perpetrator. Sadly, the Christmas holiday period is the peak time for domestic violence in our society, as families who are not getting on often have the extra stress of Christmas and alcohol. Any woman can become a victim of domestic violence or sexual assault. There are no geographical, socioeconomic, age, ability, cultural or religious boundaries that protect people from this dreadful crime. Almost one in four children in Australia have witnessed violence against their mother or stepmother. According to the *Medical Journal of Australia* of 2 November, one in four of the 3,600 indigenous women it surveyed who were living with dependent children younger than 15 years reported being the victim of domestic violence just in the previous year.

White Ribbon Day casts the necessary spotlight on these dreadful crimes and on the need for our community, men and women, to speak out about these crimes and to stop them. The White Ribbon Foundation and our brave White Ribbon ambassadors are true leaders of our society. I swore the oath on the website some months ago, and recommend that every member in this place do likewise. At the White Ribbon dinner on 10 September I met Kevin Maher, previously from the Australian Workers Union, who spoke to me quietly and eloquently about the effect his father's domestic violence had on Kevin's life. Kevin has broken the cycle, and it was great to hear the Prime Minister, Kevin Rudd, pay tribute to him. We need to enable every person who has witnessed domestic violence to break the cycle. But as the *Medical Journal of Australia* stated, breaking that cycle presents a complex and difficult policy challenge. It is one that is almost beyond government, so every man in society must take the lead.

Every man needs to adopt a zero-tolerance approach to domestic violence. As the Prime Minister said, politicians are ideally placed to take the lead on this issue. Yesterday in this place Sen Raj spoke of a recent magazine quiz that awarded points to men for having had coercive sex. This attitude, which is to be deplored and should have caused an angry reaction from advertisers, went unnoticed. Paragraph (6) of the motion refers to the need for cultural change and for respect among men and boys. All members are aware, though many do not speak up publicly, that subtle and not-so-subtle misogyny is well and truly a part of many occupations, including public office. That is why I am proud to wear the white ribbon. Looking at the impressive list of ambassadors, I am pleased to see that a large number of young men who are still at school have taken a stand. I urge all colleagues in this place to take a stand against domestic violence because people power is the answer to this dreadful problem.

**Mr GERARD MARTIN** (Bathurst) [1.15 p.m.], in reply: I thank the member for Goulburn, the member for Menai, the member for Murray-Darling and the member for Macquarie Fields for their contributions to this important debate. First, I take issue with the comments of the member for Goulburn. Her

criticism of the Premier or the Government for not giving the matter enough prominence yesterday was not fair. Throughout the day the Premier was involved in public manifestations of support for eliminating domestic violence. Indeed, he joined the Leader of the Opposition and other members to ensure that the approach was bipartisan. We could always argue about the timing of the homicide review, to which the member for Goulburn also referred. The Government has done its homework to ensure that the terms of reference and the way it operates produce maximum benefits.

The member for Menai focused her comments on indigenous people. Unfortunately, for a host of reasons alcohol abuse and domestic violence are over-represented in our indigenous community. Rather than being critical of that, as the member for Murray-Darling said, we must ensure that resources are available so that women who are locked into the cycle of domestic violence, particularly in remote indigenous communities, have a lifeline and support. They need to know that if they make a stand they will be supported. Some people have been critical of women who return to a relationship after they have suffered domestic violence. However, in many cases the women do not have much choice. If they want to make the break, we need to look at ways of providing support and assistance to enable them to do so—whether it is relocation or whatever.

Yesterday at the White Ribbon Breakfast the chief executive of the association made the point that domestic violence is estimated to cost the Australian economy something like \$15 million a year. I know that money is not the important issue but we need to take stock of it because if this blot on our society were eliminated it would free funds, particularly government resources, for a host of other things. The figures underscore the extent of the problem. One in three women or children will at some time be subjected to domestic violence. The spotlight was very firmly on White Ribbon Day this week, highlighting the response of the community to domestic violence. But we, and men in particular, need to make sure that we keep the issue prominent in our minds and our lives for the remaining 364 days of the year.

We should look for signs in the workplace, our families or in our relationships with sporting clubs or other organisations, and we need to react to them and find strategies to cope with the problem. The White Ribbon Day website provides a whole host of information and strategies to work through the problem. We should all be vigilant and aware of domestic violence and be unrelenting in our pursuit of this issue. Come White Ribbon Day next year I hope that greater strides will have been made. I am one of 1,000 ambassadors signed up by the White Ribbon organisation and I hope it has a membership 10 times that number next year. One does not have to be a prominent member of the community to make an impact. As the member for Macquarie Fields said, young schoolboys are now signing up. If society tackles this problem we can make a difference but we have to be vigilant and determined. I commend the motion to the House.

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

**Motion agreed to.**

## **DROUGHT ASSISTANCE**

**Ms KATRINA HODGKINSON** (Burrinjuck) [1.20 p.m.]: I move:

That this House:

- (1) notes that without significant rainfall, Wyangala Dam, in the Burrinjuck electorate, could be down to 3 per cent capacity by 30 June 2009; and
- (2) calls on the Government to provide drought assistance to those in need in the Burrinjuck electorate until the impact of the drought is over.

At about this time last year I gave notice of my intention to move this motion in order to draw attention to the significant need for additional drought relief in regional New South Wales, and the Lachlan River Valley in particular. When I put forward the motion the storage level in Wyangala Dam was about 12 per cent and many of my constituents had expressed concern to me about the future availability of water. This concern was justified, with storage gradually decreasing from 16 per cent in December. Unfortunately, the drought has continued. I believe it has hit the Lachlan River Valley harder than any other area in New South Wales.

As I forecast in the motion, storage levels have continued to drop steadily. Yesterday Wyangala Dam retained only 4.8 per cent of its capacity, down from 4.9 per cent just four days ago. For the past week daily water releases have remained constant at 230 megalitres. Even more important is the fact that the net reservoir

inflow has varied between minus 102 megalitres to minus 32 megalitres. The water level continues to decline. There is no relief in sight in the short term, and medium- and long-term forecasts also give no indication of any reasonable rainfall. The most recent Critical Water Communiqué for the Lachlan River states:

With the failure of spring rains, the catchment only received some scattered showers and isolated thunderstorms providing only 10-30 mm of rainfall during October.

This provided an inflow of only 4,000 megalitres into storage.

Inflows from July to September provided 26,000 megalitres.

To run the Lachlan River normally takes around 135,000 megalitres per year.

In other words, the Lachlan is 30,000 litres short of the yearly minimum amount of water required for it to flow continuously. This is the smallest inflow on record. At this rate the Lachlan will be completely dry by February 2010. To preserve the available water for as long as possible, State Water has taken the drastic and controversial step of limiting flows from Wyangala to the extent that they will reach downstream only as far as Condobolin. State Water intends to send periodic pulses downstream from Condobolin to provide water to the Lake Cargelligo weir pool.

State Water has also made a Temporary Water Restriction Order under Section 324 (1) of the Water Management Act 2000 for the Lachlan Regulated River, imposing specific restrictions and prohibitions on taking water from the river. Access licence holders are not allowed to take water from the Lachlan River downstream of Condobolin. Additionally, the taking of water from the Nerathong Creek, Wallamundry Creek, Walloroi Creek, Jemalong Creek and Carrawaddy Creek is prohibited. The only exemption to this is if a licence holder has an approved water order from State Water, and extraction is in accordance with the order.

Access to water for domestic purposes by landholders along the river is limited to the same level of restrictions on town water imposed by the local shire council. In any event, water can be extracted from the Lachlan only through a pipe to a trough in order to minimise losses through evaporation. The effect of these restrictions is also impacting towns and villages in the Lachlan River Valley. Forbes, Cowra and Condobolin will continue to receive town water from the Lachlan River. The Parkes water supply is mainly from groundwater sources, but it does have access to pumps on the Lachlan River. I acknowledge that the New South Wales Government has announced an emergency Lachlan Assistance Package, including \$2.1 million for emergency bores at Forbes, Condobolin, Lake Cargelligo, Ivanhoe, Euabalong, Euabalong West, Booligal and Oxley.

The Lachlan Assistance Package also extends the 50 per cent transport subsidy for domestic water transport to all rural landholders in the Lachlan River Valley downstream from Condobolin. Finally, the Minister has said that landholders may defer the payment of general security fixed water charges for the Lachlan Valley for six months. He has made a vague statement about the possibility of this being extended following a review at the end of this period. The total cost of this package is \$4.45 million. That is a very quick overview of the situation facing the residents of the Lachlan River Valley, particularly those downstream from Condobolin.

This drought has hit the Lachlan River Valley extremely hard. Worse still, the residents of the lower Lachlan Valley believe that they are being treated as second-class citizens because of the decision to stop the flows below Condobolin. This decision has divided the community of the Lachlan River Valley into the haves and the have-nots. If nothing else, the Government should be bending over backwards to be fair. If that is not possible, it should be introducing significant compensatory programs as an equaliser.

In 2002-03 the general security allocation for this river was only 3 per cent. For the next two years there was no general security allocation. In 2004-05 the allocation was 19 per cent. In the 3½ years since then the general security allocation has been set at zero. The recent announcement of the drought figures for November revealed that almost 6 per cent more of New South Wales had fallen into drought conditions. The announcement was met with the usual expression of sympathy from the Minister. In October the former Minister for Primary Industries, Ian Macdonald, said that many country communities face horror circumstances. Of course he is right, but it is deeds not words that are important. This Government has done very little if anything new to help regional New South Wales, despite the drought continuing. As I said earlier, the Lachlan Assistance Package is worth only \$4.45 million. Ten times that amount would not be enough to fully address the need that exists regarding the Lachlan River.

The last new drought support measure before the Lachlan package was the introduction of drought support workers. That was some six or seven years ago and it happened only because we put so much pressure

on the Government to bring in drought support workers who are very valuable for our communities. Since 2002 the Government has provided not nearly enough money in total drought assistance programs. I have received a letter from an irrigation farmer near Lake Cargelligo. His farm on the Lachlan River had used only 50 per cent of its general security allocation for the 20 years prior to 2002. Since the drought started, this property has had six years with no general security allocation. In one year there was a 3 per cent allocation and in another a 19 per cent allocation. This property has had five failed winter crops since the beginning of the drought.

His property is again facing a zero allocation in 2009-10. But over this entire period he has been forced to pay an average of \$14,500 a year in fixed water charges—about \$116,000. That is a massive cost to face with no income. He can now defer these charges for six months, but what happens at the end of this period? He has been living on and working his farm thanks to his bank overdraft. But it is getting very hard and the bank is getting very restive. At the end of the six-month deferral period—or at the end of 12 months, if it is extended—he will still be more than \$14,000 in debt just from the fixed water charges. Irrigators who defer these charges do not even know whether they will be hit with interest. I have asked a question of the Minister for Water seeking clarification in relation to that issue and I would be grateful if he would provide an early reply so that I can advise my constituent.

The drought support measure that irrigators request most frequently is the waiving, not deferral, of fixed water charges on general security licences. I have announced that the Coalition will do this in government. I note the statement by the Premier during question time yesterday that the Coalition has no water policies. That is such an untruth. We have a great water policy, particularly in relation to fixed water charges for people who have had zero allocations for two years or more. This problem should be totally above party politics. It is so important.

At the moment general security water licence holders in the Lachlan and Belubula rivers would immediately have their fixed water charges waived if we were in government. We would also immediately commence a review of the water charging system with a view to a new system that better reflects the cashflow of farmers and businesses, and provides compassion for families doing it tough. Yesterday the Auditor-General revealed that there was a cost blowout of some \$86 million of taxpayers' money from two Sydney Water IT projects. Perhaps we should start there if we want to look at where the money is going to come from to help poor farmers. By resolving the incompetent project management of this department we would save millions and millions of dollars—money that could be spent to help farmers seriously struggling with the drought.

An irrigator who has no income because he or she has no water has to pay fixed water charges of thousands and thousands of dollars. Is this fair? The Government waived fixed water charges in 2003-04 and 2006-07. That is a matter of historical fact. I call on the Government to waive fixed water charges for the poor irrigators who have been suffering so terribly from the drought. They are trying to feed this State—feed the nation—yet time and again they have to pay fixed water charges, receiving not a drop of water allocation. It is particularly bad for the Lachlan and Belubula irrigators. I call on the Government to take urgent action in relation to this matter.

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

*[Assistant-Speaker (Ms Alison Megarritty) left the chair at 1.31 p.m. The House resumed at 2.15 p.m.]*

### **CHRISTMAS GIFT DRIVE**

**The SPEAKER:** The festive season is now upon us. The Parliament is again running its annual Christmas gift drive. Members and staff are encouraged to donate food, new toys and clothing via Danielle, Holly and Jan. All gifts will be delivered to Matthew Talbot Homeless Services for distribution to those most in need. I encourage everyone to join in the spirit of goodwill and get behind this effort.

### **ASSENT TO BILLS**

Assent to the following bill reported:

Criminal Assets Recovery Amendment Bill 2009

### **BUSINESS OF THE HOUSE**

#### **Routine of Business**

*[During the giving of notices of motions to be accorded priority.]*

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

## QUESTION TIME

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*[Question time commenced at 2.21 p.m.]*

### HARBOUR FIREFIGHTING VESSEL

**Mr BARRY O'FARRELL:** My question is directed to the Premier. How does the Premier explain his incompetence as the then Minister for Emergency Services who launched "Marine 1", the Fire Brigades harbour firefighting vessel in 2007, when an internal memo reveals a catalogue of problems with the boat covering fuelling, training, berthing and, alarmingly, 13 unsuitable design faults, including inadequate ventilation, poor communication and even the lack of a fuel gauge?

**Mr NATHAN REES:** I will seek a report from the Minister and provide details to the House in due course.

### BEACH WATER QUALITY

**Mr MATT BROWN:** My question is addressed to the Premier. Will the Premier outline for the House what effect Government initiatives are having on water quality at New South Wales beaches?

**Mr NATHAN REES:** I acknowledge the member's longstanding interest in this most important matter. Sydney and New South Wales have some of the world's best beaches and the state of those beaches is absolutely outstanding. This morning I stood with the Minister for Climate Change and the Environment at Chowder Bay and released the 2008-09 State of the Beaches report, which shows that Sydney's beaches are in excellent condition. They are the cleanest they have been in living memory. The report outlines the massive improvements in water quality that we have delivered over the last 20 years. Today Sydney's ocean beaches are up to 98 per cent cleaner than they were in the early 1990s. I am pleased to report that our latest results set a new benchmark, with 29 of the 35 beaches recording the highest possible ratings. The report also shows that the swimming spots around Sydney Harbour are in terrific shape. The results show that 41 harbour beaches and 29 ocean beaches have perfect water quality 100 per cent of the time.

Improvements in water quality are a direct result of Government action and good public policy by cracking down on industrial pollution and massive infrastructure investments. I refer to investments such as the Cronulla sewage treatment plant upgrade, which transformed Cronulla's beaches into some of the best-performing in Australia; the Northside Storage Tunnel, which has so far prevented some 32 billion litres of sewage overflows from entering Sydney Harbour; and the \$100 million over 10 years invested in stormwater initiatives such as the Urban Stormwater Program, which funded installation of pollutant traps that have prevented some 29,000 tonnes of pollution from reaching Sydney's waterways. This program has also proven successful in changing community attitudes and behaviour, showing people how they can make a difference to stormwater quality and in doing so improve the quality of water at our beaches.

There is more to do and the work continues. Over the past three years the New South Wales Environmental Trust has allocated almost \$20 million for projects to rehabilitate and restore urban waterways. These funds are being used to improve stormwater management, reduce urban run-off and improve water quality in key metropolitan catchments. Sydney Water is also targeting sewage overflows near beaches and other sensitive locations as part of its 20-year SewerFix program. This work will further improve water quality in places such as Darling Harbour, Oatley Bay Baths and Hayes Street Beach, along with the ocean beaches from Queenscliff to Long Reef.

I am also pleased to advise that we are introducing a new system for assessing and managing recreational water quality this swimming season. The new national guidelines represent world's best practice and are endorsed by the World Health Organisation. Under the new system, beach ratings will range from very good to very poor, indicating how suitable they are for swimming. The classifications are based not only on water quality but include a risk rating, which considers potential pollution sources at the beach, such as stormwater drains. The ratings are intended to highlight swimming locations with poor water quality, encouraging councils, government agencies and local communities to cut pollution and improve beach management. The new guidelines will ensure that beachgoers in New South Wales have access to the best available information on swimming water quality. That is what the public and our international visitors expect and are entitled to, given the iconic role our beaches play in the life of our State.

Finally, it is important to note that clean beaches are not restricted just to Sydney. Monitoring conducted by the New South Wales Government in the Illawarra and the Hunter and by local councils in other coastal regions shows that our beaches are overwhelmingly clean and well managed. Of 171 regional swimming locations, three-quarters complied fully with recreational water quality guidelines. Water quality at the regional ocean beaches was outstanding, with 98 of 101 beaches complying in every month. I take this opportunity to warmly commend our coastal councils for their excellent work.

I can report to the House that the results for 2008-09 are among the best ever recorded in the 20-year history of the New South Wales Government's Beachwatch program. It means that we will see marine life such as dolphins, whales and penguins return to the harbour. It means that seahorses and weedy sea dragons, those creatures of the sea that in many cases are not seen anywhere else in the world, are now returning to Sydney Harbour and to our coastline. More than 2,000 humpback whales were observed off Solander Point this year as they migrated northwards. There were 89 whales in a single day. That is a clear demonstration of both our commitment to the quality of the marine environment and also our investment in infrastructure over the past 10 years.

### JOBS SUPPORT

**Mr ANDREW STONER:** My question is directed to the Premier. How can the Premier justify spending millions of dollars of taxpayers' money on television advertising that states that his Government is "supporting" 160,000 jobs when these freedom of information documents from his own Treasury estimate that up to two-thirds, or 100,000, of these jobs are likely to be outside New South Wales? Is it yet another case of his shameless disregard for the truth?

**Mr NATHAN REES:** Every single job of the 160,000 jobs, supported by our \$62.9 billion infrastructure program, was opposed by the Opposition.

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

**Mr Andrew Stoner:** They are mostly outside New South Wales.

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

**Mr NATHAN REES:** Just as steelmaking firms in New South Wales provide jobs and just as work that happens in other States comes to New South Wales companies, there will be cross-border flows. We have acknowledged that. We have said that the spend will support up to 160,000 jobs each year for the next four years.

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

**Mr NATHAN REES:** We stand by those figures. This is an infrastructure spend bigger than any in New South Wales history. It includes the delivery of 4,000 apprenticeships across New South Wales and 2,000 cadetships. This is the single biggest infrastructure program in the history of New South Wales. There is record spending on our roads, record spending on public transport, record spending on capital works and our hospital system, and record spending on our education sector. I remind the House that New South Wales leads Australia in the implementation of the Commonwealth's stimulus package. More public housing is being delivered in New South Wales and more quickly than in any other State in Australia. The same applies to the education spend. Each year for the next four years 160,000 jobs will be supported by the biggest infrastructure spend in the history of New South Wales. Absolutely we stand by those figures.

### ACUTE CARE SERVICES

**Ms NOREEN HAY:** I address my question to the Minister for Health. Will the Minister update the House on the Government's achievements in implementing the recommendations of the Garling inquiry as we approach the first anniversary of the release of the report?

**Ms CARMEL TEBBUTT:** It is one year tomorrow since Peter Garling handed down his review into acute services in public hospitals—one of the most comprehensive reviews ever undertaken of acute care services in public hospitals in New South Wales. We should never forget the dedicated doctors, nurses, allied health staff and others who work in our hospital system. Peter Garling acknowledged the many strengths of our

public hospital system. It should not be forgotten that he said New South Wales had one of the better public health care systems in the developed world. At the same time the inquiry identified significant issues and problems that needed to be addressed.

**The SPEAKER:** Order! Members will cease interjecting. I call the member for Lismore to order. He is interjecting on behalf of the member for Clarence.

**Ms CARMEL TEBBUTT:** The inquiry made recommendations that relate to almost every aspect of acute care in public hospitals. Most importantly, the inquiry emphasised the need to focus on patient care—to put patients at the centre of everything we do. In March the Government released Caring Together, the health action plan for New South Wales and the Government's response to the Garling review. It outlined a three-stage approach to implementing 134 of the 139 recommendations put to the Government by Peter Garling. The Government has backed our commitment to reform the public health system, with \$485 million in additional funding over four years.

Mr Garling also expressed the view that the Government ought to establish a process of independent oversight. In March the Government announced the establishment of an independent panel to oversee the implementation of Caring Together, reporting directly to the Minister. The independent panel's report, which was released on 18 November 2009, is a frank assessment of our progress in the first six months since the release of Caring Together. The report identifies areas where good progress has been made, but it also identifies areas in which we have more work to do. The report found that area health services have been quick to recognise the importance of Caring Together. Local implementation teams have been enthusiastic and active.

Both Peter Garling and John Walsh, chair of the independent panel, recognised that sustainable, long-term cultural change takes time; it is not something that will happen overnight. The Government is committed to working with all stakeholders to ensure that it achieves that real change throughout the New South Wales health system. I am pleased to report to the House on progress that we have already made. For example, the Government has committed \$176 million over four years for ward-based clinical support officers. This will mean that doctors and nurses are able to spend less time on paperwork and more time with patients, because some clinical support officers will take some of that paperwork load.

We have received more than 3,500 applications for the 500 positions. So far a total of 216 appointments have been made and health services are finalising the recruitment. We are also appointing executive medical directors who will support local decision-making and strengthen the adoption of new innovation and improved models of care. To date 23 appointments have been made. We are establishing medical assessment units so that we can provide an alternative to emergency departments, improving early access to health care and taking the pressure off public hospitals. We are providing additional funding for extra cleaning services. Furthermore, the nurse-midwife in charge position provides leadership on infection control and the monitoring of hygiene practices, including hand washing.

We have also introduced new guidelines for a clinical handover to ensure greater patient safety in our hospitals. One area identified by the Garling and Walsh reviews was that we needed to work harder to improve our engagement with doctors, nurses and allied health professions. We are giving that matter priority. We have established the Strengthening Local Decision Making Implementation Group, co-chaired by Dr Denis King, a senior surgeon at the St George and Sutherland hospitals, and Ms Karen Crawshaw, Deputy Director General, Health. We are implementing changes to improve the quality of information that we provide to ensure it is transparent and widely available. For example, we have already published the 2009-10 hospital budgets on the health service intranets, as recommended by Peter Garling; established the Bureau of Health Information to undertake public health system reporting on performance at hospital unit and ward level; and the Agency for Clinical Innovation will engage clinicians in the redesign of clinical practices.

The new Agency for Clinical Innovation will work with other public health organisations to improve health care for patients by rapidly developing and spreading new ways of caring for patients, which represents evidence-based best practice. The Clinical Excellence Commission will continue to be responsible for monitoring, reviewing, promoting and supporting systems to enhance clinical quality and patient safety. The Agency for Clinical Innovation and the Clinical Excellence Commission should be seen as individual but complementary organisations. A board will be established for each organisation; however, there will be the same chair and a common membership.

I am pleased to advise the House that Professor Carol Pollock has agreed to be the inaugural chair. Professor Pollock, a professor of medicine at Royal North Shore Hospital, has represented the profession at

numerous national and international meetings. Carol, an eminent and highly regarded clinician, continues to make a massive contribution to research and public health. I am sure that the clinical community and the broader community will welcome her appointment. As I said at the outset, these changes will not happen overnight. There is a long-term initiative to drive the changes outlined in Caring Together. We have made significant progress in implementing the blueprint of reform delivered to the Government by Mr Garling. We will continue to work hard to roll out our Caring Together plan. I conclude by thanking the dedicated nurses, doctors, managers, support staff and allied health staff who have worked together to improve patient care in New South Wales.

### **AMBULANCE CALL CENTRE TRIPLE-0 RESPONSE**

**Mrs JILLIAN SKINNER:** I direct my question to the Premier. Why has this incompetent Government failed to fix the ambulance 000 call centre, given that six months have passed since the Coroner made a series of damning findings and recommendations following the tragic case of David Iredale and since the Premier told this House, "The Minister for Health will take immediate action"?

**Mr NATHAN REES:** I am advised that during the last financial year there were more than 1.1 million ambulance responses to emergency and non-emergency incidents. I know that concerns have been raised about two calls, most recently from rural properties. The Ambulance Service initiated an immediate investigation into the circumstances of both those cases, and the Minister for Health has asked the chief executive to inform her of the outcome of those investigations. On behalf of the Ambulance Service, I extend my apologies to the callers and to the patients involved in these regrettable incidents. I understand that one of the operators involved has been stood down whilst investigations are underway.

We have accepted the findings and recommendations made by the Coroner following the tragic death of David Iredale in 2006. We immediately established a working group to examine the operation of emergency call centres, including the potential advantages of a single statewide 000 call centre and how the transfer of information between agencies can be improved. The recommendations of that group are currently under consideration and a response will soon be finalised. I am advised that a new procedure for transferring details of emergency calls has been implemented by the Ambulance Service. This specifically defines a process for using transferred voice data to other emergency service organisations using email.

I am also advised that the Ambulance Service has completed a root cause analysis in relation to the management of the response to the David Iredale 000 calls and six recommendations are being implemented. These include new standard operating procedures for lost or unresponsive calls and training on how to process difficult to locate calls. Training for new and inexperienced staff is currently being provided on how to manage calls from remote locations. I am advised that the Ambulance Service has also developed a joint protocol with police on information sharing. It has also made representations to the Australian Communications and Media Authority about the installation of technology in mobile phones that will identify a caller's location.

Technology upgrades are also occurring in the three rural operation centres and the Sydney centre to assist in recognising repeat callers. These important changes will be of benefit to all callers but in particular to those in unfamiliar or remote locations. If the investigations underway identify that the relevant operating procedures have not been followed, I know the Ambulance Service will take all necessary action.

### **BUSHFIRE ACTIVITY AND ADVICE**

**Mr NINOS KHOSHABA:** I address my question to the Minister for Emergency Services. Can the Minister update the House on recent bushfire activity and the appropriate sources of information for fire advice in New South Wales?

**Mr STEVE WHAN:** I acknowledge the member's interest in the work of our emergency services. Over the past weekend New South Wales experienced unprecedented fire and weather conditions for November. The State sweltered under searing temperatures above 46 degrees in some areas, accompanied by high winds and low humidity in some areas—the worst possible cocktail for bushfires. Almost inevitably, these conditions resulted in a number of major fires breaking out, many of which were caused by dry lightning storms, particularly through the Central West, Hawkesbury and Hunter regions. Over the past fortnight firefighters have battled more than 400 fires across the State's north-east, Central West, Hunter, Hawkesbury, Lithgow, Blue Mountains and western Sydney regions. Last Friday conditions were so critical that for the first time the new catastrophic fire danger rating was used for the Far West, south-west, Riverina and lower central west plains regions with 13 bushfire emergencies declared around the State.



Over the weekend crews from all our fire services, the Rural Fire Service, NSW Fire Brigades, the National Parks and Wildlife Service, and Forests NSW were deployed to fight fires with more than 1,000 personnel on Saturday and more than 1,850 on Sunday along with more than 800 tankers. Working in appalling conditions of heat, wind and smoke it is a testament to the firefighters' training, their professionalism and resourcefulness that no properties were lost. This Government's extra \$6 million committed to aerial firefighting this year provided an important investment at the height of the weekend's efforts, with 74 aircraft supporting our firefighters on the ground through waterbombing, aerial reconnaissance, air attack coordination and transportation of firefighters.

The first of two aircraft to be based in New South Wales this summer, Isabelle, was a welcome addition to the firefighting effort when it landed in Bankstown airport on Sunday. The second air crane, Delilah, is to arrive next month. This Government's boosted support for aerial firefighting capacity means that more than 120 fixed-wing aircraft and helicopters are available to respond, and more can be called in if needed. The welcome cool change that worked its way across the State since Sunday brought tremendous relief to firefighters, particularly those working on the Rylstone-Kandos fire. Over the past few days, firefighters have continued to strengthen containment lines. No properties currently are under threat, and residents who voluntarily relocated have been able to return home. However, the weather respite might be short-lived with warmer conditions set to return from today. It is vital in such conditions that people in bushfire-prone areas prepare their properties, their families and themselves for the risk of fire. The Opposition is shushing me at this point, which is very interesting. I hate to wake some of them up on an important issue. It is important to make this point.

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

**Mr STEVE WHAN:** It is imperative that people get their information from correct and credible sources. In the past fortnight we have seen the typically desperate and ill-informed antics of the Opposition, which thinks that headlines are more important than fact. The Coalition spokesperson has inappropriately gone to radio stations to give her views—or it might be put as wisdom—on bushfire conditions. Apparently she is now forecasting fires and providing advice to people on what to do. She has had no formal briefings, no formal training of which we are aware and no clue that it is not the role of politicians to get involved in operational matters on fire grounds. That is why we have a Rural Fire Service Commissioner and a record budget of \$216 million to support our 70,000 volunteers. Apparently the Opposition spokesperson thinks she is some sort of expert. Maybe she has a crystal ball. Maybe she just puts her index finger up in the wind to guess what is happening. She has no idea and it would be laughable if the stakes were not so high.

**Mr Adrian Piccoli:** Point of order: If the Minister wants to attack a member of Parliament, he must do so by way of substantive motion.

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

**Mr STEVE WHAN:** I would have thought that during question time it would be logical for the Government to be able to comment on the source of information from which people provide advice on bushfires. It leaves a lot to be desired when the Opposition, embarrassed by its own shadow Minister, wants to run away from these sorts of things.

**The SPEAKER:** Order! The Leader of The Nationals and the member for Bathurst will come to order.

**Mr STEVE WHAN:** This is the same totally discredited spokesperson—

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

**Mr STEVE WHAN:** This is the same Opposition spokesperson—

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

**Mr STEVE WHAN:** —who told emergency services personnel that it did not matter about the facts, it was only about headlines. The other bizarre conspiracy theory being peddled by the Opposition is that there exists some so-called secret list of endangered local government areas under more threat from bushfire. According to the Opposition spokesperson, the Rural Fire Service has a secret list of areas but refuses to release

it publicly. Apparently the Opposition thinks the Rural Fire Service is some untrustworthy Machiavellian organisation wanting harm to come to the public. This is not a laughing matter, just more fiction and dishonesty from the Opposition spokesperson.

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

**Mr STEVE WHAN:** Individual risk-management plans covering 68 different areas across the State are in place for every New South Wales community in bushfire-prone areas. The Rural Fire Service works with those communities to plan for buildings and assets under threat and does that job extremely well. It is offensive for the Opposition to denigrate its work. The Opposition's behaviour is almost as ridiculous as its policy that every part of bushfire-prone land in New South Wales should undergo hazard reduction burning over seven years.

**The SPEAKER:** Order! Members will cease interjecting. I call the member for Murrumbidgee to order for the second time.

**Mr STEVE WHAN:** For the information of members that would mean that New South Wales would have to conduct hazard reduction burning every year covering an area almost the size of Tasmania or 10 times the area subjected to the recent Victorian bushfires.

**Mr Andrew Stoner:** Point of order: I raise the same point of order as that taken by the member for Murrumbidgee. If the Minister wishes to debate this matter, he should move an appropriate motion.

**The SPEAKER:** Order! The question and the answer are in order.

**Mr STEVE WHAN:** I have been waiting since January for the Opposition to ask me a question, and still I wait. This merely demonstrates the Opposition's lack of commitment to emergency services, to small business and to rural affairs. The point of all this is that the Opposition spokesperson is out giving garbled and ridiculous policy on bushfire prevention about which she has no knowledge and is making statements that should embarrass the Coalition. We must remember that this is the same person The Nationals are lining up to take over from the member for Coffs Harbour, whom the Leader of The Nationals will not lift a finger to defend. They want to knock over the popular local member to install—

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

**Mr STEVE WHAN:** —an Opposition spokesperson who clearly has no grasp of the emergency services regime and is interested only in political pointscore. If there were any courage on that side of the House, the Leader of the Opposition and the Leader of The Nationals would dismiss that proposition and tell the Opposition spokesperson, "You're too embarrassing as an Opposition spokesperson. You'll be out and we won't let you take over Coffs Harbour." We know they will not do that because yesterday we saw the Opposition's refusal to disendorse Mr Pearce, a former member of One Nation. Those two members opposite have no ticker.

**Mr Wayne Merton:** Point of order: My point of order relates to relevance under Standing Order 129. Quite clearly the Minister's answer has nothing to do with the question. I ask you, Mr Speaker, to draw him back to the question to see whether he is capable of answering it.

**The SPEAKER:** Order! That is the proper manner in which to take a point of order. I remind the Minister of the question before the House.

**Mr STEVE WHAN:** My apologies to the House: Mr Spence is the person I was referring to—that well-known former One Nation character whom the Leader of The Nationals and the Leader of the Opposition do not have the ticker to disendorse. We can see a consistent pattern. Coffs Harbour is under threat, and there are other members of the Opposition in the same category. The problems also continue with The Nationals.

**Mr Adrian Piccoli:** Point of order: We can listen for only so long to a chihuahua attacking.

**The SPEAKER:** Order! What is the member's point of order? It would assist me if he stated his point of order.

**Mr Adrian Piccoli:** I withdraw my remark—chihuahuas are lovely animals. My point of order relates to Standing Order 129.

**The SPEAKER:** Order! I again remind the Minister of the question before the House.

**Mr STEVE WHAN:** It has been a tough week for you, hasn't it, Adrian. We all know the Opposition's penchant for calling people names and that it is has had better practice at that than at delivering policy, particularly fire policies. The Opposition has a laughable set of fire policies that it circulates deliberately to mislead the people of New South Wales and, more seriously, to cause people concern. The Rural Fire Service is doing a fantastic job for everybody in New South Wales. While I am on the subject of The Nationals preselection, the latest candidate for Richmond in the northern part of the State is Tania Murdoch.

**Mr Adrian Piccoli:** Point of order: I refer to Standing Order 129. The question was quite clear. I ask you to bring the Minister back to the question.

**The SPEAKER:** Order! I direct the Minister's attention to the question before the House.

**Mr STEVE WHAN:** I understand the sensitivities, and I will save my comments for another day. The experts in fighting bushfires in New South Wales are the Rural Fire Service. Anybody who lives in or near a bushfire-prone area, or anyone who is travelling through a bushfire-prone area, must be prepared.

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

**Mr STEVE WHAN:** People must obtain their information from the proper source, and that is the Rural Fire Service website. The information on that website is advice that comes from the Rural Fire Service. It is not ill-considered information coming from the Opposition, which has slapdash policies that propose to the people of New South Wales that every year they should burn an area that is approximately the size of Tasmania. What does the Opposition suggests people should do—light up an area that is 10 times the size of land destroyed by the Victorian bushfires and let it burn? The Opposition should be embarrassed.

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

**Mr STEVE WHAN:** That is the Opposition's policy: It is actually stated on the Opposition's website. In contrast to that, the people who know how to fight fires know that protecting assets and ensuring that bushfire-prone areas are protected should be the primary source for information on optimal bushfire protection measures. The people of New South Wales should be carrying out their own bushfire assessment plans. The household assessment tools on the Rural Fire Service Internet site are very important.

**Mr John Williams:** Oh Steve, give up mate!

**Mr STEVE WHAN:** I am being baited by interjections. It is clear that the Opposition wants me to mention its latest candidate for Richmond, who was disqualified from driving in New South Wales but solved the problem by obtaining a Queensland driver's licence.

**Mr Adrian Piccoli:** Point of order: I draw attention to the length of the answer.

**The SPEAKER:** Order! I am sure the Minister is concluding his answer.

**Mr STEVE WHAN:** I apologise for responding to ill-disciplined interjections from members opposite. One more matter I wish to mention for the record is conditions that we experienced last week. I congratulate farmers in areas that last week were rated as catastrophic fire danger. Many of the communities in areas that had catastrophic bushfire danger ratings last week changed their practices. Farmers changed their harvesting practices and the time of day at which they harvested to decrease the risk of bushfires. Their actions are very much appreciated by all the firefighting authorities. I also place on the record the Government's thanks to those farmers. On behalf of the people of New South Wales, I again thank all the people who work so hard for rural New South Wales by fighting bushfires.

#### **NATIONAL BROADBAND NETWORK TASKFORCE**

**Mr MALCOLM KERR:** My question is directed to the Premier.

**The SPEAKER:** I note considerable support for the member for Cronulla.

**Mr MALCOLM KERR:** This document, which was obtained under freedom of information, shows that the Premier has not attended even one single meeting of his National Broadband Network Taskforce. Given

that he has now lost an important part of the National Broadband Network Taskforce to Melbourne, how can he claim to be taking a personal and hands-on approach to securing the National Broadband Network headquarters for New South Wales?

**Mr NATHAN REES:** I advise the member for Cronulla to savour every question he gets to ask. I quote from an impeccable source, Murray Trembath, who wrote under the headline "Kerr urged to bow out":

The Liberal Party is searching for new talent to represent it at the March 2011 election—

**Mr Malcolm Kerr:** Point of order: I refer to Standing Order 129, which relates to relevance.

**The SPEAKER:** Order! The very argumentative nature of some parts of the member's question encourages the type of response to which he objects. The Premier has the call.

**Mr NATHAN REES:** The member for Cronulla is savouring possibly his last question this term.

[Interruption]

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

**Mr NATHAN REES:** Opposition members have managed to crack themselves up. The *Daily Telegraph* published an article on 23 October related to sweeping new powers for the Leader of the Opposition. The article states in part:

... the activation of the secret committee to be headed by Opposition Leader Barry O'Farrell to take charge of the Liberal Party's election campaign strategy ... [will] give the parliamentary leader unprecedented power over choosing candidates.

I wonder who the Leader of the Opposition will toss up as a candidate for Cronulla. Will it be another One Nation candidate, or a candidate such as Chris Holstein, who is the Mayor of the Willoughby City Council—the second most complained about council in New South Wales?

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

**Mr NATHAN REES:** Or will it be someone like Graham Annesley, who has been working hard to take the Rugby League Grand Final away from Sydney? All those I have mentioned are the Leader of the Opposition's hand-picked candidates. And what about Gareth Ward, who has been tipped to be a candidate in Kiama? He is another hand-picked candidate.

**Mr Adrian Piccoli:** Point of order: I refer to Standing Order 129, which relates to relevance.

**The SPEAKER:** Order! I remind the Premier of the question before the House.

**Mr NATHAN REES:** Gareth Ward is from the Shoalhaven City Council, which is the most complained about council. After two months, Mr Ward remains the Opposition's only nomination, yet the Opposition will not close nominations. That shows how deeply impressed the Opposition is.

**Mr Adrian Piccoli:** Point of order: We are not going to allow—

**The SPEAKER:** Order! I remind the member for Murrumbidgee that the standing orders require him to stand in his place when taking a point of order.

**Mr Adrian Piccoli:** My point of order relates to Standing Order 129. We will not allow the Premier to attack candidates.

**The SPEAKER:** Order! I direct the attention of the Premier to the question before the House.

**Mr NATHAN REES:** If the Leader of the Opposition intends to select candidates with a seven-year history of involvement with a party based on racism, I will chase him up hill and down dale every day of the week. We welcome the Commonwealth Government's decision.

**Mr Brad Hazzard:** Standing Order 129 is a standing order of the Parliament, so comply with it.

**Mr NATHAN REES:** The member for Wakehurst is almost relevant. The Government has welcomed the Commonwealth Government's decision to build the national broadband network. It will create jobs, attract investment, and deliver an unprecedented opportunity to reshape both the New South Wales and national economies. Patricia Forsythe and the New South Wales Chief Scientist, Mary O'Kane, have been spearheading our efforts to secure that for Sydney. The Deputy Premier has been attending the meetings. We have set up the New South Wales National Broadband Network Task Force. It will focus on investigating opportunities for leveraging the New South Wales Government's assets and purchasing power for the rollout; facilitating the planning process and promotion of the ICT industry generally; identifying New South Wales broadband priority areas for the rollout; and, finally, the development of proof-of-concept demonstration projects.

Once again, the Opposition is talking down New South Wales. No decision has been made on the National Broadband Network headquarters question. However, the National Broadband Network company has repeatedly indicated that it would like to see the administration of the national broadband network decentralised across a number of cities. We are vigorously pursuing opportunities to play a leading role in the rollout of the national broadband network. There are 140,000 information and communication professionals working in New South Wales—more than any other State in Australia. We believe New South Wales will be able to offer outstanding support to the National Broadband Network company headquarters, given the concentration of information technology and research industries in New South Wales. We have made this case to the Prime Minister and to the Commonwealth Minister for Broadband, Communications and the Digital Economy.

The selection of the headquarters location will be a commercial decision for the company board once it is established, and we look forward to discussing this further. We have spoken to Michael Quigley, the head of the National Broadband Network company, and relayed the New South Wales Government's commitment to this iconic project, and offered our assistance to locate suitable sites for the National Broadband Network company's headquarters. I make no apologies for doing everything we can to secure this in New South Wales. Indeed, I have spoken to Mr Quigley personally.

### CRIMINAL ASSETS SEIZURE

**Ms ANGELA D'AMORE:** I address my question to the Minister for Police. Will the Minister update the House on Government initiatives to secure the power of the New South Wales Crime Commission to seize criminal assets?

**Mr MICHAEL DALEY:** One of the most effective tools at the disposal of our peak crime fighters in this State is the ability to attack criminals behind serious organised crime where it hurts the most: by seizing the proceeds of their crime—their cash, houses, boats and cars; all the trappings that criminals enjoy.

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

**Mr MICHAEL DALEY:** The New South Wales Government, along with all the law enforcement agencies in New South Wales and Australia, takes seriously the task of dismantling serious organised criminal groups. Our mission is simply to provide agencies such as the New South Wales Crime Commission with all the powers and resources they need to tear apart the criminal networks and to see that the fruits of the crime are not acquired by the crooks who perpetrate the crimes. On 12 November the High Court handed down a decision that had the potential to seriously impact on the ability of the Crime Commission to seize assets.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Mr MICHAEL DALEY:** Only hours after the judgement I said that this Government would not permit the Crime Commission to do its work with one hand tied behind its back. I also said that this Government had a simple message for organised criminals in New South Wales: They could take no joy and comfort from the judgement of the High Court, and that we would be moving at the first opportunity to rectify the anomalies that came out of the High Court judgement. So I am pleased to inform the people of New South Wales that this

Government has done just that. On the first available sitting day after the High Court judgement, legislation that rectified the anomalies relating to the restraining orders created by the decision of the High Court and ensured that the ill-gotten gains of criminals stayed out of their possession sailed through both houses of Parliament.

The potential window of opportunity for criminals to get their fingers back on their crooked cash and assets has now been well and truly slammed shut. The Criminal Assets Recovery Amendment Bill was passed through both houses of Parliament this week and was assented to by the Governor this morning. Its effect is to amend the Criminal Assets Recovery Act 1990 and the Confiscation of Proceeds of Crime Act 1989. This bill will allow law enforcement agencies to continue to disrupt the main advantage of criminal enterprises—the ability to accumulate massive amounts of cash and assets. Criminals will continue, as they do, to try to get around the law, but I assure the people of New South Wales that this Government will simply not let them succeed.

The New South Wales Crime Commission takes every step to ensure that its confiscation regime is robust and effective. The commission is now in its twenty-third year of operation and, along with the New South Wales Police Force, remains an important force in combating crime such as money laundering, drug trafficking, weapons and all other organised crime in New South Wales. Working jointly with the New South Wales police and other Commonwealth agencies, the Crime Commission made 275 arrests and laid more than 2,000 charges in total in the past financial year. In the same period the Crime Commission helped remove more than 1,800 kilograms and more than 18,000 tablets of illicit drugs from our streets. A large number of firearms and prohibited weapons were seized as part of these operations.

To the case directly in point, during the same year realisable confiscation orders exceeded \$24 million. That is the second highest figure since the Criminal Assets Recovery Act commenced in 1990. This means that \$24 million can be returned to the hardworking taxpayers and families of New South Wales through programs that are funded through the confiscated proceeds account. The work of the New South Wales Crime Commission is an excellent example of the work our law enforcement agencies undertake each and every day. The Crime Commission often works hand in hand with the New South Wales Police Force to achieve these outstanding results. The modern, intelligence-based policing practises employed by our crime fighters are achieving these results. Intelligence is crucial. Recently I was intrigued to receive some solid intelligence that the secret committee—

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

**Mr MICHAEL DALEY:** The member for Murrumbidgee is having a frustrating week. I received some intriguing intelligence that the Leader of the Opposition, through the secret committee that the Premier just announced, is trying, in conjunction with the right wing of the Liberal Party, to get rid of the Hon. David Clarke. For the past few weeks I have been maligning poor old Alex Hawke who, after the Young Liberals stormed into his office, cowered under his desk and called the police, behaving like Hitler trapped in the bunker.

**Mr Adrian Piccoli:** Point of order: Police and Milton Orkopoulos in the same sentence, but Standing Order 129—

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. I will hear further from the Minister.

**Mr MICHAEL DALEY:** Alex Hawke might be trapped in the bunker but the Russians have not overrun him yet. In conjunction with the Leader of the Opposition, Alex Hawke is trying to get rid of David Clarke. David Clarke happens to be an old hand at trench warfare. He knows they are coming for him. In a contest between David Clarke and Mr Soft and Lazy opposite, I will be backing David Clarke.

**Mr ADRIAN PICCOLI:** I move:

That the member for Maroubra be not further heard.

**Question put.**

**The House divided.**

**Ayes, 34**

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

**Noes, 56**

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

**Question resolved in the negative.**

**Motion that the member be not further heard negatived.**

**Mr MICHAEL DALEY:** I thank the House for endorsing further commentary on how David Clarke is going to roll the Leader of the Opposition. However, there are more important things to talk about. If ever people in the gallery were looking for an indication of how hopeless and devoid is this Opposition, they should take note of the tactics that have been employed. The Opposition is devoid of policy, it is weakly lead, and it has a bad leader.

**Mr Adrian Piccoli:** Point of order: Standing Order 129. When the Minister is asked a question and he has no answer, that it is because he has no ideas. Maybe that is what the gallery should understand.

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. I direct the Minister to answer the question.

**Mr MICHAEL DALEY:** The first question asked by the Leader of the Opposition was about a fuel gauge on a boat.

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

**Mr MICHAEL DALEY:** The second question asked by the Opposition was about television advertisements, a question that has been asked and answered three times. If the leading issue of the day from the man who would be Premier is whether a fuel gauge on a boat works, the Opposition is sadly out of order and out of ideas.

**Mr Adrian Piccoli:** Point of order: Standing Order 129. I ask that you direct the Minister to the question.

**The SPEAKER:** Order! I will not continue to hear points of order on the same issue. I have ruled on the matter. I have directed the Minister to the answer.

**Mr MICHAEL DALEY:** While those on the opposite side continue to fight each other and bicker about pre-selections, we will continue to do what needs to be done to support our law enforcement agencies. We will always act quickly and decisively to ensure that police and crime commission agencies are fully equipped with the powers and resources they need to fight crime. We will continue to support them because the police and the New South Wales Crime Commission are experts in unravelling well-conceived enterprises. But even with all their skills, they will never be able to work out why the Leader of the Opposition thinks it is okay to pre-select a One Nation apologist but kick out David Clarke from the Liberal Party because he is too extreme and wacky!

**Mr Adrian Piccoli:** Point of order—

**Mr MICHAEL DALEY:** I have concluded my answer.

### TAMWORTH PUBLIC HOUSING DEVELOPMENTS

**Mr PETER DRAPER:** My question is addressed to the Minister for Housing. Given strong community concerns in Tamworth regarding several proposed new public housing developments that seem completely out of character with surrounding properties, will the Minister and his department undertake appropriate consultation with Tamworth Regional Council and all affected residents before construction starts?

**Mr DAVID BORGER:** I thank the member for his very genuine interest in these matters. We have had a series of meetings around these issues and also around the Coledale estate. We are working to improve the situation for tenants on that estate. The simple answer is "Yes, we will consult with Tamworth council".

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

**Mr DAVID BORGER:** We have been consulting the council. We will be delivering 145 units across 10 projects in Tamworth, injecting about \$39 million into the region's economy. The council has been consulted and I will personally make sure that continues and that there is consultation on the particular projects in question. I very much respect the fact that the Independent members of Parliament have raised issues with me in a very mature way and we are working through those issues and they are not trying to undermine the spirit of the entire program.

I might add that that is the completely opposite approach to that taken by members of the Opposition, who have tried to undermine the provision of 6,000 houses for very disadvantaged people across the State. I remember the comments of the member for Port Macquarie, who quite rightly pointed out the lies peddled by the shadow Minister for Planning regarding a particular project in Port Macquarie when the shadow Minister quite patently advised the community that the Government had approved the project when in fact the council had approved it.

**The SPEAKER:** Order! The House will come to order. The member for Barwon will come to order.

**Mr DAVID BORGER:** This Government cannot be blamed for what The Nationals got up to on the Hastings council. We cannot be blamed for The Nationals' problems in Hastings.

**The SPEAKER:** Order! The next member who behaves in such a fashion will be ejected from the House.

**Mr DAVID BORGER:** We will continue to work through the issues. The reality is that we will be delivering almost 6,000 homes for people who are doing it tough. We will build new homes for the elderly, for people with a disability, for young people, people sleeping rough and for families. The reality is that on average—and this is an important fact—our development applications take six months longer to be approved than private developments of a similar scale. Sadly, many objections to our development applications are not about the physical fabric—some are, but many are not. Many are about the people who live in the projects, which is not a valid ground for opposition or a head of consideration under the Environmental Planning and



Assessment Act. It is not provided in any local environmental plan [LEP] in the State in any local government area, nor in any State environmental planning policy, that one can object to an application on the basis of a person.

**The SPEAKER:** Order! I remind the member for Murrumbidgee that he is on three calls to order.

**Mr DAVID BORGER:** I know that the member for Tamworth is aware of the issues and we will continue to consult with councils around those projects, and I will personally intervene on those issues.

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

### CANCER RESEARCH INITIATIVES

**Mr NICK LALICH:** My question without notice is to the Minister Assisting the Minister for Health (Mental Health and Cancer). Will the Minister update the House on the latest initiatives to help keep New South Wales at the forefront of international efforts to better understand, prevent and treat cancer?

**Mrs BARBARA PERRY:** The story of recent cancer research in New South Wales is one of activity, innovation, optimism, and international prominence.

**The SPEAKER:** Order! The House will come to order. The member for Cessnock will come to order. The Minister has the call.

**Mrs BARBARA PERRY:** In just the past six years since the Cancer Institute New South Wales was established by the Labor Government, the number of cancer researchers working in New South Wales has grown by 50 per cent. More cancer research funding is coming to New South Wales from external sources than ever before. An audit by the Cancer Institute conducted in 2008 found that, compared to 2004, New South Wales was attracting 56 per cent more cancer research funding from the National Health and Medical Research Council, and 133 per cent more from the Australian Research Council.

The New South Wales Government, through the Cancer Institute New South Wales, is providing more support to cancer researchers than ever before. New South Wales is now the place to be for cancer researchers in our region. We want to use this achievement—this prominence—as a stepping stone. We celebrate the accomplishments, but we want to set the bar higher. We want New South Wales to become a world-renowned peak of excellence for medical research and development.

Today I can announce grants totalling \$10.3 million for cancer researchers and clinicians in New South Wales to keep us at the forefront of international efforts to better understand, prevent and treat cancer. The funding will be made available for an immediate start on 41 cancer research and clinical care projects through the Cancer Institute New South Wales Grants Program. The research being undertaken with this funding has both national and international significance. Three institutions will be the inaugural recipients of a total \$1.7 million to develop health service research that will focus on improving models of cancer service delivery.

This is known as translational health service research. It is where the theoretical and laboratory work meets the cancer ward. It is where theory turns into practice. Research into cancer service delivery and translating the findings into better cancer care has the potential to change clinical practice and improve outcomes for all cancer patients. By "outcomes" I mean things like longer survival times, improved quality of life for diagnosed patients and more effective and comfortable palliative care.

In addition to the \$1.7 million for service delivery research, there is nearly \$6 million for 10 career development fellowships. These fellowships will enable high-quality researchers to choose cancer as their chosen field. This ensures that the best researchers stay in New South Wales and that cancer is an attractive field for the brightest and most promising young minds. A detailed list of all of the cancer research projects we are announcing today is now available on the Cancer Institute New South Wales website.

We want the results of research into the prevention of cancer to be known to the entire community so that each of us can make better decisions about our daily lives, our health and our families. Today's announcement of \$10.3 million is further proof that this Government is committed to improving the lives of cancer patients, committed to the Cancer Institute New South Wales and committed to the hundreds of dedicated cancer researchers in our State.

**Question time concluded at 3.25 p.m.**

## PARLIAMENTARY STAFF SERVICE AWARDS

**The SPEAKER:** I advise the House that this morning, together with the President, I had the great honour of presenting the annual service awards to parliamentary staff. A significant number of members were present to see electorate officers and others who work within this parliamentary building receive similar awards. On behalf of members, I offer congratulations to all those officers for their hard work and dedication. I direct that a schedule of the names of those officers be entered into *Votes and Proceedings*.

## TABLING OF PAPERS

**Mr Brad Hazzard:** Point of order: I point out that during the tabling of papers procedure the Minister for Planning said, "I bring up and lay on the table a list of annual reports for the 2008-09 financial year." Nowhere attached to this document and nowhere in the pile of papers is there a list of annual reports. She has misled the House and I ask you to direct her to come back and provide the list that she said she would provide.

**The SPEAKER:** Order! The member for Wakehurst has a point. I will look into the matter and take the appropriate action.

## COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

### Report

**Mr Frank Terenzini**, as Chair, tabled report No. 8/54 entitled "Protection of Public Sector Whistleblower Employees", dated November 2009

**Ordered to be printed on motion by Mr Frank Terenzini.**

## STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS

### Report

**Mr Paul Pearce**, as Chair, tabled a report entitled "Memorandum of Understanding—Execution of Search Warrants by the Independent Commission Against Corruption on Members' Offices", dated November 2009.

**Ordered to be printed on motion by Mr Paul Pearce.**

## PETITIONS

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

### Orange Rescue Helicopter Services

Petition requesting that the rescue helicopter service at Orange be operational 24 hours a day seven days a week and be winch equipped, received from **Ms Katrina Hodgkinson**.

### 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**.

### **Alcohol and Drug Services**

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

### **Barton Highway**

Petition asking that priority be given to Federal Auslink funding for upgrading of the Barton Highway to dual carriageway, received from **Ms Katrina Hodgkinson**.

### **Binalong District Transport**

Petition requesting an alternative form of public transport to replace the Fearnies Wagga Wagga to Canberra bus service, received **Ms Katrina Hodgkinson**.

### **Rural Rail Branch Lines**

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

### **Vehicle Suspension Regulations**

Petition opposing the vehicle suspension regulations, received from **Ms Katrina Hodgkinson**.

### **Bus Service 311**

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

### **TAFE Fees**

Petition asking that TAFE fees be frozen at the 2007 level until 2011, received from **Ms Katrina Hodgkinson**.

### **Adoption Laws**

Petitions opposing any adoption law changes that take away the right of adopted children to be raised by a mother and a father, received from **Ms Katrina Hodgkinson** and **Mr Greg Smith**.

### **Cowra Policing**

Petition requesting that Cowra police station be staffed 24 hours a day, received from **Ms Katrina Hodgkinson**.

### **Rural and Regional Police Resources**

Petition calling for allocation of more police resources to rural and regional communities throughout New South Wales, received from **Ms Katrina Hodgkinson**.

### **National Parks Tourism Developments**

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

### **Inner City Public Housing**

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

### **Livestock Health and Pest Authorities Rate Increases**

Petition requesting an immediate moratorium on Livestock Health and Pest Authority rates and requesting that the locust loan become a grant, received from **Ms Katrina Hodgkinson**.

### **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**.

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

### **CBD Metro**

Petition opposing the proposed \$7.3 billion CBD Metro project, received from **Ms Gladys Berejiklian**.

### **Newell Highway Speed Limit**

Petition opposing the Newell Highway speed limit reduction from 110 kilometres an hour to 100 kilometres an hour, received from **Mrs Dawn Fardell**.

## **CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY**

### **Coalition Candidate for The Entrance**

**Mr DAVID HARRIS** (Wyong—Parliamentary Secretary) [3.34 p.m.]: I rise quite sombrely this afternoon to argue for priority for this motion. I was born on the Central Coast, my family lives on the Central Coast and my friends live on the Central Coast. Over the 43 years of my life I have seen the Central Coast grow into a tolerant, cohesive society made up of people who have moved away from Sydney to build a better life for themselves as well as those who, like me, were born there. We have some of the most beautiful environment in Australia and it is a good place to live.

My election slogan at the last election was "Protecting our lifestyle". Lifestyle can be defined as a way of life or style of living that reflects the attitudes and values of a person or group. I believe that the policies and attitudes represented by One Nation are a threat to the cohesive lifestyle of the Central Coast. In 1997 the One Nation tide swept the country at the Federal level under Pauline Hanson. People were so concerned about the policies of One Nation that even Tony Abbott led the fight against them. One Nation became subject to a political campaign by Tony Abbott MP, who established a trust fund called "Australians for Honest Politics Trust" to help bankroll civil court cases against the party. He claimed to be acting in Australia's national interest.

The Liberal Government led by Jeff Kennett, which won power in Victoria in 1992, continued and extended the policies associated with cultural diversity. While he adopted a neo-liberal reform agenda generally reducing government expenditure on services, which we did not agree with, Kennett, a former Minister for Ethnic Affairs, pursued a very proactive approach to multiculturalism. He strongly opposed racism and xenophobia and criticised the policies of Pauline Hanson's One Nation party. He was the first political leader to speak out against her maiden speech in 1996. That is strong leadership from a Liberal leader. One Nation NSW met all the necessary registration criteria to achieve registration for the March 2007 New South Wales election. However, the party decided not to contest that election and was deregistered shortly after the election. There is now some uncertainty as to the party's current level of political activity in New South Wales.

This motion deserves priority because we must be very vigilant that former members of One Nation who stridently believed in the One Nation mantra and values do not try to infiltrate any major political parties. Tony Abbott and many others at the Federal level saw this threat and acted. This motion should get priority because Barry O'Farrell needs to show the same leadership and make sure that former One Nation operatives are

not allowed to infiltrate the New South Wales Liberal Party. This is a serious matter. I do not move this motion lightly. But my moral compass tells me that the influences of One Nation must be denied from this Parliament with all our strength. I commend the motion for priority.

### **Health Services**

**Mrs JILLIAN SKINNER** (North Shore—Deputy Leader of the Opposition) [3.37 p.m.]: My motion is about something that is of fundamental importance to the people of New South Wales—their health. It follows the appalling claims made by the Minister for Health today about successes the Government had achieved in implementing the Garling report. Last week the Australian Medical Association released a survey of doctors that found that 74 per cent of doctors do not believe the New South Wales public hospital system has become a better place to work in the last six months; two-thirds of public hospital doctors do not trust their hospital managers; and 71 per cent of doctors say their health service has reduced the number of clinical staff, and so on. They say the only thing that has change is that staff are now required to wear name badges. This is the appalling state of our health system. It has been ignored because the State Labor Government has been so focused on factional infighting that it has led to questions about who is going to be the Premier by Christmas. I can tell members that the issues raised today in the media point clearly to the failings in the health system.

Ambulance 000 call centre operators have hung up on patients, abandoned them, simply because they could not spell out their exact addresses. I refer to the tragic case of David Iredale—the young man who died in the Blue Mountains. Only six months ago the Coroner said that his death could have been prevented if the 000 call centre had adopted a different process when dealing with his calls. When this tragedy was first announced the Premier said, "We will deal with that; it will receive immediate attention." It was revealed today that two callers, one from Moree and another from Wagga Wagga, were not able to get assistance when they desperately needed it. If that is not a failing of the health system I do not know what is. We must give priority to debating this issue.

The other revelation that I find scandalous relates to nurse graduates in New South Wales. It must be remembered that these nurses were enticed into doing nursing when the State Government went into schools and encouraged students to take up nursing. Now these graduate nurses cannot get a job. This year 150 nurse graduate jobs have been cut. Is it any wonder that these graduates are now going to places such as Queensland? Recently I looked at Queensland's health website and found that new nurse graduates can apply online. No wonder they are deserting the State Government's public health system. However, sadly, they are doing so at a time when there are 1,000 nurse vacancies and when nurses are crying out for assistance in emergency departments.

It has been revealed that one of the factors leading to hospital-acquired infections is that nurses are so run off their feet they do not have time to wash their hands. That is a tragedy for the nursing workforce currently working in the hospital system; it is a tragedy for new graduates who cannot get jobs; and it is a tragedy for patients who suffer as a result. Clearly the State Government has failed to deal with critical workforce issues. The final point to which I refer is the disgraceful abandonment by this Government of country children with learning difficulties. They no longer have an opportunity to go to Dalwood Assessment Centre or to Palm Avenue School. For 100 years children with learning difficulties have had their needs met most effectively in Seaforth. The Government, which is no longer funding these bodies, said it would provide an alternative by sending assistance to the areas in which these children live.

The mothers who handed petitions to Coalition members today said that that was not the case. These children, who require face-to-face assessments, come from all over the State. Today we heard from a woman from Tamworth and also from a woman from Jamberoo in the Kiama electorate. These families, who live in remote parts of our State, for example, Wagga Wagga, Broken Hill, Goulburn and other areas, have been ignored and abandoned. Their children will no longer receive learning difficulty assistance or be provided with clinical assessments or educational opportunities to help them overcome their difficulties, undertake further education, and lead productive and independent lives. The Government is so inwardly focused on navel-gazing—it is focused on who will be the next Premier and which person will be shafted next—it has forgotten the critical issue of health service delivery in New South Wales.

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

**The House divided.**

**Ayes, 49**

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

**Noes, 37**

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

**Question resolved in the affirmative.**

**COALITION CANDIDATE FOR THE ENTRANCE****Motion Accorded Priority**

**Mr DAVID HARRIS** (Wyong—Parliamentary Secretary) [3.49 p.m.]: I move:

That this House:

- (1) condemns the Opposition for pre-selecting a former One Nation candidate in The Entrance; and
- (2) calls on the Leader of the Opposition to immediately disendorse Mr Chris Spence as he has run as a One Nation candidate twice and served in senior leadership positions with the organisation, including National President and Australian Capital Territory-New South Wales President.

The reputation of New South Wales and this Parliament should never be taken for granted. It is the good name of New South Wales that attracts investment, creates new jobs and helps us do business in Australia and overseas. Three of the top five export markets for New South Wales are in the Asian region—China is our largest merchandise goods trading partner. The Government has worked hard to develop these business partnerships, which underpin hundreds of thousands of jobs in our State. We deserve to be proud of our reputation as a State that fosters multiculturalism and does not tolerate racism in any form. The Cronulla riots demonstrated clearly what can happen when extremist views take hold. Our good name is being put at risk by the extreme right-wing elements spreading through the New South Wales Liberal Party. There is no better example of this than the Liberal Party's star recruit, who was a former president of One Nation.

No-one in this House should forget the damage and division caused by One Nation during the 1990s. It was One Nation's radical right-wing policies and racist rantings on Asian, African and Aboriginal people that damaged our reputation overseas. This Parliament should be extremely concerned that a major One Nation figure has been personally endorsed by the Leader of the Opposition as a candidate for a seat in the New South Wales Parliament. This Liberal candidate was once the One Nation president and stood twice as a One Nation candidate. This Liberal candidate spent months on the One Nation campaign trail knocking on doors and standing in shopping centres spruiking One Nation's extreme policies.

**Mr Ray Williams:** Point of order: I believe the standing orders restrict members from actually reading verbatim speeches. They are allowed only to look at notes.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! I am sure the member was referring to copious notes.

**Mr Ray Williams:** I ask you to advise the member not to read verbatim, but to only refer to notes.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Hawkesbury will resume his seat. I have ruled on the point of order.

**Mr DAVID HARRIS:** This is a Liberal candidate who, as the leader of One Nation, was condemned for electoral fraud by the State Electoral Office. This is a Liberal candidate who has harassed and antagonised indigenous Australians.

**Mr Chris Hartcher:** Point of order: The member has made an allegation of criminal misconduct that is not borne out by his motion and not substantiated by the facts. I ask that he withdraw it.

**Mr DAVID HARRIS:** I am happy to withdraw it, but it is on the record. This is a Liberal candidate who harassed and antagonised indigenous Australians at the Aboriginal tent embassy in Canberra to the point that police had to be called because he was taunting them with alcohol. [*Quorum called for.*]

[*The bells having been rung and a quorum having formed, business resumed.*]

This behaviour saddens me and insults some of my closest friends who are of Aboriginal descent. My niece and nephew are indigenous Australians. This behaviour insults the young indigenous men and women of the Central Coast Darkinjung nation who are proud of their culture and who care enough to be reviving their language. The actions of this Liberal candidate should be made known to the people of New South Wales and the people of The Entrance.

**Mr Chris Hartcher:** Point of order: The Darkinjung people were sacked by Milton Orkopoulos and this member did nothing to defend them.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! That is not a point of order. The member will resume his seat.

**Mr DAVID HARRIS:** I was not even a member of Parliament.

**Mr Chris Hartcher:** You speak about the Darkinjung people, but you did nothing.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Terrigal will resume his seat.

**Mr DAVID HARRIS:** It is astonishing that somebody who has behaved in this manner carries the personal seal of approval of the member for Terrigal and the Leader of the Opposition. This Parliament issues a challenge today to the Leader of the Opposition to immediately disendorse this person.

**Mr Brad Hazzard:** Point of order: I draw attention to Standing Order 56, which requires that if a member is suffering illness or disability, or is delusional, he can actually remain seated. Members on this side are quite happy if he wants to continue with this delusional made-up story—

**ACTING-SPEAKER (Ms Diane Beamer):** Order! There is no point of order. The remarks of the member for Wakehurst are highly offensive. The member for Wakehurst will resume his seat.

**Mr DAVID HARRIS:** Strong Liberal leaders like Jeff Kennett denounced One Nation. The ringleaders of One Nation should not be allowed to slither back under the sponsorship of the New South Wales Liberal Party. The Leader of the Opposition should not open the back door for One Nation to come back into the New South Wales Parliament. This Liberal candidate was not just a foot soldier for One Nation or a simple volunteer. He was one of their grandmasters.

**Mr Anthony Roberts:** Point of order: My point of order is relevance under Standing Order 76.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! There is no point of order. The member for Lane Cove will resume his seat.

**Mr DAVID HARRIS:** Chris Spence rose through the ranks to become a trusted member— [*Time expired.*]

**Mr CHRIS HARTCHER (Terrigal) [3.56 p.m.]:** I move:

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

this House

- (1) takes note that Chris Spence has publicly acknowledged that his former membership of One Nation as a young man was a mistake;
- (2) takes further note that the New South Wales Labor Party, under John Della Bosca (as General Secretary) and Eric Roozendaal (as Assistant General Secretary) sought to obtain One Nation preferences at the 1999 State election in the seats of Maitland and Gosford, despite the Labor Party publicly stating it would make no deals with One Nation; and
- (3) condemns the Labor Party for its hypocritical stance on One Nation.

Chris Spence was aged 23 and employed at the Federal Parliament when, like so many other Australians, he was caught up in the rhetoric of Pauline Hanson in 1997 and 1998 taking an interest in what she ascribed as traditional Australian values. Subsequently, the Hon. David Oldfield engaged him as a research officer in this Parliament. The interjection yesterday of the Treasurer during question time in the Legislative Council was telling. The Treasurer said:

You can judge people by the company they keep. Chris Spence should be judged by his employer David Oldfield.

Milton Orkopoulos, a convicted paedophile and criminal, employed Premier Nathan Rees. Let the Premier be judged according to the Treasurer's standard, by the company he kept and the person by whom he was employed. When Chris Spence was a young man of 28 years, his home was burnt down in the 2003 Canberra bushfires. Four people died in the bushfires and more than 500 other homes were burnt down. Chris Spence lost everything—his home, his possessions, even his clothing. For a month afterwards he wandered around, in his own words, "like a refugee", but instead of worrying about the loss of his own home and his possessions, on the afternoon his home burnt to the ground, he went out to fight fires and rescue people who were in danger. He placed himself in danger to ensure that other people would be looked after. That is the mark of his character. For that, the community recommended that he be awarded an honour of the Order of Australia.

Chris Spence moved to the Central Coast. He is president of OzTag football, which has 3,000 registered players. He is treasurer of The Entrance Surf Life Saving Club and he devotes his spare hours to volunteer community work, such as coaching young footballers across the entire OzTag football program and helping out one weekend in every four at the short-staffed surf club to patrol the beach and ensure that people are not exposed to danger. His actions are the mark of a man that the Liberal Party has endorsed for The Entrance. That young man will sweep to victory in The Entrance electorate in 2011. That is why the Australian Labor Party, headed by the Parliamentary Secretary for the Central Coast—whom the Premier described as his eyes and ears but in relation to whom the Premier hired someone at \$100,000 to do his job for him—is leading an attack against him. Chris Spence is the cause of the Labor Party's angst and agony because it knows that in Chris Spence, in contrast to the present member for The Entrance who was sacked by Morris Iemma after four years as a Minister for ineptitude, it has a very worthy opponent.

Members will be aware that many people make mistakes in life. The Director General of the Department of Education and Training, Michael Coutts-Trotter, is a convicted heroin dealer. A former Treasurer, Michael Egan, employed him and the newspapers found out about his conviction. He went to the newspapers and said, "I made a mistake when I was young. I deserve a second chance." Subsequently he was



appointed as the Director General of the Department of Commerce, and he is now the Director General of the Department of Education and Training. He is a convicted heroin dealer. He said he made a mistake and that he deserved a second chance. Chris Spence says he made a mistake, but the Labor Party wishes to deny him a second chance. A former Labor Treasurer, Michael Costa, was a member of the Trotskyist party, which, in the Soviet Union and throughout other parts of the world, was engaged in murder, terrorism and a whole range of activities that are inimical to every democratic value. Yet when Michael Costa left the Trotskyist party he was received into the Australian Labor Party and was elevated to the position of Treasurer of New South Wales. Michael Costa was given a second chance, yet the Australian Labor Party wishes to deny Chris Spence a second chance.

The Australian Labor Party attacks One Nation through the member for Wyong, but in the 1999 campaign it sought to obtain One Nation preferences in two crucial marginal seats, Maitland and Gosford. As each voter arrived at the polling booth, they were handed a small yellow slip. That handout was authorised by John Della Bosca who was then the General Secretary of the New South Wales Labor Party. It stated, "Thinking of voting One Nation? If so, stop Kerry Chikarovski's electricity privatisation plan and give your second preference to the Australian Labor Party." That was distributed, notwithstanding that John Della Bosca and then Premier Bob Carr had given an undertaking to the people of New South Wales that they would put One Nation last on every how-to-vote card, that they would make no preference deal with One Nation, and that they would seek no preference deal with One Nation.

**Mr Anthony Roberts:** What hypocrisy!

**Mr CHRIS HARTCHER:** The hypocrisy was exposed in this House by the former member for Pittwater, John Brogden, and by me as the then member for Gosford, when the very documents handed out by Labor Party members in Maitland and Gosford were produced in this House. At that time John Della Bosca's assistant was no less a person than Eric Roozendaal, who is now the Treasurer and a self-proclaimed champion against racism. He has led the charge against Chris Spence in the Legislative Council and is being followed by his puppy dog in the Legislative Assembly. The actions of the Labor Party show not just hypocrisy, but fear of 2011 and fear of Chris Spence.

**Ms TANYA GADIEL** (Parramatta) [4.04 p.m.]: It is said that all that is necessary for evil to triumph is for good men and women to do nothing. This is why it is important to say and do something when we see the rise of extreme politics in our community. The need to act becomes even more urgent when politics that promote hate and racism infect the halls of our Parliament. We do not need to guess what will happen if the former ringleaders of One Nation again get a foothold in our political arena. We know exactly what will happen because we have seen it before. We know that the re-emergence of One Nation leadership through the right wing of the New South Wales Liberal Party will bring back dangerous politics that caused such damage to Australia and the State just a few years ago. This Parliament must not allow a return to those days. We do not want a return to politics of those people who championed One Nation policies and promoted their propaganda of hate.

**Mr Chris Hartcher:** Point of order: It is customary for the member for The Entrance to follow the member for Wyong in debate. Where is the member for The Entrance?

**ACTING-SPEAKER (Ms Diane Beamer):** Order! There is no point of order.

**Ms TANYA GADIEL:** Nice try. The Leader of the Opposition, Barry O'Farrell, must not hide from this issue. It is an issue for his party and it will become an issue for our democracy if he does nothing about it. The rise of right wing extremists in the New South Wales Liberal Party is not an issue the Leader of the Opposition can brush off with a few glib lines, while doing nothing. It is time for the Leader of the Opposition to take action and send a message to the people in his political party that there is no place in his party for that type of behaviour. By leaving the door open and personally endorsing a Liberal candidate who was a president of One Nation, the Leader of the Opposition is showing he is happy to have racists in his party.

**Mr Anthony Roberts:** Point of order: I refer to Standing Order 129. My point of order relates to relevance. Perhaps the member for Parramatta would like to explain where she was when we spoke about Gilad Shalit.

**Ms TANYA GADIEL:** To the point of order: Standing Order 129 relates solely to question time.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! There is no point of order.

**Ms TANYA GADIEL:** The Leader of the Opposition must close the back door on extreme right wing candidates.

**Mr Anthony Roberts:** Point of order—

**Ms TANYA GADIEL:** Why don't you read the standing order, you goose, and then you might get it right?

**Mr Ray Williams:** Point of order: I ask you to advise the member for Parramatta in relation to the standing order.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! I advise the member for Hawkesbury that the member for Parramatta is entirely correct. Standing Order 129 relates solely to relevance during question time and is irrelevant in this debate.

**Ms TANYA GADIEL:** We should examine the credentials of the Liberal candidate whom the Leader of the Opposition seeks to defend—a former president of One Nation.

**Mr Brad Hazzard:** Madam Acting-Speaker, I think you would have heard, as we all did, the interjection across the Chamber. Standing orders require a member to not refer to other members in a derogatory manner. The member for Parramatta referred to one of the Opposition members as "you goose". I know that you try to uphold the dignity of the House.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! I am sure the member for Parramatta will withdraw the word "goose".

**Ms TANYA GADIEL:** I withdraw the comment, "you goose", you princess.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Parramatta has withdrawn "you goose".

**Mr Brad Hazzard:** Point of order: The member for Parramatta said "you princess". I am not sure who she is referring to, but I ask you to direct the member to show some dignity in the House, withdraw the comment, and apologise for that language.

**Ms TANYA GADIEL:** I withdraw the comment, but I do not apologise because I do not have to. That is also in the standing orders.

*[Interruption]*

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Wakehurst will resume his seat. I call the member for Wakehurst to order.

**Ms TANYA GADIEL:** The Leader of the Opposition wishes to defend a former candidate for One Nation at two elections—not one, but two. He defends a person who thought it was appropriate to travel to Canberra to intimidate indigenous Australians at the tent embassy and taunt them with alcohol.

**Mr RAY WILLIAMS (Hawkesbury) [4.09 p.m.]:** Unfortunately, once again in the Chamber of supposed democracy in New South Wales, instead of debating the serious issues affecting New South Wales—such as the problems in our health industry, transport, roads and the Department of Community Services, and the many problems that have beset New South Wales after almost 15 years of failures by the New South Wales Government—the member for Wyong has moved a motion that denigrates a person who joined a political party. People in this country have the right to join a political party. The person felt that he made a mistake with the political party he chose, and he has moved on. He admitted that mistake. One rare quality of Chris Spence, who is a decent person, is that he acknowledges when he has made a mistake, unlike the New South Wales Government, which continues to make many mistakes day after day.

This motion was moved by the member for Wyong, who is a former primary school principal. At present six captains at Kellyville Primary School, the vice principal and the principal are watching this debate.

I asked them to watch this debate closely because they would see the member who moved the motion reading from a script written by a bureaucrat. The member for Wyong does not know anything about Chris Spence, including his background. If he did he would know that Chris Spence is an honourable and upstanding member of our society. As the member for Terrigal outlined, Mr Spence gives up his time for his community; he is the president of a local sporting association. Let us look at some of the prerequisites for people who want to become Labor members of Parliament. The one thing people will not find in the Liberal Party is a paedophile.

**Mr David Harris:** Point of order: I note that Government members have been listening to the member for Hawkesbury in silence. The member cannot make such accusations during debate on a substantive motion.

**Mr RAY WILLIAMS:** To the point of order: I believe that Milton Orkopoulos was accused of being a paedophile and charged with serious offences.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! That is not relevant to the debate.

**Mr David Harris:** To the point of order: The member for Hawkesbury is misleading the House. The former member was expelled from the Labor Party. The member for Hawkesbury said that being a paedophile is a prerequisite of the Labor Party. That is disgraceful, and I ask him to withdraw it.

**Mr RAY WILLIAMS:** I certainly will not be withdrawing what is a fact.

**Mr David Harris:** Further to the point of order: I say clearly again that the member for Hawkesbury said that being a paedophile is a prerequisite for becoming a member of the Labor Party. That is what I am asking to be withdrawn.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! I cannot order the member for Hawkesbury to withdraw any comment he has made.

**Mr RAY WILLIAMS:** That is not what I said at all. I said we will look at some of the failings of Government members, and I simply mentioned a person who was charged with paedophilia. Indeed, the Premier of New South Wales, who worked for that person as an advisor, denied knowing anything about the former member's actions that he undertook with boys within this very building. That is pretty poor form. Milton Orkopoulos may not have been a member of One Nation, but I think he was much worse. That is a blight on the Government.

**Ms Tanya Gadiel:** You are condoning racism.

**Mr RAY WILLIAMS:** He probably was not a racist. He probably did not care. The member for Parramatta said that Milton Orkopoulos was not a racist. He probably did not care about the colour of the children he was assaulting.

**Ms Tanya Gadiel:** Point of order: I ask the member for Hawkesbury to withdraw that statement. As a female member of Parliament I find that highly offensive. I ask him to withdraw.

**ACTING-SPEAKER (Ms Diane Beamer):** Order! The member for Parramatta has asked the member for Hawkesbury to withdraw that comment.

**Mr RAY WILLIAMS:** We could go on about the underpants dancer on the South Coast. We could go on about the member for Wollongong and her corrupt activities. We could go on and on and on. [*Time expired.*]

**Mr DAVID HARRIS** (Wyong—Parliamentary Secretary) [4.14 p.m.], in reply: What we have seen in the past few weeks—

**Mr Chris Hartcher:** I think he's lost the plot.

**Mr DAVID HARRIS:** I have, because the member for Hawkesbury is absolutely disgraceful. We will refer the matter to the privileges committee because ethically that was the worst effort I have seen since becoming a member of this place.

**Mr CHRIS HARTCHER** (Terrigal) [4.15 p.m.]: I move:

That the question be now put (S.O. 86).

**The House divided.**

**Ayes, 32**

Mr Aplin  
Mr Baird  
Mr Baumann  
Ms Berejikian  
Mr Cansdell  
Mr Constance  
Mr Dominello  
Mr Fraser  
Ms Goward  
Mrs Hancock  
Mr Hartcher

Mr Hazzard  
Ms Hodgkinson  
Mrs Hopwood  
Mr Humphries  
Mr Kerr  
Mr Merton  
Ms Moore  
Mr O'Farrell  
Mr Piper  
Mr Provest  
Mr Richardson

Mr Roberts  
Mrs Skinner  
Mr Smith  
Mr Souris  
Mr Stokes  
Mr J. H. Turner  
Mr J. D. Williams  
Mr R. C. Williams  
*Tellers,*  
Mr Maguire  
Mr R. W. Turner

**Noes, 52**

Mr Amery  
Ms Andrews  
Mr Aquilina  
Ms Beamer  
Mr Besseling  
Mr Borger  
Mr Brown  
Ms Burney  
Ms Burton  
Mr Campbell  
Mr Collier  
Mr Coombs  
Mr Corrigan  
Mr Costa  
Mr Daley  
Ms D'Amore  
Mr Draper  
Mrs Fardell

Ms Firth  
Mr Furolo  
Ms Gadiel  
Mr Gibson  
Mr Greene  
Mr Harris  
Ms Hay  
Mr Hickey  
Ms Hornery  
Ms Keneally  
Mr Khoshaba  
Mr Koperberg  
Mr Lalich  
Mr Lynch  
Mr McBride  
Dr McDonald  
Ms McKay  
Mr McLeay

Ms McMahon  
Ms Megarrity  
Mr Morris  
Mrs Paluzzano  
Mr Pearce  
Mrs Perry  
Mr Sartor  
Mr Shearan  
Mr Stewart  
Ms Tebbutt  
Mr Terenzini  
Mr Tripodi  
Mr West  
Mr Whan  
*Tellers,*  
Mr Ashton  
Mr Martin

**Question resolved in the negative.**

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [4.22 p.m.]: I move:

That standing orders be suspended to reinstate the remaining time of the member for Wyong's reply.

**Question put.**

**The House divided.**

**Ayes, 54**

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

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

Ms Moore  
Mr Morris  
Mrs Paluzzano  
Mr Pearce  
Mrs Perry  
Mr Piper  
Mr Sartor  
Mr Shearan  
Mr Stewart  
Ms Tebbutt  
Mr Terenzini  
Mr Tripodi  
Mr West  
Mr Whan  
*Tellers,*  
Mr Ashton  
Mr Martin

**Noes, 32**

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

**Question resolved in the affirmative.**

**Motion for the suspension of standing orders agreed to.**

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [4.28 p.m.]: I move:

That standing orders be suspended to permit the conclusion of consideration of the motion accorded priority prior to consideration of General Orders of the Day (for Bills).

**Mr Chris Hartcher:** You are a coward!

**The SPEAKER:** Order! The member for Terrigal will resume his seat. He will have five minutes in which to speak when I give him the call. I direct the member for Terrigal to resume his seat. I now call the member for Terrigal.

**Mr CHRIS HARTCHER** (Terrigal) [4.29 p.m.]: It is a great honour to speak and I thank members for their enthusiastic support. What we have seen today is a cowardly display by a Government on its last legs, a Government that is slowly sinking into the sunset, a Government that awaits only the tsunami on 26 March 2011—a tsunami that will sweep away the great majority of members on the other side of the House. They can shout, they can yell, but privately they all know the fate that awaits them. They are like lambs to the slaughter. When the Premier stands up here, when he prances and preens, when he looks behind him at the member for Rockdale, when he looks behind him at the member for Fairfield, and when he looks upstairs at the Hon. John Della Bosca, when he sees the sharks circling—

**Mr Richard Amery:** Point of order: I refer to the standing orders in relation to tedious repetition.

**The SPEAKER:** Order! The member for Mount Druitt will resume his seat. Opposition members will remain silent. It is difficult for me to make a ruling when I cannot hear the point of order. The member for Mount Druitt will seek the call.

**Mr Richard Amery:** My point of order is based on the standing orders in relation to tedious repetition. Not only has the member for Terrigal raised issues time and again here today, he also made the same speech in 2006 and 2002!

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

**Mr CHRIS HARTCHER:** There is one motivation, and it is fear. It starts with fear for the member for The Entrance, fear because Chris Spence is an outstanding young man. Would members opposite put Grant McBride up against Chris Spence? They would not even do it in the debate. Grant McBride did not participate in the debate. What would people at The Entrance say? Grant McBride is scared. And do you know what? He has a lot to be scared of. So what do we see? Every time the Liberal Party endorses a candidate, the Premier wants to come here and make a personal attack on that person under parliamentary privilege. We have heard it already. The candidate that we will endorse for Londonderry, the mayor of Hawkesbury, is a good candidate. We have endorsed a candidate for Gosford—it is goodbye, Marie.

**The SPEAKER:** Order! Members will come to order.

**Mr CHRIS HARTCHER:** Mayors and distinguished citizens who can contrast their community record of service against an extraordinary lack of diligence and performance, against the factional manipulations that rivet themselves through the frontbench.

**Mr Steve Whan:** Point of order—

**Mr CHRIS HARTCHER:** Look at the member for Fairfield.

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

**Mr Steve Whan:** We are debating a motion to suspend standing orders. The member for Terrigal is referring to the substantive motion, to which the member for Wyong was seeking to reply. I would suggest that that is out of order. However, if the member wants to continue his defence of recruitment of One Nation people into the Liberal Party, we will let him keep going.

**The SPEAKER:** Order! I have heard enough on the point of order. The Minister will resume his seat. I always extend a degree of latitude in these debates, but the member for Terrigal is stretching my patience. I ask the member for Terrigal to refer to members by their correct titles.

**Mr CHRIS HARTCHER:** I did. The member for Fairfield sits here, the man who was under Independent Commission Against Corruption investigation for sexual misconduct in this very building, who plots right now to oust Nathan Rees. The member for Rockdale sits there, joining in the conspiracy.

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

**Motion to suspend standing orders agreed to.**

**Mr DAVID HARRIS** (Wyong—Parliamentary Secretary) [4.34 p.m.], in reply: What we have seen this afternoon has been an absolute disgrace. The Leader of the Opposition always talks about raising the standards of this place. I say to the Leader of the Opposition that he needs to call the member for Hawkesbury and the member for Wakehurst into line for their comments in the House this afternoon.

**Mr Brad Hazzard:** In accordance with the standing orders, I move:

That this debate be now adjourned.

**Mr Steve Whan:** We have just suspended the standing orders.

**Mr Brad Hazzard:** You should learn the standing orders. I am entirely entitled to do it and if Government members oppose it that is fine, but they cannot just sit there and say, "No"—

**The SPEAKER:** Order! The member for Wakehurst will resume his seat. His motion is out of order pursuant to Standing Order 79 and as the House has determined that the member for Wyong will complete his reply.

**Mr Brad Hazzard:** Point of order—

**The SPEAKER:** Order! I have ruled on the matter. The member for Wakehurst will resume his seat. He cannot take a further point of order when I have ruled on the matter.

**Mr Brad Hazzard:** That is the wrong ruling.

**The SPEAKER:** Order! I have received advice from the Clerk. I have ruled on the matter. The member for Wyong will complete his reply.

**Mr DAVID HARRIS:** This afternoon, in trying to stop the debate being heard, the member for Wakehurst referred to Standing Order No. 56, which relates to illness or disability. A week after Disability Week he has come into this House and derided people with a disability. He should be made to apologise

publicly to all those people who suffer a disability. It is absolutely disgraceful. Not only that, the member for Hawkesbury referred to little boys being assaulted no matter what colour they are—it is in *Hansard*. They are the most outrageous words I have ever heard uttered in this place.

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

**Mr DAVID HARRIS:** The Leader of the Opposition should ask both those members to apologise for what they have said in the House today. It shows that One Nation already controls the Liberal Party. Today we had a debate about social housing, and members of the Liberals-Nationals opposed social housing—another One Nation policy.

**The SPEAKER:** Order! Such matters do not reflect well on the House.

**Mr Brad Hazzard:** Point of order: Clearly, there is a motion before the House. Whilst we might differ on whether I am entitled to adjourn the debate, the member is speaking well outside the leave of that motion. He is now addressing matters that were dealt with in this House 2½ hours ago.

**The SPEAKER:** Order! The member for Wakehurst will resume his seat. I remind him that I extended a significant degree of latitude to the member for Terrigal. I ask the member for Wyong to confine his remarks to the leave of the motion.

**Mr DAVID HARRIS:** I apologise, Mr Speaker. I am usually a fairly measured person, but the comments that were made here this afternoon really pushed the limits. One of the comments made during the debate referred to the fact that, as a former school principal, I would not stand up for people who do the right thing in the community. Principals of schools stand for equity and fairness. I do not think the policies of One Nation show any of those things. Today we have a candidate who is standing for the seat of The Entrance—

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

**Mr DAVID HARRIS:** He was not just a foot soldier for One Nation—he was one of the policymakers; he was one of the decision-makers. Leopards cannot change their spots. They might say that they can, but at the end of the day they cannot. The member for Terrigal referred to an article in the *Express Advocate* about the candidate Mr Spence. Mr Spence said in the article that he thought One Nation had very Australian values, and that is why he joined the party. He did not apologise for being a member of One Nation; he said the party had very Australian values and that is why he joined it. He has not changed his spots. He still stands for the same things. The Liberal Party is allowing these people to infiltrate. Many Opposition members have left the Chamber. They are disgusted with what has been going on here.

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

**The House divided.**

**Ayes, 51**

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

**Noes, 32**

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

**Question resolved in the affirmative.**

**Amendment negatived.**

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

**The House divided.**

**Ayes, 50**

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

**Noes, 34**

Mr Aplin	Mr Hazzard	Mr Smith
Mr Baird	Ms Hodgkinson	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	Mr O'Farrell	Mr J. D. Williams
Mr Dominello	Mr Piccoli	Mr R. C. Williams
Mr Fraser	Mr Provest	<i>Tellers,</i>
Ms Goward	Mr Richardson	Mr George
Mrs Hancock	Mr Roberts	Mr Maguire
Mr Hartcher	Mrs Skinner	

**Question resolved in the affirmative.**

**Motion agreed to.**



**TRADE MEASUREMENT (REPEAL) BILL 2009**

**Bill received from the Legislative Council and introduced.**

**Agreement in principle set down as an order of the day for a future day.**

**FOOD AMENDMENT (BEEF GRADING) BILL 2009**

**Message received from the Legislative Council returning the bill with an amendment.**

**Consideration of Legislative Council's amendment set down as an order of the day for a later hour.**

**ACTING-SPEAKER (Mr Matthew Morris):** Order! It being after 4.30 p.m. the House will now consider General Business Orders of the Day (for Bills).

**ROAD TRANSPORT (DRIVER LICENSING) AMENDMENT (DEMERIT POINTS) BILL 2009****Agreement in Principle**

**Debate called on and adjourned on motion by Mr John Aquilina.**

**FOOD AMENDMENT (BEEF GRADING) BILL 2009****Consideration in Detail**

**Consideration of the Legislative Council amendment.**

*Schedule of amendment referred to in message of 26 November 2009*

No. 1 Page 2, clause 1, line 3. Omit "Grading". Insert instead "Labelling".

**Mr RICHARD TORBAY** (Northern Tablelands—Speaker) [4.58 p.m.] I move:

That the House agree to the Legislative Council amendment.

**Mr THOMAS GEORGE** (Lismore) [4.58 p.m.]: I thank the Speaker and member for Northern Tablelands for agreeing to this amendment. I know that the beef industry will be pleased that the Food Amendment (Beef Grading) Bill 2009 has been amended in this manner. This Opposition amendment will make the industry more inclusive. I support the amendment.

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

**Motion agreed to.**

**Legislative Council amendment agreed to.**

**Message sent to the Legislative Council advising it of the resolution.**

**ROAD TRANSPORT (DRIVER LICENSING) AMENDMENT (DEMERIT POINTS) BILL 2009****Agreement in Principle**

**Debate resumed from an earlier hour.**

**Mr NICK LALICH** (Cabramatta) [4.59 p.m.]: The Road Transport (Driver Licensing) Amendment (Demerit Points) Bill 2009 proposes to amend road transport law so that demerit points will not be incurred by a person who is found guilty, but not convicted, of certain speed and traffic light offences. At present the Crimes (Sentencing Procedure) Act 1999 gives courts the option, after finding a person guilty of an offence, to dismiss a matter and not impose the usual penalties, such as a fine or period of disqualification from driving. However, a court does not have the discretion to order that demerit points not apply. This is because the nationally agreed driver licensing scheme, to which New South Wales is a party, provides that the driver licensing authority must record demerit points against a person if that person is convicted, or found guilty, of a relevant offence.

The demerit points scheme is intended to encourage safe driving practices. Under the scheme demerit points are recorded on the driver's record by the Roads and Traffic Authority and if those points cause the person to exceed their threshold, they risk losing their licence. Evidence-based research indicates that the demerit points scheme is a powerful deterrent for the majority of drivers in New South Wales. The bill will reduce this certainty of punishment and may foster a belief among road users that they have the opportunity to appeal the sanction even if detected. The bill implies also that individuals have no right to contest a court's decision. This is simply not the case.

Currently, there are sufficient provisions within road transport law for a court to take into account the circumstances of a sudden or extraordinary emergency when determining a person's guilt in relation to an offence. There are also sufficient provisions for a person to have a court's decision reviewed on appeal or through an application to have the matter annulled and reheard. A recent example that received some media attention, and which may explain why the bill includes red-light traffic offences, concerned a driver who went through a red light to allow an emergency vehicle to pass. The offence was detected on a red-light camera and the driver subsequently received a penalty notice in the mail. He then elected to have the matter heard in court, which was his right. On the day the matter was to be heard in court the person chose to enter a guilty plea. In pleading guilty the court accepted that the offence was not being defended and any statements made by the defendant were to seek a reduced penalty as a consequence of the court handing down a guilty verdict.

It is not clear what, if any, legal advice was given or obtained by the driver in question before a guilty plea was entered. However, it is clear that the person would have been better off pleading not guilty. Any legislative amendment to relax the current application of demerit points would likely result in a large increase of offences contested through the court system. The proposed change would create an incentive for drivers facing the prospect of losing their licence to seek a court order not to have the demerit points apply for an offence, despite lacking justification for doing so. Generally speaking, only drivers who repeatedly commit offences run the risk of licence suspension through the accumulation of demerit points. An expectation of a possible relaxation in the application of demerit points will drive these offenders into the courts in an attempt to avoid a licence suspension.

Demerit points have proven to be a strong incentive to drive in accordance with the road rules. Allowing discretion in the application of demerit points to drivers found guilty of a road safety offence, but dismissed under section 10, may give those drivers the belief that they can avoid licence sanctions. The best approach to enforcement, and to addressing unsafe driver behaviour, is to provide a timely and certain penalty following an offence. Allowing discretion on applying demerit points in these circumstances reduces the certainty of a penalty and affects the overall deterrence. Clearly, this is not the message that should be sent to offenders. I oppose the bill.

**Mr WAYNE MERTON** (Baulkham Hills) [5.04 p.m.]: No-one wants to go in to bat for or support people who deliberately, intentionally and frequently decide to refuse to obey the Motor Traffic Act or road transport driver licensing legislation and exceed designated speed limits. New South Wales has two entities that control driver licensing—the Roads and Traffic Authority and the New South Wales court system, principally the Local Court and in some cases the District Court for appeals. Whether a driver obtains a licence or retains it depends on a decision made by the Roads and Traffic Authority or by a court.

No reasonable person would dispute that our society has a place for both entities in the licensing of drivers. However, when it comes to deciding which entity should prevail, I am deeply committed to the fundamental philosophy of our democratic system in New South Wales that the courts should have the last say. The Roads and Traffic Authority might say one thing and a court might say another. However, a magistrate or a District Court judge exercising appellate jurisdiction should have the last say.

Many people have come to my electorate office and, indeed, to my parliamentary colleagues' electorate offices, seeking advice after receiving a traffic infringement notice. They want to know the best way to preserve their licence. These people are not necessarily hedging because they are facing an automatic licence loss because they have incurred 12 demerit points; many of them have incurred no demerit points but are anxious to preserve their rights as far as holding a driver's licence. Therefore, it is simply wrong to say that this legislation gives some comfort or protection only to someone who will lose their licence. However, if passed by this Parliament, this bill will allow those who otherwise would have lost their licence because they had incurred 12 demerit points to retain their licence. I shall comment further about those issues shortly.

A constituent might confront a local member and ask, "What should I do?" and then provide an explanation of the offence, which might be a speeding matter. This legislation specifically deals with people who have committed an offence by exceeding the designated speed limit by less than 10 kilometres an hour.

**Mr Brad Hazzard:** They are only minor offences.

**Mr WAYNE MERTON:** They are minor offences. The people have not exceeded the prescribed concentration of alcohol [PCA], they are not people who speed or drive in a manner that constitutes a danger to the public, and they are not people who are driving at 80 kilometres an hour outside a school. They are people who could be driving along a lonely country road and who come into a country town at 2.00 a.m. when there is no other traffic on the road, and suddenly find that they are travelling at eight kilometres an hour over the speed limit. There is negligible, if any, danger posed to any member of the public. People in similar circumstances have visited my electorate office and said, "Can I have this matter heard in court?" The infringement notice invites people to have the matter determined by a court.

I am pleased to note the presence in the chamber of the member for Macquarie Fields, Dr McDonald. I do not intend to cite him as an example of a person with driving offences; rather, I refer to him in his capacity as a distinguished medical practitioner who would understand the circumstances in which a driver with a pregnant wife or a sick child must take their wife or child to a hospital urgently. The type of circumstances to which I refer include respiratory attacks that are not able to be resolved by using the usual medication or a sudden heart attack necessitating hospital treatment. A driver who is on his way to a hospital may be confronted by a highway patrol officer because his speed, for example, is 56 kilometres an hour in a 50 kilometres an hour zone. In other words, the driver is exceeding the speed limit by no more than six kilometres an hour, and is driving his sick child or his pregnant wife or his neighbour who has had a heart attack to the hospital urgently.

There are many similar situations that constitute extenuating circumstances. People are entitled to have extenuating circumstances taken into account when the penalty is being decided. Clearly the law invites extenuating circumstances to be considered because infringement notices invite drivers to have the matter determined by a court. That is part of the judicial system—and long may it stand. Any Government that attempts to usurp the right of people to have such matters determined by a court is not legislating in accordance with what we believe to be Western democratic principles. People have the right to have the matter determined by a court. As part of their testimony, a driver may admit that they exceeded the speed limit by approximately seven kilometres an hour. That fact is not in dispute, and the driver does not wish to tell any lies. The circumstances are fully disclosed.

The magistrate is able to take into account the driver's driving record and the circumstances of the particular event, and ultimately may decide that it is appropriate not to impose a penalty. In other words, the magistrate finds the offence proved, which would not be difficult because the driver admitted that they exceeded the speed limit, but decides, pursuant to the provisions of section 10 of the Road Transport (Safety And Traffic Management) Act 1999 which for many years were in section 556A of the Crimes Act, not to record a conviction and impose any penalty. In other words, as far as the magistrate is concerned, the driver is entitled to leave the courtroom, tell people that the matter was dismissed with no conviction recorded, and go about their business. That frequently happens.

People experiencing those circumstances have visited my electorate office and have said, in an absolutely jubilant mood, "Mr Merton, I've been to court. The magistrate dismissed it. What a wonderful result!" What am I supposed to say to them? Should I tell them the truth—that although they have not had a monetary penalty imposed on them, they will still lose licence points? Members of Parliament are placed in a difficult situation by this legislation. Obviously we have to be honest and tell people about the imposition of demerit points because they will soon be notified that they have lost licence points, despite the magistrate having dismissed the offence and recorded no conviction, albeit having found the offence to be proved.

**Mr Paul Gibson:** Only if they plead guilty. If they plead that they are not guilty, it is different.

**Mr WAYNE MERTON:** No. I invite the member for Blacktown, with no criticism intended, to listen while I deal with the very valid point he mentions. If the driver pleads guilty, the magistrate can apply section 10, but the driver will still lose licence points. The magistrate records no conviction, having found the offence proved, but the driver will walk away without penalty. However, the driver will still cop an administrative decision based on statute that will result in the loss of licence points. The Labor Government introduced the Road Transport (Safety and Traffic Management) Act 1999. The member for Blacktown is very realistic in dealing with such matters. He is a man of the world and he knows, as indeed all members of Parliament know, that driving a motor vehicle is onerous and can cause problems.

If a driver says in court that they are not guilty and gives evidence to that effect, after which the police prosecutor asks questions and the magistrate finds the offence to be proved, notwithstanding that the defendant

pleaded not guilty, the outcome is exactly the same as the previous scenario if the magistrate states that he has taken into account extenuating circumstances of the type I mentioned earlier. The magistrate can find that the offence has been proved, but can take into account the circumstances and decide not to impose a penalty and not to record a conviction. The outcome is exactly the same in both cases.

The point I make is that this legislation is not reasonable in a modern Western democracy in circumstances in which a magistrate has received evidence from a defendant and a police prosecutor has been informed of all the circumstances, has been informed of the driver's antecedents and driving record and, taking all those matters into account, has ordered that no penalty be imposed. I have practised law for many years, and I believe that magistrates do not apply section 10 lightly. [*Extension of time agreed to.*]

I believe that was the magistrate's intention. The situation is unfair because the Roads and Traffic Authority has taken this power from magistrates. This legislation deals with only two categories of offences. It deals with speeding offences under part 3 of the road rules, that is, exceeding the speed limit by less than 10 kilometres an hour, and it deals with traffic light offences within the meaning of section 57 of the Road Transport Safety Act. In other words, it deals with fairly minor or low level speeding offences and traffic light offences. It does not deal with serious traffic offences. It does not deal with people who exceed the speed limit by 12 or 15 kilometres an hour. So the legislation is limited in its application to what could be regarded as relatively minor offences.

For that reason, and as a fundamental principle of democracy, the courts should be entitled to have the final say. It should not be the bureaucracy or the statutory agency but the courts. It is fundamentally wrong that the power has been removed from the courts, as has happened in this situation. In many cases people have no alternative but to go to court, and the court should have the final say. It is a fundamental right of Australians living in a democratic society to take a matter to court and for the court decision to prevail. The legislation merely implements those rights. It spells out clearly that the court decision should prevail, not the statutory situation. The Government changed the legislation. The Roads and Traffic Authority has no discretion. The Roads and Traffic Authority is not at fault; it is simply implementing the law introduced by the Government. The law was clearly wrong.

**Mr PAUL GIBSON** (Blacktown) [5.21 p.m.]: I will speak briefly to the Road Transport (Driver Licensing) Amendment (Demerit Points) Bill. More people have died in road accidents than in all the wars in which we have participated. For many years I was the chair of the Staysafe committee, which is one of the most outstanding committees of this Parliament. We introduced many harsh laws. We saw 1,200, 1,300, 1,400, 1,500 people dying on our roads each year. We introduced what some people described as draconian laws, but they worked.

We introduced the demerit points system. It took me nine years to get the 50 kilometres an hour speed limit through the Parliament. All the measures we introduced helped to reduce the road toll. Indeed, last year's road toll was the lowest road toll since the 1930s. People look at the harsh laws and say, "I think they are a little too hard now." About a year ago I warned that if we tinkered with the law we would see a blowout in the number of people killed on our roads. Unfortunately, roughly 100 more people have been killed on the roads so far this year than were killed last year on our roads.

**Mr Thomas George:** It has not been tinkered with.

**Mr PAUL GIBSON** The demerit points system has been tinkered with. People think that if they are caught doing only 10 or 15 kilometres over the speed limit they will lose only one demerit point instead of three demerit points. As for the point made by the member for Baulkham Hills, we introduced the draconian law because too many people were being dealt with under section 10. People living in more affluent areas in the State were more prone to be dealt with under section 10 than were working class people. Section 10 applications were dealt with totally unfairly. At the time, the legislation provided for people to be dealt with under section 10 if they pleaded guilty with an explanation or if the court found them not guilty.

Under the current legislation, people who plead guilty with an explanation lose demerit points. People who plead not guilty and are proved to be not guilty do not lose demerit points. However, people are under the misconception that, regardless of how they plead in court and whether they win or lose the case, demerit points are automatically deducted. In fact, demerit points are deducted only if a person pleads not guilty and is found to be guilty or pleads guilty with an explanation. That is the reason that section 10 decisions were regarded harshly. That was our counter to people getting off with a section 10.

**Mr THOMAS GEORGE** (Lismore) [5.24 p.m.]: The Road Transport (Driver Licensing) Amendment (Demerit Points) Bill 2009 was put forward by the Leader of The Nationals and shadow Minister for Roads. I compliment him on this bill. I recognise the presence in the Chamber of the former chairman of the Staysafe committee, and I acknowledge all the hard work done by that committee. However, there is an anomaly in the system. People living in country areas who lose their licence suffer more than do people in the cities, where public transport is available. The lack of public transport in country areas is a major issue. People in country areas do not have access to public transport, unless they are in a position to use the school transport system, which starts at about seven o'clock in the morning and ends at about three o'clock in the afternoon.

The loss of demerit points has been brought to my attention on a number of occasions. The Coalition believes that there is an anomaly in the system. If a fine is waived we believe, and it is logical, that the loss of demerit points should be waived as well. In saying that, we do not support people driving fast and breaking the law. In no way is the bill seen to be a soft stance on perceived driving offences and reckless driving offences. We strongly believe that the demerit points system has an anomaly. I refer to a letter I received that sets out the position of people living in country areas better than I could explain it. The letter, from a typical mum who has been in trouble with the law, states:

I have found myself in a little predicament and I need some help.

Situation: I have lost my drivers licence for a period of 6 months. WHY: I deliberately and foolishly took the law upon myself when I drove through the ST HELENA speed camera Nth Bound at the flow of traffic. This naturally wound up most of my points then earlier this year a police officer accused me of speeding along Corndale Rd at 110km/ph. I do not intentionally speed and disputed it but ended up paying the fine. This put me on a good behaviour bond for 12 months. Then police officer approached me under the square in the car park—

that is the shopping square in Lismore—

and said another police officer saw me use my mobile phone near LBH while driving.

I did pick up my mobile phone and could not lie, I do this to unlock it and I pressed one button to activate voice recognition. I showed the police officer that I had a cradle and a speaker phone and proved that I was not texting. Common sense tells me it is safer to do this than to look at my phone and press several buttons to unlock and make a call from the cradle. It was hard not to feel very intimidated and I actually got the impression that the police officer was really enjoying booking me with a big smile on her face. I didn't think it was very funny!

Problem: Losing my licence is going to have a severe impact on my family and because I entered a 12 month contract I am unable to appeal this in court. Is any other punishment I could have that is not going to affect my family so severely?

Issue 1: My daughter has a cyst in her brain. She requires constant therapy and medical appointments. She sees an OT, Speech, Physiotherapist, Ophthalmologist, Neuro Ophthalmologist, pediatrician, neurologist, early intervention, school transition and requires medication for seizures.

Issue 2: I have a rare alloimmune disorder and will be requiring Blood transfusions weekly in about 10 weeks and regular appointments to LBH and the Matar in Brisbane over the next 7 months as I am pregnant however being in the early weeks this could change.

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

## PRIVATE MEMBERS' STATEMENTS

### BANDON ROAD VINEYARD

**Mr JOHN AQUILINA** (Riverstone—Parliamentary Secretary) [5.30 p.m.]: Bandon Road, Vineyard, is located right in the heart of my electorate. I have received correspondence from Mr Jeff Manning who resides at the Windsor Country Village, Bandon Road, Vineyard. I raise his concerns about the volume of traffic on Bandon Road and the difficulties that elderly people experience. Vineyard Public School is situated at the corner of Windsor Road and Bandon Road, Vineyard, and the school community is also concerned about the volume of traffic. Mr Manning wrote about a considerable danger to the elderly community residing at the Windsor Country Village from the traffic on Bandon Road. He also said that recently a resident was put in a life-threatening situation caused by the large volume of fast moving traffic.

Mr Manning said drivers must think Bandon Road is a bush track raceway. The area along Bandon Road is primarily rural. It is a busy thoroughfare despite being a narrow, short road. Bandon Road is used by a

large number of semitrailers and heavy vehicles that take a short cut through to Windsor Road and in doing so pass the Windsor Country Village, putting its many elderly residents in extreme danger. He also said the situation is compounded by vehicles parked between the village and O'Connell Street. Mr Manning said that it is a game of chance when residents either enter or leave the village, particularly during morning and afternoon peak traffic. He said:

The residents who drive have to exist with the view from their right & left obstructed, often by parked vehicles. Myself I drive or ride a mobility scooter and have to scurry through the traffic to get to the path on the other side: this may take up to ten minutes to cross the road.

He said that there are frequent near misses and recently the fully loaded village bus was almost involved in an incident. Mr Manning said he drives down Bandon Road from the station on his mobility scooter over a bone-jarring poor quality surface—poor quality not because of road construction but because the road is constantly being pounded by the extremely large volume of heavy traffic. Because he has difficulty accessing the footpath near Riverstone Parade, adjacent to Vineyard Railway Station, he asks, "Why the road and not the footpath?" As he drives, the traffic has to swerve into the middle of the road to miss him and consequently vehicles narrowly miss having a head-on collision.

Bandon Road is a boundary road between the two local government areas administered by Hawkesbury City Council and Blacktown City Council. I ask those councils to look at the surface of the road, the footpath and the tracks on the footpath to ensure accessibility, particularly for disabled persons, and that such accessibility extends to Vineyard Railway Station. I ask that their respective local traffic committees look at restricting access to heavy vehicles on Bandon Road. It is too dangerous to allow semitrailers, concrete trucks and other heavy vehicles to travel on Bandon Road, a road that at one end—at its busy intersection with Windsor Road—has a primary school and in the middle has the very large Windsor Country Village that caters predominantly for elderly residents.

### **BERMAGUI MOORING FACILITIES**

**Mr ANDREW CONSTANCE** (Bega) [5.35 p.m.]: I raise concerns about Bermagui Harbour, which is the heart of the far South Coast for industry and both the recreational and commercial fishing fleet. It also offers many recreational boating opportunities. Recently industry raised with me its concerns that in May 2008 the New South Wales Minister for Lands—Tony Kelly at that time—announced in Bermagui an allocation of \$500,000 for new mooring facilities in Bermagui Harbour. It was to be part of the first stage of the revitalisation of the harbour that would result in the replacement of existing moorings within the northern harbour along the northern breakwall at an estimated cost of \$500,000.

According to industry this work is yet to progress. The delay is having an effect on industry that wants to provide better facilities and cater for the demands within the harbour. Given that this project has not yet eventuated and based on the concerns that have been raised with me, I hope that the Minister for Lands, Tony Kelly, will explain what stage the project is at. Bermagui Harbour is currently going through the early stages of some new development. In fact, on 11 December the Bermagui Fishing Cooperative will open its new cooperative building. The community will be very proud of this fantastic structure built out of native timber from the region, which will provide a new home for the commercial fleet on the far South Coast. There will be two cooperatives, one at Bermagui and one at Eden. The cooperative has done an enormous amount of work. All those involved deserve to be congratulated on this new building that will be the heart of industry in the region and throughout New South Wales, and for that matter Australia—wonderful far South Coast seafood.

The concern of industry is that when the State Government made a commitment to assist with the development within the harbour the community and industry had a right to expect that the facilities would be delivered. Yes, other developments will occur on the harbour, including a new marina, maritime repair facilities and an education and training precinct, but I believe the State Government has an obligation to meet its commitments and explain where the \$500,000 allocation is.

When the Minister announced the plans for the harbour with this funding he indicated that it is the first step in revitalising the harbour and again cited the fact that this was the so-called State Plan working for the benefit of local community and visitors alike. I hope the Minister will see fit to explain what has gone on and where this is up to, because the sector is very keen, the community is very keen and, as I said, with a new co-op building opening it would be hoped that the fleet would be better serviced by having the work along the northern breakwall completed. I hope that this work can be done as quickly as possible—I think it is long overdue. Bermagui will progress with the new co-op opening and with the marina development.

I urge the State Government to be conscious in its dealings with the conservation movement in the lead-up to the next State election because the sector can ill afford a new marine park in the region. The sector has been hit very hard in relation to the Batemans Marine Park and any extension into the Twofold bioregion will have a devastating effect on industry. I urge the Government to rule it out and not accept the proposals by the National Parks Association through the Torn Blue Fringe report because the industry needs to thrive so that we can get wonderful far South Coast seafood on the plates of all Australians.

### CLIMATE CHANGE

**Ms CLOVER MOORE** (Sydney) [5.40 p.m.]: In the lead-up to the United Nations Climate Change Conference—COP 15—in Copenhagen next month, my constituents are joining global community calls for a binding agreement to significantly reduce greenhouse gas emissions and limit global warming to two degrees Celsius or less. COP 15 will see representatives from 192 countries that have agreed to the United Nations Framework Convention on Climate Change. It is 12 years since countries first met on global warming in Kyoto and during this period we have seen global warming happen faster than predicted. Climate change has already begun and more frequent and more catastrophic weather events are imminent. At COP 15 decision-makers will be presented with data demonstrating that there is a common view among world citizens that all countries need to take urgent and drastic action to combat climate change.

The data comes from a consultation process initiated by Danish government agencies involving randomly selected citizens from 38 countries, including China, Indonesia, India, Ethiopia, Mozambique, Brazil, Italy, Sweden, the United States, the United Kingdom and Australia. In each of these countries participants were provided information on global warming and then, in small groups, participants were required to debate and vote on set questions about international action to combat climate change. The format was the same in each country and I understand that this is the first time a consultation exercise of this sort has been conducted on a global scale.

The World Wide Views on Global Warming process was initiated to provide COP 15 member country representatives with information about their electorates and to influence negotiations in Copenhagen. It also aimed to increase public awareness, inform public opinion and encourage participation in debate. In Australia the Commonwealth Minister for Climate Change and Water, Penny Wong, endorsed the project and non-government and government organisations and businesses supported it. The consultation process was conducted by the University of Technology Sydney Institute for Sustainable Futures, WWF-Australia and PricewaterhouseCoopers in September and involved 105 Australian citizens who were randomly selected from across the country representing a wide range of demographic characteristics.

I was recently presented with the results, which overwhelmingly demonstrate that Australian citizens want government action. Concern about climate change was expressed by 95 per cent of participants, with 75 per cent reporting that they were very concerned, which was slightly higher than the average for global citizens, of which 90 per cent were concerned and 62 per cent were very concerned; 75 per cent of Australians support increased fossil fuel prices to help address climate change; 89 per cent want greenhouse gas emissions reduction targets within or above the Intergovernmental Panel on Climate Change recommended range of 25 to 40 per cent cuts by 2020; and 85 per cent want warming limited to two degrees or less.

Participants across the globe agreed that industrialised countries should have stronger reduction targets because their contribution to global warming has been greater. Most importantly, across the globe, world citizens overwhelmingly stressed the need for nations to reach a binding agreement at COP 15, with 94 per cent of Australians and 91 per cent of world participants identifying this as a high priority. These figures replicate the City of Sydney's Sustainable Sydney 2030 consultation, where 97 per cent of people said they wanted us to address climate change.

The outcome of COP 15 is vital for the survival of the planet. The world is at a critical turning point where failure to take bold action could result in runaway climate change. Scientists are concerned that we are close to a tipping point. It is not surprising that informed citizens from across the globe want COP 15 to achieve an agreement for binding targets that will save the planet. Climate change is frightening and far outweighs the unfounded threats from industry and sceptics about job losses in the fossil fuel industry. Our future is at stake.

As leaders we should accept the results from the World Wide Views on Global Warming consultation process as a call to action and a reminder that, if we take bold steps, the community will support us. I will represent Sydney at the Mayors' Summit in Copenhagen, which will take place during the COP 15 negotiations.

I will highlight the important role cities play in reducing global emissions. I will advocate for city-based action, presenting Sustainable Sydney 2030 as a practical way to make an immediate difference. The Danish Board of Technology has invited me to formally present the global findings of the worldwide community consultation. I call on all world leaders to agree to binding targets that are based on science to prevent catastrophic climate change.

### DROUGHT

**Mr RUSSELL TURNER** (Orange) [5.45 p.m.]: I speak briefly on a very important issue not only for the whole of New South Wales but especially for the Central West. Earlier the member for Burrinjuck spoke of the impending crisis that is about to occur downstream of Wyangala Dam. She mentioned that Wyangala Dam is now down to 4.8 per cent capacity and that towns below Condobolin will have the water switched off in the next few weeks. When Wyangala is full, it is over three times the capacity of Sydney Harbour. That is the area that we are looking at, and it is now down to 4.8 per cent capacity. I have seen it at 4.8 per cent—I stopped skiing on it when it was 7 per cent—but I have never seen Wyangala, Burrendong and all the inland water storages so low for so long. Normally it is for one or two years, and we know the rain will come. We have been saying that the rain will come for the last four or five years and, up until now, it has not.

While some of the areas of the Central West might have reasonable grass cover and may look a little green, there has been no run-off, as most of us would know. Fortunately, Bathurst has no restrictions at the moment. Chifley is reasonably comfortable. Orange is at level 5 water restrictions and there is talk of going to level 6 if people do not respond and cut down their water use or if there is not more decent rain. I know the Minister for Water has been to Orange and opened the stormwater harvesting scheme, which is virtually a first throughout Australia. Orange is already working towards putting the second half of the city into that stormwater harvesting scheme. Again, it will only help the situation if there is decent rain.

Another issue throughout the Central West is the quality of water in many of our towns. As the dams get low, quality reduces; as the bores drop, quality reduces. I know a lot of towns—especially Cummock and Manildra—have had quality of water problems. Many sections of Cowra have had quality of water problems for many years. I noted in a newspaper today—I forget which one it was—that the State Government is getting ready to truck water in to some of the small towns that are on the Lachlan below Lake Cargelligo. It is just a shame that we cannot encourage the rain clouds that are over the North Coast—especially around Coffs Harbour—to come over the mountains.

This is a serious issue. If we want regional development, if we want new population coming to the Central West, one restriction is going to be an inadequate supply of water. Arcadia mine is having problems trying to get enough water, trying to squeeze every little bit of water that it is getting so that it can keep production going and take advantage of the big prices for gold at the moment. Most people—whether in Orange or Dubbo or the smaller towns and villages—are acting responsibly. It is a shame to see some of the gardens and trees around Orange starting to die. They are slowly giving up. However, it will rain one day and we need to be ready when that rain finally comes.

I have seen Wyangala Dam fill from 10 per cent capacity to over capacity within weeks. I have seen Wyangala go overnight from 87 per cent capacity to 127 per cent capacity, which is equal to the quantity of water in Sydney Harbour. When we get the rain at the right time we can capture it. I am glad the Minister for Water is in the Chamber because he has heard from the Central New South Wales Councils [CENTROC] about enlarging Lake Rowland. I call on the State Government and the Minister to support and fund the proposal of the CENTROC group to build a new and larger dam below Lake Rowland, near Blayney, that will secure the water resources needs of the Central West, including Orange, for many decades.

**Mr PHILLIP COSTA** (Wollondilly—Minister for Water, and Minister for Regional Development) [5.50 p.m.]: I thank the member for Orange for bringing the plight of the Lachlan to the attention of the House. I also thank the member for Burrinjuck, who did the same this morning. I put on record that as Minister I much appreciate the bipartisan work we have been doing to support people in the west of the State. The plight of the area referred to is serious. We are putting in resources to assist those communities to the greatest extent possible with the resources available. There have been hard decisions to make, as was brought to our attention by the member for Orange. I assure the member for Orange that the Central New South Wales Councils proposal has hit my desk and I am giving it serious consideration.

**ACTING-SPEAKER (Mr Thomas George):** The member for Orange spoke about the gardens in his area. If members are ever in Orange, they should have a look at his garden.



### **BANKSTOWN CITY AGED CARE LIMITED**

**Mr ALAN ASHTON** (East Hills) [5.51 p.m.]: I inform the House of the continuing success of Bankstown City Aged Care Ltd [BCAC], which provides quality care for the aged in the Bankstown region. Bankstown City Aged Care Ltd held its thirty-eighth annual general meeting and thankyou dinner at Revesby Workers Club on Wednesday 18 November 2009. Bankstown City Aged Care Ltd conducts four residential frail aged village sites at Gillawarna Village, Ern Vine Village, Yallambee Village and Chester Hill Village. The mission statements says in part that BCAC Ltd strives for excellence in service provision for those people who are aged, disabled, suffer from dementia or are otherwise disadvantaged, with primary consideration being given to the residents of the Bankstown local government area, including surrounding suburbs.

Bankstown City Aged Care Ltd consists of 14 member organisations: City of Bankstown RSL Community Club, Panania Diggers, Greenacre Lions Club, Bankstown Health Service, Bankstown Sports Club, Bankstown City Council, Bankstown Rotary Club, Bankstown Trotting and Recreational Club, Yagoona Lions Club, Revesby Heights Ex-Servicemen's Memorial Club, Bass Hill RSL Sub-Branch, Revesby Workers Club, Chester Hill-Carramar RSL Club and Greenacre Lions Club. I would like to thank all these organisations, their directors and members for their fundraising and volunteering support over so many years.

Time does not allow me to say as much as I could about the success of this organisation. I thank and congratulate Terry Madden, the chief executive officer, Geoff Nance, Nick Zoglio, Christine Jones, Darinka Rukavina, Sue Turner, Natalie Cooper, Marisa Spina, Robert Mitchell and Michelle Doyle, who make up the management team, and also Margaret Doyter and Paul Galea.

Over 600 people are assisted in either residential units, home care or day care facilities and dementia care units. This year a new 60-bed facility was opened at Yallambee Village in Revesby by the local Federal member, Daryl Melham, MP. Not one accident or injury occurred to workers or residents during the construction of this new state-of-the-art facility. Fundraising has been exceptional despite the difficult economic times. Recently the Revesby Workers Club announced a \$500,000 donation towards Yallambee Village over five years at \$100,000 a year, commencing in August 2010. The money will be used to reduce carbon emissions at the village, install solar panels on the roofs, and harvest stormwater to water gardens, flush toilets and recycle sewage.

Bankstown Sports Club has donated over \$443,000 out of the \$860,000 raised or pledged for the Yallambee Village development. The sports club has donated over \$3.2 million to BCAC Ltd over the years. I congratulate the retiring directors of the board, Doug Shedden, a former member for Bankstown, and now a life member, and Andrew Bernard, former general manager at Bankstown Hospital. Despite having moved out of the Bankstown area some years ago, Andrew remained on the board. I thank both men for their long service to Bankstown City Aged Care.

The new directors are Ed Camilleri, who is the chief executive officer of Revesby Workers Club, and John Mackay, secretary manager of Bankstown Sports Club. They will do a great job. I also congratulate Kevin Hill, who has been the chairman of this organisation for a long time and is a former colleague of mine on Bankstown City Council, Dion Bourne, Laurie Field, Kevin Howard, PSM, Norma Smith, OAM, and Harvey Worth for their continuing fine management of BCAC Ltd, and Terry Madden, the company secretary, for his continuing professional day-to-day management. They oversight a \$15 million group of organisations employing 270 staff, most of whom are locals from the Bankstown and East Hills electorates.

This organisation is an example of what is so good about the unity of purpose of the people of Bankstown to help the aged, something that was recognised nearly 40 years ago, long before it was generally recognised how much of an aged society we were becoming. This group will soon celebrate the fortieth anniversary of the construction of the first village, the Ron Lockwood Village, in Greenacre. In those days there were villages in each ward of the council. Sanity prevailed and everyone got together and without any struggle at all it was decided that Bankstown City Aged Care would look after the whole show. The ageing population of Bankstown are well looked after. I thank all those who have played a part and those who continue to play a role in Bankstown City Aged Care.

### **TOP RYDE CITY SHOPPING CENTRE**

**Mr VICTOR DOMINELLO** (Ryde) [5.56 p.m.]: Today I speak about an exciting addition and opportunity for the Ryde electorate, the currently under construction and partially opened Top Ryde shopping

complex, redeveloped as Top Ryde City. The new centre, which opened its doors to the public on 5 November this year, is the next phase in the evolution of Top Ryde and the wider Ryde community. Not only does this centre provide the opportunity for a wave of gentrification to begin in the area, but also the businesses located in the centre offer great economic potential for investment in Ryde and job security in our community. Since my election to this place, I have looked out of my electorate office window on numerous occasions, which is across the road from the development. I have seen the site buzzing with activity and growing on a daily basis. I notice new sections constantly being added and I know I am not alone in looking forward to the finished product.

The history of the previous shopping complex and the site itself are important factors in the redevelopment of Top Ryde City. As is the case with many blocks of land in the Ryde area, the Top Ryde City site was originally farming land, being a part of the Eastern Farms grant of 1792. By the early twentieth century the site began to establish its history as a meeting place in northern Sydney. Historical local identity Henry Curzon Smith started building the ambitious Hampton Court tourist resort in 1909, which was intended to be a rendezvous for tourists travelling around the Sydney area. Although Hampton Court was never completed, Smith's vision of a meeting place became a reality in 1957 with the completion of the original Top Ryde Shopping Centre. It comprised a department store and 41 shops with parking for about 400 cars, and was a new concept in shopping, based on an American model. It was the first of its kind in the Southern Hemisphere. However, its place as the premier shopping venue was affected with construction of other large regional shopping centres.

Beginning in late 2007, the former shopping centre made way for the new development. Over the course of the construction, approximately 2.5 million staff hours have gone into the project, with an average of 800 workers on site at any one time. Following the demolition of the predecessor, excavation of the site extracted around 700,000 cubic metres of material, a figure equivalent to more than 260 Olympic-size swimming pools. When the construction is finally complete, over 12,600 tonnes of reinforcement steel and over 100,000 cubic metres of concrete will hold the development together. A major tunnelling project is also a part of the development with traffic access from northbound lanes on Devlin Road being able to access the car park when complete. Following a tour of the complex earlier this year, I was informed that it takes workers one full day to cut through just one metre of rock under the road, which is truly an amazing achievement.

The completion of the development will take place in three stages. Stage one, which opened on 5 November, consists of a large number of commercial enterprises, including Woolworths, Big W, Dan Murphy's, JB Hi-Fi, Golden Banana, a large cosmopolitan food court and a wide variety of 100 or more specialty stores. With approximately 115 stores on the lower level, I am informed that stage one alone is bigger than the nearby Rhodes Shopping Centre and is the start of a new wave of opportunity for jobs and economic stimulation in the Top Ryde precinct and the wider Ryde area. Also included in stage one is an enormous 3,055 space underground car park, which has had installed a state-of-the-art guidance system that allows shoppers to locate a free space quickly and easily. Driving around in circles to find a space will become a dreaded activity of the past. Aside from the obvious stress reduction it will also aid motorists in cutting fuel while circling the car park looking for a space, which can only help our environment and ease the squeeze on the back pocket in times of escalating fuel costs.

Stage two is scheduled for completion in March 2010 and, when open, shoppers will be able to benefit from more specialty stores, discount supermarket Aldi, and Franklins. Stage three, which is scheduled for completion in August or September 2010, will see all remaining businesses open their doors, with major department store Myer utilising two levels of the complex as well as an eight-screen Event cinema. An outdoor entertainment and restaurant precinct will also begin operation on the Devlin Street side of the complex, and Ryde City Council's main library will move into the development and begin serving the community. Following the completion of stage three, residential apartments will be built in several tower structures above the shopping centre. I look forward to more exciting developments at Top Ryde City and the many changes that this development will bring to our community long into the future. We are all very proud of the Top Ryde City project as it symbolises the exciting and dynamic future that is our great electorate of Ryde.

#### **CENTRAL COAST WESTFIELD ROOKIE PROGRAM AND TAYLOR MARKS**

**Mr DAVID HARRIS** (Wyong—Parliamentary Secretary) [6.01 p.m.]: Taylor Marks, who is doing her year 10 work experience with me and who has written the speech that I am delivering this evening, has joined us in the gallery. Taylor attends MacKillop Catholic College at Warnervale and she is the junior club captain at Soldiers Beach Surf Life Saving Club. Taylor is also the rookie coordinator at Soldiers Beach Surf Life Saving Club, and for someone who has just turned 16 has played many important roles. Taylor, who has been doing

media, met with Ministers and the Premier during her two weeks work experience and has a promising future in whatever role she eventually decides to pursue. The Central Coast Westfield rookie development program was implemented to develop junior lifesavers into full patrolling members to protect and serve our popular local beaches.

In the 2008 season 1,300,695 people were on our Central Coast beaches. Lifesavers were involved in 944 rescues, 1,585 first aid treatments, and 16,492 preventive actions due to the reliability of lifesavers in community service and their efficient training in life saving and first aid. Rookies are 12-year-old to 14-year-old lifesavers in their last years of the nippers. Through the rookie program they are placed in patrols that they attend once every three weeks where they learn surf skills, beach knowledge and what it is like to be a fully qualified life saver, which prepares them for their senior surf life saving years. The retention of junior lifesavers is important as they are the future of surf life saving. In the past the majority of rookies in this age bracket drop out of surf life saving because they feel there is nothing for them to do until they are much older. This is not the case as the rookie program provides junior members with leadership, competition and fund-raising opportunities, as well as social events to develop their relationships in their own clubs and branches.

Bringing together all the rookies from all 15 surf clubs on the Central Coast will make competition and other events much more interesting and build their branch communication skills, thus improving overall statistics. This season they are holding the first ever Club Rookie event. Club Rookie is a safe and secure nightclub for all the rookies on the Central Coast. The event is approaching rapidly, with only one week to go, and will be held at Soldiers Beach Surf Life Saving Club on Friday 4 December. The event has had an outstanding amount of support from the community, with Wyong council contributing \$1,000 and the State Government contributing a further \$5,000 to Club Rookie. Without all this funding the event would not be able to go ahead. Without events such as this, we are potentially risking the future of surf life saving.

On behalf of Taylor I thank the New South Wales Government for supporting the Club Rookie event. Taylor and her mother submitted a well-put-together business plan that I have taken to Minister Green for his consideration. He was impressed with the plan. He visited the Central Coast last week to talk to Taylor about the program and to hand her that all-important cheque. The Central Coast, which has 15 surf life saving clubs, has a large impact on surf life saving. Those clubs are The Lakes, Soldiers, North Entrance, The Entrance, Toowoona Bay, Shelly, Wamberal, Terrigal, North Avoca, Avoca, Copacabana, Macmasters, Killcare, Ocean and Umina Beach—my old club. I am now also a member of Soldiers Beach Surf Life Saving Club.

We have had some outstanding results at branch, State and national levels, and we want to strive to continue to achieve those results. The rookie program is just one of many opportunities that surf life saving on the Central Coast has to offer our community. Surf life saving on the Central Coast and Australia wide does an incredible amount of work to protect and serve our local communities, which is why it is important to build for the future in an ongoing process of improvements for the benefit of the community. I thank Taylor for the two weeks that she spent in my office. She put down her head, did a lot of hard work, visited my electorate office and travelled around taking photographs of events.

As I said earlier, Taylor met Ministers and the Premier and she spent some time in my Gosford office when I was performing my duties as Parliamentary Secretary. On one occasion Taylor asked, "Are the days always this long?" I responded by stating that they were. Taylor accompanied me when I was undergoing training at Terrigal. We did not finish until late that night because of the launch of the Central Coast Bears. Taylor is keen to find out more about politics and government. I am sure that when she returns home she will tell all her friends and her family about the hard work that we do in this place.

**Ms LYLEA McMAHON** (Shellharbour—Parliamentary Secretary) [6.06 p.m.]: I thank the member for Wyong for bringing to the attention of the House the good work that has been done by Taylor Marks. I am sure Taylor's work experience has been a valuable opportunity for her to witness firsthand how democracy works, and how hard her local politician works for her community. I acknowledge that Taylor is involved in surf life saving. I have a number of surf life saving clubs in my electorate, so I am aware of the important and valuable role they play in our communities. Surf life saving clubs also play an important part in the development of young people: They ensure that young people grow up into fine individuals. As evidenced by the speech of the member for Wyong, I can see clearly that Taylor has grown up into a lovely young lady. I look forward to seeing Taylor Marks make a mark on this world.

### **MURRAY REGIONAL STRATEGY**

**Mr JOHN WILLIAMS** (Murray-Darling) [6.07 p.m.]: About three weeks ago I received the draft Murray regional strategy and a covering letter that states:

The strategy is a key outcome of the NSW State Plan and will guide land use planning and investment decisions by local councils NSW Government agencies in the region. The strategy also contains important measures to protect sensitive environments, particularly along the Murray River and its tributaries.

**ACTING-SPEAKER (Mr Thomas George):** Order! There is too much audible conversation in the Chamber.

**Mr JOHN WILLIAMS:** Apart from all the warm and fuzzy content in this report, chapter 9 on page 46, which refers to local environmental plans, states:

The Murray Regional Strategy will provide the framework and context to guide the preparation of all new local environmental plans. All ten local councils in the Murray Region—Albury, Greater Hume, Corowa, Berrigan, Murray, Conargo, Deniliquin, Wakool, Balranald and Wentworth—will be required to prepare a new local environmental plan. These plans will guide future development and must be consistent with the outcomes and strategies of the Murray Regional Strategy.

Good luck! This Government has not approved a local environmental plan in three years. How will a new local environmental plan be approved when it has not been prepared? The Wentworth shire in my electorate has been trying hard to get a local environmental plan approved by this Government regarding potential growth on the New South Wales side of the Mildura River in the Buronga and Gol Gol communities. Interestingly, the regional plan states that between Balranald and Wentworth 15 houses will be built per annum. Mildura has plans for 500 homes a year, but New South Wales will get only 15 on its side of the river.

The Government is kidding itself when says it is committed to growth in New South Wales. I refer particularly to Buronga and Gol Gol where there is demand for growth. The growth in Mildura also is in demand on our side of the river. What is stopping growth? It is the New South Wales Government. It is clear that while the Victorian regional plan and strategy calls for 500 houses a year to be built in Mildura, our Government is not considering more than 15 for the same area. That is the craziness and frustration the local people face. Since the report was tabled the local community has become outraged by its contents. During the course of implementing or announcing strategies all other centres held community meetings.

On Tuesday I wrote to Louise Grey, Regional Director Western Regions, in the New South Wales Department of Planning, expressing the need for a community meeting with the people of Wentworth. They want to know why the setback from the river in residential areas is only 40 metres but in rural areas it is 100 metres. Many other questions need to be answered. This plan virtually overlooks the fact that some of the areas referred to as environmental zones currently are grazing properties. It appears they are being cleared for broadacre farming. Have those responsible for such a decision even physically looked at the region? This document will impact on the future growth of that part of New South Wales. This report is totally and utterly flawed. If we continue with these local environmental plan ideals all future growth will be flawed.

### **SHELLHARBOUR ELECTORATE VOLUNTEER OF THE YEAR AWARDS**

**Ms LYLEA McMAHON** (Shellharbour—Parliamentary Secretary) [6.12 p.m.]: On Wednesday 18 November I had the privilege of announcing the local Illawarra finalists in the Third Annual New South Wales Volunteer of the Year Awards for 2009. This year's event was held in the Kurrajong Hall at Dapto Ribbonwood Centre and was well attended by a cross-section of local volunteering organisations, nominees, consumers of the services involved and, of course, family and friends. The local finalists were 2009 Illawarra Volunteer of the Year, Sharyn MacKenzie; 2009 Illawarra Youth Volunteer of the Year, Delfina Dimoska; and 2009 Illawarra Senior Volunteer of the Year, Ron Clarke. In addition to the individual nominees, it would be remiss of me if I did not mention the local volunteering groups that will go straight through to the finals next Thursday. Those from my electorate are the Riding for the Disabled Association and the Warilla-Shellharbour Arthritis Association.

Each finalist will now compete against winners from 16 other regions across New South Wales for the Volunteer of the Year Award. A ceremony to announce the State winner will be held in Parliament House on International Volunteer Day, 4 December. I take this opportunity to share with members a little background information about the Illawarra regional nominees and the contributions they make in their community. Sometimes ordinary people do extraordinary things, and in some instances without even knowing. This can have an enormous impact on the lives of the people whom they work with and assist.

Delfina Dimoska was nominated by her peers at Kanahooka High School in my electorate for the Youth Volunteer of the Year Award. For the past 18 months Delfina has been a proactive member of the Lions Club and her involvement has included vast and various fundraising activities. Delfina organised a skate competition that engaged Lions Club members and local youth, some of whom had a reputation for being antisocial. Through holding this event those negative stereotypes were removed. Despite having to complete her

Higher School Certificate this year Delfina also managed to find time to volunteer for her high school at Kanahooka. She is the backbone of the student representative council, having commenced her involvement in year 7, and is currently the school president.

Delfina has participated in youth leadership programs, student mentoring programs and Christmas hamper packing. She has also raised funds and taken part in community awareness programs for breast cancer, "Movember", the Smith Family, Jeans for Genes Day and Red Nose Day to name a few. Delfina also organised for St Vincent De Paul to come into the school to provide social skilling, mentoring and family support. She was also instrumental in starting a school-based breakfast club. Delfina is involved in many different cultural groups and is the local ambassador for the Macedonian Association as well as a representative for the Shellharbour electorate at the New South Wales Youth Parliament. All Delfina's volunteer work has been completed in her own time and during the past year her volunteer hours exceeded 140. Delfina is a unique ambassador for both her school and the community. She has a passion for helping those less fortunate and in making real changes in people's lives. Delfina certainly is a young woman with a bright future and I look forward to seeing her contribution to this world.

Ron Clarke was nominated from Bay and Basin Community Resources Inc. in the Senior Volunteer of the Year Award category. He is an incredibly dedicated volunteer for his local community. He has a long history of volunteering and volunteers with Scouts Australia, the Rural Fire Service and the Department of Community Services, and currently is with the Bay and Basin Resource Centre. Ron has lived in my electorate for a long time and I know his family well. He has been involved in a number of the centre's programs. He is a volunteer team leader at the Men's Shed where, apart from working on projects, he also coordinates and supervises groups with special needs who attend at the shed. He also drives the community bus assisting elderly clients to attend group activities. Ron gives an extraordinary amount of time and energy to helping individuals. His commitment and dedication is remarkable.

Sharyn MacKenzie was nominated for the Volunteer of the Year Award. She works closely with refugee families in the Illawarra and in setting up services to assist them to make the important adjustment in their relocation, educational homework support, tutoring and other supplementary formal educational opportunities. Sharon has been recognised in a number of different forums for her volunteer work with the Strategic Community Assistance for Refugee Families [SCARF]. I wish the best of luck to all these people in the finals at Parliament House next week. *[Time expired.]*

### ALAMEIN CARAVAN PARK

**Mrs SHELLEY HANCOCK** (South Coast) [6.17 p.m.]: It seems that someone in the Nowra office of the Department of Lands does not want to renew the special leases or the permissive occupancies held by the current lessees, Nahda Pty Ltd trading as Alamein Caravan Park, and have worked overtime to prevent the renewal occurring. The special leases and permissive occupancies are over lots 164 and 165 in Deposited Plan 723104 and over two jetties, which have been held by the current lessees for 27 years. Recently the department's decision not to support the renewal of the leases followed a tender process that was overturned and declared null and void in the Supreme Court of New South Wales.

The court directed the Minister administering the Crown Lands Act to enter into discussions with the current lessees regarding so-called issues of non-compliance and to call for re-expressions of interest for the lease. The court also directed that in communicating that invitation for re-expressions of interest the Minister should state clearly and transparently the criteria to be applied in assessing the re-expressions of interest lodged. The court decision was extraordinary and implied that the process and procedures previously undertaken by the department were unfair; in my view, they were terribly flawed.

I became involved after the current lessees were not supported and it was later revealed that a Victorian company was selected, apparently without having submitted a tender or having been evaluated in the same manner as were other applicants. The Minister should clarify urgently whether indeed that was the case and investigate the procedures that were followed to ensure a transparent, open and fair process. The Minister should also ensure that processes in the future are fair, given that the judgement of the Supreme Court on 21 October implies that, in the case of the Alamein Caravan Park, the processes were neither fair nor transparent.

Recently I attended a meeting in Nowra at which the staff could not satisfactorily answer many of the questions asked by the current lessees or their legal representative. I sought on several occasions to arrange a meeting with the Minister. Considering the potentially devastating consequences for the lives of the current

lessees, I was dismayed when the Minister refused. I have alluded to the court's decision in relation to the decision not to support the continuation of the current lease, but I now turn to an extraordinary chain of events that indicate there has been a vindictive and personal attempt by a person, or persons, within the Department of Lands to ensure that the lessees' reputations are denigrated and their future lives are placed in a very precarious position.

There have been allegations emanating from the Department of Lands in Nowra about the current lessees' non-compliance, despite regular certificates of compliance being issued by the Shoalhaven City Council. Moreover, I have copies of certificates of electrical compliance, taxation and accounting compliance, risk management and insurance compliance, pest control, fire and environmental compliance. I also have copies of many letters from residents and visitors to the park that extol the professionalism of the current lessees and praise their efficiency as well as the cleanliness of the park, the manner in which the park is managed and the high levels of maintenance. Unfortunately some of the letters also allege that those who wrote them were invited to direct complaints they had to the Department of Lands, supposedly so that a case against the current lessees could be mounted.

The department claims it has received letters of complaint and verbal complaints, but after some investigation it seems that competing parties for the tender have vans in the park and may be responsible for a vexatious campaign to oust the current lessees. Even more disturbing are incidents of intentional vandalism in the park that became the subject of complaints against the lessees and were conveyed to the Department of Lands, at its invitation. No wonder I raise this issue in the House today and call on the Minister to thoroughly investigate both the tendering process, which was overturned by the Supreme Court, and any links between any members of the Department of Lands in Nowra and the successful applicant, which allegedly did not submit a tender or have to submit to the same requirements as did the other tenderers.

I have been informed also that a staff member from the Department of Lands is thoroughly obsessed with not supporting the current lessees and, according to others, has demonstrated in the company of others a disturbing level of hatred towards the lessees. Something is seriously amiss in the history of the Alamein Caravan Park tendering process. Time does not allow me to more fully summarise the chain of events that extraordinarily led to the court's decision in October to overturn the lease. Disturbingly, allegations similar to those I have outlined today have been made in relation to the grant of long-term Crown leases in Kiama. Despite the objections of the Kiama council, leases were granted that gave favourable treatment to certain individuals. I will deal with that issue in more detail on another occasion.

The Minister is responsible for fully scrutinising the actions of his department. I will continue to raise this issue in the House until a satisfactory resolution is achieved. Currently there are lessees in a van parked in Sussex Inlet who have been there for 27 years and whose lives have been virtually upturned. I call on the Minister to respond.

### **RAYMOND TERRACE RURAL FIRE SERVICE**

**Mr FRANK TERENCEZINI** (Maitland) [6.22 p.m.]: I advise the House that on 3 November 2009 I attended the Raymond Terrace Rural Fire Service headquarters in the Raymond Terrace area, which is just inside my electorate, to represent the Minister for Emergency Services and present to the brigade, on the Minister's behalf, a brand new light category 9 Striker vehicle that is worth well in excess of \$100,000. The head of the Rural Fire Service, Superintendent Jayson McKellar, a Raymond Terrace brigade officer, Captain Rick Ward, and the member for Port Stephens, Mr Craig Baumann, also attended. The provision of the equipment will mainly assist the Port Stephens electorate as the Raymond Terrace brigade mainly services that electorate.

The new category 9 Striker will provide the Raymond Terrace brigade with a first rate fire unit that will assist them to continue their proud tradition of protecting the community. Category 9 Strikers are light, go-anywhere four-wheel-drive vehicles that are ideal for quick responses to fire sightings, patrolling and reconnaissance work. The Rural Fire service is comprised of volunteers. Volunteer firefighters generously give their time to protect their communities during emergencies. I am proud to be part of the Rees Government, which is committed to supporting volunteers by the provision of equipment, training and other resources they need for their vital work. I am also very proud that a record \$216 million was allocated to the Rural Firefighting Fund, which represents an increase on last year's budget and includes money for bushfire tankers, brigade stations, maintenance grants to local councils, bushfire mitigation, \$2 million to assist elderly and vulnerable residents to reduce their bushfire risk, and \$6 million to boost aerial firefighting resources.

Another pleasant duty I performed on 3 November was to present a National Medal and First Clasp to the National Medal to Deputy Captain Maureen Balzer who has been a Rural Fire Service volunteer for 25 years at the Anna Bay Rural Fire Service. It is an amazing achievement for a person to be a volunteer for such a long period with the RFS. When I presented Maureen with her medal, her first reaction was that she had not done it for the medal or the accolades, but because enjoys her job very much. She told me when I handed her the medal that day that she is just as enthusiastic now as she was 25 years ago.

It has been said many times in the House that if it were not for volunteers who put aside their own personal safety to protect the people of New South Wales, the New South Wales Government and the community would be far poorer, and that cannot be gainsaid. The Government would be far poorer because it would have to spend millions and millions of dollars to pay people to do the work of the volunteers. The community would be far worse off because it would miss out on the dedication and commitment of volunteers. I have always said that there are no stronger hearts than those of volunteers. Paid employment is one thing, but volunteer police, RFS and SES workers radiate the full capacity of their willingness to assist. The Government cannot do enough for our volunteers.

I take this opportunity to congratulate Deputy Captain Maureen Balzer on her 25 years of dedication to the Rural Fire Service and hence our community. I take this opportunity also to congratulate all members of the Raymond Terrace Rural Fire Service at headquarters and stations as well as all administrative staff and others who combine to make the brigade such an efficient outfit. When I arrived to present the tanker, it immediately had to go out on a job. That demonstrates just how much these tankers are needed. A fire had broken out in the Raymond Terrace area, so the members of the RFS took the truck out to the scene straightaway. After they returned, we continued with the presentation formalities. It was pleasing to present the much-needed category 9 Striker. The vehicles are so versatile that they can also be used in cleanup duties after fires have been assessed, managed and put out.

I congratulate all those associated with the Raymond Terrace Rural Fire Service. I am sure I speak on behalf of all members of the House when I pay tribute to all the people who unfortunately will be dealing with the effects of a very hot summer and who will diligently and enthusiastically perform their roles of protecting the community. I wish them only the very best, and hopefully a good quiet summer.

### NEWCASTLE TO SYDNEY RAIL SERVICE

**Mr GREG PIPER** (Lake Macquarie) [6.27 p.m.]: I bring to the attention of the House the need to improve train travel between the lower Hunter and Sydney—a matter I have spoken of before, particularly with regard to the journey time, which now is notoriously longer by nine minutes than it was in 1937. Travelling time is an important facet of service quality, but also important are comfort, reliability, security, timetabling and integration with other rail and bus services. A recent report by Dr Oliver Marc Hartwich and Jennifer Buckingham called "On the Right Track: Why NSW Needs Business Class Rail" focused on quality of service. The report, published by the Centre for Independent Studies in October this year, proposes the introduction of a new business class on intercity rail services. I speak neither for nor against this proposal, but I draw the attention of the House to the significant points raised.

The report describes how thousands of people travel daily between Sydney and the urban centres of Wollongong, the Blue Mountains and Newcastle. It says that over the past decade people increasingly have made these journeys by private car instead of by public rail. The rail service is described as basic, with no buffet services, no power sockets for portable electronic devices and no wireless internet. These features are standard on many trains in other countries. Comparisons reveal that New South Wales intercity rail services have not moved with the times. According to the report, intercity rail remains unattractive to business commuters, who increasingly choose the more expensive option of driving. It is stated that a cursory examination of amenities provided for people travelling by car or plane reveals that rail falls well short of these standards.

Simple changes are proposed for trains to more seriously compete with cars. For example, the CountryLink XPT is described as the only comfortable train—I would not put it in that category—to serve our major cities. It is suggested that the XPT timetables could be changed to suit intercity commuters. It also is suggested that existing intercity routes have a business class service at an appropriately higher price. This would be equivalent to the first class service provided on trains in other countries. CityRail could operate the new business class compartments or, alternatively, contract out the service to private operators.

The report proposes new facilities and services on interurban trains to appeal to business class travellers. It also says that the new business class would divert travellers from road to rail, which would provide

a simple solution to problems arising from increases in population density and associated environmental impacts. Demand currently exists for improved rail services and is surely increasing at least in line with population growth. According to the Lower Hunter Regional Strategy, by 2031 the population of the five local government areas of the lower Hunter will have increased by 160,000 people. The city of Lake Macquarie will take the largest share, with 60,000 to 70,000 more people, and most of these new residents will come to the Lake Macquarie electorate. The demand for rail services will increase with population growth, and it will be accelerated by factors such as increasing fuel prices.

Services such as food, beverage and internet connection fit properly with the proposed new business class, but ultimately they would be less important if interurban journey times were reduced. Regardless of other improvements, a reduction in travel times from those of 72 years ago would do much to increase the satisfaction levels of today's intercity travellers. The proposal for a new business class does not rely on improving travel times, yet this repeatedly arises as a great concern for many people. The CityRail Customer Survey 2007, conducted by the Independent Transport Safety and Reliability Regulator, shows that the limited convenience of trains is the most common reason cited by people who choose other modes of travel, and journey time is one of the main reasons. CityRail's fastest journey achieves an average speed of barely over 60 kilometres an hour. It is understandable that the use of private vehicles is considered a more viable option.

Within the lower Hunter the Lake Macquarie electorate is closest to Sydney. The poor frequency and low speed of rail services greatly encourages the use of private cars, as is evidenced by the mass of vehicles and the need for substantial road upgrades on the F3. By any measure, the intercity rail services in New South Wales have not improved in line with those in other parts of the world. There is occasional discussion about improvements. But on a simple analysis, it seems the Government cannot decide how far it wants to remain behind the rest of the world. The inadequacy of current services is a great concern for the people of Lake Macquarie and the Hunter in general. I call on the Government to take steps toward establishing and realising a vision for an intercity rail system for the twenty-first century. The options should not be based on improving comfort to the exclusion of speed. Once again, while many bemoan the lack of a Very Fast Train, or VFT, most of us would be delighted to have an RFT, or a reasonably fast train.

**Private members' statements concluded.**

#### **TRUSTEE COMPANIES AMENDMENT BILL 2009**

**Bill received from the Legislative Council and introduced.**

**Agreement in principle set down as an order of the day for a future day.**

#### **PASSENGER TRANSPORT AMENDMENT (TAXI LICENSING) BILL 2009**

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

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

**The House adjourned, pursuant to standing and sessional orders, at 6.33 p.m. until  
Friday 27 November 2009 at 10.00 a.m.**

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