

# LEGISLATIVE ASSEMBLY

Thursday 3 September 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.

## BUSINESS OF THE HOUSE

### Notices of Motions

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

### BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT (CHANGE OF NAME) BILL 2009

**Bill introduced on motion by Mr Barry Collier, on behalf of Mr David Campbell.**

#### Agreement in Principle

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [10.03 a.m.]: I move:

That this bill be now agreed to in principle.

The New South Wales Births, Deaths and Marriages Registration Amendment (Change of Name) Bill 2009 amends the Births, Deaths and Marriages Registration Act 1995, strengthening change of name procedures so that criminals cannot utilise the change of name system to cloak their criminal records. The Births, Deaths and Marriages Act provides for the registration of births, deaths, marriages, changes of name and other events with the Registrar of Births, Deaths and Marriages. Currently, the Act allows an adult who is domiciled or ordinarily resident in New South Wales, or whose birth is registered in New South Wales, to apply to the Registrar to change his or her name. Parents and those with parental responsibility may apply to change their child's name.

In practice, a person applies for a change of name by completing a statutory declaration and providing evidence of his or her identity. Trained registry staff vet change of name applications before approval. Applications that fail checks or are suspicious are forwarded to a senior compliance officer or manager for further advice. An applicant may be called on to attend an interview in person. Approximately half the 45,000 change of name applications received each year are actually registered. There are valid reasons why a person may wish to register a change of name. For example, a victim fleeing domestic violence may wish to take steps to ensure that he or she cannot be found by the perpetrator, or a person may dislike the name that he or she was given at birth. However, some people may abuse the change of name system to conceal their criminal history in order to elude detection by law enforcement agencies. This bill will help to ensure that this does not happen.

Currently, there is no restriction under the Act on people born outside New South Wales, whether interstate or overseas, applying to the Registrar for a change of name. The bill will amend the Act so that if a person was born in Australia his or her birth must be registered in New South Wales for him or her to be eligible to apply to the Registrar for a change of name. This will enable an applicant's change of name to be directly linked to his or her birth record, thereby minimising the opportunity for fraud and abuse of the change of name system. However, the bill does allow victims of domestic violence to change their names in New South Wales regardless of whether or not their birth has been registered in New South Wales. In addition, the bill only allows people born overseas to change their name in New South Wales if they have resided in New South Wales for at least three consecutive years. This is to ensure that the individual has a connection to the State of New South Wales. However, the Registrar of Births, Deaths and Marriages will have discretion to allow a change of name in this circumstance—for example, to assist in protecting the person from harm.

The proposed amendments will apply also to children, so that if a child is born in Australia the parents or person with parental responsibility can apply to change the child's name only if the child's birth is registered

in New South Wales. This will not apply where a child is adopted. If a child is born overseas the parents or person with parental responsibility must have resided in New South Wales for at least three consecutive years to be eligible to apply to change the child's name. This will not apply where a child is adopted. Currently, the Births, Deaths and Marriages Act has no restriction on the number of times a person may register a change of name. A person's name should not be changed capriciously, as that name goes to his or her identity within the community.

The bill will only allow a person to change his or her name by registration once in a 12-month period and only three times in his or her lifetime, unless there is a court order for a further change of name, or if the Registrar exercises discretion to allow a further change of name. The restrictions will not include any change of name by marriage and will not apply to persons in witness protection programs or officers in authorised agencies who are using assumed identities. To ensure that people with a criminal record do not abuse the change of name system, it is proposed to amend the Act specifically to require a person applying for a change of name to disclose whether or not he or she has a criminal record. The provision of false or misleading information in this regard constitutes a special offence against the existing offence in the Births, Deaths and Marriages Act, with a maximum penalty of 100 penalty units, or two years imprisonment, or both.

A false or misleading disclosure about one's criminal history in a change of name application is in addition to an offence for any other false or misleading representation made in the same application. It is not only through legislative amendments that the New South Wales Government is stopping criminals from abusing the change of name system. New South Wales recently implemented a memorandum of understanding between the New South Wales Police Force and the New South Wales Registrar of Births, Deaths and Marriages ensuring that information is exchanged between the two agencies regarding people with criminal histories who change their names. Change of name information held by the Registrar is of interest to a range of law enforcement and security agencies.

The bill will specifically enable the registrar to provide change of name information to State, Territory and Commonwealth police forces and the New South Wales Crime Commission. Any other law enforcement or investigating agency may also be prescribed by regulation. This will help stop criminals from effectively wiping the slate clean by changing their names. The New South Wales Attorney General has also raised this issue with his colleagues at the last meeting of the Standing Committee of Attorneys-General. As a result, New South Wales is leading a Standing Committee of Attorneys-General project to develop a national best practice approach so that criminals cannot abuse the change of name system across borders. I commend the bill to the House.

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

## **NATIONAL PARKS AND WILDLIFE (BROKEN HEAD NATURE RESERVE) BILL 2009**

### **Agreement in Principle**

**Debate resumed from 19 June 2009.**

**Mr DONALD PAGE** (Ballina) [10.10 a.m.]: I support the introduction of the National Parks and Wildlife (Broken Head Nature Reserve) Bill 2009. The Broken Head Nature Reserve is in the Ballina electorate. The bill will enable the Arakwal people to implement stage two of the indigenous land use agreement and support further co-management of national parks in the Byron Bay area. The bill allows for six small parcels of land to be revoked from the Broken Head Nature Reserve and transferred to the Arakwal people, the traditional owners of Byron Bay. The small parcels of land, which total 981 square metres, have, over time, become part of the Broken Head Caravan Park. They will now be included in the caravan park, which will be managed by the Arakwal people. I know this area very well and it is important to note that there are no environmental values attached to the parcels of land. They are now well-established camping areas and have negligible conservation values in relation to the nearby nature reserve. Incorporating the sections of land into the Broken Head Caravan Park is a sensible and practical measure. Essentially it is a sensible boundary adjustment.

As I mentioned, the transfer of this land will enable the second stage of the indigenous land use agreement between the New South Wales Government and the Arakwal people to proceed. As part of this agreement, which was signed in 2006, the Arakwal people surrendered any potential native title claim on the

lands and waters around Broken Head, allowing the approximately 70 hectares of Crown land to be added to the local national parks system. The Broken Head Caravan Park, which is also on Crown land, is to be transferred to the Arakwal people, creating employment opportunities for members of the indigenous community. A covenant on the land title will ensure it remains a caravan park. The Broken Head Caravan Park is very popular and I would expect the average user of the park to notice very few, if any, changes to the management and enjoyment of the caravan park as a result of this legislation. As I indicated, this is sensible, practical legislation to essentially enable a boundary adjustment at the Broken Head Caravan Park, and the Opposition does not oppose it.

**Mr DAVID HARRIS** (Wyong) [10.12 a.m.]: The National Parks and Wildlife (Broken Head Nature Reserve) Bill 2009 will enable the implementation of an indigenous land use agreement that will support further Aboriginal co-management of national parks and nature reserves on the far North Coast of New South Wales. The bill proposes to revoke six small parcels of land, totalling 981 square metres, from Broken Head Nature Reserve. Over time, these small parcels of land have been encroached upon by the adjacent Broken Head Caravan Park, and now form part of the well-established camping areas in the Broken Head Caravan Park. Two indigenous land use agreements signed in 2006 between the Bundjalung people of Byron Bay—the Arakwal people—and the New South Wales Government will result in 124 hectares of Crown land being added to the national parks system, protecting natural and cultural heritage for future generations. These lands will be co-managed with the Bundjalung people of Byron Bay—the Arakwal people.

The agreements will also result in the transfer of Broken Head Caravan Park to the Bundjalung people of Byron Bay, providing significant employment and business development opportunities, while ensuring continued use as a caravan park. This bill will resolve existing boundary anomalies around Broken Head Nature Reserve. Aboriginal co-management of national parks and reserves involves sharing responsibility for a park's management. It recognises that land is fundamental to Aboriginal culture and ensures that parks are managed or used in ways that respect Aboriginal culture. The aim is to ensure that Aboriginal people have the opportunity to participate in planning and decision-making for the park or reserve, while maintaining access to parks for everyone. It also builds skills within Aboriginal communities and contributes to meaningful employment and business development opportunities for Aboriginal people.

By participating in park management and connecting to their land, Aboriginal people strengthen and renew their cultural and physical wellbeing. Aboriginal communities continue their connection to the land and pass on knowledge to younger generations, and mentor and inspire young Aboriginal people. Aboriginal people also build skills in park management, governance and business development. Visitors to co-managed parks have a richer experience by meeting the Aboriginal custodians and by gaining a better understanding of Aboriginal culture. The New South Wales Government has a good record in achievements in Aboriginal co-management of national parks and reserves. Over the past 10 years the Government has negotiated 15 Aboriginal co-management arrangements with Aboriginal communities in New South Wales.

In addition to co-management achievements on the far North Coast, other achievements include the Githabul Indigenous Land Use Agreement, which establishes co-management arrangements for 10 parks near Kyogle in north-eastern New South Wales, and the return of lands at Stockton Bight near Newcastle to the Aboriginal owners, the Worimi people, and which are now managed as the Worimi Conservation Lands. Such co-management arrangements mean that access to the park for cultural activities continues, ensuring the Aboriginal people's connection to their country is maintained. It also represents employment and other business opportunities for local Aboriginal communities.

Broken Head Nature Reserve is a 98-hectare reserve located five kilometres south of the Byron Bay township and lies adjacent to Broken Head Caravan Park. It protects extensive areas of littoral rainforest, brush box, forests and woodlands, and headland grasslands, and is culturally significant to the Bundjalung people of Byron Bay—the Arakwal people. The revocation of these small parcels of land from Broken Head Nature Reserve and transfer to the Bundjalung people of Byron Bay—the Arakwal People—as part of Broken Head Caravan Park, will enable the implementation of the indigenous land use agreement and support further Aboriginal co-management of national parks in Byron Bay. It is a good thing for Aboriginal communities and conservation outcomes in New South Wales. I am pleased to support the bill.

**Ms JODI McKAY** (Newcastle—Minister for Tourism, Minister for the Hunter, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)) [10.17 a.m.], in reply: I thank the members for Ballina and Wyong for their contributions to this debate. I note the comments of the member

for Ballina that this is a sensible boundary adjustment contained in a sensible and practical bill, and I thank him for his support for the bill. This bill will correct some boundary anomalies around Broken Head Nature Reserve. This will enable the implementation of an indigenous land use agreement between the Bundjalung people of Byron Bay—the Arakwal people—and the New South Wales Government. Since 2001 three indigenous land use agreements on the far North Coast of New South Wales have created additions to the national parks system, which are jointly managed by the New South Wales National Parks and Wildlife Service and the Bundjalung people of Byron Bay.

Aboriginal joint management of parks has a number of benefits for the New South Wales community and the Aboriginal communities, including real and meaningful employment and other business opportunities for Aboriginal people. For example, 10 Aboriginal people are currently employed by the National Parks and Wildlife Service in Byron Bay. The first indigenous land use agreement in the Byron Bay area was signed in 2001 and resulted in the creation of the jointly managed Arakwal National Park. The Bundjalung people of Byron Bay are involved in all aspects of management of the park, however the ownership of the park remains with the New South Wales Government and the whole New South Wales community benefits from this significant coastal area being protected and available for public use. This successful joint management model attracted an award from the World Conservation Union for distinguished achievements in wildlife conservation and for joint management of the Arakwal National Park.

The second and third indigenous land use agreements in the Byron Bay area, both signed in 2006, will protect a further 124 hectares of Crown land in the national parks system with the addition of Arakwal National Park, Broken Head Nature Reserve and Cumbebin Swamp Nature Reserve. The agreements will ensure that these areas of Crown land will be protected as parks, and that public access to these areas will continue from now into the future. The agreements will also protect endangered ecological communities, threatened species habitat and coastal wildlife corridors—a significant conservation achievement for the people of New South Wales. An important part of the second Indigenous Land Use Agreement is the transfer of the Crown land, which contains Broken Head Caravan Park, to the Bundjalung people of Byron Bay in freehold title.

Over time some parts of Broken Head Caravan Park encroached into the neighbouring nature reserve. These areas are now well-established camping areas and have minimal conservation values. Therefore, as part of the agreement, the New South Wales Government proposes to revoke these small parcels of land from the nature reserve and include them as part of the transfer of the caravan park to the Bundjalung people of Byron Bay. To ensure that national parks and nature reserves are protected in perpetuity, revocation of land reserved under the National Parks and Wildlife Act 1974 requires an Act of Parliament. Therefore, to address the boundary anomaly at Broken Head, the National Parks and Wildlife (Broken Head Nature Reserve) Bill 2009 proposes to revoke six small parcels of land, totalling 981 square metres, from Broken Head Nature Reserve.

Over the past 10 years the Government has negotiated 15 Aboriginal co-management arrangements, including Indigenous Land Use Agreements, with Aboriginal communities in New South Wales. There are various models to support joint management arrangements, including ownership and leaseback arrangements under the National Parks and Wildlife Act, memoranda of understanding between Aboriginal communities and the National Parks and Wildlife Service, and indigenous land use agreements, which are flexible agreements made under native title legislation that can be tailored to meet specific land use issues. The revocation of these small parcels of land from Broken Head Nature Reserve and transfer to the Bundjalung people of Byron Bay, the Arakwal people, as part of Broken Head Caravan Park, will enable the implementation of the Indigenous Land Use Agreement and support further Aboriginal co-management of national parks in New South Wales. I commend the bill to the House.

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

**Motion agreed to.**

**Bill agreed to in principle.**

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

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

**OCCUPATIONAL HEALTH AND SAFETY AMENDMENT (AUTHORISED REPRESENTATIVES)  
BILL 2009**

**Bill introduced on motion by Mr Joseph Tripodi.**

**Agreement in Principle**

**Mr JOSEPH TRIPODI** (Fairfield—Minister for Finance, Minister for Infrastructure, Minister for Regulatory Reform, and Minister for Ports and Waterways) [10.22 a.m.]: I move:

That this bill be now agreed to in principle.

I am pleased to introduce the Occupational Health and Safety (Authorised Representatives) Bill 2009. This bill makes an amendment to the Occupational Health and Safety Act 2000 to clarify the definition of "authorised representative". The need to clarify this definition arose as a result of a recent Federal Court of Australia decision, which affects the ability of authorised representatives to enter workplaces and perform other health and safety functions. In the recent case of *John Holland Pty Ltd v The Construction, Forestry, Mining and Energy Union (New South Wales Branch)* the Federal Court held that two Construction, Forestry, Mining and Energy Union organisers did not have a right of entry under the New South Wales Occupational Health and Safety Act 2000 in relation to the Sydney Desalination Plant. Right of entry was denied because they were not officers of the Construction, Forestry, Mining and Energy Union, as defined in the Occupational Health and Safety Act.

The court applied a strict legal interpretation of the term, which has been in place since 1996. The Federal Court decision threw into doubt many years of custom and practice in New South Wales where union employees, even if not elected as officers of a union, can be authorised under occupational health and safety laws to have a right of entry to workplaces for health and safety purposes. The amendments contained in the bill will restore the definition to the previously accepted position. The amendments are consistent with the significant progress being made towards the national harmonisation of occupational health and safety laws.

Members will be aware that the New South Wales Government has argued strongly in favour of preserving right of entry laws throughout the harmonisation negotiations. The Workplace Relations Ministerial Council has endorsed the development of a national model occupational health and safety bill, following the first and second reports of the National Review into Model Occupational Health and Safety Laws, which were released in late 2008 and earlier this year respectively. I anticipate that a draft national occupational health and safety bill will be released for public consultation later this year. The approach taken in the Occupational Health and Safety Amendment (Authorised Representatives) Bill is consistent with the position endorsed by the national review and the Workplace Relations Ministerial Council. The amendments contained in this bill are consistent with Federal occupational health and safety laws.

Under Commonwealth industrial laws authorised representatives must hold permits issued by Fair Work Australia to exercise occupational health and safety powers in workplaces. The Commonwealth Fair Work Act 2009 provides for permits to be issued to officials of unions, which are defined in section 12 of that Act to include employees. It is important to note that there are safeguards under New South Wales law in relation to the exercise of powers by authorised representatives. Authorised representatives must hold permits issued by the Industrial Registrar under the Industrial Relations Act 1996 and must satisfy the Industrial Registrar that they are a fit and proper person to hold a permit. The Industrial Registrar can revoke a permit if a permit holder has intentionally hindered or obstructed employers or employees during their working time or has otherwise acted in an improper manner in the exercise of any power conferred on the person.

These safeguards are unchanged by the amendments contained in this bill, and the bill contains no other changes to provisions regarding union right of entry. An authorised representative of a union will only be allowed to enter a worksite where members of that organisation, or those who are eligible to be members, work. The usual notice periods regarding union entry will continue to apply and entry may only be made at a reasonable time in the daytime or at any hour when work is carried on, or usually carried on, at the premises. This bill restores New South Wales right of entry provisions and recognises the important role played by unions in making workplaces safe. For this reason the amendment will be made retrospective to ensure that any powers exercised by authorised representatives before the commencement of the amendment are valid. I commend the bill to the House.

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

**STATE EMERGENCY SERVICE AMENDMENT BILL 2009****Agreement in Principle****Debate resumed from 17 June 2009.**

**Mr ANTHONY ROBERTS** (Lane Cove) [10.27 a.m.]: Opposition members have always been great supporters of the State Emergency Service. In fact, many have been involved at various times in their careers as members of that wonderful organisation, and I am pleased to speak on the State Emergency Service Amendment Bill 2009. Whilst the Opposition does not oppose the bill, it will attempt in the other place to amend the clause that seeks to preclude State Emergency Service controllers or deputy controllers from being councillors within local government. Those wonderful local government councillors, who are leaders in their community and who also participate in the State Emergency Service, should have the opportunity to bring their leadership skills in those roles to their local State Emergency Service units.

The purposes of the bill are to change the title of the head of the State Emergency Service from Director General of the State Emergency Service to the Commissioner of the State Emergency Service, and to change the title of the deputy director general to deputy commissioner; to provide that the State Emergency Service is to act as the combat agency in respect of tsunamis, and is to coordinate the evacuation and welfare of affected communities; and to preclude councillors, within the meaning of the Local Government Act 1993, from being appointed as the controller of a State Emergency Service unit or as the controller of all State Emergency Service units in a local government area.

The bill amends the State Emergency Service Act 1989, No. 164. Schedules 1 [1], [3], [5] and [11] give effect to the objects set out in paragraph (a) of the overview; schedule 1 [4] gives effect to the object set out in paragraph (b) of the overview; schedule 1 [2] provides that notes in the principal Act do not form part of that Act; schedule 1 [10] provides that the emergency powers that the State Emergency Service [SES] has in relation to floods, storms and emergencies, which the State Emergency Operations Controller directs the State Emergency Service to deal with, apply also in relation to tsunamis; schedules 1 [6] to [9] give effect to the object set out in paragraph (c) of the overview; schedule 1 [12] enables savings and transitional regulations to be consequent on the enactment of the proposed Act; and schedule 1 [13] inserts specific savings and transitional provisions consequent on the enactment of the proposed Act.

Among other things, the provisions make it clear that the amendments precluding councillors from being appointed as unit controllers or local controllers do not affect the appointment of councillors who are also unit controllers or local controllers on the commencement of the proposed amendments. Schedule 2.1 amends the Public Finance and Audit Act 1983, schedule 2.2 amends the Public Sector Employment and Management Act 2002, and schedule 2.3 amends the State Emergency and Rescue Management Act 1989. The first amendment is designed to bring the leadership of the State Emergency Service in line with other emergency services and agencies by replacing the title of "director general" with that of "commissioner", and that is appropriate. With respect to the second amendment, in New South Wales the State Emergency Service was designated as a combat agency responsible for tsunamis, which is legislated in this bill as a logical extension of its expertise in flood planning and response. That is a sensible measure, particularly in view of the State Emergency Service's combat experience in dealing with floods.

The third amendment relates to the role of the SES local and other unit controllers or their deputies. The new funding model for the SES, as detailed in the State Revenue and Other Legislation Amendment (Budget Measures) Act 2008, now means that local government contributes to the overall funding of the SES. The Government argues that this change means that the service's relationship with councils requires a high degree of transparency and separation of powers. This will not affect existing controllers who are councillors; only people from this point on will be affected. While the Opposition agrees that the amendments that relate to tsunamis and SES operational management are sensible, overdue, and will allow for greater transparency and local government contributions in line with arrangements for the Rural Fire Service, prohibiting councillors from being SES controllers limits the roles of volunteers in the community.

I note that a mayor—the honourable member for Cabramatta—is in the Chamber at present. Councillors play a significant and important role in communities, particularly in rural communities. Quite often these communities are small and do not have the wealth of resources, skills and knowledge that one would find in the city. To preclude someone who knows their district and has strong leadership skills from being a controller or deputy controller in an SES unit is ridiculous. It would deprive the SES of a valuable resource that

is called upon in times of crisis. It is the equivalent of not allowing a surgeon to practise in a hospital because that surgeon has a relationship with another hospital, despite the fact that a patient is in dire need of his or her services.

Members who travel around New South Wales will know that many fine people who are involved in local government are also involved in their Rural Fire Service, the State Emergency Service, volunteer rescue services and myriad associations. I am led to believe the reason for this amendment is the possible conflict involving a city council not far from this place that is controlled and dominated by the Labor Party. I understand that that issue has been dealt with, but why preclude councillors in the rest of New South Wales who conduct their business in an open, transparent and ethical manner from being active in protecting their community during times of crisis? I ask the Minister to accept an amendment that the Opposition will move in the upper House and not to preclude these wonderful leaders, who have considerable knowledge of their districts, from serving their communities further in times of crisis. Members who travel beyond Newcastle, Sydney and Wollongong and into rural and regional areas will realise that a local councillor may have served on his shire council for 25 years—

**Mr Steve Whan:** Or her.

**Mr ANTHONY ROBERTS:** Or her, thank you. The Minister has entered the debate—which I welcome—and I hope to get his support on this issue. Such councillors know the location of bridges that could be washed out and where people live. They know what precedes, what happens during and what happens after periods of storm or drought. They know the area and their local people; they are in leadership roles. The Government has demonstrated how it is out of touch with rural and regional New South Wales by trying to prohibit, through legislation, volunteers who already give their time serving on their councils taking leadership roles within their State Emergency Service units.

I ask the Minister, whose electorate is in regional New South Wales, to consider his local area and the wonderful work his councillors do, particularly in relation to emergency services, and seek to amend the bill. One conflict not far from this place should not affect the highly ethical standards demonstrated by councillors in leadership roles in their local emergency organisations over many years. On behalf of the shadow Minister, the Hon. Melinda Pavey—who is doing a remarkable job in this portfolio—I point out that the Government must address issues outside Newcastle, Sydney and Wollongong.

The Opposition supports volunteers and local leaders across New South Wales taking on leadership roles during emergencies through their various State Emergency Service or Rural Fire Service units. The Opposition has consulted extensively on the bill with the State Emergency Service Volunteers Association, particularly David Lane and his team. I pay tribute to them for the work they do and for their leadership. They do not oppose the bill but they support an amendment with respect to councillors not being able to be SES controllers or deputy controllers. They estimate that more than half a dozen, and up to 18, controllers or deputy controllers in New South Wales are also councillors.

**Mr Steve Whan:** Eight.

**Mr ANTHONY ROBERTS:** There are eight. I thank the Minister for that clarification. He has more resources at his disposal than the good people of the State Emergency Service Volunteers Association—I will come to that point later—and certainly the Opposition. Through this amendment the Minister is saying that eight people out there are acting in an unethical or possibly compromised way when dealing with their SES units and councils. On behalf of the Coalition I thank those eight people who are controllers and councillors in New South Wales. The Government has launched a direct attack on the wonderful work they do, the leadership they show, and their commitment to the safety of their local community.

I also thank the Minister for Emergency Services for pointing out his condemnation, by the very nature of the amending bill, not only of those eight people but also of future generations who will follow those councillors and who wish to act as controllers and protect the community. The Minister is condemning those people by suggesting that they are unethical and untrustworthy in carrying out their jobs in protecting their local community. That is the issue with this bill. It shows how out of touch the Government is when it comes to rural and regional New South Wales.

**Mr Daryl Maguire:** It is appalling.

**Mr ANTHONY ROBERTS:** As the member for Wagga Wagga said, it is appalling.

**Mr Steve Whan:** Should the same apply to the RFS too?

**Mr ANTHONY ROBERTS:** The Rural Fire Service?

**Mr Steve Whan:** Yes.

**Mr ANTHONY ROBERTS:** That is not part of this bill. However, in respect of any person who is prepared to put up their hand and volunteer, irrespective of where they are from, I say that if they are ethical and honest, they should be able to hold those positions.

**Mr Steve Whan:** Hmm.

**Mr ANTHONY ROBERTS:** The Minister hmms. By this bill precluding someone from showing the same leadership in an emergency as they show in their role on a local shire or council, the Government is launching another attack on local government and the people of rural and regional New South Wales who stand up for their communities in times of crisis. This is another display of the Government's lack of commitment to the 10,000 New South Wales State Emergency Service volunteers who constitute 232 State Emergency Service units. While the Coalition has no problems with some parts of the bill, I respectfully ask the Minister to think about people who show leadership in their local communities in their day-to-day management of community affairs and during times of crisis. I reiterate that the Coalition supports New South Wales volunteers. While the Coalition will not oppose the bill, we will move amendments in the other place.

**Mr NICK LALICH** (Cabramatta) [10.41 a.m.]: I support the State Emergency Service Amendment Bill 2009. The amendments outlined in the bill provide welcome additional legislative recognition of the responsibilities of one of our finest emergency services, the State Emergency Service [SES]. It is probably fair to say that before the Indian Ocean tsunami on Boxing Day 2004, Australia generally underestimated the potential risk of a tsunami to our shores. Despite this, the State Emergency Service was already of the view that a tsunami was a hazard so unique in its risk factors that special planning was essential to provide a coordinated and effective response to protect the lives of people in this State.

That belief was put into action when the State Emergency Management Committee designated the State Emergency Service as the combat agency for tsunamis and the organisation began to draft the New South Wales tsunami plan. The plan was somewhat hampered at this time by no specific source of tsunami warnings being available for Australia. Information from the Pacific Tsunami Warning Centre in Hawaii served Australian needs only in a general way. Warning capability has now been provided with the establishment of the Joint Australian Tsunami Warning Centre operated by the Bureau of Meteorology and Geoscience Australia.

The New South Wales State Emergency Service has been a keen participant in the Australian Tsunami Working Group over the past four years, developing and enhancing its own expertise in this field. The State Emergency Service also worked with other government and non-government agencies during that time through a series of briefings, training exercises and educational programs to build awareness of the State's tsunami risk and enhance our preparedness and response capabilities. Because of this commitment, we are fortunate to now be in the position of being well advanced in our tsunami planning. It is appropriate that this expertise and work is given legislative recognition.

The bill before the House provides support for the State Emergency Service's important roles and responsibilities, should the worst occur and our coastline become impacted by a tsunami. The other amending provisions of the bill will modernise the State Emergency Service and bring it into line with our other emergency services, particularly the New South Wales Fire Brigades and the Rural Fire Service. Replacing the title "director general" with "commissioner" more accurately and appropriately conveys the operational, rather than administrative, focus of the State Emergency Service and its leader. I note that this formalises in legislation the title already accorded the State Emergency Service commissioner under the Public Sector Employment and Management (Departmental Amalgamations) Order 2009 issued in July this year.

The third amendment outlined in this bill in relation to the role of State Emergency Service local and unit controllers or their deputies is a sensible move to increase transparency between the service and local government, which contributes significant funding to the organisation. The crux of this legislation is that the funding provided by local government to the State Emergency Service precludes the appointment of elected councillors or mayors to administer the State Emergency Service. However, that does not preclude them from being part of emergency responses during crises, from volunteering to fight bushfires or from helping people after a tsunami hits, should such a catastrophe occur—and let us pray to God that it never does.



The new funding system announced in last year's State mini-budget now means that local government contributes to overall funding of the State Emergency Service, just as it contributes to the funding of our fire services along with the insurance industry and the State Government. For the purpose of providing transparency and maintaining the separation of powers, this amending bill provides that elected councillors will not be eligible to be appointed as local controllers, unit controllers or their deputies. Any local or unit controller or their deputies who are elected to a local council will cease their role as State Emergency Service controller or deputy three months after their election takes effect. This move is also consistent with the State's other major volunteer agency, the New South Wales Rural Fire Service.

**Mr Steve Whan:** You know more than the Opposition spokesperson.

**Mr NICK LALICH:** I thank the Minister. However, it must be noted that this amendment does not apply retrospectively; rather, it concerns all future appointments of local government councillors and State Emergency Service controllers or deputy controllers. I commend the bill to the House.

**Mr FRANK TERENCEZINI** (Maitland) [10.46 a.m.]: I proudly support the State Emergency Service Amendment Bill 2009 and anything related to the State Emergency Service's efforts, professionalism and the help that it gives the community. The bill contains sensible administrative reforms to give legislative effect to the State Emergency Service's responsibilities for tsunami planning and response, and to bring the service's structure into line with the other emergency services. As other speakers have outlined already, the State Emergency Service has recognised expertise in flood management, and we are fortunate to be able to capitalise on that knowledge in relation to a tsunami risk.

The State Emergency Service has been working closely with the Commonwealth Government to build a tsunami planning and response capability. Recent exercises such as Ausnami have affirmed that the State Emergency Service has the capacity to plan for and respond quickly to the threat of a tsunami. The aim of that national exercise was to test the effectiveness of the warning system's communications for delivering and managing tsunami warnings. Its success shows that the State Emergency Service is able to work effectively with other key agencies, including Geoscience Australia, the Bureau of Meteorology, the Attorney General's Department and other States' emergency management agencies.

The exercise simulated a magnitude 9.0 earthquake in the Pacific affecting the east coast of Australia and a similar earthquake off Indonesia impacting on Western Australia, South Australia and a number of islands. The desktop and discussion test involved all levels of the State Emergency Service, the State's network of emergency management committees and a range of other key agencies, including New South Wales Maritime, port authorities, rescue services and Surf Life Saving Australia. The Federal Attorney-General has reported that the tests affirmed that in the event of a tsunami the Australian Government is ready to protect the Australian community. The exercise confirmed the capability of the warning system to detect and verify tsunami threats from earthquakes, the timely provision of information to affected jurisdictions and relevant government agencies, and that warnings could be issued within 30 minutes of an underwater earthquake.

Members of the New South Wales community can again be assured that in the unlikely event of a tsunami affecting the coastline, the State Emergency Service has the capacity to respond to such major natural disasters with professionalism and efficiency. All members of this House, without doubt, fully appreciate the work performed by our emergency services personnel. Indeed, perhaps more than any other topic debated in this House, we speak about the acknowledgement we are all too willing to give of our emergency services personnel. Most of them are volunteers who put their safety at risk and who, at all hours, are prepared to leave their homes and families in order to rescue and protect others in our community. No topic has taken up as much time of this House as the appreciation we have shown for their efforts.

In my electorate of Maitland I regularly visit the fire brigades, State Emergency Service units and Rural Fire Service units, and I continually see the increasing amount of professionalism that is being shown by these outfits. Every unit I have visited contains a group of volunteers who are totally dedicated to their job and to serving our community. Indeed, tomorrow afternoon I will visit the Louth Park Rural Fire Service to hand over some new chainsaws and to see how the work is progressing. Those events are always very encouraging, because the personnel are all too ready to show off their immaculately prepared and presented Rural Fire Service units, which I have seen in action. Of course, I refer to the great events of June 2007 when all our emergency services came together to protect us in the Hunter Valley.

There can be no doubt about the efficiency, professionalism, commitment and dedication of these volunteers and professional emergency services officers. I had the great pleasure—courtesy of the Minister for

Emergency Services, who is in the Chamber—of officially opening the Raymond Terrace Fire Brigade, in the seat of Port Stephens, where again we saw on display the great professionalism of the emergency services personnel. It is consistent with the Government's commitment to ensuring our community is protected by making sure that we have state-of-the-art, fully equipped local fire stations. That was a very good day.

There can be no doubt about the world-class effectiveness of our emergency services. The bill represents further reforms to enable those emergency services to better protect the community in case of emergency and—God forbid—tsunami, should one occur. I welcome the reforms introduced in the bill, particularly those relating to the leadership of the State Emergency Service and the roles of local and unit controllers. It is appropriate that the State Emergency Service reflect the structure of our other major emergency services—New South Wales Fire Brigades and the Rural Fire Service—by changing its leader's rank and title from "director general" to "commissioner".

Likewise, the amendment to prevent elected local councillors from holding positions as State Emergency Service local or unit controllers or their deputies is a sensible step; it is similar to the caveats on the equivalent positions in the Rural Fire Service. Preventing the perception of a conflict of interest between these two roles and providing a proper separation of powers is a transparent safeguard. The bill is a sensible step; it demonstrates the degree of cooperation between the various levels of government and the way in which we are taking a coordinated approach. I commend the bill to the House.

**Mr ANDREW CONSTANCE** (Bega) [10.53 a.m.]: I wish to make a brief contribution to the debate on the State Emergency Service Amendment Bill 2009. In doing so I acknowledge and pay tribute to the State Emergency Service volunteers and professional emergency services personnel in the Far South Coast region, who do a fantastic job. Certainly the Minister for Emergency Services will be aware that in Batemans Bay we are seeing an expansion of the State Emergency Service and the development of its new headquarters in conjunction with council and the State Government, which is very pleasing.

The bill makes a lot of sense, except for one component regarding the relationship between local government and the State Emergency Service and the prohibition on State Emergency Service controllers or deputy controllers also being councillors. Before I speak about that aspect of the bill I should recognise that during the winter recess we almost experienced a tsunami event on the Far South Coast. I must say that the warnings and the approach to those warnings, both in terms of the Bureau of Meteorology website and the media, during the early stages of that emergency is something the Minister needs to look at. There was a degree of confusion. As I understand it, the initial warnings were quite strident but eased off in the course of the evening. In the end, we were lucky we did not experience any form of tsunami event. However, the initial warnings that I saw on the Bureau of Meteorology website suggested it was time for people to leave their homes and go to higher ground—which some did. Certainly some people in the low-lying areas around Batehaven, in Batemans Bay, took that course of action.

Again the State Emergency Service personnel were on a watching brief. It was incredible that some people felt the need to go down by the Clyde River to observe the tsunami—to wait for the wave! One would think that when a tsunami warning was issued the last place people would want to sit to observe events would be on the edge of the water! There was some talk that police had to move people on. The bill ensures that the State Emergency Service is designated as the combat agency responsible for tsunamis, which is a logical extension of its role with regard to flood planning and response.

The first amendment is designed to bring the leadership of the State Emergency Service in line with other emergency services by replacing the title of director general with that of commissioner. I think it goes without saying that everyone welcomes that change. The third amendment outlined in the bill relates to the prohibition on councillors being appointed as controllers. It is a concern that current councillors can remain in the position but councillors in the future cannot hold the roles of controller or deputy controller. There are means for councillors to vacate council functions should they have a conflict of interest. It is not as though councillors who are deputy controllers or controllers of State Emergency Service units will somehow be able to hide their involvement with the State Emergency Service and with council. If there are issues to do with budgetary considerations or priorities within council concerning the State Emergency Service, it is logical and fairly obvious that councillors who hold those positions should vacate their council functions and not be involved in any discussions concerning State Emergency Service decisions that might need to be made by local government.

I believe that to deny people in this way is rather heavy handed. It is like saying that if a person is a member of Rotary and Rotary maintains a Rotary park in a local government area, the person cannot be on

council. We need to be able to continue to capture the good work of those who serve the State Emergency Service in controller and deputy controller positions whilst not denying their involvement in local government. Some members of this House are also members of the Rural Fire Service, the State Emergency Service, and other emergency services. If we are to expect these standards of councillors, we should expect them of ourselves also. I am a patron of the surf life saving movement on the Far South Coast. Does that mean that I should not be able to sit in Parliament because legislation may come into this place that could have an effect on the surf life saving movement?

I am aware that the surf life saving movement does not want its own legislation. However, I simply make the point that if we are to expect these standards of councillors, we should also expect them of ourselves. Thus it must be apparent and obvious to everyone that that amendment is unworkable. I think there is the potential for a conflict of interest should a person participate in debate at a council level concerning State Emergency Service issues. There must be mechanisms to remove that conflict of interest by ensuring that people step away when the matter comes up for discussion. General managers are well placed to ensure that that happens. I ask the Minister to reconsider the Government's position on this amendment. It comes across as a little heavy handed by the Government, and in some ways it makes us look hypocritical, given that some members of this House volunteer in various emergency service organisations throughout the State.

**Mr MATT BROWN** (Kiama) [11.00 a.m.]: I am pleased to support the State Emergency Service Amendment Bill 2009. I am sure all members of this Parliament will join me in stating up front that the State Emergency Service [SES], together with its volunteers, is one of this State's finest assets and one of this country's most professional volunteer organisations. At the outset I thank the movement as a whole and all those who work so diligently in my electorate for their professionalism. They continually impress me and the visitors I bring to their organisations with their dedication and the quality of the equipment they use. The people of New South Wales know that whenever a storm, flood or other emergency strikes their community they can rely on the volunteers of the State Emergency Service to come to their assistance. As well as flood response, the service's expertise in flood response planning, preparedness and education is also widely recognised.

In fact, last year the service won international recognition for an innovative online tool it has had staff develop to help businesses manage the impact of floods on their operations and finances. The service took second place in the technology and innovation category of the prestigious International Association of Emergency Managers awards. Given that flooding results in an average of \$128 million of damage annually to the New South Wales community, we are fortunate that the service is a world leader in public safety when it comes to flooding. So it is obvious that the service's tsunami planning, preparedness and response responsibilities are based on a solid foundation of expertise. While the organisation's flood and storm roles have been set out in the State Emergency Service Act, it is appropriate that this bill now amends the Act to reflect this additional, and vital, tsunami responsibility.

Like, I am sure, all members, I hope that this expertise is never needed but we cannot let that hope prevent our being prepared for the worst. Every natural disaster that strikes—whether flood, storm or bushfire—reinforces the key lesson of the importance of planning and preparedness. These are fundamental to the work of all our emergency services, and this bill is a reassurance that this message in terms of this potential risk to our community's safety and wellbeing has been heeded. I welcome the reform introduced in this bill to the leadership of the service. Indeed, it is entirely fitting that, in keeping with the heads of our other emergency services, the leader of the service holds the rank and title of commissioner rather than that of director general. Often in the past I have made the mistake of referring to the head as commissioner, and I am pleased that I will not be making that mistake once this bill has been passed.

As other speakers, including the Minister, have noted, this is recognition of the organisation's operational, rather than administrative, purpose. And it is an important recognition to make. Likewise, the amendment to prevent elected local councillors from holding positions as SES local or unit controllers is a sensible step. However, it is important that elected leaders are able to get involved in community organisations as volunteers, and this bill does not prevent that. It is wise to prevent even the perception of any conflict of interest between these two roles by providing for a proper separation of powers. This will be to the benefit of everyone involved. As the Minister rightly said, it is not retrospective. It is not a witch-hunt. It will simply ensure the corporate governance of those two organisations remains at arm's length, and that will provide a greater degree of confidence to the community. I commend the bill to the House.

**Mr MALCOLM KERR** (Cronulla) [11.04 a.m.]: I will simply add to what has been said by members on this side of the House. I am pleased that the member for Kiama will not make the mistake and that he will, in

good faith, be able to call the commissioner "the commissioner" once the bill is passed. I place on record my appreciation for the great services provided by the emergency services in my area. A number of natural disasters have occurred in my area: hail storms and storms during which trees fell on properties. The work of the State Emergency Service meant that property damage was avoided and people were rescued. People in the State Emergency Service—many of them volunteer on a part-time basis; they make themselves freely available in their spare time—put themselves in harm's way to assist their fellow citizens. Once again, I convey the appreciation of my community for their selfless determination to protect the property of their fellow citizens, and their efforts often have the result that any injuries that befall their fellow citizens are minimised.

**Mr THOMAS GEORGE** (Lismore) [11.06 a.m.]: The object to the State Emergency Service Amendment Bill 2009 is to amend the State Emergency Service Act 1989, the principal Act, to change the title of the head of the State Emergency Service [SES] from the Director General of the State Emergency Service to the Commissioner of the State Emergency Service and to change the title of the Deputy Director General to Deputy Commissioner; to provide that the SES is to act as the combat agency in respect of tsunamis and is to coordinate the evacuation and welfare of affected communities; and to preclude councillors, within the meaning of the Local Government Act 1993, from being appointed as the controller of an SES unit or as the controller of all SES units in a local government area.

As my colleagues have said, we are concerned about the provisions in the bill that preclude councillors from being appointed as the controller of an SES unit or the controller of all SES units in a local government area. Many communities in rural and regional areas—I am sure the Minister is well aware of this—are not big and there are few people to pick from. Usually the local councillor is the backbone of the local community; hence he is probably leading the SES unit for that area. Most members of this House realise that if one wants a job done one must give it to a busy person; one never gives the job to the person who is unavailable or doing nothing. However, I am concerned that that will be the case. In some areas this provision may cause a downgrading of the position. The Minister might comment further on this. All members of this House appreciate the work done by the SES and all other volunteer organisations in our community. Sadly, Lismore is used to disasters. I wonder whether I have become the Minister for disasters. In 2001 we had an horrific storm at Casino. Again, the SES and the Rural Fire Service, together with all the other services—

**Mr Malcolm Kerr:** Every Cabinet Minister is a Minister for disasters.

**Mr THOMAS GEORGE:** Yes. The workers were from not only within the Richmond Tweed SES but from all around the State. The local community was very grateful. The area had major floods in 2005, 2006 and 2008 and major hailstorms in early and late 2007. Prior to the 2007 hailstorm it suffered major fires in the Bundjalung National Park. The volunteers of local State Emergency Service branches give a continuation of service for which every member of this House appreciates. I will restrict my comments to the State Emergency Service Amendment Bill 2009. In August the Richmond Tweed SES called for more volunteers, having realised that as a result of the recent storm and floods they were short of approximately 30 volunteers. I support that call and ask anyone who is interested in joining their local SES to inspect the premises and obtain information about becoming part of the SES. I support the controller at Richmond Tweed SES, Scott Hanckel, and Darren Winkler, and encourage people throughout the State to become part of this very valuable organisation. I have pleasure in supporting the State Emergency Service Amendment Bill 2009.

**Mr STEVE WHAN** (Monaro—Minister for Emergency Services, and Minister for Small Business) [11.10 a.m.], in reply: I thank all members for their contributions to debate on the State Emergency Service Amendment Bill 2009. This is an important bill for the State Emergency Service, a service that is vitally important to the people of New South Wales, who greatly appreciate the work of their volunteers in emergencies, as all speakers in this debate have said. The headquarters of the SES is in the electorate of the member for Wollongong, who also appreciates the efforts and thoroughly supports the SES. Everyone in the community values the work of volunteers. On a number of occasions in this House I have thanked volunteers for their efforts during particular events demanding the attention of the SES, and will continue to do so.

The new role for the State Emergency Service as a tsunami agency is important. There has been a lot of planning since the terrible recent tsunamis in Asia and around the Indian Ocean. Tsunami warning systems are also new, and obviously we have a lot to learn about how to deal with tsunamis. The United States of America is also planning how to deal with tsunamis and how to educate people about them. This important role deserves to be formalised in the tasks of the SES. The change of name of the head of the service to commissioner is appropriate, and I am pleased that all members have agreed to the change.

The member for Cabramatta is aware that the Rural Fire Service and the State Emergency Service have the same provisions in relation to controllers—something of which the shadow Minister was obviously not aware. He thanked his local branch. The member for Maitland described the tsunami exercises undertaken recently and talked about his very close relationship with volunteers in his electorate, which is very much appreciated. The member for Kiama has been an active and strong supporter of the service over many years. The member for Cronulla highlighted the storm work done by the service in his electorate. I have seen the member for Lismore far too often in his electorate in recent months because of various floods. I know he has a day-to-day working relationship with the service when those events occur. It was good to hear of the appreciation of all members who spoke in this debate of the work done by the State Emergency Service in their areas, something on which every other member in this House would agree.

I will address a number of matters raised by the member for Bega. He also paid tribute to SES volunteers and to the staff on the South Coast and particularly the good work that is happening at Batemans Bay. He referred to a recent warning about a tsunami. I acknowledge that it is early days in relation to making judgements about warnings of tsunamis. A reasonably sizeable earthquake occurred under the sea off New Zealand. As the warning systems are fairly new it was a bit difficult for the Bureau of Meteorology, a Federal agency not controlled by this State, to make a judgement on the size of the tsunami. When a tsunami is travelling across the sea, from my understanding—I am not a scientist or an expert—it has a wide apex and becomes obvious only when it hits shallow water.

I take on board the comments of the member for Bega about the warning that was issued in that case. From memory, the tsunami ended up being a mere 30 centimetres high, and it did not have a big impact on the South Coast of New South Wales. I acknowledge that some people moved as a result of the warning from the Bureau of Meteorology. It recommended that people on Lord Howe Island move a kilometre inland, despite the island being only a few hundred metres wide! I am sure such problems will be sorted out. The Bureau of Meteorology will become more familiar with the tsunami warning system for the Pacific Ocean. Its work is fantastic but it will take a while to improve the level of forecasting.

The former shadow Minister, the member for Lane Cove, acting for the shadow Minister in the other place, got carried away when he said that the provision in this bill for councillors not to be controllers showed that the Minister thought they were all unethical. That is obviously not the case. The Government appreciates all the work done by people, including the eight councillors, as well as controllers or deputy controllers. A grandfathering clause is included so that the councillors do not have to resign their positions. The member for Bega also referred to a number of other volunteer positions that people occupy as well as holding offices in State Parliament. The advice provided to me showed that controllers have delegation to spend money allocated by councils. It was felt that it was best, in the interests of probity and consistency, to separate those roles. It may be that it is a minor issue as huge amounts of money are not involved, but the Government was provided with advice on this matter that the separation was desirable in the interests of probity.

When I very rudely interjected on the shadow Minister I challenged him to say whether he felt the same requirements should apply to the Rural Fire Service [RFS]. It became very clear that he had no idea that this is an existing provision for controllers in the Rural Fire Service. Apparently he was unaware that Rural Fire Service controllers have the same provision already in place for exactly the same reason. The State Emergency Service has recently come under the same funding arrangement as the Rural Fire Service. The State Emergency Service has advised me that that is why it felt it was in the best interests of probity to move to the same position as the Rural Fire Service. We heard the ranting of the shadow Minister today, saying with a little excitement that we are insulting all the people who are controllers. Clearly we are not; we are trying to make sure that we avoid anything in the future that could be seen as a conflict of interest.

I listened yesterday with great interest to the Leader of the Opposition and the Leader of The Nationals, who raved about how they were going to bring a clean government. They have criticised us for, they say, not following recommendations about probity in the past, which is not true. But at the first test—yes, on a small issue—of a measure designed to guarantee probity, they will move an amendment to try to take it out. That is symbolic of what the Opposition is all about: it says anything in public but in practice does not deliver. Yesterday the Premier reminded us that there are still 11 members sitting on the Opposition benches who voted against the Wood royal commission—the only party that has had any member of Parliament found to be corrupt by the Independent Commission Against Corruption and that gave us Robert Askin.

The debate was generally very polite with great support for State Emergency Service volunteers. The shadow Minister then did a song and dance claiming that this is an outrageous measure and an insult to

controllers. I assure controllers that there is no reflection on them personally. The Government is simply following advice in relation to ensuring the probity of people who have the delegation to spend money. It is not something that I feel hugely strongly about but I felt it was sensible to take the advice I was provided with. If the Opposition wants to move an amendment in the upper House, so be it. We will be interested to see the Opposition's foreshadowed attempt in the upper House to vote down, at its first chance, a probity measure in a piece of legislation.

I acknowledge the support of members on both sides of the House for the other two clauses in the bill and, more importantly, for their overwhelming support of the efforts of State Emergency Service volunteers. The Government works very hard to ensure that the State Emergency Service has a funding base that enables it to provide the resources that volunteers need. We are doing work at the moment to try to boost support and training for our volunteers and we continue to improve their resources and equipment. They do a fantastic job in our community. Once again I put on record, as Minister, my thanks and admiration for their efforts, and the thanks of everybody in this place. I commend the bill to the House.

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

**Motion agreed to.**

**Bill agreed to in principle.**

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

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

#### **LIQUOR AMENDMENT (TEMPORARY LICENCE FREEZE) BILL 2009**

**Bill introduced on motion by Mr Kevin Greene, on behalf of Mr Nathan Rees.**

#### **Agreement in Principle**

**Mr KEVIN GREENE** (Oatley—Minister for Gaming and Racing, and Minister for Sport and Recreation) [11.24 a.m.]: I move:

That this bill be now agreed to in principle.

The Government is determined to tackle the continuing problem of alcohol-related violence. Late last year the Government introduced a range of measures including a freeze on new 24-hour liquor licences, new powers for police and council rangers to confiscate and tip out alcohol in alcohol-free zones, and new penalties for minors who use fake identification to enter licensed premises or obtain alcohol. The Government also imposed new standard licensing conditions on the 48 venues across the State with the highest recorded numbers of assault incidents. The introduction of these conditions was complemented by high visibility policing in alcohol-related violence hot spots. However, alcohol-related violence and antisocial behaviour are complex problems and there is no single solution available.

The city of Sydney requires a special focus due to a concentration of entertainment venues and continuing high levels of alcohol-related assault. Following representations from the Lord Mayor in regard to concerns about alcohol-related violence in the city of Sydney a freeze on new liquor licences in certain parts of the Sydney central business district was announced on 25 June 2009. The bill implements this commitment. The bill will assist in stabilising the number of persons who enter designated freeze precincts principally to consume alcohol, restrict the expansion of trading hours by certain existing licensed premises in the freeze precincts and maintain the patron capacity of those existing venues. Most importantly, the bill provides that no new liquor licences for new pubs, bars, clubs, nightclubs or liquor stores will be granted for premises situated in the identified freeze precincts for a 12-month period. It will also not be possible to transfer certain liquor licences into a freeze precinct.

A common sense approach has been taken to the bill, and low-risk venues, including licensed restaurants, cafes, cinemas, theatres and special events, are generally exempt from the licence freeze. However, it is recognised that even in relation to these outlets there must be prudence. Consequently, the bill also provides that existing venues are not able to extend their trading hours or generally to increase the patron capacity of the

venue. The 12-month freeze applies to liquor licence applications received from the date of the announcement—25 June 2009—and not determined or granted. To ensure consistency between liquor licensing laws and planning laws the bill also provides a freeze on consent authorities granting development consent if the development requires a licence, approval or other authorisation that cannot be granted because of the liquor licence freeze. It should be noted that restaurants are exempt from the freeze on development applications. The development application freeze will only apply to applications lodged after the day that the bill is introduced in the Legislative Assembly.

The boundaries of the licence freeze precincts are focused on areas with a concentration of licensed premises, particularly those with late night trading, and identified trouble spots for alcohol-related antisocial behaviour and violence. In accordance with the announcement of 25 June 2009, the areas include Kings Cross, the Oxford Street precinct and parts of the southern central business district. The Kings Cross precinct includes Darlinghurst Road from William Street to Macleay Street and Bayswater Road from Darlinghurst Road to Ward Avenue. The Oxford Street precinct includes Oxford Street—and Oxford Square—from its commencement to its intersection with Flinders Street, and Flinders Street to Short Street. It also includes an area bordered by Oxford Street, Crown Street, Campbell Street, Bourke Street and Patterson Lane, which incorporates Taylor Square. The southern CBD precinct is George Street from its intersection with Park Street to its intersection with Hay Street. It also includes Goulburn Street and Liverpool Street from George Street to Castlereagh Street. The freeze on new liquor licences may be extended and applied to other areas should the need arise.

The specifics of the liquor licence freeze were developed in consultation with relevant government agencies, the City of Sydney Council, the Australian Hotels Association, Clubs New South Wales, the Liquor Stores Association and Restaurant and Catering New South Wales-ACT through the Sydney Liquor Task Force, reporting to the Premier and Lord Mayor. During the period of the licence freeze the TASK FORCE will develop longer-term strategies to tackle alcohol-related violence, which will involve issues such as public transport options, individual responsibility and strategies relevant to managing public spaces.

The Government and the Lord Mayor of the City of Sydney are committed to working together on appropriate strategies to address alcohol-related crime and antisocial behaviour while maintaining the vibrancy of Sydney and its night-time economy, and enhancing the safety of visitors and amenity of residents. The Government will closely monitor the effects of the freeze on both licences and development applications in the prescribed areas. The Government will implement further restrictions by regulation, should it prove necessary. I acknowledge the contribution of the Lord Mayor and the City of Sydney, which have worked with the New South Wales Government to develop this legislation. I commend the bill to the House.

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

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Financial Year 2009-2010**

#### **Debate resumed from 18 June 2009.**

**Mr ALAN ASHTON** (East Hills) [11.30 a.m.]: This year's budget was formed in difficult economic times in Australia and New South Wales, none of which was our doing. Certainly the Federal stimulus has been a great success, as yesterday's news showed. Australia is now leading the way in economic growth in Western countries. In the same vein, the New South Wales budget brought down earlier this year set a standard that will enable us to maintain economic progress in New South Wales and recover from a period when things were a little slow.

I will focus on the impact of the budget on my electorate. While newspapers and other media focus on what a budget means to the whole of the State, and I will refer to that, it is important that each member speaks in this debate about what the budget means to our electorates. There was some very good news for the East Hills electorate with record amounts of money being invested across a range of services. Of course, there is the usual money for police, schools, TAFE education, roads and transport, and health. It is very important that members get some credit for this because we fight with our Ministers, and with governments if members are in Opposition, to get these funds. I have been very successful with the Minister for Gaming and Racing, and Sport and Recreation, who is in the House. He has poured big buckets of money into my electorate under the capital assistance grants program, and it is very much appreciated.

In my electorate some of the bigger amounts that I was happy to read about in the budget were the \$53 million Alford's Point Bridge roadworks, which began last month. This project will help provide that missing link between my area and that of the member for Cronulla, who is sitting opposite, for people who travel from my area to Cronulla beach, as we used to do in the old days whether they liked it or not! The \$53 million for roadworks for Alford's Point Bridge is critical. The duplication of the bridge was completed in August 2008 and this further upgrading and widening of the northern approaches to the bridge will greatly improve the traffic as current tidal flow arrangements will no longer be necessary.

Members who have travelled there will know that as the width of roads is increased and more lanes are provided, or in this case extra bridges built, there is always problem with a bottleneck or choke point somewhere. Over time this Government has managed to eliminate as much of that problem as it can with those road projects. There is just one problem now in my electorate and that is where Henry Lawson Drive joins the Alford's Point Bridge. Three lanes become two lanes and then it is down to one lane for a distance. That is a choke point and it will be fixed. We are very happy with the money allocated in the budget process. Work has already begun on that project, which will create 650 jobs in my electorate. I am very happy about that.

Over the past few years a \$100 million turn-back facility has been completed at Revesby railway station. That is tremendous. There are now three lifts at the station and another set of lifts will be built when the Kingsgrove to Revesby quadruplication project is completed. An amount of \$350 million was allocated towards that from the \$1.9 billion clearways program, which will mean that dedicated trains will start from Revesby and make all stops into the city. The fast trains will come through on the Campbelltown line. People will still be able to get on the fast trains but the all-stops trains will run from Revesby. As I said, Revesby will then have four lifts and four tracks.

I refer now to another missing link. One of the issues I have been fighting for in my electorate, and in which we will be successful, is the great need for extra car parking facilities at Revesby. As all members will know, when extra facilities are built at railway stations people will use public transport. That is not recognised widely enough. All governments subsidise public transport, whether it is our Government or any other government. We want people to use public transport, and we want to improve it, make it clean and tidy, and run on time. That situation will improve if commuter car parking is available. A commuter car park was built at Padstow about 10 years ago. That was the departure point for fast trains in my electorate. At Revesby, the car parking is already fully used, as it is in Padstow.

The Government, through the Transport Infrastructure Development Corporation [TIDC], RailCorp and working with the community, has identified various sites for a commuter car park. The site TIDC has identified in consultation with Bankstown City Council, which owns the land, is the Simmons Street car park. There is still some negotiation to be done with the council on how high this facility will be, but I am assured it will provide many car spaces. There will also be video camera surveillance and contact with the police station, which is just up the road. Commuters will be able to park in the new facility and not in all the streets around Revesby station. Some car parking will inevitably be lost for a time when that car park is built and that will create some problems. All members know that when a new facility is built the use of the old facility is lost for sometime. The smaller car park will be lost. The Government and TIDC are looking at using a private operator that has a car park that may be able to be leased for a time to ease the problem.

My electorate did very well in the budget allocation for education. As a former teacher I am only too happy to see education receive its fair share of funding. I want to highlight a couple of things that are being done with State Government money. There is \$182,000 for a security fence at Milperra Public School. I was also successful earlier in the year in getting funding for the Revesby South Public School. Members will appreciate that \$182,000 is not a small amount of money to build a security fence. Members with similar electorates to mine will also know that in the old days the schools were built on big sites. This was great because there were many school ovals, parks and grassland. However, it is not easy to fence these properties. One cannot just put up 50 metres of fence here and 30 metres of fence there and get the job done. I have measured some of these schools and there is nearly a kilometre of fencing. It is quite a difficult problem.

Milperra school will get its fence this year. That will still leave three schools in my electorate that do not have full security fencing. Revesby Public School requires fencing as it has fencing only on the main road, as does Picnic Point Primary School and Sir Joseph Banks High School. The former principal of Sir Joseph Banks High School did not want a fence because, in his view, it did not look good. I cannot understand that, but that was the view that he took. My wife is a teacher at Sir Joseph Banks High School and that school does not have a fence. Amid the politics of who gets what—allegations are often made in the media about members of



Parliament looking after their own, or jobs for the boys—I inform members that 20 schools in my electorate have fences but three do not. My sister-in-law works at another school that does not have a fence, so I am hardly doing my family members any favours. I am sure that at times all members of Parliament are accused of looking after family members or constituents as opposed to the broader community, which is not the case.

My electorate of East Hills has received a budgetary allocation for roads—\$645,000 for maintenance to traffic lights and signs, and additional signs at school sites. It has been said that over the past few years the Government could have done more to provide flashing lights and signs at schools. They have been installed at several locations in my electorate but, as members would appreciate, each school might have three or four different approach roads and that would result in an expensive exercise for the Government. This Government is working on the provision of those lights and signs. Another \$1.1 million has been allocated for planning for M5 improvement work from King Georges Road to Camden Valley Way—a budgetary allocation that has received much criticism. An amount of \$1 million might not go very far, but planning has to be effected before any road can be expanded.

I am not sure what has been going on over the past few days, but I was warned that the M5 was choked at its usual points because so many people were using it. However, I was able to get there in record time without breaking any speed limits. With hindsight there is no doubt that it would have been good to have three lanes either way on the M5. With hindsight, 20 years ago we probably would have bought another block of land when it cost only one-third of what it costs now. That budgetary allocation will improve traffic flow on the M5. An amount of \$300,000 has been allocated to upgrade drainage on Henry Lawson Drive. Yeramba Lagoon at Picnic Point, which is choked with salvinia weed, will now be cleared and improved. Another \$150,000 has been allocated for routine matters, for example, road clearing and general maintenance.

Each year the Government continues to increase the Health budget and this year we have a record Health budget. I am not being overly critical but I am aware that on occasions—on more occasions than we would like—members of the Opposition highlight deficiencies and problems in the health system. Generally it is accepted—and I have personal reasons for saying this—that the service provider at Bankstown-Lidcombe Hospital is exceptional. An additional \$1.9 million has been allocated for 13 full-time officers and one part-time clinical support officer at Bankstown-Lidcombe Hospital to enable doctors and nurses to spend less time on paperwork and more time caring for patients. Another \$248,000 has been allocated for two full-time clinical initiative nurses and one part-time clinical initiative nurse to provide care and treatment in the emergency department.

I rang Bankstown-Lidcombe Hospital and spoke to the nursing manager about that \$248,000 budgetary allocation and I was embarrassed by the fact that it did not appear to be record expenditure. The point she made to me was that those additional two full-time clinical nurses and one part-time clinical nurse were essential and would make a great difference. We do not always have to spend millions of dollars in our electorates. Often a judicious \$100,000 budgetary allocation here or there, or a sporting cap grant of \$20,000 or \$30,000, can be helpful. The Government is spending \$208 million under the Climate Change Fund, which includes household rebate schemes for water tanks, energy-efficient hot water heaters, and 4.5 star washing machines. People in my electorate have gratefully received that allocation.

This Government has allocated \$2.85 million to build a gymnasium and other facilities at Picnic Point High School. This new gym will be delivered through the Rees Government's record \$2 billion Building Better Schools Program. When that gym is completed in March 2010 it will be a great asset for Picnic Point High School and provide a space for school and community events. The school is well known for its sporting success and the new gym will build on that. Given what I said earlier about influencing government decisions, I did not push this project but my daughters are students at Picnic Point High School and I was a student and teacher at that school. It might provide some joy to Opposition members to discover that it is not my best booth.

**Mr Malcolm Kerr:** But it will be next time, I am sure.

**Mr ALAN ASHTON:** I have never lost a booth in my time as the member for East Hills, but at the last council elections the Labor vote was as high as 23 per cent, so we are happy. Councils in my electorate are receiving the funding they require. The member for Terrigal did not hear what I had to say earlier so I will inform him of it later.

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

**FEDERAL MEMBER FOR MACARTHUR**

**Mr GEOFF CORRIGAN** (Camden) [11.46 a.m.]: I move:

That this House:

- (1) notes the comments of the Mosman-based Federal member for Macarthur, Pat Farmer, recorded in the *Camden Advertiser* on 17 September 2008 where he said on Malcolm Turnbull's appointment as Leader of the Opposition, "Even though we're still in Opposition I dare say the markets will react to this a little bit as well" and promised to bring "Mr Turnbull to Macarthur if I get half a chance to schedule him in"; and
- (2) congratulates Malcolm Turnbull on his decision to dump Pat Farmer from the Opposition front bench.

Sometimes it is necessary for a member to withdraw his or her notice of motion because the content can become redundant, given it takes almost a year for it to be debated. However, I am happy to say that after a brief examination of my files this morning I was convinced that I should continue with this motion. It has become apparent, after the recent musings of the Federal member for Macarthur, that if he does not win the seat of Macarthur at the next Federal election he will turn his attention to winning a State seat. In these musings Mr Farmer neglected to mention the one big hurdle he faces, that is, gaining Liberal Party preselection for the seat of Macarthur. Pat always likes to tell a story about being home one night when John Howard phoned him and told him he needed someone to win the marginal seat of Macarthur. He asked Pat to join the Liberal Party, which he did about two weeks before the 2001 election. At the time he enjoyed the support of former Prime Minister John Howard.

I have with me Pat Farmer's parliamentary record, which indicates that from October 2004 to November 2007, in addition to his electoral duties for Macarthur, he was Parliamentary Secretary for Education, Science and Training and Federal spokesperson for western Sydney. Pat did a good job. He won the marginal seat of Macarthur for the Liberal Party and, as I said, he enjoyed the Prime Minister's support. He was appointed to the position of Parliamentary Secretary. Pat liked to explain to people in the electorate what a Parliamentary Secretary was. He said it was akin to being a junior Minister, so Pat was a junior Minister in the former Liberal Government.

When Kevin Rudd was elected in 2007, Pat Farmer suffered the largest swing in the country against the Howard Government—an unprecedented swing of 12 per cent—taking his margin down to 1,000 votes as it stands at the moment on the present seat of Macarthur. With the redistribution, that has changed to a notional Labor seat of 0.01 per cent. Pat did not take the electorate's rejection of him and his strong support for John Howard's WorkChoices very well. The excellent *Macarthur Advertiser* reported:

"I don't know what more you have to do to please people." Those were the words from Macarthur Liberal MP Pat Farmer.

**Mr Malcolm Kerr:** Point of order: The member for Camden has identified the paper from which he is quoting, but not the date. He should inform the House of the date.

**Mr GEOFF CORRIGAN:** I am certainly happy to do that. It was 24 November 2007, from the website of the *Advertiser*. Pat said:

"I don't know what more you have to do to please people." Those were the words from Macarthur Liberal MP Pat Farmer on Saturday night as he found voters had turned away from him in droves.

"I'm only human" - "I'm incredibly disappointed," Mr Farmer told the *Advertiser*, after finding his 61 per cent hold on the seat slashed to 50.18 per cent on Saturday night.

"To think that someone can be in the job for six years and somebody else comes into the job for six weeks and there is a huge amount of people thinking that this guy should be looking after the area federally - it just makes me rethink the whole scenario.

What succinct words! Of course, after that massive swing against him Pat backed Brendan Nelson and was appointed shadow Minister for Youth and Sport from November 2007 until September 2008, which, of course, was when he was dumped by Malcolm Turnbull and began his period of public musings about what he might do if not preselected for or if defeated in Macarthur at next year's Federal election. Now that Macarthur is notionally a 0.01 per cent Labor seat Pat does not want to do the hard yards of winning the seat himself; he wants to go for a State seat. As I keep telling anyone who will listen—I have already tipped off the member for

North Shore—Pat is not really interested in the State seats of Camden or Wollondilly; he is after the State seat of North Shore. He believes, with his good mate Tony Abbott, that a generational change is needed and what more could the people of Mosman want other than a local member like Pat. Interestingly, in an interview with Andrew Clennell in the *Sydney Morning Herald* of 21 August 2009 Pat said:

The majority of issues I deal with are state issues. The things I have spoken to in the house are to do with the State Government, whether it be transport, health, schools or hospitals.

... And despite his Mosman address, he would not necessarily be after a seat on the north shore. Mr Farmer would be happy to contest a marginal state Labor seat such as Camden or Wollondilly.

I am sure members will be interested in the local reaction to Pat's intention to run for Camden or Wollondilly. Lest I be accused of putting words in people's mouths, I quote the front page of the *District Reporter* of 24 August 2009 when my esteemed upper House colleague the Hon. Charlie Lynn said:

Pat Farmer's decision to live in the leafy exclusive suburb of Mosman has been seen as a snub by the local members who have pulled their support for the high profile member.

"No, he does not have the support at a local level," Mr Lynn told The District Reporter recently.

"When he abandoned the electorate to move to Mosman, the local members abandoned him." Mr Lynn said.

Mr Lynn, who didn't take a backward step, believes if Mr Farmer is pre-selected for the forthcoming federal election, it will be damaging for the party.

He said because of the boundary changes; Macarthur is now a marginal Labor seat.

"The last thing the members [Liberals] want is somebody running from the other side of the harbour, where some think you need a passport to go there,"

"The Liberal Party knows there's been a very serious backlash. Local people want a local member living in or nearby the electorate."

I could continue and read the remainder of Charlie Lynn's comments, but he changes his comments to suit the newspaper to which he speaks. For example, he described Pat as being like Forrest Gump, but that he had to bring more chocolates to the table to get preselected. If Pat Farmer is rejected by his own party for preselection or if he gets rejected by the electorate in next year's Federal election, I would welcome him moving to a State seat. I would welcome him coming to Camden because all he ever speaks about in the Federal Government is State matters. He has not delivered anything federally for his electorate. For example, Pat Farmer and John Howard promised \$5 million towards the construction of a swimming pool at Camden. Was it delivered before the last Federal election? No. Who delivered it? Chris Hayes, the member for Werriwa. He went in to bat for Camden council despite it not even being in his electorate because he saw the benefit for the people of Macarthur and Camden. Of course, Pat Farmer took credit for that, but Chris Hayes and the local mayor, Chris Patterson—who, coincidentally, was my opponent at the last State election—stood proudly side by side announcing that \$5 million grant.

Another example is the extension and widening of the F5 from Brooks Road through to Narellan Road. Pat Farmer promised that extension but never delivered. Chris Hayes and the Federal Government working with the State Government delivered, and work is currently underway. I know it is an inconvenience for the people travelling along the F5, but the widening of that highway will be well received when the work is finished. I am sure Pat Farmer will turn up at every school opening where Building the Education Revolution is delivering more money and better education for our students and young people in the Camden and Macarthur electorates, yet he voted against Building the Education Revolution.

**Mr Kerry Hickey:** Unbelievable.

**Mr GEOFF CORRIGAN:** It is almost unbelievable, but you have to know the man. Why has he come back to running in the State seat of Camden? Because his plan to run around the world, which has been publicly evinced in the newspapers—unfortunately, I do not have a copy with me, but in a Sunday paper he spoke of his plan to run around the world to raise money—has been knocked back. I am advised by the local Liberal Party people, who really are not enchanted with Pat, that it came to about \$4 million. I do not know how much went to charity and how much went to expenses. I have been advised that Richard Branson said, "No, we can't do that in these times of global financial crisis." I commend the motion to the House.

**Mr CHRIS HARTCHER** (Terrigal) [11.56 a.m.]: I move:

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

this House:

- (1) notes the work done by Pat Farmer as member for Macarthur; and
- (2) notes the failure of the member for Camden in relation to Camden Valley Way, Camden Hospital, Leaf's Gully Power Station, South West Rail Link and his ongoing involvement in Labor factional power plays.

Pat Farmer is a real Australian. He is a man who, when faced with the challenge of his sick and dying wife, took up the challenge to raise a family but, further, took up the challenge in his wife's memory to raise vast amounts of money for medical research. He ran around this country and waved the flag of medical research and fundraising. He has given his own contribution and gifts to Australia and to the Macarthur electorate. As member for Macarthur he brought Malcolm Turnbull to Macarthur on 12 December 2008. Only this year he had Julie Bishop, Steve Ciobo and Louise Marcus in their capacities as shadow Ministers come to Macarthur to address the Opposition's point of view on the needs of the Macarthur electorate.

When the Coalition was in government Pat invited the Prime Minister to his electorate of Macarthur almost more than any other member in New South Wales. He is a man of action and for his action the Prime Minister promoted him to the office of Parliamentary Secretary for Education, Science and Training. Pat came from very humble beginnings. His mother, who raised the family, was unable to afford the fees to send the children to Catholic schools and worked in the presbyteries and in the convents to waive the school fees so her large number of children could have a decent education. Pat Farmer is the classic Australian battler. It is for that reason that the New South Wales branch of the Labor Party wishes to pull him down. Nothing said by the member for Camden was relevant to the discharge of his duties. His comments simply were in the guise of a personal attack preparatory to the Labor Party campaign in the 2010 Federal election.

Having said that, I now turn attention to the second part of my amendment, which refers to the "great" role played by the member for Camden in his electorate. Anybody who goes down to Camden will notice the disgraceful state of the Camden Valley Way. For 15 years the Government has pledged repeatedly to fix the Camden Valley Way, yet nothing ever happens and there is never any mention of upgrades for the Camden Valley Way in the State budget. Day after day, members come into this House and never hear a question asked by the member for Camden of the Minister for Roads about the Camden Valley Way. I have not heard the member raise of the state of Camden Valley Way. More importantly, the people of Camden, as they suffer traffic gridlock every morning and every night, can thank the member for Camden for his non-action, for his non-delivery, and for his non-work on their behalf.

The member for Camden has plenty to say about the Federal member for Macarthur and the Federal Opposition spokesperson for roads and transport, but the roads in his State electorate are a disgrace. Camden Valley Way would have to be one of the worst regional roads in New South Wales. The member for Camden and the Minister for Roads have done nothing to look after Camden and the people of Camden. Let the member for Camden announce to the people of Camden in this House now that that road will be fixed prior to the 2011 State election, and that they will get the full four lanes they deserve and the full road widening to which they are entitled. Let him tell the people of Camden, "Yes, you have had to suffer on Camden Valley Way for 15 years, but I will fix it." We will find out what he has to say, and on 26 March 2011 we will see the state of the Camden Valley Way. I invite the people of Camden to put up signs on 26 March stating, "This road is a disgrace. Ring Geoff Corrigan. Send him your farewell message at the polling booth."

Let me examine some of the other "achievements" of the member for Camden—for example, the Camden Hospital. Before the member was elected as the member for Camden in 2003, he and the then Premier, Bob Carr, went to Camden Hospital to open the maternity ward. There was a big celebration and the member for Camden featured in big photomontages in the *Camden Advertiser* and the *Macarthur Chronicle*. Babies were going to be delivered in the Camden Hospital. But no sooner had the member for Camden been safely elected than the maternity section at the Camden Hospital was closed, six months later. He and Bob Carr used the children and pregnant women of Camden simply for their own political purposes. What a disgrace! Imagine using pregnant women as a political advertising tool.

The Camden Hospital refuses to take people who arrive in an ambulance. People who arrive at the hospital by ambulance are told, "Oh, no. You have to go to Campbelltown." The Camden Hospital will not admit people who arrive in an ambulance. If an ambulance rushes someone to the Camden Hospital, they will be

turned away and told to go to Campbelltown Hospital. The situation was so disgraceful that an inquiry was held. I well remember nurses coming forward from hospitals in the Camden electorate. As the member for Macquarie Fields knows, nurses came forward to blow the whistle on the disgraceful state of the Camden Hospital. Anyone who is sick or injured should not go to the Camden Hospital by ambulance. A man phoned and said, "I'm really sick; I think I've had a heart attack." He was told over the phone, "If you can walk here, we'll admit you, but if you come in an ambulance, we'll send you to Campbelltown." That shows the state of Camden Hospital under the representation of the member for Camden.

For 10 years, land has been set aside for the Camden police station. The State Government twice attempted to sell it. The member for Camden opposed the decision to construct a new police station when he was the Mayor of Camden, so the land remains vacant. Ah, but there is a promise—and this Government keeps its promises! The people were told that a police station would be built. However, the really big issue is the south-west rail link that the member for Camden supported when he was the Mayor of Camden. Bob Carr also supported it, and he promised over and over again that it would be built. He announced that it would be built and then re-announced it over and over again. Then Morris Iemma became Premier, and he also announced and re-announced the project. But under Premier Nathan Rees the project has been quietly shoved aside.

But has the member for Camden resigned? Has he threatened to walk out on the Labor Party over the broken promises and over the cruel disillusionment of the people of Camden and the south-west over the south-west rail link? In the south-west of Sydney 14,000 blocks of residential land are scheduled to be released, yet the member for Camden has never said a word about the south-west rail link. However, he has had a lot to say about Labor Party factional politics. Only two weeks ago he was saying, "Bring it on!" He was going to be the hairy-chested man who invited everybody to take on Nathan Rees. The member for Camden was at Matt Brown's party, and he was getting ready to strip down to his underpants. We had Geoff all lined up, but we missed it. It is not on YouTube, but he was there.

The member for Camden has been around since 2003, but even before that he was the Mayor of Camden. While he quite rightly and quite appropriately took many positions and stands on behalf of the people of Camden as their mayor, he has quietly allowed those issues to be shelved since being elected to this Parliament in 2003. It has now been six years since he was elected, and the record of his achievement is this: south-west rail link, canned; Camden Valley Way, canned; Camden Hospital, canned; and the Camden police station, canned. What does the member for Camden achieve? His achievement is to make a personal attack on the Federal member for Macarthur.

**Mr Ray Williams:** That is his legacy.

**Mr CHRIS HARTCHER:** It is a sad legacy. When the political tsunami that is now gathering hits in 2011, it will hit Miranda first, but it will then move inland and hit Camden. Miranda will fall by 6.30 p.m., but Camden will fall by 7.30 p.m. I will help the member for Camden to write his concession speech now. I offer assistance with writing concession speeches to all Labor members who represent marginal electorates. Cessnock fell in 1988, and it will fall in 2011. Ninos might be all right, but I am not sure. My assistance is available for concession speeches, which will begin, "I have worked so hard for you all. Why are you so ungrateful?" The member for Miranda did that at the 2007 State election, and we will hear it again next time.

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [12.06 p.m.]: That was vintage Swampy. Those in the public gallery must be pleased to have seen a maestro performance from the Swamp Fox. He hoped that none of us would notice that he forgot to say what everybody wanted to hear: "I, Swampy, want Pat Farmer to stand for Macarthur at the next election." That was just a minor and unfortunate omission by the member for Terrigal. I state for the record that I genuinely like and admire Pat Farmer the human being. He is a decent, caring, fun and enthusiastic person whose company I have always enjoyed, and hopefully will continue to enjoy over many years. As the member for Terrigal said, there is much to admire about him. But the member for Terrigal also referred to what Pat Farmer "has given". The member for Terrigal refers to Pat in the past tense because he knows, as we all do, that Pat's time in politics is coming to an end.

Alastair Campbell says that politics is just people trying to do the best for their community by what they believe, and Pat has certainly done that. He has done his best to serve the people who elected him, and that has often been a very difficult thing to do, especially during the Howard years when he was flogging a policy that he knew was damaging the people he genuinely wanted to help. I think it says something of Pat Farmer's commitment that he was able to hold on, despite the WorkChoices ball and chain. However, even though I am a genuine admirer of Pat Farmer the human being, we need to examine Pat Farmer the politician and member of Parliament who represents Macarthur.

Every member of this House, even though they may say differently, knows that in the long term a parliamentary representative cannot drive, from home, past 23 electorates to the electorate he or she represents. At no stage did I hear a member of the New South Wales Opposition say, "Pat Farmer should be living in Mosman and represent Macarthur." It cannot be done, and I challenge members opposite to prove that it can. I regularly employ for three months doctors who live in Mosman. They commute from Mosman to Macarthur. After three months, they have had enough. How Pat Farmer could possibly do that for the next two years and possibly for three years after that beggars belief. Pat has been judged by the electorate as having done a good job for three terms—but even caviar has a use-by date.

Nobody in Mosman would accept a parliamentary representative from Macquarie Fields, and nobody from south-west Sydney should have to accept someone from Mosman representing their interests. Pat is like the guy at the party who is sitting on the stove at two o'clock in the morning after everybody has gone home and it is time to clean up. As the Irish lady in the pub used to say to me every Friday night, "Time's up. Have you no home to go to?" There are only four ways to leave this place: in a box, be disendorsed, be unelected or retire. That is Pat's only choice now. Pat can run but he cannot count.

Unlike the local Liberals, most local Labor people like Pat. I would like to hear for *Hansard* how much our Liberal opponents like Pat Farmer. I am genuinely more than happy to do it because I genuinely like and respect Pat Farmer. I hope one day to meet Malcolm Turnbull because I would like to offer him a free second opinion on whether Dr Nelson's diagnosis of narcissistic personality disorder is correct. One thing about Pat is that he is not narcissistic. Perhaps that is his problem. If anybody upstairs wants to Google "narcissistic personality disorder" and see whether it applies to any of their colleagues, I encourage them to do so.

**Mr Malcolm Kerr:** Point of order—

**ASSISTANT-SPEAKER (Mr Grant McBride):** Order! Is this a comment on the medical analysis of the doctor?

**Mr Malcolm Kerr:** It is because the member for Macquarie Fields has already said that it does not apply to Mr Farmer. Therefore, anything further that is said on that topic is in vain.

**ASSISTANT-SPEAKER (Mr Grant McBride):** Order! There is no point of order.

**Dr ANDREW McDONALD:** Vanity is one feature of narcissistic personality disorder. Anyway, it is much safer to live in the area. It is much safer to run and to cycle around. We got the magnificent two-storey Borders store at Macarthur Square a few years ago, and we have fantastic restaurants such as the Turkoise, the Euro Bar and Fan Thai, where I go every Friday night with my family. I have not seen Pat there. I genuinely wish Pat all the best for his future and that of his family. I hope that one day he can come back to live in Macarthur as a private citizen, where yet again he would be welcomed and respected as the decent, fun human being we all know he is.

**Mr RAY WILLIAMS (Hawkesbury) [12.11 p.m.]:** It is a sad day in the New South Wales Parliament when a member chooses to move a motion that denigrates someone who has given up their time for public office and to represent people. As the member for Terrigal rightly said, Pat Farmer, who is a good local person and a good Australian, had humble beginnings. Pat Farmer started his working life as an apprentice mechanic; he worked for some good friends of mine, Faye and Laurie Archer. Sometime before Pat was elected to Federal Parliament I had the pleasure of hearing him speak at Laurie's funeral. Pat said some very nice words about his former boss, who had given him his start in life. Pat appreciated that Laurie had employed him as a mechanic when he was only a 16-year-old boy. Laurie gave him a path to follow in life that he could not find elsewhere. These people looked after Pat like family, and he looked upon them as a second mother and father. Laurie Archer was a lovely person, as is Faye. She would be saddened to hear this debate on a motion moved by the uncaring and underachieving member for Camden.

Pat's exploits as a sportsperson and a runner have been well highlighted throughout the media, and he has been a hard worker on behalf of his area. It is a pity that we cannot say the same about the member for Camden, who has performed dismally. One current issue in the Camden electorate is the proposed AGL plant at Leaf's Gully. The people of Camden are outraged by, and opposed to, the plant. Good people such as the Mayor

of Camden, Chris Patterson, and the president of the local action group, Steven Cenatiempo, oppose the plant. But what have we heard from the member for Camden? We have heard absolutely nothing. As the member for Terrigal said, it is the same as his advocacy on Camden Valley Way.

Interestingly, almost a year ago we debated infrastructure levies and their impact on housing and the cost of housing. At the time I said that housing growth in New South Wales had slowed to the point where many contractors, including good, hardworking plumbers, electricians, carpenters and carpet layers, had moved north to find work. They had to seek work in other States because they simply could not support their families in New South Wales. At the time the member for Camden said, "Well, that's tough." He did not feel that there was a problem, although he spoke about a contractor in his electorate who had had to seek work in Perth. It is not too far from Camden to Perth. It is just a hop, skip and a jump over a couple of States for people to find work to support their families and feed their children. But the member for Camden felt that that was tough.

The member for Camden could not care less about the AGL plant at Leaf's Gully. Although the Camden community was outraged by a proposal to build a particular school in the electorate—the contentious development application did not meet all the planning criteria—the member was happy for the development to proceed. The member is happy to support all developments that might support the Labor Party, but he is not happy to support his community. Pat Farmer has supported his community. Pat Farmer has not knifed his leader in the back, as the member for Camden knifed the former Premier, Morris Iemma. Pat Farmer has not been involved in scandals such as development for donations or sex for development, as have so many members of the New South Wales Labor Party. Pat Farmer is a hardworking member, and we should appreciate that.

**Mr GEOFF CORRIGAN** (Camden) [12.16 p.m.], in reply: I thank the member for Macquarie Fields, the member for Terrigal and the member for Hawkesbury for their contributions to this debate. At the outset I make it clear that I will not accept the amendment moved by the member for Terrigal. I will deal with many of the issues raised by the member for Terrigal during my contribution to the debate in reply to the budget, because I do not have time in this debate to detail all the work I have carried out for the seat of Camden during the six years I have represented the electorate. Suffice it to say, an Independent councillor on Camden Council, Councillor Eva Campbell—I would not categorise her as a political ally—said to me, "Geoff, you have done more for Camden in the last six years than was done for Camden in the past 20 years." I took that as a compliment, because Eva and I do not always trade compliments.

**Mr Chris Hartcher:** We're telling Primrose.

**Mr GEOFF CORRIGAN:** That is fine. The member for Terrigal will find that the Hon. Peter Primrose has spoken on the adjournment in the upper House about what I have been able to achieve for Camden. Therefore, I welcome the member drawing to my colleague's attention anything I say. As the member for Macquarie Fields said, we all like Pat Farmer. He is a good man and he does good work. Unfortunately, the work he does is not always for the electorate. Regrettably, whenever an interest group approaches Pat for funding, his answer is, "Let's have a charity run to raise the money." He does not say, "I'll go and knock on John Howard's door and knock the door down to get the funding." He always says, "No, we'll have a charity run." Many groups have visited me because they are frustrated by Pat's lack of action and his inability to get money from the Federal Government to do his job as a politician. Often he cannot see the distinction between political life and his previous public life as a fundraiser.

**Mr Thomas George:** What have you done about the Camden Valley Way?

**Mr GEOFF CORRIGAN:** Last month the member for Macquarie Fields and I worked with the Minister for Roads on Camden Valley Way.

**Dr Andrew McDonald:** The tenders have been released.

**Mr GEOFF CORRIGAN:** The tenders are released. We are waiting for \$60 million for the section from Bernera Road to Cowpasture Road. We look forward to being there, alongside the bulldozer, when work commences in late October. Similarly, I am pleased that the member for Terrigal referred to Camden police station, because work will start there in the next two months. What did the Liberal Party say about Camden Valley Way at the last election? Nothing. It was not mentioned. Who raised the issue of Camden Valley Way and its need for an upgrade at the last election? I did, because the Australian Labor Party knew it was an issue of

importance to the people. Since then it has become important to the Leader of the Opposition, whom I see in Camden every second week. To his credit, he drives along Camden Valley Way and knows that it is in need of an upgrade.

The Government has recognised that, and I am working with the Minister for Roads to fast-track the work and have it brought forward. The member for Terrigal and I know that whether it is the Liberal Party, The Nationals or the Australian Labor Party in office, it will be physically impossible to complete the upgrade before 2011. Some six weeks ago at Wollondilly the Leader of The Nationals, a colleague of the member for Terrigal, convened a meeting of The Nationals. He brought people together for a fundraiser and to tell them about the future of The Nationals. But they found out about a trade-off that will allow a candidate to be run in Monaro at the next State election.

**Mr Steve Whan:** That's right.

**Mr GEOFF CORRIGAN:** I am sure the Minister for Emergency Services welcomes a candidate from The Nationals—whoever it may be—standing in Monaro at the next election. The member for Terrigal said that last week Pat Farmer's office was opened by Steve Ciobo. Steve who? No-one has heard of him. Pat Farmer could not get Malcolm Turnbull so he had to get the shadow Minister for Small Business, Independent Contractors, Tourism and the Arts. That demonstrates the level of respect given to Pat Farmer, who thinks he will have an easy trip running in the seat of Camden. I welcome him, and say "Good luck, Pat. I hope you get preselected. I hope I do see you in Camden because I will see you off as well." But I am sorry to say: Watch out, Deputy Leader of the Opposition, here he comes!

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

**The House divided.**

*[In division]*

**Mr Chris Hartcher:** Point of order: I draw your attention to the fact that when the doors closed the member for Sydney was sitting on the Opposition side of the Chamber. After the doors had closed and the vote was announced the member for Sydney moved across to the Government side. Mr Speaker, you may not have seen it as your eyes were downcast at the time but that is exactly what happened, contrary to the standing orders and the practices and procedures of the House.

**Mr John Aquilina:** To the point of order: Mr Speaker had ordered the doors to be closed. The time signal was still flashing when the member for Sydney sat down. Therefore, I respectfully request that you allow the member for Sydney to stay where she is.

**The SPEAKER:** Order! As the member for Terrigal noted, I was attending to paperwork at the time. I allow the member for Sydney to stay where she is sitting.

**Ayes, 46**

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



**Noes, 33**

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

**Pairs**

Mr Furolo	Mr O'Farrell
Mr Gibson	Mrs Skinner
Mrs Paluzzano	Mr J. D. Williams

**Question resolved in the affirmative.**

**Amendment negatived.**

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

**The House divided.**

**Ayes, 44**

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

**Noes, 36**

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

**Pairs**

Mr Furolo	Mr O'Farrell
Mr Gibson	Mrs Skinner
Mrs Paluzzano	Mr J. D. Williams

**Question resolved in the affirmative.**

**Motion agreed to.**

**COOMA HYDROTHERAPY SERVICES**

**Mr STEVE WHAN** (Monaro—Minister for Emergency Services, and Minister for Small Business)  
[12.39 p.m.]: I move:

That this House:

- (1) notes the recent visit of the Leader of The Nationals and the Hon. Melinda Pavey to Cooma in which they attacked the Government saying Cooma needed a hydrotherapy pool;
- (2) agrees a hydrotherapy facility is important for Cooma;
- (3) welcomes the fact that the Wran Government built a hydrotherapy pool at Cooma Hospital and that the pool continues to provide a great year-round service; and
- (4) suggests the North Coast Nationals could have avoided revealing their lack of local knowledge if they had actually been interested in the community and not just in political point scoring.

I gave notice of this motion a year ago so it lacks a little currency, shall we say, but there is still much in it that is relevant. The member for Macquarie Fields will move an amendment to the motion to make it a little more relevant and broader. It will still focus on the fact that The Nationals' visits to the Monaro electorate seem to consistently reveal their ignorance of what is happening there. The hydrotherapy pool in Cooma is an example of that.

I advise the House that I am not referring to the magic bus visit. This is not the visit where The Nationals dressed up a bus, turned up in town and jumped out of the bus, spoke to the media, jumped back into the bus and went off. If the member for Murray-Darling encourages me enough I might talk about the magic bus a little later. The visit I am referring to was noted with a press release that I put out just afterwards headed "Stoner's day of bloopers and blunders". The Nationals blew into Cooma and met people who had been working with the council and the Government to improve the Cooma pool, and who incidentally have received a \$220,000 grant from this Government to improve the pool.

The Nationals said they would provide more funding—double that amount of money—if they were in Government. They did not say where it would come from or what program they might put up or how they would raise the funds to do it. The Hon. Melinda Pavey said in the other place that this would be terrific because it would give seniors access to a hydrotherapy pool. The point of my giving notice of this motion at the time was to highlight the fact that so often in rural New South Wales we see The Nationals roll into town and make false comments. This goes to the heart of why the people of this State cannot trust them to ever be part of a government. They have no regard for the truth.

The hydrotherapy pool at Cooma Hospital is an important part of the medical facilities for our area and medicine is the focus of this motion. So often we see this misleading of the people of the Monaro electorate and indeed most of the electorates around New South Wales. After I gave notice of this motion Andrew Stoner gave notice of a counter-motion to say he was not talking about a hydrotherapy pool, even though that is what it said in the newspaper; he was talking about the swimming pool. It does not worry him that he and his shadow Ministers make inaccurate comments in the paper because they are only interested in a cheap headline. They are not interested in serving the people of New South Wales.

We saw this again as late as yesterday in this place when the Leader of The Nationals spoke on the no-confidence motion against the Premier. He used a collection of headlines from the *Daily Telegraph*. That was his speechwriter for the day—unusual, I know. Towards the end of his speech he did his little off-the-cuff bagging of members' electorates. He said the Monaro electorate had failed to receive funding for a CT scanner

or staff to operate the ultrasound equipment at Cooma Hospital. If he knew anything at all about Cooma Hospital he would know that Cooma Hospital has a CT scanner and it has staff to operate ultrasound equipment. He was completely wrong. Does he mind? No, he does not because he is not interested in the facts.

**Mr John Williams:** What about renal dialysis?

**Mr STEVE WHAN:** For the information of the Leader of The Nationals and the member for Murray-Darling, renal dialysis also is provided at the hospital. As a result of my efforts and those of the community we also have an oncology service at Cooma Hospital. They are all things that The Nationals will not want to talk about. Let us compare what happened when they held the seat of Monaro for 15 years and were in government. Seven thousand hospital beds were cut and facilities and procedures at hospitals disappeared. The Coalition did not build a single new hospital in the Monaro electorate. There are five hospitals there and it did not build a single new one.

**Mr John Williams:** We did all the plans and you took a ride on the back of them.

**Mr STEVE WHAN:** The member for Murray-Darling, who had nothing to do with it and has just demonstrated again that he would not have a clue. We see this time and again from the Opposition. I am pleased the member for Murray-Darling referred earlier to the magic bus because we saw the same situation arise when the magic bus rolled into Queanbeyan. The Nationals said they were coming on a listening tour to talk to constituents. They hopped off the bus, talked to media, got back on the bus and went somewhere else.

**Mr John Williams:** No we didn't.

**Mr STEVE WHAN:** The local WIN TV highlighted that quite rightly. I said on WIN TV at the time that the only thing they listened to was the DVD on the bus.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! The Minister has the call.

**Mr STEVE WHAN:** The member for Burrinjuck was there and she said proudly on WIN News on 20 April 2009, "You won't see any other political party coming out with numbers like this to a rural or regional area." It was just a couple of weeks after the entire New South Wales Cabinet had been to Queanbeyan.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! The Minister has the call.

**Mr STEVE WHAN:** Here is a person who is willing to tell lies because she cannot tell a good story—

**ACTING-SPEAKER (Mr Wayne Merton):** Order! The Minister does not need any encouragement from the member for Burrinjuck.

**Mr STEVE WHAN:** The member for Burrinjuck said people would not see anybody but The Nationals doing this. It was a deliberate untruth told to the people of the electorate because she does not care about the truth. That is the way The Nationals approach their policies as well. The facility we are talking about at Cooma Hospital is part of the important health facilities in Cooma provided by this Government. Incidentally, facilities in Queanbeyan are also being boosted. We have just announced a tender for a CT scanner. We have announced funding for dialysis in Queanbeyan Hospital and we have just advertised for staff to run the ultrasound facility as well. That is all part of a \$52 million hospital.

What do Opposition members say about it? They say, "Steve Whan has delivered a hospital"—I agree with that—"that does not have all the facilities." On day one you gear up for a hospital. The Opposition tries to say that under The Nationals the hospital at Queanbeyan would have had all these bells and whistles. What is the truth of that? They represented Monaro for 15 years and were in government for 7 years. They did not deliver a new hospital for Queanbeyan. When it came to the 2003 election, at which I was elected, they thought, "We haven't got a very dynamic local member here so we'd better say something." They promised a \$30 million hospital. What did the Labor Party deliver? A \$52 million hospital with more beds and more services for the people of Queanbeyan.

**Mr John Williams:** What about the nurses?

**Mr STEVE WHAN:** We are recruiting nurses and staff and currently negotiating a cross-border agreement with the Australian Capital Territory to reverse the flows and do more surgical procedures in

Queanbeyan, and providing additional facilities. The Nationals are not interested in talking about that because they want to focus only on the negatives. Here is the evidence of The Nationals' interest in health. The member for Macquarie Fields will talk a little more about this. Yesterday there were cries of outrage when they were accused in this place of having a five-page policy on health. "It's not five pages; it's much more," they said. Well, we were wrong; it is eight pages, with six points. Let us have a look at them.

They are going to create hospital boards again. We had hospital boards 30 or 40 years ago before there were many specialist services and high-tech pieces of equipment. The boards were appropriate then: a lot of people who went into hospital in those days did not really expect to come out, because the standard of equipment and surgical procedures was not as high. Time has moved on. Now Opposition members want to reinstate hospital boards.

They want to see small country hospitals competing against big country hospitals to obtain specialists. They do not want to see them working as a unit and sharing specialists around regional New South Wales, which is a sensible arrangement. In our area it means Bega Hospital orthopaedic surgeons work in Cooma Hospital to deliver procedures. Specialists from Canberra work in Cooma to deliver services. The Opposition does not want to see that; it wants to see the Bombala Health Service, for example, spending its entire budget for the year competing for specialist services. That is exactly what having the proposed hospital boards would do. It would add an extra layer of bureaucracy and penalise country hospitals that make sensible arrangements. [*Time expired.*]

**Ms KATRINA HODGKINSON** (Burrinjuck) [12.49 p.m.]: I state at the outset that the member for Monaro should stop misleading this House, and he should stop misleading the public. The motion he moved is based on incorrect information, which highlights the stupidity and incompetence of the drafter of the motion. The member for Monaro is lazy and does not check his facts. The Nationals were not in Cooma in an effort to lobby for a hydrotherapy pool; they were there at the invitation of the Cooma community. I am reliably informed that the Leader of The Nationals and the Hon. Melinda Pavey—who does a wonderful job as the shadow Minister for that area—visited the Cooma Swim Centre.

The member for Monaro has been informed on many occasions that they visited the Cooma Swim Centre to discuss with the mayor and members of the local community the prospect of creating an all-year-round fitness centre—something that I imagine would appeal to the good citizens of Cooma, given the fact that Cooma has a reasonably cool climate. When community members raise an issue The Nationals visit the area and talk to the mayor and to members of that community. As this motion is based on a fallacy I move the following amendment:

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

this House:

- (1) congratulates The Nationals for highlighting the need for a major upgrade of the Cooma Swim Centre;
- (2) congratulates the Cooma Swim Centre Committee for their successful fundraising efforts; and
- (3) calls on the renovations to be completed as quickly as feasibly possible.

The Leader of The Nationals and the Hon. Melinda Pavey visited the Cooma Swim Centre and met with Mayor Roger Norton and a number of local concerned parents to kick-start discussions about transforming that centre into a facility that is accessible all year round. I live in Yass, I grew up in Yass and I am a user of the Yass swimming pool. When I was a kid I was disappointed when the swimming season finished each year. Often it finished early because of cold weather or rain, and often it opened late because we had a colder than expected start to the summer. What happens to those kids who are training? Luckily, Yass has a 50-metre pool but Cooma has only a 25-metre pool.

**Dr Andrew McDonald:** Did you swim there, Katrina?

**Ms KATRINA HODGKINSON:** Yes, I swam there on many occasions this summer. The users of the Cooma Swim Centre amenity block—which is a very old facility—are about to celebrate its fiftieth birthday. We must ensure that that facility is upgraded as soon as possible. Increased community sporting participation levels, physical activity and improved fitness levels would provide enormous health benefits. This upgrading of the Cooma Swim Centre has been mooted for some time so that it can be used for more than just a few months of the year. I have referred to the poor quality of the toilet block and to maintenance issues at that facility.

Parents are emotional about the fact that kids cannot use that facility throughout the year. People living in a community that has no year-round health facility often discuss the lack of such a facility with council and other community groups. Local health workers have told me that obesity among young children has become more common in rural communities, which is one of the reasons why this community project is so essential. It is important to promote fitness and activity to the young to help children lead long and healthy lives. We must encourage children to become more involved in sporting activities, to stop playing games on Nintendo and Wii, to stop listening to iPods and to engage in physical activities.

**Mr Thomas George:** They need to get out to play netball.

**Ms KATRINA HODGKINSON:** They need to engage in netball, soccer, football and swimming, which are all healthy sports. If we encourage children to engage in those activities we will go halfway towards solving the obesity problem. Cooma Swim Centre, an outdoor centre, has a 25-metre pool, a toddler pool and a solid roof covering. Cooma has a population of 6,500 and it is a wonderful community. I have been to the Cooma Swim Centre a few times this winter and I know that its buildings and amenities are extremely old. I am delighted that the Cooma Swim Centre Committee has been successful in obtaining funding. The Nationals have worked hard to promote this issue and to embarrass the Government into providing funding. For years we have hammered the Government to get it to act.

The member for Monaro should be embarrassed about his introductory comments. Yesterday I was amazed by the Premier's comments in question time when he said that no citizen in New South Wales leaves this State to access health services. As the electorate of the member for Monaro and my electorate border the Australian Capital Territory we know perfectly well that every day hundreds of New South Wales citizens leave this State to access health services in the Australian Capital Territory. In November 2004 this Government shut down maternity services in Yass hospital and said, "No more maternity services for Yass. If you want to have a baby you will have to go to Canberra."

**Mr Steve Whan:** Where did you go?

**Ms KATRINA HODGKINSON:** When my baby was delivered—it was during December—I had to go to Canberra because this Government had shut down maternity services in Yass. The member for Monaro is pathetic and he knows it. Every day people leave New South Wales and travel to the Australian Capital Territory to access health services, and those who do not have access to a private vehicle have to rely on community transport. It is hypocritical for members of this Government to move self-congratulatory motions when so much is going wrong in this State and so many things are falling apart. Country people are being stripped of services and they have no access to facilities to which they had access in the past, but Government members congratulate themselves as though nothing is wrong.

Yesterday, after the Opposition moved a no confidence motion in the Government, many people contacted my office and said, "Good on you for trying. We know that the Government would never have moved a no confidence motion in itself." If our motion had been successful we could have held an early election and got rid of this hopeless Government. Councils around this State continue to provide swimming centres for their local communities. However, it is time the Government recognised that people living in country towns have enormous distances to travel to get to the next closest winter sporting facility. It would take people in Cooma about 40 minutes to get to the Jindabyne 25-metre indoor facility, or an hour to drive to Queanbeyan.

As we are trying to promote healthy options and healthy lifestyles for kids, young adults and seniors living in rural communities it is a shame that this Government will not pick up the ball on such an important issue facing our local communities. I want to see an end to obesity in kids and teenagers. I want to see them enjoying healthy and active lifestyles, not just during the summer months but also all year round. Kids should get off the couch, go outside and participate in some form of sport or other recreational activities. For far too long facilities for those activities have been ignored and left to run down. I am proud that funding for this has been pushed forward by The Nationals. We want to see this funding implemented as soon as possible. [*Time expired.*]

**Dr ANDREW McDONALD** (Macquarie Fields—Parliamentary Secretary) [12.59 p.m.]: I move:

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

this House:

(1) notes the fleeting visits to the Monaro electorate and some other electorates by The Nationals;

- (2) notes that these visits consistently reveal an ignorance of health and other facilities in regional electorates, as evidenced by The Nationals call for a hydrotherapy pool in Cooma—a town that already has a hydrotherapy pool at the local hospital;
- (3) notes the dishonesty of The Nationals and the Liberals in relation to their claim that five superficial points in an eight page document constitute a "health policy" and their complete failure to respond to the recommendations of the Garling Report; and
- (4) notes Labor's commitment to new and upgraded health facilities around the State and the comprehensive funded response to the Garling Report and condemns the Coalition for its focus only on political point scoring at the expense of hard working health workers.

**Mr Andrew Constance:** Point of order: The amendment is out of order because it is an entirely separate motion.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! Having sought the advice of the Clerk, with which I agree, the amendment relates to the original motion. It is not inconsistent with the terms of the original motion. I will allow the amendment moved by the member for Macquarie Fields.

**Dr ANDREW McDONALD:** Even the Greater Southern Area Health Service website says Cooma hospital is a modern hospital with 38 beds in use, was built to accommodate more if demand changes, and contains a fine operating theatre and a hydrotherapy pool. Maybe The Nationals should have visited the site before they visited the hospital. However, the Liberals—The Nationals' friends, or enemies—also are guilty of trying to sell snake oil in the health sector. For example, since my election to Parliament the Liberals made only one visit to Liverpool Hospital and turned that visit into a press release. Not only did we build Liverpool Hospital, but we are also rebuilding it at a cost of nearly \$400 million, yet the Liberals visited the hospital only once and issued a press release.

**Mr Andrew Constance:** Point of order: The member is referring to Liverpool Hospital. This motion is about a hydrotherapy pool and upgrading the Cooma Swim Centre.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! What is the member's point of order?

**Mr Andrew Constance:** My point of order is that the member be brought back to the leave of the motion.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! The motion and amendments before the House are broad and wide-ranging. The member for Macquarie Fields is addressing the leave of the motion and amendments. The member for Macquarie Fields has the call.

**Dr ANDREW McDONALD:** In the past two years I visited Liverpool Hospital over 60 times. I did not issue any press release; I was just doing my job. The Liberal Party website operates slowly and I would like someone to do something about improving it. The Liberals must be getting its IT support from the same people who sold them the photocopier! The New South Wales Liberal Party health policy has not been updated in six months, despite the seismic shifts in health care during that period. Modern health care is probably the most complex thing we have ever done.

**Mr Thomas George:** Point of order: I ask the member for Macquarie Fields to stop misleading the House. The Government provided us with the photocopier.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! That is not a point of order. I note the newly acquired sense of humour of the member for Macquarie Fields.

**Dr ANDREW McDONALD:** New South Wales runs one of the world's most admired health systems—a system that has never been under greater challenges. To pretend that a nine-page management restructure can magically revolutionise the system is just dishonest—even more so when the Opposition has made no financial commitment in its budget plans for its own policy. The Opposition's policy is to health care what selling snake oil is to one's health. We have been down the track with 20 area health services, including the one that delivered the deficiencies in care that the population in Macarthur had to live with. The Liberal policy will mean a return to the past for our clinicians on the ground. Some of the more sensible parts of Liberal Party policy, for example, the clinical decision-making power, are already in the Garling report. The Liberals have said they will run surplus budgets. God knows how they are going to do it.

**Mr ANDREW CONSTANCE** (Bega) [1.04 p.m.]: I support the amendments moved by the member for Burrinjuck regarding the major upgrade of the Cooma Swim Centre, which is what the debate was about initially, and to recognise also the Cooma Swim Centre Committee for its successful fundraising efforts. I join in the calls of the local community to ensure that the renovations take place as quickly as possible. Funding finally has come through.

**Mr Steve Whan:** Before you guys went there.

**Mr ANDREW CONSTANCE:** No, wait, wait, wait. The point is, is it not, where was the member for Monaro when the Federal member for Eden-Monaro was dragging the chain? The delay in starting the project resulted from Federal funds not being provided, forcing the start and completion dates to be put back. It was not until June this year that \$525,000 in Federal funds came through. Waiting for Federal funds delayed commencement of the project. The project was supposed to be underway in the swimming off-season from March through to October this year, but work has not started. Mike Kelly dragged his feet. The Opposition is happy to concede and recognise the contribution of the State Government towards this project because of community pressure, but the heart of the issue is that the council was not able to proceed with the work because the funds had not flowed from the Commonwealth.

It is disappointing that again the local State member did not put pressure on his Federal colleague to ensure that funds flowed through as quickly as possible. The \$1.2 million project also has a significant community and council component as well as a contribution from the YMCA. To that end, it is important to recognise the efforts of the local community and the council, and people like Roger Norton who try to ensure these projects come to fruition for the local community. The local State member is quite happy to claim credit for many of these projects, but it is disappointing that Federal funding was denied and the local State member did not put pressure on the Federal Government or his Federal Labor colleague because of party political lines. As a result, this project, which should have been undertaken during the winter months this year, will now be delayed and more likely will commence in the off-season next year. That most disappointing result should have been the main point of this debate. The member for Monaro referred to hydrotherapy treatment. We all recognise the great benefits of hydrotherapy, particularly to the seniors in our community. No-one would deny that Cooma is fortunate to have such a facility.

**Mr Gerard Martin:** Thanks to the Labor Government.

**Mr ANDREW CONSTANCE:** It might be through the courtesy of a Labor Government 20 years ago. If those opposite want to start claiming credit for the work of Labor Governments 20 years ago, we are happy to put the spotlight on the actions of the Labor Government today. The reality is that the member for Monaro is part of a Sydney-centric Labor Government.

**Mr Gerard Martin:** Oh!

**Mr ANDREW CONSTANCE:** And so too the member for Bathurst. We have seen an outrageous wastage of taxpayer funds for political purposes. For example, despite flights from Sydney airport leaving for Canberra on the hour, every hour, \$40,000 of taxpayers' money was spent on charter flights for Ministers to attend a community Cabinet meeting in Queanbeyan, which is 10 minutes drive from the Canberra airport. That is the type of waste that gets up the nose of people in our communities. The Minister for Emergency Services and member for Monaro spends the time he has in his electorate by distancing himself from the realities of the State Labor Government. He is very much trying to position himself as a popular local member whereas the reality is that he is a Minister of a most contemptible, corrupt and incompetent State government.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! The member for Bega has the call. He does not need the encouragement of Government members.

**Mr ANDREW CONSTANCE:** The incongruity of the member for Monaro's position will bring him undone. The reality is that the Government remains incompetent owing to Ministers and members, such as the Minister for Emergency Services, the member for Monaro, Steve Whan, who are not prepared to fight for their communities on vital projects such as a hydrotherapy centre, which has not been provided because of the incompetence of the Federal Labor Party.

**Mr GERARD MARTIN** (Bathurst) [1.09 p.m.]: I support the amendment moved by the Minister for Emergency Services, and Minister for Small Business. I will not have much to say about the retiring member for

Bega, except to note that, as usual, he added nothing of substance to the debate. He seems to be mortified by the presence of the member for Monaro, Steve Whan, and by Steve Whan having won from The Nationals what they regard as one of the Nationals' jewels among parliamentary seats—just as Labor won other traditional Nationals' electorates. That is the reason for The Nationals' obsession with the member for Monaro, but we on the Government side of the Chamber are used to that. The Labor Government's history of the provision of rural health services and facilities has shone through during this debate.

**Mr John Williams:** Point of order: I ask the member for Bathurst to read the amendment so that I can refresh my memory.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! There is no point of order. The member for Bathurst has the call.

**Mr GERARD MARTIN:** So much for old Flinty! John, you are the resident dope in Parliament—get used to it. By any measure, the history of the Carr, Iemma and Rees Labor governments in rebuilding rural health services and facilities in New South Wales is magnificent, and one only has to take my electorate as an example to see that.

**Mr John Williams:** Oh, yes?

**Mr GERARD MARTIN:** I am pleased to take part in this debate. Every hospital in my electorate has been upgraded or rebuilt during the past 10 years, but the brightest jewel in the crown of rural health in my electorate is the Bathurst hospital. The Opposition criticises the Bathurst hospital, but not one member of them will go near it. Opposition members are not welcome by the staff of the Bathurst hospital because every time Opposition members visit country areas, they talk down rural health services and facilities. The Labor Government has a magnificent record in the provision of rural health care. Some of the smaller towns also have received improved healthcare facilities, such as the upgraded Rylstone hospital which provides healthcare facilities for the Kandos area. We also have Health-run facilities operating at Blayney and Oberon. Before I was elected, a new hospital was built in Lithgow by the Carr Government. All credit is due to my predecessor and colleague, Mick Clough. I was Mayor of Lithgow at that time and a member of the lobbying committee.

The Labor Party has taken action to provide new and improved rural health facilities and by any measure has done a magnificent job throughout country New South Wales. The Opposition claims that services are disappearing, but the Labor Government provided a fantastic renal dialysis service at the Bathurst hospital in my electorate that the people of Bathurst did not have previously.

**Ms Angela D'Amore:** That is right.

**Mr GERARD MARTIN:** That provides services not only to the Bathurst area but also to its surrounding areas. The Bathurst hospital has the best radiology equipment in Australia, which includes a 64-byte 3-D slicer and digital mammography.

**Mr John Williams:** The demand for renal dialysis is growing exponentially in the State.

**Mr GERARD MARTIN:** Right across the board, the New South Wales Labor Government is investing in the technology and staff needed to provide rural health services. Unlike the Opposition, the Government is not going back to the future with hospital boards, which in most cases were just a repository for leftover Nationals.

**Mr John Williams:** Hang on! They were also in Labor electorates.

**Mr GERARD MARTIN:** I will tell the House how much respect The Nationals have for hospital boards. When Peter Collins was the Minister for Health in the Greiner Government, the Lithgow hospital's board refused to introduce what the Greiner Government chose to refer to as productivity cuts, which in reality were cutbacks. What did the Greiner Government do when a duly appointed hospital board bucked a decision of the Minister for Health and the government of the day? The Greiner Government sacked all of them, including the chief executive officer, Wayne Harlum. In 1995, Mr Harlum took the matter to court, and the Greiner Government spent more than a half a million dollars on briefing QCs, et cetera, to drive Mr Harlum out of his career, but he won the case. The Coalition hails the reintroduction of hospital boards as Coalition policy, but its remedy when hospital boards do not dance to the Coalition's tune is to sack the board. That demonstrates the hypocrisy of the Coalition in relation to rural health.



By any measure, the Labor Government has done a magnificent job of providing healthcare facilities and services in rural areas of New South Wales, including the provision of hydrotherapy pools. As has been pointed out on many occasions, hydrotherapy pools are an important rehabilitative tool. Both the former and new Bathurst hospitals had a hydrotherapy pool. The current hydrotherapy unit is located within the campus of the new Bathurst hospital and is working magnificently. The member for Burrinjuck and the member for Bega, who scurried from the Chamber as quickly as possibly after making their paltry contributions to the debate, have achieved nothing other than revealing that they are first-class hypocrites who mislead country people. For the reasons I have stated, the amendment deserves the support of the House.

**Mr JOHN WILLIAMS** (Murray-Darling) [1.14 p.m.]: Examination of the motivation behind the amendment reveals what the amendment is all about. The amendment is based on the Minister for Emergency Services being absolutely paranoid about The Nationals taking away his seat in Parliament. The Minister is having sleepless nights. He is tormented by nightmares of The Nationals' bus arriving and staying in his electorate for two days. The Minister could not sleep because The Nationals were visiting his electorate. When he consulted his doctor to discuss the cause of his paranoia, he explained that he had been dreaming about a big bus that is coming to get him and about The Nationals winning his electorate at the next election. He has nightmares about ballot boxes oozing Nationals votes. The poor devil!

The Minister for Emergency Services is going through hell because of endless sleepless nights, and his paranoia is reflected in the amendment. Unfortunately, it was the old case of having a glass jaw. Bingo! The Nationals copped him out with the motion, and he realised that he had better put a spin on it. He decided to spin the motion around with an amendment so that he can claw back a little bit of credibility in his own electorate. On the 2007 Federal election night, there he was with his great mate, Mike Kelly, who is known locally as Colonel Klink. The Minister had his arm around Colonel Klink because he thought the member for Eden-Monaro was the man who would support him. However, the Minister found out later that Mike Kelly does not work on Saturdays and Sundays.

**Mr Ninos Khoshaba:** Point of order: My point of order relates to relevance and I cite Standing Order 129. The member for Murray-Darling has been speaking for almost two minutes and has not made any reference to the issue before the Chair.

**ACTING-SPEAKER (Mr Wayne Merton):** Order! There is no point of order. Standing Order 129 relates to relevance during question time only.

**Mr JOHN WILLIAMS:** We are trying to help the member for Mon-aro.

**Mr Steve Whan:** It is pronounced Mon-airo.

**Mr JOHN WILLIAMS:** I said "Mon-aro" because that is what the Deputy Premier said yesterday. She said "Mon-aro", and the poor Minister shuddered because he knew he was a goner. Labor Party members would know they are gone when the Deputy Premier does not even know how to pronounce the name of their electorate. That showed that Labor has abandoned all hope of retaining Monaro. They know it is a bellwether electorate. The election tsunami is gathering. The Labor Party knows that Monaro is an absolute goner and that Labor members will be occupying the Opposition benches after the next State election. There will be a brand new member representing Monaro from The Nationals—the political party that the Minister admires so much!

When the Minister brushes against yellow and gold Nationals placards, he breaks out in a rash and rushes to the doctor saying, "Doctor, doctor! I've broken out in a rash from brushing against The Nationals' corflute. They're coming to get me. I can't sleep. You've got to give me something. I see a bus! I see the ballot boxes! Who's coming to get me now? My opponent is going to come and take away my seat. Melinda Pavey is putting together some tactics and I don't know what they are. My mate, Mike Kelly, who promised to support me, doesn't work on Saturdays and Sundays or go to openings. He's not available anymore and can't support me."

I think the Federal member for Eden-Monaro, Mike Kelly, has realised that he had better cut the Minister adrift because he is a goner in Monaro. He realised that government of the State of New South Wales will be lost to the Coalition at the next State election. He has been thinking, "I had better cut myself free from this Minister because he will do me some damage. I want to isolate myself from him and see if I can win Eden-Monaro a second time." Of course, that will be very difficult. I will tell Government members what happened when we visited the local hotel.

At the hotel I spoke to a local Labor voter—he was proud of that—who called Mike Kelly a doctor. I said, "He's not a doctor." He said, "Yes, he is. Dr Doolittle." And that is what he is. I do not want to talk about

the State member's chances, but he has no-one to hold his hand. Mike is not there to hold his hand. No-one will help him through this; he must cop it himself. Suddenly he is being undermined. The Hon. Melinda Pavey is starting to pull out the platform, and the Minister for Emergency Services, and Minister for Small Business is on a roller-coaster, riding up and down— [*Time expired.*]

**Mr STEVE WHAN** (Monaro—Minister for Emergency Services, and Minister for Small Business) [1.19 p.m.], in reply: Throughout the previous Parliament I heard similar claims that I would be going at the next election. In fact, members opposite used to call me one-term Whan. They have not yet thought of a new nickname. The member for Murray-Darling will be a one-term member. What an amazing performance from the Opposition! In my introductory remarks I detailed some of the untrue comments made by The Nationals. They know that the comments are untrue, but they think they can get a headline out of them. The member for Burrinjuck proved me correct when she said, "We didn't go to Cooma and talk about a hydrotherapy pool." If that was the case, why did the *Monaro Post* of Wednesday 13 August quote the Hon. Melinda Pavey as saying, "The project would also allow the seniors to access a hydrotherapy pool"?

The member for Burrinjuck was telling a fib again. The member further said they visited "to give a kick-start to the program, to the ideas". She tried to pretend that they had forced the Government to provide the money. As the journal of the same day noted, the State Government had already announced funding and was supporting the project. That is simply another example of the gross dishonesty of members opposite. They will say anything. Indeed, the people of New South Wales should be aware that they will say anything to win a vote. They do not know how they will deliver anything but they will say anything because they are not interested in the truth. The member for Bega described me as a popular local member. That was nice of him; maybe our relationship is on the mend. Sometimes I wonder whether he has a picture of me on the wall or a voodoo doll. Maybe when I get a sore shoulder it is the member for Bega sticking pins in a voodoo doll and saying, "Steve Whan, Steve Whan, Steve Whan."

The member for Bega must try to get over his amazing obsession with me. After all, we have been here for 6½ years! The member for Murray-Darling giggled during his childish contribution because, as usual, he did not have anything to say. I enjoy working with Mike Kelly. He is a hardworking local member, and he has delivered funds for the Cooma pool. The member for Bega might want to acknowledge that Mike Kelly also delivered funds for the Pambula pool. Indeed, he should have acknowledged that it has taken Mike Kelly some time to deliver funds because prior to the last election the Federal Liberal member promised many things for which he had no funding; so when Mike was elected he had to pick up the pieces and fund them. Mike has done a great job on that, and he is working well with the community.

I can advise the member for Murray-Darling that the votes on the amendments will be fairly complicated. The Government is supporting the amendment moved by the member for Macquarie Fields. The member for Murray-Darling will need to watch carefully because he will have difficulty knowing when to vote yes and when to vote no. I know he struggles with that sometimes. The amendment moved by the member for Macquarie Fields refers to health. Yesterday the contributions of the Leader of the Opposition, the Leader of The Nationals and the shadow Minister for Health were notable because they showed the Coalition's failure to deliver a comprehensive health policy. They have not responded to the recommendations in the Garling report, although they picked up a couple of recommendations in their eight-page, six-point health policy, most of which simply bags the current health system. Members opposite simply bag the health system time and time again. Recently when the Leader of The Nationals and the Hon. Melinda Pavey were in Queanbeyan they bagged the health system, they lowered confidence in the system and they upset the staff. That is their method of trying to get their message across.

**Mr Andrew Constance:** The health system is a joke. Nurses and doctors have been sacked.

**Mr STEVE WHAN:** The member for Bega says that the health system is a joke. Unfortunately the brevity of the Coalition's policy shows that they treat the health system as a joke. We appreciate that the Garling report states that New South Wales has one of the best health systems in the world. We deliver more services than anywhere else. We are delivering more orthopaedic services in Bega, and we are delivering more services in Queanbeyan. We need to work constructively to develop a health system that can cope with the pressures of the next 30 years. However, the Opposition constantly runs away from that. Members opposite cannot face developing a health policy that deals with the pressures of the next 30 years. That is why they are not fit to be in government. That is why we should support the Government amendment to this motion. [*Time expired.*]

**With concurrence, question—That the amendment of the member for Burrinjuck be agreed to—put.**

**The House divided.**

**Ayes, 34**

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

Ms Hodgkinson  
Mrs Hopwood  
Mr Humphries  
Mr Kerr  
Mr Merton  
Ms Moore  
Mr O'Dea  
Mr Page  
Mr Piccoli  
Mr Provest  
Mr Richardson  
Mr Roberts

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

*Tellers,*  
Mr George  
Mr Maguire

**Noes, 49**

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 Daley  
Ms D'Amore  
Mr Draper  
Mrs Fardell

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

Ms McMahon  
Ms Megarrity  
Mr Morris  
Mr Pearce  
Mrs Perry  
Mr Piper  
Mr Sartor  
Mr Shearan  
Mr Stewart  
Ms Tebbutt  
Mr Terenzini  
Mr West  
Mr Whan

*Tellers,*  
Mr Ashton  
Mr Martin

**Pairs**

Mr Aplin  
Mr O'Farrell  
Mrs Skinner

Mr Furolo  
Mr Gibson  
Mrs Paluzzano

**Question resolved in the negative.**

**Amendment negatived.**

**Question—That the amendment of the member for Macquarie Fields be agreed to—put.**

**Division called for and Standing Order 185 applied.**

**The House divided.**

**Ayes, 45**

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

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

Ms Megarrity  
Mr Morris  
Mr Pearce  
Mrs Perry  
Mr Sartor  
Mr Shearan  
Mr Stewart  
Ms Tebbutt  
Mr Terenzini  
Mr West  
Mr Whan

*Tellers,*  
Mr Ashton  
Mr Martin

**Noes, 38**

Mr Aplin  
Mr Baird  
Mr Baumann  
Ms Berejikian  
Mr Besseling  
Mr Cansdell  
Mr Constance  
Mr Debnam  
Mr Dominello  
Mr Draper  
Mrs Fardell  
Mr Fraser  
Ms Goward

Mrs Hancock  
Mr Hartcher  
Mr Hazzard  
Ms Hodgkinson  
Mrs Hopwood  
Mr Humphries  
Mr Kerr  
Mr Merton  
Ms Moore  
Mr Page  
Mr Piccoli  
Mr Piper  
Mr Provest

Mr Richardson  
Mr Roberts  
Mr Smith  
Mr Souris  
Mr Stokes  
Mr Stoner  
Mr J. H. Turner  
Mr R. W. Turner  
Mr J. D. Williams  
Mr R. C. Williams  
*Tellers,*  
Mr George  
Mr Maguire

**Pairs**

Mr Furolo  
Mr Gibson  
Mrs Paluzzano

Mr O'Dea  
Mr O'Farrell  
Mrs Skinner

**Question resolved in the affirmative.**

**Amendment agreed to.**

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

**Division called for and Standing Order 185 applied.**

**The House divided.**

**Ayes, 45**

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

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

Ms Megarrity  
Mr Morris  
Mr Pearce  
Mrs Perry  
Mr Sartor  
Mr Shearan  
Mr Stewart  
Ms Tebbutt  
Mr Terenzini  
Mr West  
Mr Whan

*Tellers,*  
Mr Ashton  
Mr Martin

**Noes, 38**

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

Mr Hartcher  
Mr Hazzard  
Ms Hodgkinson  
Mrs Hopwood  
Mr Humphries  
Mr Kerr  
Mr Merton  
Ms Moore  
Mr Page  
Mr Piccoli  
Mr Piper  
Mr Provest  
Mr Richardson  
Mr Roberts

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

*Tellers,*  
Mr George  
Mr Maguire

**Pairs**

Mr Furolo	Mr O'Dea
Mr Gibson	Mr O'Farrell
Mrs Paluzzano	Mrs Skinner

**Question resolved in the affirmative.**

**Motion as amended agreed to.**

*[The Speaker left the Chair at 1.43 p.m. The House resumed at 2.15 p.m.]*

**MEMBER FOR CASTLE HILL GRANDSON BIRTH**

**The SPEAKER:** I am very pleased to report to the House that the member for Castle Hill has recently become a grandfather for the first time. Harry Massam was born on Monday, at a healthy weight of 2.7 kilograms. I hear that mother Jane and baby are both doing well. The House congratulates the member for Castle Hill.

**MEMBER FOR SOUTH COAST GRANDSON BIRTH**

**The SPEAKER:** I am reliably informed that the member for South Coast has become a grandmother—a beautiful baby boy, Kai Hancock, eight and a half pounds—ouch! The House congratulates the member for South Coast.

**PRICK A POLLIE CAMPAIGN**

**The SPEAKER:** In line with the Year of the Blood Donor and National Blood Donor Week, the member for Barwon and shadow Minister for Healthy Lifestyles, Kevin Humphries, will launch the Prick a Pollie campaign on Tuesday 8 September between 8.30 a.m. and 3.00 p.m. behind Parliament House. All members of Parliament are welcome to attend.

**MERCHANT NAVY DAY****Ministerial Statement**

**Mr GRAHAM WEST** (Campbelltown—Minister for Juvenile Justice, Minister for Volunteering, Minister for Youth, and Minister Assisting the Premier on Veterans' Affairs) [2.19 p.m.]: Today is Merchant Navy Day, a time for Australians to reflect on the service of the Merchant Navy and its important role in Australia's military past. Thousands of Australian merchant mariners served during the two World Wars and approximately one in eight lost their lives. Indeed, in the Second World War 435 Australian seamen paid the ultimate sacrifice. Many people may not be aware that many ships were sunk on the New South Wales coast. Yesterday merchant mariners told me about a sinking just outside the heads, so close to Sydney that the mariners were able to row back into the heads after the shelling.

In times of need, these Australians evacuated civilians from threatened areas and transported supplies and personnel between areas of conflict, allowing allied forces to protect the nation, especially from 1942 with the battle for Australia increasing. To commemorate the service and sacrifice of Australia's merchant mariners, the New South Wales Government is today flying the Australian Red Ensign on the Sydney Harbour Bridge from dawn until dusk. This very important week also marks the seventieth anniversary of the outbreak of the Second World War. Over one million Australians served in this conflict, almost 40,000 of whom lost their lives. Indeed, in 1939 as war broke out, we lost the first allied merchant ship. Seventy years on, the New South Wales Government and the people of this State recognise Australia's contribution and we honour the memories of those who did not return.

Perhaps the greatest honour we can pay to those who served is to support Legacy in its work with families, especially given the current conflict in Afghanistan. This year the money raised through the Annual Legacy Appeal will help the 115,000 widows and 1,900 children and people with disabilities across the country. But Legacy provides more than just money and support; it provides a true spirit of mateship, with its mentors attending school events and being part of the family. The appeal also enables Legacy to be ready to assist the

families of Australian Defence Force personnel currently representing our country overseas should the worst happen. I ask the people of New South Wales, both in cities and in rural and regional areas, to dig deep to assist these families and to remember our servicemen and women by supporting Legacy.

**Mr ANTHONY ROBERTS** (Lane Cove) [2.21 p.m.]: On behalf of the New South Wales Liberals and Nationals I am honoured to address the House today during Legacy Week and on Merchant Navy Day. I note that the Minister, the Leader of the Opposition and many other members of this place, including me, are wearing Legacy badges in support of that wonderful organisation. Legacy really needs no introduction; it is an icon of Australia and its beautifully represents the Australian spirit of charity, mateship and honouring those who served our country. Indeed, it is not a leap to say that the iconography of the Anzacs is complemented by Legacy. If Anzac is the material image of our nation, then surely Legacy is its soul.

Legacy remains a voluntary organisation of veterans, servicemen and women and members of the community who are dedicated to the care of the dependants of Australian Defence Force members. I have no doubt that many men and women who volunteer for service are greatly heartened by the knowledge that our nation has an organisation like Legacy always ready to help and to do its duty in honour of those who have done their duty. During this Legacy Week members no doubt have seen the current television advertisements that bring an accurate portrayal of that grim reality of war straight into the living rooms of every family in Australia. They show the spirit of mateship and the very environment of World War I in which men and women had to serve, and why Legacy was created: to help the families of the fallen and the afflicted.

Legacy's innovative and constantly evolving programs include the protection of individuals and basic needs of families; advocating for their entitlements, rights and benefits; assisting families through bereavement; and helping people thrive, despite their adversity and loss. In this age where Australia holds it head up high, at the forefront of peacekeeping missions around the world, Legacy continues to serve and do its duty. Our thoughts are constantly with not only those men and women serving in peace keeping missions around the world, but with their families who have to endure separation from their loved ones, and more often than not irregular contact with them.

The New South Wales Liberal-Nationals Coalition would also like to recognise the immeasurable contribution of seamen who served in the Merchant Navy and those Australians who served in Allied merchant fleets. For too long in history books, and in popular imagination, sadly the Merchant Navy was the often forgotten branch of Australia's war effort. This is despite the fact that in World War II the Merchant Navy had an overall fatality rate of 8.5 per cent amongst seamen, which was higher on average than those sustained by the rest of Australia's fighting forces. On behalf of the New South Wales Liberal-Nationals Coalition I urge all in this House and beyond to show their support for Legacy Week and likewise, today, pay due respect to those who died in service in the Australian Merchant Navy. Lest We Forget.

**The SPEAKER:** On behalf of the House I join with the Minister Assisting the Premier on Veterans' Affairs and the shadow Minister and member for Lane Cove in drawing to the attention of the House that today marks Merchant Navy Day. On this day we commemorate merchant seamen who have served Australia through difficult times. Merchant Navy Day is recognised each year on 3 September in Australia, the United Kingdom and Canada. Merchant Navy Day recognises the important contribution that the merchant mariners played in Australia's history from settlement to World Wars and other conflicts, and in assisting to develop Australia's economic independence. Thousands of Australian merchant mariners served during the two World Wars on Australian, Commonwealth and Allied ships, as well as merchant ships from other nations. Today we honour the 435 Australians who lost their lives serving in the Merchant Navy. I would ask all members to rise as a mark of respect.

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

## QUESTION TIME

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[Question time commenced at 2.27 p.m.]

## GOVERNMENT PERFORMANCE

**Mr BARRY O'FARRELL:** I direct my question to the Premier. Given the criticism from the Prime Minister's mate, the Henry Taxation Review member and AIG boss Heather Ridout, that the New South Wales

Government is shambolic, lacks credibility and has lost the confidence of business, will the Premier finally admit that Labor's ongoing factional fighting, leadership brawls and serial scandals are hurting the public of this State?

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

**Mr NATHAN REES:** This question is from a man whose policy position on the Sydney Metro means that were it ever enacted New South Wales would become a byword for sovereign risk. That is what the boardrooms around Sydney are saying about the Leader of the Opposition.

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting. He has asked his question and he will allow the Premier to respond.

**Mr NATHAN REES:** The day after the Australian economy was confirmed as one of the best performing in the world, here we are in New South Wales—the engine room of the Australian economy—and the Opposition continues to perpetuate this nonsense.

**Mr Barry O'Farrell:** This is what the Prime Minister's mate is saying about you!

**Mr NATHAN REES:** Have a few manners.

**The SPEAKER:** Order! Members will have regard for the procedures of this place. I will not tolerate further outbursts. The Premier has the call.

**Mr NATHAN REES:** Let us think back on State Liberal leaders of the recent past and play a little word association: Kerry Chikarovski—energy; John Brogden—youthful; Peter Collins—substance; Peter Debnam—principle; Barry O'Farrell—woeful—

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

**Mr NATHAN REES:** That is why this week there have been more media performances in New South Wales on a State matter by Joe Hockey. Guess what? Right around Sydney everyone knows that the former Prime Minister John Howard is walking away from the Leader of the Opposition. The Leader of the Opposition's support is very thin. It is no secret that this week has been a testing time for the Government, but it has also been a test for the Leader of the Opposition. As of his question today, Barry has now asked three of the 10 questions directed to the Government this week. It reached its nadir yesterday with a question from the member for Clarence about the rescheduling of a meeting.

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

**Mr Barry O'Farrell:** You don't get it. You're not getting it.

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

**Mr NATHAN REES:** No, you don't get it. This is about leadership, Barry.

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

**Mr NATHAN REES:** You and no-one else are responsible for the quality of the questions directed to this side of the Chamber. You could not even—

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

**Mr NATHAN REES:** In a week in which an Opposition leader of any substance or quality would have taken on the Government he has asked three questions and has not offered a single policy alternative.

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

**Mr NATHAN REES:** The people of New South Wales will expect the Leader of the Opposition to earn an election win. He will not fall across the line. He will have to do more. He will have to raise himself to at least a canter and he will have to do better than preside over the nonsense that paraded as a question time here yesterday. He simply does not have the bottle.

### GOVERNMENT PERFORMANCE

**Mr GERARD MARTIN:** My question is addressed to the Premier. Can the Premier update the House on the delivery of Government commitments to the people of New South Wales?

**Mr NATHAN REES:** I thank the member for his question. I have outlined to the House over the past few days the considerable achievements of this Government. Those achievements are real, factual and demonstrable: improvements in health, law and order, the economy and education, all measured objectively by independent agencies. I refer to our landmark social justice achievements, our massive funding packages in health, disability services, mental health and child protection.

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

**Mr NATHAN REES:** Just yesterday there was resounding confirmation of the strength of the New South Wales economy with the triple-A rating reaffirmed by Standard and Poor's, who noted that, "The state's balance sheet will remain strong and consistent with a 'AAA' rating." That is in contrast with Queensland. Australian Bureau of Statistics figures released yesterday show State final demand in New South Wales increased by half a percentage point during the June quarter, in contrast with Queensland. There was retail sales growth of 6.1 per cent in the September 2008 to June 2009 period, more than 1.5 per cent better than the next closest State, Victoria. There was a 19 per cent increase in the number of residential building approvals between June and July this year and 7,006 first home buyer grants were paid out in July totalling \$105 million, almost twice the number of grants in the same period last year.

There was more good news today with figures showing our stimulus measures announced in the budget are working well. I refer particularly to the New South Wales home construction acceleration plan, which provides a 50 per cent stamp duty cut for those other than first home buyers who build or purchase a new dwelling. I can advise the House that 377 properties worth more than \$162 million have been sold in New South Wales since that plan came into effect on 1 July. Stamp duty worth \$2.8 million has been waived on those 377 properties. That is \$2.8 million straight back into the pockets of hardworking New South Wales families and investors. It is another encouraging sign that our housing sector is starting to recover. These are very solid achievements that bring hope to the families of New South Wales and they are a stark contrast to the nonsense perpetrated by the Leader of the Opposition.

Yesterday I indicated that the Opposition had no policies, but I did them an injustice. They do have a few policies but those policies are ill considered and reckless. They do not reflect what should be 14 years of hard work and deliberation. We have amalgamated area health services to cut back-of-house costs by more than \$100 million.

**The SPEAKER:** Order! Members will cease interjecting.

**Mr NATHAN REES:** In contrast, the Opposition wants 20 district health boards—20 mini-bureaucracies with all the additional staff, paperwork and costs that would come with it. It is in the Opposition's document; I read it this morning.

**The SPEAKER:** Order! Members will cease interjecting.

**Mr NATHAN REES:** It is simply a dumb idea, pitting hospital against hospital in a fight for scarce health resources.

**Mrs Jillian Skinner:** Point of order: The Premier is misleading the House again by misrepresenting our practical plans to solve—

**The SPEAKER:** Order! That is not a point of order. The Premier has the call.

**Mr NATHAN REES:** In a period in which the Commonwealth Government and the States have indicated that a fundamental reform of the health system in Australia is required, I cannot find a submission



from the Opposition to the national body charged with conducting that review. I suspect it is the same pap, that make-it-up document that the Opposition put out a few months ago. Its single policy change was to have more area health boards. That is it. No more nurses, no more doctors, no new hospitals. That is their level of contribution. They have utterly wasted 14 years in policy development.

The payroll tax holiday will disappear into the ether just when businesses are starting to see the benefit to their bottom line. That is another dumb idea, benefiting only 8 per cent of businesses in New South Wales. Our plan is different: a 0.5 per cent cut, bringing payroll tax down to 5.5 per cent, and indexing of the threshold. The Opposition said it wanted an integrated infrastructure and transport agency. We have already done that. It has already been gazetted, on 27 July. Not only do we have a new agency to do this, we also have 600 more train carriages and 300 buses coming. The Opposition purports to have a policy but there is not a single new carriage or bus in it.

The Opposition has said it wants to establish a public service commission, a bureaucracy to run a bureaucracy, as I understand it. There is already a division of the Department of Premier and Cabinet that does that job perfectly well with a lean allocation of staff. That would be another bureaucratic monolith and a drain on the taxpayers of New South Wales. The crowning idiocy of them all is the proposal to supplant 150 years of Westminster convention and representative democracy with the Californian model of recall elections. In the standard version used by California, just 12 per cent of the electorate needs to sign a petition to secure a recall election. That is about half a million voters in New South Wales. It is easy to imagine that number of signatures being collected by a powerful special interest group or people in one area. Simply put, it is a cheap stunt. It is superficially attractive for about five seconds until you realise that it sticks a knife into the constitutional fabric of New South Wales.

The Leader of the Opposition ought to know better than anyone the deep traditions that constitute our system of representative democracy, but he continues to press ahead with a reckless proposal that would cost the people of New South Wales money, undermine the stability of government and undermine investor confidence. What he proposes is a farce. There are 51 Coalition MPs and between them they have 57 degrees and diplomas. One would think they could do better than come up with the sort of drivel that we have seen this week. Something like \$280 million in today's money has been spent keeping the Opposition afloat for the past 14 years, and still it does not have a policy. That is a quarter of a billion dollars of taxpayers' money and not a single policy.

**The SPEAKER:** Order! The member for Willoughby will cease interjecting.

**Mr NATHAN REES:** It is a handful of tired stunts. In contrast, public services are steadily improving. On-time running is at 95 per cent. Our school system is recognised as having the best overall results in Australia. Our hospitals have been independently assessed as the best performing in Australia. Crime rates are falling or are stable in 16 out of 17 key categories. New South Wales has the biggest infrastructure plan of any State in Australia and it has maintained its triple-A credit rating. Yesterday New South Wales was confirmed as the engine room of the Australian economy. This Government is going about dealing with the global recession and delivering services for the people of New South Wales.

#### **MINISTER FOR INFRASTRUCTURE PERFORMANCE**

**Mr ANDREW STONER:** My question is directed to the Premier. In view of the Premier's commitment to choose Ministers on merit, when will he sack Joe Tripodi, who has been too busy playing factional games to secure coal chain reform at Newcastle, costing the State up to \$5 million a week, and who was on an overseas junket when he should have been in Canberra arguing for much-needed infrastructure funding, or is the Premier still not in control of his own ministry?

**Mr John Aquilina:** Point of order: Once again, the Leader of The Nationals is asking a question using argumentative terms, and he is being derogatory of Ministers. On previous occasions he has been instructed to ensure that he words his questions in such a way that they seek fact. He should not include argument and he should not discredit people in this House.

**Mr Adrian Piccoli:** To the point of order: Government members are doing a great job of discrediting themselves.

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

**Mr Adrian Piccoli:** The question is in order. The reference to the word "factional" is a commonly used word in the media, in the Parliament and in the Labor Party. There is nothing particularly provocative about it. The suggestion that the member for Fairfield is involved in factional power broking is a fact and it is an appropriate reference. Other than that, the Leader of the Nationals was talking about the distractions that are leading the Minister away from his portfolio.

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. I ask the Leader of The Nationals to restate his question in order.

**Mr ANDREW STONER:** In view of the Premier's commitment to choose Ministers on merit, will he sack Joe Tripodi, who has been too busy on internal Labor matters to secure coal chain reform at Newcastle, costing the State up to \$5 million a week, and who was on an overseas trip when he should have been in Canberra arguing for much-needed infrastructure funding?

**Mr NATHAN REES:** The Leader of The Nationals would struggle to spell the word "coal". I am advised that all producers signed up to the long-term plan and that all but one of the Newcastle Coal Infrastructure Group [NCIG] shareholders have expressed their support for the final documentation to bring this long-term plan into effect.

**Mr Andrew Stoner:** The ACCC has cancelled the authorisation.

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

**Mr NATHAN REES:** Newcastle is the world's largest coal export port. A record 90 million tonnes of coal worth over \$40 billion was shipped out of Newcastle in the last financial year. This massive industry supports 16,000 direct jobs and 48,000—

**The SPEAKER:** Order! I call the member for Murray-Darling to order for the third time. He is on his final warning.

**Mr NATHAN REES:** Getting the logistics right has been a longstanding issue and a number of players are involved that need to sign on to it. The Minister has been working day and night over an extended period to get this right, at the same time as putting together one of the largest transactions in the world at present—the energy reforms in New South Wales. I will stand this Minister's record of reform and achievement against any policy document that any Opposition member cares to present.

### RIVER RED GUM FORESTS PROTECTION

**Ms MARIE ANDREWS:** I address my question to the Deputy Premier, Minister for Climate Change and the Environment. Can the Minister update the House about measures being taken to protect the river red gum forests in the State's south-west?

**Ms CARMEL TEBBUTT:** The member for Gosford has a longstanding interest in this area. The Riverina red gum forests are recognised for their exceptional environmental values. The area includes wetlands of international significance, as listed under the Ramsar convention; Living Murray Initiative icon sites; and significant breeding habitats for migratory birds. It is clear that these forests need further protection. We know that the river red gums are in poor health as a result of a number of factors—river regulation, prolonged drought and climate change.

Assessments by the Murray-Darling Basin Commission of tree health in the New South Wales Riverina since 2002 have recorded widespread tree declines in significant numbers. Climate change predictions indicate that the Riverina area is one of the worst impacted in relation to reduced rainfalls and flows, with some 30 per cent to 50 per cent reduction in rainfall expected by 2050. We need to protect the river red gums so that future generations can enjoy this iconic part of the Australian landscape.

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

**Ms CARMEL TEBBUTT:** Opposition members do not like any mention of the words "national parks". They are happy to issue silly press releases about feed-in tariffs, they are happy to have a pale green tinge when it suits them, but when it comes to dealing with the hard reality of delivering real conservation outcomes they go running.

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

**Ms CARMEL TEBBUTT:** Some Opposition members would like to see us taking these steps.

**The SPEAKER:** Order! Members will cease interjecting. The Deputy Premier will make her contribution through the Chair.

**Ms CARMEL TEBBUTT:** The Government has announced that it will make a forest agreement with respect to this region and the first step in this process is underway. The Natural Resources Commission is carrying out an independent and scientific assessment of the river red gum forests. The commission's final independent advice will lay the foundation for another historic agreement in this State. The commission will look at a whole range of issues affecting the forests, but it will also look at the communities in this region. It will examine environment and heritage values, including indigenous heritage, economic and social values, ecologically sustainable forest management and timber resources. It will also look at issues such as water management and flooding requirements for the forests, the impact of drought and climate change, and opportunities for ongoing and future employment in the region.

The commission is already consulting widely with conservation groups, representatives of the forestry industry, local councils and indigenous stakeholders. This Government has a proud history of successfully balancing the needs of conservation with the needs of regional industries. We have done this in many regional forest assessment processes across the State—for example, in the south-east forests that straddle the coastal range from Batemans Bay to the Victorian border. The New South Wales Labor Government protected 120,000 hectares of that magnificent region. The conservation measures were accompanied by a \$6 million restructuring package and a 20-year guarantee of alternative timber supply for the industry.

The regional forest agreements in the southern and Eden regions are another example. These agreements have resulted in around 400,000 hectares of new national parks and nature reserves, as well as reliable access to timber resources in areas of State forest. In the south-west of the State this Government is looking for a balanced approach that protects important environmental values and supports jobs.

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

**Ms CARMEL TEBBUTT:** The Government is looking for a balanced approach that protects important environmental values and supports jobs—an outcome that achieves our conservation aims through national parks and provides certainty for the forestry industry. It is not simply a question about one or the other.

**Mr Andrew Fraser:** Like Tillega?

**Ms CARMEL TEBBUTT:** I note the interjection of the member for Coffs Harbour. Once again, it demonstrates that when it comes to the hard decisions—

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

**Ms CARMEL TEBBUTT:** The Coalition is always found wanting when it comes to making hard decisions with regard to the future of our State, or when it comes to making hard decisions about protecting these iconic areas for future generations.

**Mr Andrew Stoner:** Why don't you travel to these places and ask the locals?

**Ms CARMEL TEBBUTT:** I have been to the river red gum forests. I acknowledge that some areas are doing it tough, but I also acknowledge that—

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

**Ms CARMEL TEBBUTT:** I acknowledge that the health of the river red gums is intrinsically linked to the health of the local forest industry. I know that some areas are doing it tough and that some mills are already facing an uncertain future. Some real timber supply questions are already in play, notwithstanding any further action that the New South Wales Government might take. That is why it is important that we address these issues. We will base our decisions on science. That is why the independent body, the Natural Resources

Commission, is doing the assessment. It is simply not an answer to pretend that this fantastic region of our State does not deserve further protection and does not deserve a regional forest assessment like so many other areas of the State have had already. The Victorian Government recently moved to dramatically increase the number of river red gums protected on its side of the border.

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

**Ms CARMEL TEBBUTT:** We have also taken action in New South Wales. We should not forget the magnificent Yanga National Park in the State's Riverina, which is now home to 19,000 hectares of river red gum forests. I have seen the results in Yanga; I have seen the impressive outcomes of the environmental water allocations and what it has meant for Yanga. This Government will take responsible action in the Riverina area based on sound science and independent advice. We will make sure that on this occasion, as we have on so many other occasions, we balance the needs of regional industries and regional communities with the protection of our spectacular landscapes for future generations.

### HEALTH SERVICES

**Mrs JILLIAN SKINNER:** My question is directed to the Premier. According to the Premier's own Health website, nearly 63,000 people are currently waiting for elective surgery—over 5,000 more than when he became Premier a year ago—and Commissioner Garling handed down a report stating that the health system was on the brink. Was the Premier deliberately misleading this House yesterday when he said the health system was not in crisis, or was he trying to demonstrate that Commissioner Garling was wrong?

**Mr John Aquilina:** Point of order: Again I raise a point of order about the use of argumentative language. The claim that the Premier was deliberately misleading the House is argumentative. It is also degrading to the Parliament and the Premier. The Deputy Leader of the Opposition can seek facts, but she is not to argue the intention of the member involved, particularly the intentions of the Premier in relation to the facts he presents to this House. Also, the issue regarding question length and the multiplicity of questions being asked under the guise of one question needs to be addressed.

**Mrs Jillian Skinner:** To the point of order: The Premier yesterday quite clearly stated that the health system was not in crisis. I am merely asking a question based on these particular facts that are indisputable as to whether he has misled the House.

**The SPEAKER:** Order! The member for North Shore will resume her seat. The question in its current form is out of order. I will come back to the member and allow her to ask her question in order. However, I remind her that she may ask only one question.

### GROWTH BUSES AND BUS NETWORK REFORMS

**Mr ALLAN SHEARAN:** My question is addressed to the Minister for Transport. Will he update the House on the delivery of growth buses and bus network reforms?

**Mr DAVID CAMPBELL:** I am confident that the House will enjoy hearing about the Government's delivery in this area of transport. Members will recall that the first of the Government's 300 growth buses was delivered for commuters. Today I inspected the sixtieth bus to roll off the production line. Since June, 60 buses have been delivered and are hitting the roads for passengers. It must be remembered that as at November last year no funding was available for these buses, but the Government has now provided funding and 60 buses have been built and delivered for use by passengers. I see the member for Willoughby is getting a bit antsy. She is looking uncomfortable, and that is understandable. She is not used to delivering anything at all, let alone 60 buses. She should be impressed because this level of delivery is impressive.

The Government's delivery of the growth buses means more seats, more services and in some cases new bus routes. The new buses I inspected today will come on line on Monday 14 September and they will increase the number of buses providing existing services in the north-west region of Sydney. As well as delivering new buses for commuters, the Government is also carrying out the most comprehensive reform of bus networks for more than three decades. Reviewing our bus networks is important because it means we ensure that our buses are delivering the best service possible for commuters.

**The SPEAKER:** Order! I have extended the member for Willoughby a degree of latitude today because I thought she was entitled to one response. I call the member for Willoughby to order.

**Mr DAVID CAMPBELL:** We will get her to three calls and then she will be quiet. That is her pattern: whinge, whine, complain and interject but when she gets to three calls she just goes to water. There are no policies or substance on the opposite side, just a lot of stunts.

**Mr Andrew Fraser:** Point of order: The Minister should direct his comments through the Chair. He is clearly baiting the member for Willoughby.

**The SPEAKER:** Order! The Minister will make his contribution through the Chair.

**Mr DAVID CAMPBELL:** I should be so lucky when I go fishing! Reviewing our bus networks is important because it means we ensure that our buses are delivering the best service possible for commuters. Any changes are made following a comprehensive community consultation process. Everywhere we have introduced new networks, patronage growth has exceeded that of other networks. Today new bus networks are being announced for several areas across Sydney. Region one, which covers the greater Blacktown and Penrith areas, and region seven, which covers parts of Lane Cove, Ryde and Macquarie, will both have new networks, starting with the 2009 rail timetable on 11 October. This demonstrates our work to integrate the bus and rail timetables more closely. Later this year a new network will start also in region 11, covering the areas around Cronulla and Miranda. Consultation will start this Sunday on a proposed network for Sydney's inner west. As I say, it is a proposed network, subject to consultation and discussion with the community in Sydney's inner west.

**Mr Adrian Piccoli:** Proposed.

**Mr DAVID CAMPBELL:** It is easy to drag them out because they do not listen. I just said that we do not introduce them until we have been through a consultation process. A consultation process is held around a proposed network. I am confident that the member for Penrith and the member for Mulgoa can attest that you put out a proposal, listen to what people have to say, take the feedback and then put in place a new network. The member for Mulgoa says it is a big tick, and I thank her for that.

**Mr Adrian Piccoli:** She called you a what?

**The SPEAKER:** Order! I call the member for Murrumbidgee to order for the third time. His behaviour is most unparliamentary.

**Mr DAVID CAMPBELL:** The member for Murrumbidgee behaves like a child. In each of these reviews new services are being delivered and commuters will have better connections with other transport. Reviewing our bus networks involves detailed strategic work. That work is based on evidence that patronage will increase and better services will be delivered. This is something about which the member for Willoughby and those on the Opposition side of the House have absolutely no concept. I have looked under every rock around the place to find a bus policy from that lot over there. I have searched high and low. I have even taken the approach of the member for Vacluse and Googled. I have trawled through the alarmist, populist media grabs by the member for Willoughby, just looking for a proposal on bus delivery and reform. Guess what I found?

**Mr Kerry Hickey:** Nothing.

**Mr DAVID CAMPBELL:** Absolutely nothing. Not a word: not a single commitment to bus delivery, not a single commitment to bus network reforms and not a single commitment to anything at all to do with buses. The only thing the member for Willoughby or the Opposition is capable of doing is laying the boot into bus drivers. They are happy to criticise our drivers on radio, but they will not outline a policy for them. That is a disgrace. I inform the Opposition that bus passengers have provided a great deal of good feedback relating to drivers. I will cite a couple of examples. Katherine Anderson from Curl Curl emailed the Transport Infoline on 21 August and stated:

I am emailing to praise the driver of E65 ... Her driving was particularly careful and smooth ... and she was a fabulous example of a perfect bus driver.

Another happy passenger, Agnes Erkeit from Botany, emailed on 18 August to compliment a driver on the route 400 service. She stated:

This bus driver is exceptional!

And it is a lovely experience ... especially in the morning ... to take the bus to work feeling safe ... and noticing that there are people who take their jobs seriously ... and care about the welfare of their passengers.

The Independent Transport Safety and Reliability Regulator today released a new customer satisfaction survey for buses. The survey was commissioned by the Government to provide important information about people's experiences on buses. I will obviously be taking a close look at the survey; but at a glance I can see that passengers have rated the cleanliness of buses and friendliness of staff very highly. There are areas in which improvements need to be made, such as the frequency of services. I am pleased to inform the House we are addressing that issue, as outlined in the early part of my answer, and that we are on the right track, so to speak, with new buses rolling into service. I call on the shadow Minister and member for Willoughby to get out of her little black Honda and to take a ride on a bus.

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

**Mr DAVID CAMPBELL:** While she is on the bus, she might like to congratulate the driver on great work. She also might like to apologise for laying the boot into drivers generally just for a gratuitous grab on the radio. In the meantime, the Government will get on with the job of reforming bus networks, delivering more buses and providing better services for commuters.

### HEALTH SERVICES

**Mrs JILLIAN SKINNER:** In directing my question to the Premier, I point out that, according to the Health website, nearly 63,000 people are currently waiting for elective surgery, which is approximately 5,000 more than when he became Premier a year ago, and that Commissioner Garling's report states that the health system is on the brink. I ask: Was he deliberately misleading the House yesterday when he stated that the health system is not in crisis?

**Mr NATHAN REES:** Strap yourself in!

**Mr Brad Hazzard:** Point of order: The shadow Minister asked a question that was ratified by you. Standing orders require that during discussion between members a level of decency and integrity will be maintained. To commence an answer with a threat of "Strap yourself in", which was addressed to the shadow Minister for Health, is quite improper. I ask you to restore dignity to the House by asking the Premier to address the issue with dignity.

**The SPEAKER:** Order! The member for Wakehurst will resume his seat. There is no point of order. The Premier has the call.

**Mr NATHAN REES:** I will make general comments because it is important to get much of the material to which I wish to refer on the record. The folder I am holding contains testimonials from people who have received treatment through the New South Wales hospital system. In relation to the Albury hospital, there is this comment: "May I say a big thank you for a great hospital." In relation to the Ambulance Service, there are these comments: "My mother asked me to thank very much the ambos who treated her with care, compassion and a little comedy."; "My sincere thanks to these three people who have restored both mine and my mother's faith in the kindness of our fellow people."; "I would like to thank New South Wales Ambulance Services and your team for providing for us at our hour of need."; and "Due to the professionalism and empathy of the staff in attendance, I was confident my mother was receiving excellent care." They are just a sample of letters acknowledging the brilliant care provided by the Ambulance Service. The next quote concerns the Balmain Hospital: "We are very grateful for the professional services and easy access that Balmain Hospital provides."

**Mr Adrian Piccoli:** Point of order: My point of order relates to Standing Order 129. The question was about whether the Premier misled the House yesterday and whether, by providing the wrong information that he gave yesterday, he is directly trying to discredit a report that was commissioned by his own Government last year. If he wants to answer a Dorothy Dixier on Health, he should get one of his members to ask the question.

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. I will listen further to the Premier. I remind the Premier of the question that is before the House.

**Mr NATHAN REES:** In relation to the Bankstown hospital, the letters state: "This is to say thank you to the paramedics and staff for their efficiency and especially for their kindness and thoughtfulness."; "We would like to say a very big thank you for the most amazing care and attention."; "I would like to say 'Thank you' for your kindness and attention."; "I would like to thank all the staff for the wonderful care they provide.";

"I am writing this to congratulate your hospital on the high standard of both care and compassion shown to me by your people." The next letter states in relation to the Bega Hospital: "A huge thanks. I cannot say enough thanks. We are so appreciative of the wonderful"—

**Mr Adrian Piccoli:** Point of order: Standing Order 129 relates to relevance. I am sure we could listen to this for the next half an hour, but it was a serious question about a serious issue.

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. I remind the Premier of the question that is before the House.

**Mr NATHAN REES:** I am still in the Bs. In relation to the Belmont Hospital, the letters state: "Congratulations to Belmont hospital for the excellent care I received for my stay." I think people get the drift. There are reams and reams of correspondence from some of the thousands of people who receive terrific treatment from our health system each and every year. On a typical day, nearly 5,000 people are admitted to a public hospital, 17,000 people spend the day in a public hospital, and 6,000 people are attended to at emergency departments. Each day more than 700 people have major surgery, such as appendectomies, cataract surgery, surgery for bone fractures, and hips and knees replaced. That happens every single day. The Garling report states in its executive summary, "NSW still has one of the better public health care systems in the developed world." Yesterday I alluded to independent analysis of the New South Wales system that demonstrates that our performances in elective surgery and in emergency department work are better than that of any other State in Australia.

**Mrs Jillian Skinner:** Point of order: My point of order relates to relevance. My question referred to what has happened since the Premier became the Premier. It did not relate to figures for the year before he became Premier, which is the report to which he referred, compiled from 2007-08 figures.

**The SPEAKER:** Order! As the Deputy Leader of the Opposition is aware, her question was in order the second time she asked it. The answer is currently relevant to the question that has been asked.

**Mr NATHAN REES:** For the record, the report to which I referred yesterday and today is the "The state of our public hospitals, June 2009 report", which was prepared by the Australian Government.

**Mrs Jillian Skinner:** Point of order—

**The SPEAKER:** Order! Does the Deputy Leader of the Opposition rise on a different point of order?

**Mrs Jillian Skinner:** Yes. The Premier has just misled the House.

**The SPEAKER:** Order! The Deputy Leader of the Opposition will resume her seat. There is no point of order. She is aware of the other forms of the House that are available to her.

**Mr NATHAN REES:** Extraordinary work is performed in the public health system in New South Wales every single day. That work includes medical procedures that are not provided in many countries in the world. People travel to New South Wales from around the world to obtain medical treatment that is available here. They do not leave here; they come here. I will cite a few examples. The first is a 21-year-old patient to whom I will refer as Chloe—which is not her real name. The reason will become clear shortly. She is a real patient and one of just five women in Australia who has been diagnosed with a rare form of placental cancer. It is a medical complaint that had defied diagnosis for many years—until she came to the Westmead Hospital last year. At the Westmead Hospital doctors and nurses finally were able to deliver the diagnosis that ultimately saved her life. Through a combination of surgery and chemotherapy, Chloe has survived and has been in remission for several months.

In the Cessnock Hospital there was a young person, Callan Day, who was seven months old when he suffered a cardiac arrest. While in a critical condition, he was treated by doctors at his bedside but also by specialists some 45 kilometres away in Newcastle. By using webcam technology, specialists in Newcastle were able to give directions for a very complex resuscitation, including the administration of adrenaline shots. As Callan's mother said, "It was like having an intensive care specialist in the room with you at Cessnock." Little Brianna Parkinson is just six years old. In what must be every mum and dad's nightmare, Brianna suffered an unexpected cardiac arrest. She was resuscitated by her father and brought to the Children's Hospital at Westmead.

Surgeons installed a piece of equipment that we normally associate with people decades older—a defibrillator pacemaker. It is an extraordinary piece of equipment that will restart Brianna's heart when it stops. She is now well. Eleven-year-old Madison Goodrick was struck down by a massive heart attack while on her way home from school. Despite the best efforts of bystanders and ambulance paramedics, Madison was clinically dead for eight minutes. At Hornsby hospital she was treated by staff who critically—

**Mr Barry O'Farrell:** Point of order: I am happy for the Premier to go through this. Madison Goodrick was revived by the pharmacy assistant at Hornsby hospital, and for the Premier to say otherwise is completely false.

**The SPEAKER:** Order! The Leader of the Opposition has the opportunity to correct the record at the conclusion of question time. The Leader of the Opposition will resume his seat.

**Mr NATHAN REES:** I am advised that Madison was treated by Hornsby hospital staff who recognised that it was her heart condition and not a head injury that she sustained when she fell that was the primary diagnosis. She was transferred to Westmead Children's Hospital, where her body was cooled to 32 degree Celsius to preserve brain function. She was able to be diagnosed with a rare and potentially fatal genetic cardiac condition. She has been treated and is now well. These are signs of one of the best health systems in the world. These results are delivered—

**The SPEAKER:** Order! Members will cease interjecting.

**Mr NATHAN REES:** —because we provide record funding for the New South Wales health system. It is the biggest health budget in Australia. Year on year, growth in demand for health services in Australia is about 8 per cent. Notwithstanding the significant impact of swine flu on our emergency departments this year—there has been a massive increase in presentations to emergency departments—the system has coped well. Why? It is because the 100,000 people who work in it are looked after by a government that pays them well, encourages good performance and recognises that research is important to the long-term delivery of superior health care.

We embrace the Commonwealth's intention to reform the health system in Australia. Why? It is because with an 8 per cent increase in demand each year, the health system will face increasing numbers of challenges. But that is an issue of fundamental reform. In the meantime, it is critical that we recognise the good performance of the health system, sustain the morale of the men and women in it and ensure that the budgets they are provided with are adequate to care for the people of New South Wales. Care in the New South Wales hospital system is the best in Australia and some of the best care one will find anywhere in the world, despite the reckless assertions of members opposite.

### CHILD PROTECTION SERVICES

**Ms DIANE BEAMER:** My question is directed to the Minister for Community Services. Will the Minister update the House on how the Government is working to better protect our children under the Keep Them Safe plan?

**Ms LINDA BURNEY:** I thank the member for Mulgoa for her demonstrated interest in children's health and wellbeing. Six months ago today the Premier and I launched Keep Them Safe—our action plan to reform the child protection system in New South Wales. This is a major reshaping of the child protection system, its philosophy and the way it operates. Contrary to the predictions of the Opposition, the Rees Government did not shelve the report of the special commission of inquiry held by Justice James Wood. Nor did we avoid the difficult decisions. Instead, we have developed a new system, and its dawning reality is what I will share with the House today.

Our brave and ambitious agenda has been driven by one question: What is best for children? Our aim is to keep children out of the statutory system and get them involved with services they need through early intervention. We have made extraordinary progress. The vast majority of actions in Keep Them Safe are well underway and major milestones have already been achieved. On 3 March, the day we launched the strategy, the Rees Government made an initial commitment of \$230 million to reform children's services. On 3 April Parliament passed legislation to free up the exchange of information and to create a new threshold for reporting children to Community Services. On 1 June His Honour Mark Marien, SC, commenced work as the first President of the Children's Court. On 16 June the Government raised its total commitment in the budget to \$750 million.



During August the first staff were appointed to child wellbeing units in the New South Wales Police Force and the Department of Education and Training. Housing, Juvenile Justice and the Department of Ageing, Disability and Home Care are in the process of establishing their child wellbeing units. At the end of August we had transferred case management of more than 500 children in foster care to the non-government sector. Tomorrow I will launch a new information website to keep the public informed of changes to the child protection system, and I will address, in Sydney, the first of 11 regional engagement forums. Other forums will be held in Newcastle, Coffs Harbour—

**Mr Andrew Fraser:** Hear! Hear!

**Ms LINDA BURNEY:** We will even let the member for Coffs Harbour in. Forums will also be held in Wollongong, Queanbeyan, Campbelltown, Armidale, Penrith, Dubbo, Broken Hill and Wagga Wagga. The sector's peak body, the Association of Child Welfare Agencies, is our partner in bringing these forums to key workers in the sector. They have attracted huge interest: more than 300 people will attend the forum in Sydney tomorrow, and 1,000 people have already registered statewide. These are concrete examples of what we have done already in terms of implementing Keep Them Safe. There is also much more work in progress. From mid October we will present 500 face-to-face sessions for 22,000 mandatory reporters, teachers, nurses, police and others. A further 200,000 mandatory reporters will have access to training materials.

We have had genuine consultation with the Aboriginal community. An impact statement will assess each part of Keep Them Safe so that Aboriginal needs remain front and centre. Extensive changes are being made to information technology systems so that the right information gets to the right place at the right time. A new mandatory reporter guide—this is important—the first of its kind anywhere in the world, is being developed in partnership with the eminent United States-based Children's Research Centre. This guide will help front-line doctors, police officers, teachers and social workers to work out whether a child needs to be reported. Three stakeholder forums have been created to regularly advise me on implementation.

Planning is well underway for family case management programs in Orange, Leeton, Narrandera, Fairfield, Bankstown, Liverpool, Queanbeyan, Goulburn and the Bega Valley. This program is for families with complex problems who come into frequent contact with many government agencies. Tenders will soon be accepted by the non-government sector to offer alternative pathways. In conclusion, our five-year action plan is concrete. It is costed.

**Mr Barry O'Farrell:** Like your four-year action plan, which was found to be a failure.

**Ms LINDA BURNEY:** It is timetabled and it is happening. It will improve the lives of many children and families.

**The SPEAKER:** Order! I will not tolerate outbursts from the Leader of the Opposition. I extend a degree of latitude to the Leader of the Opposition, as I do to the Premier, but I will not allow him to abuse it.

**Ms LINDA BURNEY:** I sincerely hope that the people in the gallery can see from that outburst the quality of leadership of this man—

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

**Ms LINDA BURNEY:** He abused what was a \$1.2 billion commitment to child protection in 2002. That is what members opposite did to the child protection system; otherwise that injection of funds would not be necessary. Otherwise there would not have been a need for that injection of funds. The member has just displayed where his heart and his head are in terms of looking after children in this State.

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

**Ms LINDA BURNEY:** What I have outlined is six months of absolute, solid work not only to put together the response to Justice Wood but also to implement much of what is contained in the report. This solid policy will be put into action in a coherent and collaborative way with the non-government sector, something that the Opposition could not achieve in a lifetime.

### **SYDNEY LIQUOR TASK FORCE**

**Ms CLOVER MOORE:** My question is addressed to the Premier. Will the Premier inform the House of the progress of the Sydney Liquor Task Force for the immediate term and what can be achieved during the year of the licensing freeze?

**Mr NATHAN REES:** I thank the member for her commitment to our partnership on this important issue. The Government is committed to driving down alcohol-related violence and antisocial behaviour in licensed venues. We make no apologies for having zero tolerance for alcohol-fuelled violence. It is for that reason that last year the Government imposed tough conditions on the most violent venues.

**Mr George Souris:** Have any of them improved?

**Mr NATHAN REES:** From memory, glassings reduced from 17 to 0 over the same recording period last year, an indication that these measures work. For the record, the measures were opposed by the Opposition. The Government has worked, and will work, in partnership with industry to get results. The conditions that were imposed included no glass drinking vessels after midnight, a 2.00 a.m. lockout and limits on the number and type of drinks patrons can purchase.

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

**Mr NATHAN REES:** This was strengthened by the development of categories of venues with the most assaults. The Government recognises that unique issues arise only in some areas, and specific measures are required in some locations. The public tells us that there are unacceptably high levels of alcohol-related violence occurring in the Sydney central business district, and it has evidence to back that up—approximately 1,900 licensed premises and four times the New South Wales rate of alcohol-related assaults. The Government will continue initiatives in relation to venues and streets in the central business district.

On 25 June, together with the Lord Mayor and member for Sydney and industry groups, I announced the establishment of the Sydney Liquor Task Force. The task force reports directly to me and the Lord Mayor. It comprises representatives from government agencies, the City of Sydney and industry groups—the Australian Hotels Association, Clubs New South Wales, the Liquor Stores Association and Restaurant and Catering, New South Wales-Australian Capital Territory. The first job of the task force was to impose a 12-month freeze on new licences designated entertainment precincts in the city, where there is a high density of licensed venues at present. The licence-freeze precincts focus on areas with a high concentration of licensed premises—particularly those with late night trading—and identified trouble spots for alcohol-related antisocial behaviour and violence.

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

**Mr NATHAN REES:** The areas include Kings Cross, the Oxford Street precinct and parts of the southern central business district. Close monitoring of the effect of the licence freeze will allow the Government to consider and strengthen the restrictions if this proves necessary. As the member for Sydney has pointed out, the freeze will allow the task force the opportunity to develop longer-term strategies for the city. That will include looking at public areas and compliance with responsible service of alcohol legislation, which is important to sustain vibrant entertainment precincts that are safe and agreeable for visitors to Sydney and Australia.

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

**Mr NATHAN REES:** The task force will meet again today to work on the next steps. The task force provides an opportunity for government, the City of Sydney and industry representatives to work together, allowing a wide-ranging approach to addressing alcohol-related violence and antisocial behaviour. Finally, I acknowledge the contribution of the Lord Mayor to reducing alcohol-related violence in Sydney.

### TRAIN ON-TIME RUNNING

**Ms GLADYS BEREJIKLIAN:** My question is directed to the Premier. Given the Premier said yesterday it was "utterly false" to claim trains in New South Wales are running late, how does he explain CityRail statistics which reveal that this year afternoon peak trains on his own western line failed to meet his on-time running targets 57 per cent of the time? Did the Premier deliberately mislead the House?

**Mr NATHAN REES:** On-time running for our rail system is at 95.4 per cent.

### CARER RESPITE SERVICES

**Mr ROBERT COOMBS:** My question is addressed to the Minister for Ageing, Minister for Disability Services, and Minister for Aboriginal Affairs. What is the Government doing to support parents of adolescent school students with a disability?

**Mr PAUL LYNCH:** I thank the member for Swansea for his interest in respite services. Last week we opened the Swansea Dementia Day Care Centre in his electorate. Carers play a significant role in supporting people with a disability living at home and participating in the community. More than one in ten members of the New South Wales community are carers. They are dedicated citizens making an indispensable contribution to our social fabric.

**The SPEAKER:** Order! I remind members that this is the final question. The Minister will be heard in silence.

**Mr PAUL LYNCH:** While caring for those that you know and live with is immensely rewarding, it can also be a challenging and isolating journey. For that reason it is critical that respite services are provided for carers. That in this State is recognised in Stronger Together, a 10-year plan to improve disability services, which provides an additional \$69 million over five years for new respite places, which has already resulted in significant growth in the number of respite places. In 2009-10 a total budget of \$125.7 million has been allocated for disability respite services, which is in addition to \$3.3 million for Leisure Link. That represents assistance of respite to more than 10,000 families in this State.

The Government is committed to improving the outcomes from respite services for both the carer and the person with a disability, and it will continue to focus on the delivery of a greater range of options with better equity and outcomes. That means not just more resources but different ways of doing things. In particular, the Government recognises the need to support families who are balancing caring and work. That is why it had a pilot respite service program called Teen Time. The Government is now rolling out that program across the State. Teen Time was developed in partnership with the Department of Education and Training to provide after-school care and vacation care for working parents and carers of secondary school students with a disability. Without such support many carers find themselves faced with the decision of whether to continue their paid employment.

Primary carers often face insurmountable challenges to maintaining paid employment. Two-parent families with children with a disability often survive, at best, on one wage, or in single-parent households on pension support. Caring for a person with a disability often equates to poverty. The aim of Teen Time is to support carers to maintain or gain employment or to participate in vocational study. Teen Time services enable secondary school students with a disability to participate in leisure activities and pursue individual and group interests. The majority of the services are based in schools designed and equipped for students with a disability. Teen Time has been received enthusiastically by carers, families and students, unlike the reaction from the member for Terrigal. Because this is about addressing poverty, it provokes utter boredom and contempt from Opposition benches, because we know what they really think.

The value of the program has been acknowledged by carers and service providers across the State. Last week, together with the member for Shellharbour, I visited Peterborough Special School, Warilla, to announce funding of \$115,000 for the Teen Time program to be run in that region. It will be established and delivered by the Disability Trust. The week before I was in Gosford with the member for Gosford and met with several respite care organisations. Two organisations—Youth Connections Teen Time Central Coast and Coastlink Teen Time Central Coast—will receive \$392,400 to provide parents of teenagers with an intellectual disability with more respite.

Recently I also visited Lower Hunter Temporary Care, Kurri Kurri, with the member for Cessnock and met with a number of parents of young people with disabilities. Lower Hunter Temporary Care has received \$149,300 for Teen Time. At each of those places I met with carers who will benefit from Teen Time. There are quite a number of parents who will now be able to maintain employment which they would not have otherwise been able to maintain. In one particular case I met a parent who will in fact be able to pursue an accountancy course at TAFE, which he would not have been able to do without this program.

The benefits of the program are being distributed throughout the State. Teen Time programs will be run in the central west through a variety of service providers, including Orange City Council and Northcott Disability Services, which have received \$223,000 in funding for the program. Parents in Eurobodalla will receive more respite so that they can pursue jobs and study, after more than \$100,000 in funding was given to WorkAbility Personnel Incorporated to provide that service. In total, this is at an annual cost of \$2.4 million. It has been delivered across 27 sites. It provides a total of 460 places. It is a significant initiative to support people with disability, their families and carers. It reflects our commitment to carers and our commitment to people

with a disability. That position, especially in relation to the performance we have seen recently, is in stark contrast to that of members on the other side of the House, who not only are uninterested in people who happen to be in poverty but also are uninterested in people with disability and have nothing but contempt for them.

**Question time concluded at 3.30 p.m.**

## **HEALTH SERVICES**

### **Personal Explanation**

**Mrs JILLIAN SKINNER**, by leave: During question time the Premier tried to discredit me and cast doubt on my reputation by claiming that reports of the Australian Institute of Health and Welfare that he quoted had been published in June and therefore were up to date but in fact both of the reports that have been published refer to information or data obtained before he was the Premier of New South Wales.

## **CARER RESPITE SERVICES**

### **Personal Explanation**

**Mr ANDREW CONSTANCE**, by leave: During question time the Minister for Disability Services sought to impugn my reputation and that of Liberal-Nationals members of Parliament. I draw to the attention of the House that three weeks ago it was the Liberal-Nationals who brought to the attention of the community a situation involving a 15-year-old child with disabilities who had been placed in a children's respite service with an adult, in breach of the department's guidelines. I also note that it took four days for the Minister to apologise to the family when she should have apologised that day.

## **CHILD PROTECTION SERVICES**

### **Personal Explanation**

**Mr BARRY O'FARRELL**, by leave: During question time the Minister for Community Services challenged my commitment to child protection. I reaffirm my strong support for the protection of young people. What I am opposed to is the posturing by the Minister and the Deputy Premier, which results in more young people dying, not fewer.

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

**Ms Linda Burney:** You don't know the truth, Barry.

**Mr BARRY O'FARRELL:** You don't like the facts. More kids die under your program—

**The SPEAKER:** Order! The Leader of the Opposition will resume his seat. Government members will cease interjecting.

## **COMMITTEE ON CHILDREN AND YOUNG PEOPLE**

### **Report**

**Mr Robert Coombs**, as Chair, tabled the report entitled "Children and Young People Aged 9-14 Years in NSW: The Missing Middle", together with witness statements, dated September 2009.

**Report ordered to be printed on motion by Mr Robert Coombs.**

## **PETITIONS**

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

### **Drink Container Deposit Levy**

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

### **National Parks Tourism Developments**

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

### **Hat Head Beach Hauling**

Petition opposing beach hauling from the Korogoro Creek to the Breakout at Hat Head beach, received from **Mr Andrew Stoner**.

### **Garrawarra Land Sale**

Petition opposing the sale of land at the Garrawarra Centre in Waterfall, received from **Mr Malcolm Kerr**.

### **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**.

### **Bus Service 311**

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

### **Darlinghurst Planning**

Petition requesting that the 2006 Mater plan for the Garvan St Vincent's research precinct be adhered to and that the plan incorporate the heritage classified terrace, received from **Ms Clover Moore**.

### **Caged Birds Trade**

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

### **Pet Shops**

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

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

### **Blue Mountains District Anzac Memorial Hospital**

Petition asking that services at the Blue Mountains District Anzac Memorial Hospital be reinstated and the future of maternity and paediatric services be assured, received from **Mrs Jillian Skinner**.

### **Pymont Metro Station**

Petition opposing plans to demolish four historic terraces on Union Street for the proposed metro train station, and requesting that the station be placed either underneath the new casino complex or on Union Street between Pymont and Edward Streets, received from **Ms Clover Moore**.

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

### **Climate Change**

**Ms TANYA GADIEL** (Parramatta) [3.35 p.m.]: My motion deserves to be accorded priority because climate change is one of the biggest challenges facing Australia, and the Federal Government's carbon pollution reduction scheme is at the centre of our nation's response. The New South Wales Government has a proud history of progressive environmental policy and it is time for the Coalition to stop hiding behind bull and bluster and to start debating policy. The people of New South Wales have the right to know where the Opposition stands on this important policy matter. I suspect that they themselves do not know, given the number of climate change sceptics in their ranks. My motion is about policy. That is why it should be accorded priority.

### **Government Performance**

**Mr ADRIAN PICCOLI** (Murrumbidgee—Deputy Leader of The Nationals) [3.36 p.m.]: My motion is urgent because of the desperate state that New South Wales is in, largely because of the quality of the frontbench appointed by Karl Bitar 12 months ago. Let's forget about Nathan Rees—appointed by Karl Bitar. We know the old saying that the fish rots from the head. It reminds me of a trip I made recently with my nephew to the aquarium in Sydney. We looked in the tank and there was an octopus. It reminded me very much of the New South Wales Parliament's Joe Tripodi—tentacles in everything, part of what is wrong with New South Wales. A moment later a shark went past. It reminded me of Eddie Obeid—big scary teeth for the factional warriors in the Labor Party, a thick skin, but a very small brain.

**Mr Michael Daley:** Point of order—

**The SPEAKER:** Order! The member for Murrumbidgee will resume his seat. Opposition members will remain silent.

**Mr Michael Daley:** The member for Murrumbidgee knows full well that attacks on members, impugning their character such as he is in the midst of doing, must be by substantive motion. That applies to attacks not only on members of this House but also on members of the other place. I ask that you draw him to the leave of the motion.

**The SPEAKER:** Order! I always extend a degree of latitude to members during these debates. However, I ask the member for Murrumbidgee to state why his motion should be accorded priority.

**Mr ADRIAN PICCOLI:** I can understand why the Minister for Roads would try to defend Eddie Obeid and Joe Tripodi. They are part of the greater problem in New South Wales and I just sought by way of analogy to point out what problems they are creating for this State. In the same way that they appoint hapless hacks to their frontbench to run, in many cases, multi-billion dollar—

**Mr Gerard Martin:** Point of order—

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

**Mr Gerard Martin:** What the member should be doing, if he were following the standing orders now, is arguing why his motion should have priority. He is not doing that. He is doing things in the time-honoured way of The Nationals—tipping a personal bucket wherever they can. If he is looking for a few skeletons in the closet he should have a look at those by his side and look in the mirror.

**The SPEAKER:** Order! The member for Murrumbidgee is aware that the standing orders provide that attacks on members should be by way of substantive motion.

**Mr ADRIAN PICCOLI:** I am more than entitled to attack the performance of Ministers and members of Parliament in this House.

**The SPEAKER:** Order! I will listen carefully to the member for Murrumbidgee.

**Mr ADRIAN PICCOLI:** Given the latitude that is often given to Ministers when answering questions, I think I am more than entitled to attack their performance, including that of the Minister for Roads and the fact that he seeks to defend the people in his party who put him in that position. He has claims to the Premier's position. My motion is about what is wrong in New South Wales. The Government has taken its eye off the ball. This is why my motion should be accorded priority. It should not wait until next week or next month. This mess should have been cleaned up years ago. Instead, those opposite have been arguing over the limousines with the member for Fairfield and Edie Obeid. This is entirely what is wrong with New South Wales. The Minister for Roads wants to be Premier so he got up and defended those two people.

The other problem with New South Wales is not only who the Government puts on its front bench but also who it keeps off that bench. The member for Blue Mountains has enormous experience in public service but because of the factional problems, the favours those in power do for each other and the donations they seek to funnel to other members of Parliament—that is how Obeid and Tripodi get their power—people with talent are kept on the backbench. This mob in government is a rabble. We can argue as much as we like in here but we hear what the public are saying. We can see their reaction in the public gallery at question time. They know that Government members have nothing to offer New South Wales. [*Time expired.*]

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

**The House divided.**

**Ayes, 47**

Mr Amery	Ms Gadiel	Ms McMahon
Ms Andrews	Mr Greene	Ms Megarrity
Mr Aquilina	Mr Harris	Mr Morris
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	<i>Tellers,</i>
Ms D'Amore	Ms McKay	Mr Ashton
Ms Firth	Mr McLeay	Mr Martin

**Noes, 38**

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

**Pairs**

Mr Furolo	Mr Fraser
Mr Gibson	Mr O'Farrell
Mrs Paluzzano	Mr J. D. Williams

**Question resolved in the affirmative.**

## CLIMATE CHANGE

### Motion Accorded Priority

**Ms TANYA GADIEL** (Parramatta) [3.49 p.m.]: I move:

That this House supports the Federal Government's Carbon Pollution Reduction Scheme.

Since the mid 1990s the New South Wales Government has led the national debate on the need for a response to climate change. In 2003 we introduced one of the world's first mandatory greenhouse emission trading schemes. This Government strongly supports the Commonwealth's Carbon Pollution Reduction Scheme. New South Wales has long been an advocate of a national emissions trading scheme as a primary way for Australia to reduce its greenhouse gas emissions. We support the Commonwealth's efforts to achieve emissions reduction targets that are compatible with maintaining the strength of our economy. Only a strong economy can drive the scale of investment in low emissions technology and behavioural change that will be needed in this country if we are to achieve deep cuts in emissions further down the track.

It is clear that we need national and international action, and we need it fast. Unfortunately, it is not at all clear where the New South Wales Opposition stands on this issue. Recently we were privy to the enlightened views of one Nationals member in the Legislative Council who is also shadow Parliamentary Secretary for Climate Change and Primary Industries. He announced that he was giving a talk on global warming. The member is quoted in the *Forbes Advocate* as saying:

First and foremost I don't think we should have an ETS.

Just like his Federal colleague who cannot bring The Nationals into line on supporting the Carbon Pollution Reduction Scheme, the New South Wales Leader of the Opposition is also faced with a divided party. But it is not just the emissions trading scheme to which the shadow Parliamentary Secretary for Climate Change and Primary Industries objects; he also seems to have a problem with the internationally accepted science on global warming. In the 27 August 2009 edition of the *Forbes Advocate* he said:

I'll be talking about the ETS, the Carbon Cycle and carbon pollution.

We'll talk about the reasons I don't think carbon is a pollutant and doesn't affect the climate.

It would appear that the New South Wales Coalition—or at least members of the New South Wales Nationals—embraced the flat earth society view of the world that has been embraced by a select few climate change sceptics. It is not a major surprise, but I had hoped that they would have advanced beyond embracing every climate sceptic that passed their door. Governments around the world accept the advice of the Intergovernmental Panel on Climate Change [IPCC], and rightly so. Let us have a quick look at the Intergovernmental Panel on Climate Change. The IPCC has released four major assessment reports on climate change.

The process to develop these reports involves about 2,000 scientists divided into three working groups working on the scientific basis, impacts adaptation and vulnerability, and mitigation. In the first working group about 620 scientists from 42 countries—including 34 scientists from Australia—reviewed hundreds of relevant peer-reviewed publications. An expert review panel must then approve each group's report. The reports are then sent to the IPCC and to government representatives for review before going back to the working groups and the IPCC for final approval. That hardly sounds like the process of a group that is deliberately distorting the evidence on climate change. If anyone has hard data and factual information to back up claims that climate change is not human induced, he or she should publish them immediately in a peer review journal.

The New South Wales Government remains committed to helping the people of New South Wales transition to a prosperous, low-carbon economy through investment in renewable energy, energy efficiency and adaptation. It is time for Opposition members to come clean. What exactly is their position on the Carbon Pollution Reduction Scheme? Do Opposition members support the Federal Labor Government's comprehensive plan to reduce Australia's greenhouse gas emissions and to take part in international climate change or will they, like their Canberra colleagues, dither on the most important environmental issue facing the planet?

**Mr Daryl Maguire:** Has the member concluded her speech? Is that it? She has one minute and 19 seconds of speaking time left.



**Ms TANYA GADIEL:** If the member for Wagga Wagga wants me to keep going, I will do so.

**Mr Daryl Maguire:** If the issue is as important as you have suggested, of course you should keep going.

**Ms TANYA GADIEL:** I will respond to the comments of the member for Wagga Wagga when I reply to debate on this motion.

**Mr Daryl Maguire:** You go for it—and don't waste a second!

**Ms TANYA GADIEL:** I will not.

**Mr MICHAEL RICHARDSON** (Castle Hills) [3.55 p.m.]: What an unconvincing performance by the member for Parramatta. She could not even speak for her allotted 10 minutes on an issue that she described as the most pressing issue facing the world today. One would have thought that 10 hours—rather than 10 minutes—would have been more appropriate for such an important issue, but not from the member for Parramatta.

**Mr Alan Ashton:** Point of order: I point out to the member for Castle Hills that the mover of the motion accorded priority no longer has 10 minutes in which to speak; he or she is allotted seven minutes. If the member for Castle Hill speaks for 10 minutes he will be three minutes over his allotted speaking time.

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

**Mr MICHAEL RICHARDSON:** It is not surprising that Government members are so on the nose. Opposition members recognise the primary importance of this issue—the importance of dealing with climate change, global warming and increased carbon dioxide levels in the atmosphere. We have the highest carbon dioxide levels in more than 400,000 years—currently at 370 parts per million. A story in today's *Sydney Morning Herald* warned that the Great Barrier Reef will be destroyed if carbon dioxide levels exceed 400 parts per million, which seems almost certain to occur. The jury has been out on the whole climate issue to decide whether or not global warming is man-made. The jury has now come back. Recently a scientist wrote in an article in the *Sydney Morning Herald* that 90 per cent of scientists agreed that global warming was happening and that it was man-made. He said it was not like mathematics because with mathematics one can obtain an exact answer.

One does not get 100 per cent of scientists agreeing on everything, and that includes, for example, the theory of evolution. Some scientists still disagree with the theory of evolution 150 years after it was promulgated. The member for Parramatta talked about climate change sceptics on the Opposition benches when the greatest climate change denier of all was Michael Costa, the former Treasurer. I am sure that Michael Costa is not the only Government member to deny climate change. He thought that climate change was a load of bunkum and he never wasted an opportunity to say so—in even more colourful terms. Opposition members have not been as vocal about this issue as the former Treasurer.

We understand the importance of addressing this issue. We certainly understood the importance of addressing it in the lead up to the last election when we had a vastly superior policy on this issue to that of the Government, in particular, on developing a renewable energy industry in this State. We were looking for a 25 per cent target by 2025 and the renewable energy was to be generated in this State and not in South Australia or in Victoria, which is what the Government's renewable energy plan provided for. We understand that we are all in this together and we all have to reduce our greenhouse gas emissions accordingly. The greenhouse gas issue does not know State or national boundaries. I move:

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

this House calls on the Government to ensure adequate compensation of New South Wales based industries affected by the Federal Government's Carbon Pollution Reduction Scheme.

We want to do that because we understand the imperative to do something positive about reducing greenhouse gas emissions and global warming but, equally, we do not want to destroy Australia's economy at the same time, particularly the New South Wales economy because it is extraordinarily exposed to global competition. We produce a lot of aluminium in this State. We are a major coal exporter. We have other industries that would be affected by the imposition of additional costs in the absence of those similar costs being imposed on our global

competitors. Of course, our agricultural industries particularly are exposed to this issue. For Australia to go it alone when we produce only 1.5 per cent of the world's greenhouse gas emissions would be detrimental not only to the environment but also, obviously, to our economy.

The Federal carbon pollution reduction scheme [CPRS] is not supported by anyone on the non-Labor side of the Senate—that includes the Greens, Senator Steve Fielding from the Family First Party and, of course, the Liberal-Nationals Coalition—because the structure of the scheme proposed by the Rudd Government is fatally flawed. Not only will it not be sufficient to reduce greenhouse gas emissions, but also it will place unconscionable additional costs on those globally exposed industries. That is the issue this Government ought to address rather than simply try to play wedge politics on the issue. This Government needs to consider the impact of the carbon pollution reduction scheme on New South Wales industries and make sure that they are not adversely affected.

Any industry that depends on electricity will be impacted by the actions of this Government because in this State most of our power—more than 90 per cent—is generated from coal. Greenhouse gas emissions from State power use have risen by about 12 million tonnes annually since 2003, and that is ongoing. Instead of grandstanding, this Government should address these key issues at their source and not wait for somebody else, such as the Federal Government's renewable energy scheme, to do the job.

**Mr MATT BROWN** (Kiama) [4.02 p.m.]: I support the motion moved by the member for Parramatta. Before I address the substance of the debate I have some questions. Why is the shadow environment Minister not speaking in this debate? Why are there no members of The Nationals in the Chamber to contribute to the debate?

**Mr Michael Richardson:** Point of order: That is absolute nonsense.

**ASSISTANT-SPEAKER (Ms Alison Megarrity):** Order! That is not a point of order. The member for Kiama has the call. The member for Castle Hill will resume his seat.

**Mr MATT BROWN:** There is absolutely no doubt that climate change is real. It is important and in imperative that governments around the world determine their position and act. At long last we have a Federal Government prepared to play its part to lower the carbon future. While the Canberra colleagues of those opposite are intent on continuing the Howard years of denial when it comes to climate change, at least in New South Wales the Opposition has actually put together an environment policy. I have a copy of it with me. It is a tad flimsy with not a lot of detail, but it is written by Ms Pru Goward, shadow Minister for the Environment and Climate Change, and is dated 10 September 2008. On environment policy the Opposition's approach is underwhelming to say the least. All it does is attack the Government, get the facts wrong and propose nothing of substance.

However, we know one thing and that is that the Leader of the Opposition, just like Malcolm Turnbull, leads a divided team. We have just heard that the Leader of the Opposition's official position is that he supports it because Pru has written it on page one of the policy: "The Liberals and Nationals Coalition supports the establishment of a carbon pollution reduction scheme principally operating as a national emissions trading scheme." Does that sound familiar? That is the Liberal Party's position. However, this cannot be said about the New South Wales Leader of The Nationals because he is not toeing the Coalition line. He says this about the proposed emissions trading scheme:

It might make some North Shore doctors' wives feel good about themselves, but it doesn't make any sense to families.

What a flippant, sexist and demeaning remark by the Leader of The Nationals! He might say that about doctors' wives on the North Shore, but I was talking to a North Shore doctor's wife only last night. You should have heard what she said about the Leader of The Nationals and The Nationals. I know who I will be backing in that stoush. As I said, the Leader of the Opposition faces a divided Coalition. This is not surprising when we hear where the Federal Nationals are this week. The Federal Leader of The Nationals, Warren Truss, and The Nationals Senate leader, Barnaby Joyce, are doing what The Nationals love to do: they are getting on a bus. The Nationals love a bit of bus bonding; it takes them back to their boarding school days, except their inane jokes are the same as when they were at school.

The Nationals are stating clearly that they do not support this issue at all. The Coalition is divided on climate change. To the Coalition, a different policy means to put it in the too-hard basket. On one side we have

the deniers led by The Nationals Senate leader, Barnaby Joyce, and on the other side we have the ditherers led by the Federal Liberal leader, Malcolm Turnbull, who says he is willing to negotiate. He insists that the Coalition must be part of the solution, but it is clear that his only real approach to climate change is to ensure that he is actually the main source of hot air in the Parliament. However, on the other hand is The Nationals senator, who went nuclear on the emissions trading scheme at The Nationals annual Federal Council last month. The senator used his go-it-alone policy to make it clear that he will take Australia backwards on climate change. He is quoted as saying:

Our job is not to vary on our commitment—a commitment that is against this ETS. We maintain that. We will pursue that agenda all the way through.

That is so different from the words Pru Goward wrote in the New South Wales Opposition's environmental policy that the New South Wales Liberal Party has adopted. This flip-flopping is causing confusion. We need to remind the House that the previous Federal Government, a Liberal-Nationals Government went to the last election promising to have an emissions trading scheme, but now they will not be counted because they do not have any particular policy. The New South Wales Coalition is totally divided as well. On the other hand, we on this side recognise the urgency of this issue. We support strong Federal action. It is a pity the Opposition remains little more than an uncomfortable refuge for climate change sceptics. I reject the amendment because it is inconsistent with the Liberal Party's own document. Nowhere in that document does Pru Goward recommend that New South Wales compensate businesses.

**Mr ROB STOKES** (Pittwater) [4.07 p.m.]: In my contribution to this debate the first thing I want to do is to correct the assertion made by the member for Kiama regarding the presence or otherwise in this place of the shadow environment Minister. Frankly, that is impossible, because the shadow Minister is a member in the other place.

**Mr Matt Brown:** It says here "Pru Goward". It is a Pru Goward policy document.

**Mr ROB STOKES:** The member for Kiama should keep up to date because the fact is that the shadow environment Minister is in the upper House. Of course, the real factor here is that the member for Kiama has exposed himself, yet again I might add. Where is the Minister for the Environment and Climate Change? If we are inquiring as to the whereabouts of the shadow Minister when it is impossible for her to be in this Chamber, we must also ask where is the Minister, who could participate in this debate. It is appropriate to have a market-based solution to the very real issue of climate change, but the appropriate response is not really for this House to comment on something it cannot control, which is what the Federal Parliament may or may not do.

Our real task is to get on with preparing a New South Wales strategy for what we can do here to combat this policy and environmental problem that we face. For that reason I support the motion of the member for Castle Hill. We must focus on New South Wales jobs and on maximising compensation under the Federal scheme for trade-exposed industries in New South Wales. The very real need for that was relayed in this morning's *Australian* in an article by Matthew Franklin:

A growing chorus of exposed industries - including airlines, petrol refiners, LNG exporters, cement manufacturers and aluminium smelters - has voiced concerns in recent days that billions of dollars of investment risk being lost overseas.

Their concerns tally with the AWU fears that thousands of jobs would be lost on the tide of outgoing investment.

The issue on which the New South Wales Parliament and the New South Wales Government should be focusing attention is the protection of New South Wales jobs against the risks that will emerge from an emissions trading scheme, instead of commenting on what the Federal Government and Federal Parliament may or may not do. The New South Wales Parliament does not have control over what happens in another jurisdiction. The reality is that whatever the Federal Parliament decides will have a very real impact on jobs and families in New South Wales. With respect, that should be the focus of the New South Wales Government. We also should be focusing on preparing a New South Wales strategy. We need to focus on what we can do something about, which is that two of the largest contributors to carbon or greenhouse gas emissions come from New South Wales, one of which is the electricity generation sector.

New South Wales has seven coal-fired power plants that produce 11 per cent of the nation's carbon emissions. That is something that the New South Wales Government should address. The power stations need to

be refitted to improve their environmental performance. We should also focus on transport as the largest end-user source of CO<sub>2</sub>, and yet on the New South Wales Government's watch, new vehicle registrations in the State increased by more than a million. There also has been a massive increase in the number of vehicle trips in the metropolitan area that has led to a massive increase in congestion. We should be focusing on public transport solutions to mitigate or abate the very real threat that carbon poses to our economy and environment.

We also should incentivise local carbon reduction initiatives. Currently one of the big problems with the Federal emissions trading scheme is that savings achieved by local people, by the use of solar cells, et cetera, do not benefit local people; nor are rewards being reaped in our overall target. The scheme profits the emitters. Every little achievement of local initiatives profits the emitters, not those who have reduced carbon by installing solar panels on their roof. Importantly, we also should prepare for the impacts of climate change on our coastal communities. In 2001 the Government promised to produce a coastal zone management manual, but we are still waiting. The flimsy document that has been produced does not enforce anything or plan for the impacts of sea level rise on our coastal communities.

**Ms TANYA GADIEL** (Parramatta) [4.12 p.m.], in reply: I thank the member for Castle Hill, the member for Kiama, and the member for Pittwater for their contributions to the debate. I note the amendment. I also note the Coalition's document dated 10 September 2008, which states, "The New South Wales Liberals-Nationals Coalition supports the establishment of a carbon pollution reduction scheme principally operating as a national emissions trading scheme [ETS] as a means of reducing greenhouse gas emissions ...." I notice that the submission provided on behalf of the New South Wales Liberals-Nationals Coalition by Pru Goward contains nothing that supports the amendment. As the mover of the motion, I reject the amendment.

The member for Castle Hill accused me of engaging in wedge politics. I would not have thought that the issue is particularly difficult to understand: I simply want to know the position adopted by the Coalition. I asked what the Coalition's policy position is, but it appears that the member for Castle Hill does not have an answer. The member for Wagga Wagga pointed out that my speech did not take the full allotted time. I intend to be brief because the vote on the amendment is imminent.

**Mr Daryl Maguire:** Someone did not write a speech that was long enough. That is why.

**Ms TANYA GADIEL:** The member for Wagga Wagga is aware that the time for this debate will soon expire. My intention is to conclude my speech so that we can find out, once and for all, exactly what the Coalition's position is.

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

**The House divided.**

**Ayes, 49**

Mr Amery	Ms Gadiel	Ms Megarrity
Ms Andrews	Mr Greene	Ms Moore
Mr Aquilina	Mr Harris	Mr Morris
Ms Beamer	Ms Hay	Mr Pearce
Mr Borger	Mr Hickey	Mr Piper
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	<i>Tellers,</i>
Mrs Fardell	Mr McLeay	Mr Ashton
Ms Firth	Ms McMahan	Mr Martin

**Noes, 35**

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

**Pairs**

Mr Furolo	Mr Fraser
Mr Gibson	Mr Hazzard
Mrs Paluzzano	Mr J. D. Williams

**Question resolved in the affirmative.**

**Amendment negatived.**

**Motion agreed to.**

**The SPEAKER:** Order! It being before 4.30 p.m., the House will now proceed to General Business Orders of the Day (for Bills).

**GARLING INQUIRY (CLINICIAN AND COMMUNITY COUNCIL) BILL 2009****Agreement in Principle**

**Debate resumed from 25 June 2009.**

**Mr KEVIN HUMPHRIES** (Barwon) [4.23 p.m.]: The Garling inquiry was instigated largely by the shadow Minister for Health after calling for a serious review of the New South Wales health system. The Garling report is a landmark report. Today we had another good example of a Premier and a government in denial. The essence of the Garling report is the disconnection between clinicians and staff in the health system and the community, and the disconnection between key stakeholders and the Government. Another report that complemented the Garling report was released this week; the report entitled "Tracking Tragedy 2008—Fourth Report of the NSW Mental Health Sentinel Events Review Committee" relates specifically to mental health issues. That report reinforces many of the mental health issues raised in the Garling report, and I will concentrate on mental health issues today.

The fourth report of the New South Wales Mental Health Sentinel Events Review Committee, which was completed in March, was tabled during another Government fiasco and scandal. The report is a systemic look at homicide and serious non-fatal injury by mental health patients, and the suicide death of mental health inpatients in the New South Wales health sector. I believe the Government released that report early this week to try to run it in under the cover of darkness, because it is another damning report on the Government's performance in terms of mental health outcomes for patients, families and the hardworking staff of our facilities. However, it did not work. We will comment on the report, and we will engage the community in further discussion on it.

The fourth report reinforced issues similar to those revealed in the Garling report. Those issues are symptomatic of some of the constant dysfunction in mental health services in this State. Both the mental health report and the Garling report referred to engaging and communicating with families, loved ones and carers of people experiencing mental health issues. The mental health report also referred to the serious issues of risk

assessment for inpatients and tools and procedures not being followed up. That says to me, and to the people in the mental health sector to whom I have spoken, that mental health facilities are vastly under-resourced, staff are overstretched, their time is not valued and they are constantly chasing their tails.

The mental health sector has reached the point at which there are issues with staff morale; staff are simply tired. Just as the mainstream health system experienced disengagement of clinicians and health experts, the fourth report highlighted the same problem with skilled mental health workers. There is still a lack of clinical networking within mental health, as there is in mainstream health. The risk assessment of patients when they present, particularly for long-term in-stay, is not good enough. The system is under-resourced. Calls are constantly being made for the environment in long-stay public mental health facilities to be made safer. Indeed, the deaths that occurred in these facilities—32 deaths have been reported to date—could have been avoided if facilities had been designed better and upgrade and maintenance had been followed through.

Not only is there a shortage of beds in the system, not only is the mental health system under-resourced, not only are staff overstretched and not only are there issues with risk assessment, but in many cases the environments in which these people reside or receive care are not safe and need to be improved. In 2003 there was a review of deaths of patients in care. That was followed by a review of the discharge and care transfer process, and suicide while receiving community mental health care, particularly concentrating on depression. The latest report highlights another issue relating to carers, those experiencing mental health issues and the workforce. There is a gap in what happens to people after they are discharged from a mental health facility and released back into the community. Enormous gaps, which have been highlighted in several reports, need to be improved. The Government needs to lift its game in terms of community services and the care provided to people living with mental health issues. This damning report came off the back of the Garling report and complements it extremely well. I hope that the Government takes note of this report because the Opposition certainly will.

**Mrs JILLIAN SKINNER** (North Shore—Deputy Leader of the Opposition) [4.30 p.m.], in reply: I thank those Opposition members who have made such positive contributions to debate on the Garling Inquiry (Clinician and Community Council) Bill 2009, and I express my grave disappointment that the Government has indicated that it will not support the bill. I remind the House that I drafted this legislation at the express invitation of, and in response to pleas from, clinicians who believe the Government's appointment of an advisory body merely to advise the Minister about implementation of the recommendations of the Garling report is inadequate. I will read onto the record an email dated 7 April 2009 that I received from Professor John Dwyer, a well-known clinician who is frequently quoted by the Government in relation to health matters. He writes:

Dear Jillian,

I very much appreciate the stand you are taking. We—

he refers to a number of his very well-known clinician colleagues—

are seeing Della Bosca —

the then Health Minister—

... and will tell him how unsatisfactory is the governments response now that we have seen the details (or lack thereof)—

Professor Dwyer is talking about the Government's response to the Garling recommendations. He continues:

The response to the clinician/manager disconnect is pathetic and in essence they are rejecting the new roles for GMCT [Greater Metropolitan Clinical Taskforce] that Garling supported.

We are totally frustrated at the oversight arrangements, obviously the department has had a win here.

That email is from a respected independent clinician and, as I said when I introduced the legislation, many people share his view. In the 1,000-plus pages of Mr Garling's report he quoted time and time again clinicians who are disconnected and disenchanted with the way in which the Government operates hospitals. Today I met yet another very senior clinician who totally supports making the Opposition policy work. That policy can be obtained from my website, [www.jillianskinner.com](http://www.jillianskinner.com), or from [www.startthechange.com.au](http://www.startthechange.com.au). Our policy will re-engage clinicians and give the community a greater say through smaller, flatter district structures with a board. It will ensure much greater involvement of doctors and general managers in hospitals, and the other things recommended by Mr Garling. At first blush, I thought the Government would adopt the Garling recommendations, but the truth is far different.

The Government says that it accepted all but three of the recommendations. However, when one looks carefully at the small print one sees that it says the Government will conduct more reviews or talk to more people. The truth of the matter is that it is all spin, not reality. I note that the member for Wollongong, who led for the Government in this debate, pointed out that the Government has already appointed an advisory body that will report in six months. I will be interested to find out in six months exactly what it has done and how much it has helped clinicians and patients in the health system. The member for Barwon referred to an horrendous report into problems confronting patients with a mental illness who are discharged from hospital because of insufficient beds and staff without proper planning and when relatives are obviously at risk. Today's *Daily Telegraph* says that it is a tragedy not only for victims of patients with a mental illness but also for the patients, which is an appalling indictment on this Government.

Time after time, the Premier has said in this House that nothing is wrong with the health system. If the Premier is prepared to promise that that is the case he should support this legislation and have an oversight committee report to Parliament about the implementation of Garling's recommendations. Mr Garling described the hospital system as being "on the brink"—a claim that the Premier suggested was my own. Obviously the Premier has not been briefed on the issue or he is prepared to deliberately mislead the House. I know that Government members have disputed my claims, but I have made 11 submissions to Mr Garling. I sat in on the hearings and I have met with him since his report was published. Many of Garling's recommendations need to be implemented.

If the Government were serious about this matter it would set up an independent information bureau so that we could get real information about how many people are on hospital waiting lists and waiting for elective surgery; what the budgets are; how many creditors are not being paid on time; how many people are getting sicker in our hospitals, not better; how many mistakes are being made in hospital; what the hospital infection rates are, and how much that costs. Mr Garling suggested that it costs approximately \$1 billion a year. How many psychiatric beds could be opened and how many extra nurses and doctors who could have their say could be employed with \$1 billion?

Instead of going down the route of genuinely attempting to fix the health system by implementing the Garling recommendations, the Government is heading the other way. The Government has sacked 700 nurses and other frontline workers in the system. The member for Wollongong talked about the Government employing extra ward clerks, as though that would somehow make up for the sacking of 700 registered, experienced nurses. It is simply ludicrous. Yes, the Coalition supports putting on extra ward staff—the need was identified in evidence to Mr Garling—but not at the expense of important hospital staff such as doctors, nurses and others. The member for Wollongong and the Minister tried to discredit my proposal to flatten the structure of area health services by quoting an absolutely fantastic costing done on the back of an envelope that suggested the district I would create would cost \$300 million. When I discussed the matter with clinical staff councils—which are now inviting me to visit them under the radar in major hospitals—they laughed and said it is rubbish. It is just political spin and an attempt to discredit me because the Government is scared.

Every clinician I have spoken to in this State has said, "Bring it on." They cannot wait for a flatter structure to take the bureaucrats out of their ivory towers and bring them closer to the people and the clinicians, re-engaging with doctors, nurses and allied health professionals who do it tough in our hospitals. As usual, today in Parliament the Premier tried to prove that there is no crisis in the hospital system by quoting from letters from patients who have expressed their respect of, and gratitude for the clinical care provided by, fabulous doctors and nurses in our hospitals. I could quote just as many cases as he did. In fact, just about everybody who comes to me says, "Please don't blame the doctors and nurses for what I am about to tell you. They are great; they are fantastic. They do a great job but they are working in an absolutely disastrous mess."

Hospitals are falling apart physically. They do not have enough beds or staff, as was revealed in the report tabled just two days ago when everybody was distracted by the resignation of Mr John Della Bosca. When the Government discharges patients, they get sicker. In the case of the poor psychiatric patients, it had devastating consequences. These are the things that patients and their families, and nurses and doctors have told me. On Monday I visited Hornsby hospital with the member for Hornsby and was amazed by the things we were shown. If the Minister and the Premier take the matter seriously, I will happily show them the photographs we were allowed to take in that hospital that reveal the conditions that the hardworking, committed, innovative doctors and nurses have to endure.

They are the things that the Premier does not want to mention in this Parliament. For example, in the case of Hornsby hospital, I have photographs of a wall that is infested with termites and covered with masking

tape; open corridors along which patients are wheeled from operating theatres to recovery wards and where they are exposed to wind and rain; operating theatres that are not compliant with fire regulations and so have fire extinguishers and fire blankets on the walls; and operating theatres where equipment is not up to standard and that are too small to take a lot of the equipment that is needed to provide different treatments.

The Premier should look at the 23-hour stay emergency medical unit, which has a toilet block with tiny mosaic tiles, open toilets and mixed wards. Men and women use the same toilets, which share space with the linen cupboards. It is medieval—which is how a doctor described it in the media. The staff are amazing; they are first-rate. They are the kind of staff whom Mr Garling highlighted and quoted time and again in his report. They are hanging out for the Government to get serious about implementing changes that would make their lives better. But instead what do we have? We have apologists who claim that things are fine. We have a Premier who comes into Parliament today and suggests that we have the best health system in the country. He cites figures that go way back and are based on flawed information because the Government will not allow doctors to report exactly how long people wait for treatment. New definitions of what constitutes a procedure have been introduced so that a number are no longer counted in the statistics.

That is one of the things that Mr Garling's recommendations, if adopted, would expose. No wonder the Government does not want to have a parliamentary oversight committee. It would have to reveal the problems it has been hiding for years and years, which I am afraid will be revealed only when there is a change of government. When the Coalition is in government my colleagues and I will take as much time as is necessary to list the things that the Government has been hiding in each hospital—the number of patients not even included on waiting lists, and the doctors who are almost in tears when they come to our offices begging us to try to get the Government to fix things.

I sincerely thank my colleagues the members for Hornsby, Bega, Davidson, Gosford, Ryde, Murray-Darling, Burrinjuck and Barwon, who have made such good contributions to this debate. I know that many more members would have liked to speak, but I want to get on with it. I want the Government to tell us when it is going to provide the first report of this so-called advisory and monitoring committee and let us know what it is doing. I know that people are going around the country conducting so-called "consultations". I have spoken to some of those who have been engaged in them. People are shaking their heads at the amount of money the Government has spent consulting on nothing. They are simply hot-air talkfests for windbags that give no-one a real say or advice about what is happening.

I know that there are members on the Labor side of Parliament who would like to support this legislation. I know that there are people who support the doctors and nurses who have spoken out. I know that there are members on the other side of Parliament who are getting the same kinds of letters that I am receiving about the deplorable state of our hospitals. I know that there are members on the other side of the House who, when former Minister John Della Bosca got up and said, "We support 134 of the 139 recommendations of Mr Garling", went and read the report and the recommendations, like I did. We found that 55 have strings attached, such as further reviews and delays, which means that nothing will change.

This review arose from the death of Vanessa Anderson, a young woman who died after she was accidentally struck in the temple by a golf ball. During the inquest into her death the Deputy Coroner said that her death was totally avoidable. It was the result of respiratory failure due to the wrong dose of medication. There was one problem after another with her treatment. The Deputy Coroner recommended that the Government hold an inquiry. I was in the court on the day the finding was brought down—in fact, I sat through several days of the coronial inquest—and the Garling inquiry was the result. The Government has made a mockery of the review by dismissing the recommendations offhand and refusing to support this legislation, which would give Parliament the opportunity to learn exactly what the recommendations mean and how the Government will implement them. Members would also have the opportunity to understand the rationale behind the Government's decision not to implement recommendations. Why would it decide not to implement recommendations? Maybe there are some that are not sustainable, and I think Parliament should know that. I commend the legislation and believe that every single member of this House who has an interest in the quality of health care, in supporting our clinicians and in the health of the people of New South Wales should support it also.

**Question—That this bill be now agreed to in principle—put.**

**The House divided.**



**Ayes, 38**

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

**Noes, 46**

Mr Amery	Ms Gadiel	Ms McMahon
Ms Andrews	Mr Greene	Ms Megarritty
Mr Aquilina	Mr Harris	Mr Morris
Ms Beamer	Ms Hay	Mr Pearce
Mr Borger	Mr Hickey	Mr Sartor
Mr Brown	Ms Hornery	Mr Shearan
Ms Burney	Ms Judge	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	<i>Tellers,</i>
Mr Daley	Dr McDonald	Mr Ashton
Ms D'Amore	Ms McKay	Mr Martin
Ms Firth	Mr McLeay	

**Pairs**

Mr Hazzard	Mr Furolo
Mr Souris	Mr Gibson
Mr J. D. Williams	Mrs Paluzzano

**Question resolved in the negative.**

**Motion negatived.**

**Bill not agreed to in principle.**

**PARLIAMENTARY REMUNERATION AMENDMENT (SALARY PACKAGING) BILL 2009****Agreement in Principle**

**Debate resumed from 26 June 2009.**

**Mr GERARD MARTIN** (Bathurst) [4.54 p.m.]: I speak in support of the Parliamentary Remuneration Amendment (Salary Packaging) Bill 2009. The Government supports the bill because no additional costs will be incurred by taxpayers in order to implement the reforms contained in it. The fact that the proposals will be cost neutral is critical to the Government's support for the bill. The Government is confident that the bill before the House will simply modernise the options for members of Parliament receiving remuneration, in line with the many public and private sector salary packaging schemes that have been in existence for decades.

Public sector employees in New South Wales can already salary package employment benefits such as cars, laptop computers and other items. In contrast, New South Wales parliamentarians can offset the costs of these ordinary, work-related items only through the use of allowances determined by the Parliamentary Remuneration Tribunal. I am also advised that in Western Australia parliamentarians already have access to a salary packaging arrangement. In that State parliamentarians can apparently salary package the same employment benefits as public sector employees.

The Government also notes that the bill enables members of the Parliamentary Contributory Superannuation Fund to salary sacrifice some or all of the compulsory member contributions they are required to pay into the fund. Those changes in the bill mirror legislative amendments introduced in 2006 and 2007 that now allow New South Wales public sector employees in the defined benefit schemes, such as the State Authorities Superannuation Scheme and the State Superannuation Scheme, to pay some or all of their compulsory member superannuation contributions on a salary sacrifice basis. The financial advantages of paying member contributions on a pre-tax basis will vary among individuals depending on their particular circumstances.

I am advised that as the value of superannuation benefits will not be altered by the proposal the Government's superannuation liability will not be affected. In practice, parliamentarians, like everyone else, will need to comply with the annual concessional contribution caps applying to employer contributions, which include salary sacrifice contributions. The Government understands that these were recently reduced by the Commonwealth to \$25,000 for persons under the age of 50 and to \$50,000 for persons aged 50 or over for the 2009-10 financial year. Contributions above these amounts are taxed at a higher rate. I commend the bill to the House.

**Mr DARYL MAGUIRE** (Wagga Wagga) [4.57 p.m.]: We have sought independent advice on the Parliamentary Remuneration Amendment (Salary Packaging) Bill 2009 and we have been assured there will be no additional cost to the taxpayer. The bill will make available to members of Parliament the same salary packaging arrangements available to employees in the public and private sectors. The bill will not provide any additional benefits to members that are not already available to the public sector.

**Mr RICHARD TORBAY** (Northern Tablelands—Speaker) [4.58 p.m.], in reply: I thank the member for Bathurst and the member for Wagga Wagga for their contributions to this debate. The Parliamentary Remuneration Amendment (Salary Packaging) Bill has been on the table for more than two months and there has been an opportunity for it to be well and truly scrutinised. I brought this matter to the House in a very open and public way. I remind members of some of the key points I made when I introduced this legislation on 26 June 2009.

The purpose of the Parliamentary Remuneration Amendment (Salary Packaging) Bill 2009 is to bring salary packaging arrangements for members of Parliament into line with those of other New South Wales public sector employees. The second object of the bill is to enable employment benefits to be provided to members of Parliament by way of salary sacrifice on the same basis as those benefits are provided to members of the Government service. The third object of the bill is to enable members of the Parliamentary Contributory Superannuation Scheme to make contributions by way of salary sacrifice to that scheme and to make additional salary sacrifice superannuation contributions to other funds.

The fourth object of the bill is to confer powers on the Parliamentary Remuneration Tribunal to determine matters relating to employment benefits for members of Parliament. Matters still have to go to the tribunal. The fifth object is to make it clear that the provision of employment benefits and the making of salary sacrifice superannuation contributions do not constitute a ground for disqualification from Parliament on the ground of entering a contract or agreement for or on account of the public service of New South Wales—a technical matter requiring resolution.

The sixth object is to make other minor and consequential amendments. The final object is to enable regulations containing savings and transitional provisions to be made consequential on the proposed Act. This will address the anomalies and the inefficiencies in the State's legislation. All members who contributed to debate on the bill are aware that it will be cost neutral to the New South Wales Government. The bill proposes that salary packaging items for members be restricted to those available to New South Wales public sector employees. I commend the bill to the House.

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

**Motion agreed to.**

**Bill agreed to in principle.**

### **Passing of the Bill**

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

**ACTING-SPEAKER (Ms Diane Beamer):** Order! It being before 5.30 p.m., with the concurrence of the House I will proceed to the taking of private members' statements.

### **PRIVATE MEMBERS' STATEMENTS**

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#### **ROCKDALE ELECTORATE PUBLIC HOUSING**

**Mr FRANK SARTOR** (Rockdale) [5.00 p.m.]: Today I wish to speak about the great work of Housing NSW and the \$2.86 million upgrade to public housing in the Rockdale electorate. To date works have been carried out at Francis Avenue and Boeing Place at Brighton-le-Sands, as well as Ritchie Street, Sans Souci. Works include the upgrade of common areas, construction of balconies, installation of lifts, landscaping, painting and waterproofing. Last year a further \$350,000 was spent on structural rectification for units along the Grand Parade at Brighton-le-Sands. These upgrades were designed to make life easier and to add quality of life for seniors and persons with disabilities or mobility difficulties living in public housing, and are part of the Government's new five-year initiative called New Directions in Social Housing for Older People.

The New South Wales Government is committed to upgrading and creating more housing for older tenants. Currently it is meeting the challenge of an ageing population by increasing targeted community development programs and building more housing specifically tailored to their needs, such as adaptable houses for persons with mobility difficulties. Housing is one of the issues regularly raised by constituents of my electorate. The global financial crisis and sharp increases in rent have hit many families hard. That is why the New South Wales Government, in partnership with the Commonwealth Government, is investing \$3 billion to deliver almost 9,000 homes to the most needy and vulnerable people in the State. The delivery of these homes and fast-tracking the maintenance and upgrading of 31,146 homes need to be achieved within three years, by June 2012.

With our existing State program and the new Commonwealth money we expect to provide almost 14,000 additional people with homes over the next two to three years—to people who otherwise would have remained on the waiting list. We are already seeing more families in financial distress and we are receiving greater calls for help from the community. Coming at precisely the right time, these new funds represent a serious and unprecedented long-term investment in our future. The plan not only provides housing for the vulnerable; it also supports and creates 7,200 jobs per annum each year for two years across New South Wales. These homes are an example of the Government's commitment to ensuring that social housing meets the needs of residents and future applicants.

Currently 858 homes are under construction and \$226 million worth of homes will be finalised by June 2010. The properties will be delivered through a mix of developments on vacant Housing NSW land, multiunit developments purchased from the private sector, dwellings constructed in partnership with non-government organisations and, if necessary, on land held by other agencies. I strongly support this investment in public housing and I congratulate the Minister on the work that he has done. I also take this opportunity to thank the Hurstville office of the Department of Housing, which has worked cooperatively with my office to deal with the perennial housing issues that arise from time to time. It does a great job, and I acknowledge that in the House today.

#### **LONG GULLY BRIDGE SAFETY BARRIER**

**Ms GLADYS BEREJIKLIAN** (Willoughby) [5.05 p.m.]: For a number of reasons a significant issue in the Willoughby electorate is the project involving the construction of a safety barrier along the Long Gully

Bridge at Northbridge known locally as the suspension bridge. This project arose from the findings of the State Coroner in May 2008 following an inquest into a death by suicide from the bridge that occurred in January 2007. The coronial inquest recommendation reads:

That a safety barrier designed to prevent or significantly impede jumping from the Northbridge Suspension Bridge be erected by the RTA as soon as practically possible taking into account regular planning issues.

That any such barrier erected be designed to take into account the Bridge's significant heritage and architectural values and to harmonise with them.

The Coroner's report found that, in addition to being a magnet for suicide attempts, the bridge was also being used for base jumping, potentially imperilling the lives of those below in the park and even those trying to prevent their jumps. On behalf of my community I commend the Roads and Traffic Authority for the swift action it took following the Coroner's recommendations to establish 24-hour security patrols by guards on the bridge to prevent further suicide attempts. The feedback I have received from many people in the community is absolute praise for the guards in relation to their ongoing role in providing security on and around the bridge. The community is united on the need to ensure that the recommendations of the Coroner are adopted and a safety barrier be erected to prevent further suicide attempts.

I join with my community and with members in this place who continue to be strong advocates for people struggling with mental health issues. I remain critical, for example, of the State Government's position in reducing the presence of community-based mental health facilities in my electorate and throughout New South Wales. In the process of implementing the Coroner's recommendations the Roads and Traffic Authority identified three options for the bridge: first, a steel picket fence; second, a contemporary fence; and, third, a suspension system. In a report commissioned for the Roads and Traffic Authority in June 2009 the first option was identified as the preferred option because:

It was considered to have an appropriate language that deterred people from attempting to scale the structure and it minimised the visual impact of the fence by using thin vertical elements.

... relatively simple and cost-effective to construct and maintain. It also has the least impact on regular maintenance and repair procedures which are essential to the safety and longevity of the Bridge.

The local community is concerned that the three options that were presented were not developed in consultation with the community and do not maintain the historic significance and unique aesthetics of the bridge. Some concern has also been expressed about the first option being chosen because of cost issues. I have been asked by my community to ask the Minister for Roads and the Roads and Traffic Authority to consider other and more appropriate options as soon as possible.

A number of community meetings on this issue have already been held, involving the Roads and Traffic Authority, Willoughby and North Sydney councils, the Heritage Council and many local community organisations. On Monday this week an important community meeting was held to discuss the issue. Many stakeholders, including the mayor, councillors and council officers from Willoughby council, councillors and council officers from North Sydney Council, and representatives from local progress associations and precinct committees attended that meeting. The overwhelming view expressed at that meeting was that the community wished to work with the Roads and Traffic Authority to have an alternative acceptable option determined by mid-December this year at the latest, with the presence of the 24-hour security guards maintained until the safety barrier is erected.

Given the iconic and architectural significance of the bridge, there is also strong support from the community that a design competition be an avenue to determine the best option, with the Roads and Traffic Authority, local councils and the Heritage Council having a direct role in determining the successful option. Some generous locals have already donated prize money to that end. In fact, local councils have already identified a draft time line to meet these critical time frames, including the design competition. The community strongly supports the erection of a safety barrier as soon as possible, but it wants a say in what the final choice should be.

The Roads and Traffic Authority and the Minister for Roads have received a number of representations in that regard and I request them to consider the community's wishes. The community is grateful for the speedy action of the Roads and Traffic Authority in installing security guards, and the community is now seeking to be consulted on the final choice. I thank everyone in the community who has expressed a view on this important matter and I reiterate to the Minister for Roads and to the Roads and Traffic Authority that the community wishes to work with them as a matter of urgency to ensure that the best option is erected as soon as possible.

## NEWCASTLE RAIL SERVICES

**Mr MATTHEW MORRIS** (Charlestown) [5.09 p.m.]: I take this opportunity to raise the issue of the Newcastle rail service on behalf of my constituency in the Charlestown electorate. Recently we saw the release of the report prepared by the Hunter Development Corporation [HDC] regarding the revitalisation of the Newcastle central business district [CBD] and, of course, its desire to discontinue rail services to Newcastle. The report provides an opinion to the Government on what it believes the Newcastle central business district needs to again become an active and vibrant city. Whilst the general intentions are good, the report on the rail issue raises more questions than it provides answers. The report supports the view that the decline in the Newcastle central business district is solely the fault of the rail line and services. This is wrong. In fact, historically the Newcastle central business district has been a strong retail commercial area even with an existing rail line.

Times have changed. People's needs and wants have changed. Fewer people now need to frequent the city. Access to goods and services can be secured at a number of outlying shopping and commercial areas such as Westfield at Kotara and Charlestown shopping centre. Much of the report suggests that a number of catalyst projects are needed but are achievable only if the rail line is removed. The fact is that all of the projects regarding a retail, education, justice, tourism and commercial precinct can be achieved with rail services remaining. Any sensible person would know that a rail service would be complementary to any new development, particularly those I have noted. One example is the university campus expansion. Students will not be able to afford to reside in the Newcastle central business district, so they will need transport services to access the new expanded campus. A tram/train solution could provide those needed services.

Unfortunately, the Hunter Development Corporation report said nothing about options for rail; rather, it simply advocated its removal. There is a good proposal in the community for a tram/train option, which I suggested earlier would complement any new development. We should examine all rail options to ensure a positive outcome in the long term. We should talk about rail format options, timetables and, of course, much better access to the northern side of the line. Removal of the known dingo fence, more access points and improved landscaping can deliver a great public outcome without preventing any new development proposals. The Hunter Development Corporation report suggested that \$150 million would be required to remove the line and construct an interchange at Wickham. RailCorp has advised that a figure of \$650 million would be required. Clearly, some homework needs to be done.

Having said all this, the concept of the removal of the line is not the key priority in the Hunter. Glendale is the key project for the region, followed by others like the John Hunter Hospital bypass, Cardiff station and Swansea bridge. These cannot be secured if all funds are allocated to the Newcastle central business district. Following the Hunter Development Corporation report there was a community survey, which tested the proposal in the report. Clearly, the majority of projects were supported strongly, with which I agree. The sticky issue, of course, is the desire to remove the rail line. The survey asked, "Do you support the line's removal and a new interchange?" Looking at the results, those who strongly support this scored 29.7 per cent while those who strongly disagreed scored 31.2 per cent. Others scored between those two. Obviously, depending on how the question is asked, a particular outcome is achieved.

The critical point is that no other options for rail were considered or surveyed. The future of Newcastle is important to the region. Also important is the delivery of rail services to the people of the Hunter. This is not rocket science. With a revitalised central business district the need for transport services becomes more critical. Certainly rail can play a major role in supplying that need. Rail is part of our transport services and should be retained for the long haul. Whilst there is much debate in the general community, from what I hear as the member for Charlestown rail services need to be retained. We should put more thought into changing and improving the format of services to better reflect need. Most importantly, we need to give better access to the harbour foreshore and the commercial precinct on the northern side of the line. It can be achieved. We can get a win-win outcome for the community. It is just a matter of putting our minds to the issue and making sure we get the proper result.

**Ms SONIA HORNERY** (Wallsend—Parliamentary Secretary) [5.14 p.m.]: I support the member for Charlestown in his quest to consider options to revitalise the central business district of Newcastle. No doubt we all support improving the inner city of Newcastle. Certainly, some issues the member for Charlestown raised, such as improved landscaping for the rail line, are important and we would support that. As mentioned also by the member for Charlestown, the Hunter Development Corporation report raises more questions than it provides answers. We need to be open to all options to improve public transport in the whole of the Hunter. We certainly

recognise that we have changed the nature of the way we shop, pay bills and access medical services, at least since I was a child. People usually utilise different services other than travelling to Newcastle because they do not need to. I support the member for Charlestown in his quest. The key transport issue in the Hunter is the Glendale road/rail interchange because of its centrality to the people of Lake Macquarie and Newcastle. I would like that to be a priority of State Government funding.

### WORKPLACE BULLYING

**Ms KATRINA HODGKINSON** (Burrinjuck) [5.15 p.m.]: It is with a heavy heart that I talk about a subject that I had hoped I would never have to raise: severe, systematic and unaddressed harassment, victimisation, discrimination and bullying of senior female police officers who work within the New South Wales Police Goulburn Local Area Command [LAC]. I am constrained by pending investigations to speaking only in the broadest possible terms, but I have read the documentation that confirms all of the statements I shall make in this place. I know the officers who have been subjected to this disgraceful and unacceptable treatment. They have always been highly respected members of the communities they have protected and in which they have lived. These women have displayed personal and professional bravery, sustaining injuries in the course of their work to protect the public.

Their reward for a combined 37 years of dedicated front-line service is to be subjected to systematic bullying by senior male officers because of their gender and because they had the courage to stand up, defend themselves and complain about their treatment. To this day these women remain fearful of repercussions. Every woman in this House and every woman reading or listening to these words will identify with their concerns. We continually face gender-based put-downs, inappropriate comments, continual double standards and slights on our abilities, purely because we are women. Usually we just put up with it and get on with our work, but sometimes it gets too much and a stand must be taken.

Today I am taking a stand for these fine, brave women who are unable to speak for themselves because of their fear of more bullying and harassment from high-ranking officers within the New South Wales Police Force. For these women police officers the abuse of authority has been going on for at least four years. The trouble first started when a member of the public made a vexatious complaint. A male inspector attached to the Goulburn Local Area Command carried out the investigation. The investigation cleared the female officer, but there were concerns that the investigation had been conducted in an incomplete and incompetent manner. Two other male inspectors in the Goulburn Local Area Command were consulted and agreed with these concerns. These women believe the investigating inspector resented their questioning of his handling of the case and then began a systematic and continual campaign of harassment to undermine the authority and integrity of these women, who are subordinate to him in rank.

Examples of the bullying and harassment experienced by these women include the following: the inspector who was subject to a complaint manufactured complaints about the female officers, with junior police being used to initiate these complaints; the senior of the two women received petty directives by the same inspector, which made her job as a supervisor very difficult and impeded other police under her supervision in the performance of their duties; and senior officers in the Goulburn Local Area Command did not investigate complaints promptly. In some cases they refused to investigate complaints. On one occasion a serious allegation of a police assault on a member of the public was not investigated. When complaints about continual harassment, bullying, intimidation and victimisation were accepted, senior officers in the Goulburn Local Area Command and Southern Region Police Command dismissed them as not warranting an investigation.

The one complaint that has been investigated is now more than a year old and is being delayed by senior police. Other bullying and harassment treatment includes private mail being illegally collected by other police officers and withheld; personal lockers being opened and personal items removed; derogatory comments being made by a male senior officer about women, their role and their religion, in the presence of these female officers and their subordinates; not being informed of staffing issues for which they were directly responsible; being alienated, ostracised, victimised and persecuted by male officers with whom they had to work; being criticised by senior management for roster changes, while the same action by male officers went unquestioned; and being directed by senior management to work alongside male officers who were known to have made threatening or harassing comments to them.

One of these female police officers was informed by other police officers that a particular inspector was out to get her because she had stood up to him. Emails of a sexual nature have been circulated to police in the Goulburn Local Area Command. Uniformed male officers have made graphic and lewd comments in a bar in

the presence of members of the public about sexual activities involving one of these female officers. Confidential details about both these female police officers are common knowledge in the towns where they work, with this information being leaked from officers within the Goulburn Local Area Command.

The treatment of these female police officers has significantly damaged their reputations and stripped them of their dignity within communities where they were highly respected. The partners and children of the two officers still live in their communities. They continue to live with this incredible ongoing stress on a daily basis. I understand that the refusal of senior police to act on complaints extends to the New South Wales Police Southern Region Office. The inspector who was the main instigator of the workplace bullying has not treated these women with the respect, courtesy and fairness that is required of him by the New South Wales Police Code of Conduct and Ethics. When a complaint was made about him, senior management in the Goulburn Local Area Command acted to protect him.

The women to whom I have referred are dedicated to the New South Wales Police Force. They have done nothing wrong, but their careers have been jeopardised because of the deliberate actions of senior police officers in the Goulburn Local Area Command. This is not an isolated incident; my colleague the member for Goulburn has raised similar concerns also involving female police officers. The Minister for Police must urgently act to stop the severe, systematic and unaddressed harassment, victimisation, discrimination and bullying of female police officers in the Goulburn Local Area Command. I ask the Minister at the table to kindly bring my statement to the attention of the Minister for Police as a matter of absolute urgency. We cannot tolerate bullying in any of our institutions or government agencies—and most definitely not within the New South Wales Police Force.

**Mr PHILLIP COSTA** (Wollondilly—Minister for Water, and Minister for Regional Development) [5.20 p.m.]: The private member's statement made by the member for Burrinjuck is of a serious nature. We have outstanding police personnel across the whole of the New South Wales Police Force. I have listened to the member's comments with great concern. I will refer her comments to the Minister for Police.

### **MAX POTENTIAL PROGRAM**

**Mr GRANT McBRIDE** (The Entrance) [5.20 p.m.]: Registered clubs and businesses on the Central Coast have excelled themselves once again with their continued involvement in the second year of the Max Potential Program. The Mingara Recreational Club has led the way, supported by Club Toukley RSL, the Westpac Bank and George Brand Real Estate. In February this year 18 young leaders from seven Central Coast campuses came together and began planning their individual pathways to success, culminating at the showcase workshop at the Mingara club on Monday 17 August.

The Max Potential Program has been created as a joint initiative between Mingara, Clubs NSW, and the Future Achievement Australia Foundation. It aims to reverse the trend of a lack of purpose in the lives of youth in our community. Max Potential provides an excellent cost-effective program for registered clubs that seek to maximise involvement with their local community by connecting young people with community leaders. The aim of the program is to accelerate the potential of young people to achieve, to build their can-do attitude through a community project, to challenge them to lift their game and to develop entrepreneurial spirit.

Max Potential is not a cause; it is about personal leadership coaching. The program provides opportunities that help to make a difference, both to the life of the young leaders as well as to the growing success of local communities. Over 22 weeks, each of the students worked alongside their personal leadership coach. They explored both strategies and skills of personal development while focusing on their local community and the ways in which they can contribute to it. The coaches in this year's program came from across the Central Coast and helped the students to expand their horizons. I congratulate all the coaches who volunteered their time, including Tim Mackney and Jennie O'Donoghue.

I also congratulate the participants who include Anthony Jeffery, Dayle Cogdon, Rebecca McNeil and David Southern from the Wadalba Community School. They made a positive impact to their community services projects in which they applied their respective skills in science, vocal performance, art and sport. I also congratulate Matthew Chan, Tamara Kerr from The Entrance College, who are passionate about protecting the local marine environment, assisting younger students to make wise choices and promoting tolerance of others. Joshua Aspinall produced a play that had seven performances, and there will be more performances later. Sheri Woolston of the Wyong High School developed and implemented a peer support program to improve

connections between students. Three students from the Northlakes High School participated in the program. Tiffany Hooper combined her love of dance to build a stronger connection with students with disabilities in her school.

Alex Toomey showed her leadership skills in providing a homework club for junior students and through her personal awareness of the ordeal confronting seriously ill children. Jan Kubecka organised a collection of video games through the Starlight Foundation. Kassandra Robson, Rachel Little and Clare Bodle of St Peter's College organised music workshops and raised road safety awareness for P-plate drivers. Patrick Lythall, David Shearman and Clare Falzon, from the Australian Technical College, developed a strong health and welfare message as well as their individual projects that focused on the orientation of new students, education about depression, and an anti-smoking campaign which is based on their identification of young people in the building construction industry becoming part of a strong smoking culture, hence their anti-smoking campaign to assist those young people at the early stages of their careers. Josh Kay used his skills to restore the playground equipment at his local community centre.

The highlight of the program was the presentation of the showcase at the Mingara Recreation Club in August, which was attended by my colleague the member for Wyong, David Harris, the Principal of Tuggerah Lakes Secondary College, Andrew Newman, John Miller from the Mingara club as well as participants, coaches, volunteers, families and friends. I fully support programs such as Max Potential that provide vision for Central Coast youth by investing in leadership development and coordinating efforts. Before I conclude my speech, I bring the story of Joshua Aspinall and his play, *Stand Out, Fit in, Be Heard!* to the attention of the Parliament. The program for the play shows that it involves 49 activities and involves more than 60 young people. Joshua Aspinall put it all together, and I will read the message he wrote for the front of the program:

**Directors Message: The Show, The Feeling, The Reason, The Dream**

To be a director is one thing, to be a young director is another! I am honoured that Tuggerah Lakes Learning Community allowed me to produce and direct this production. Firstly I would like to explain the show a little more. This show went through several concepts and several names. Finally we came up with this show. The show is about accepting people for who they are and acknowledging the diversity within our community. This is the reason why we touch on so many areas of life in the community within the show.

That young man and all the other young people involved deserve recognition for what they have done by being in that program and by developing their skills to the point at which they can translate those skills to helping their local communities.

**AVALON RED CROSS**

**Mr ROB STOKES** (Pittwater) [5.25 p.m.]: This evening I highlight to the House the incredible efforts undertaken by the Avalon branch of the Red Cross in my community of Pittwater—the community I look forward eagerly to returning to. The members and volunteers of this branch truly demonstrate the generosity and compassion that exists within Pittwater as well as the values that the Red Cross conveys worldwide. Since being formed in 1914 following the outbreak of World War I, the Avalon branch has been actively involved in the Red Cross's mission of improving the lives of vulnerable people. While at times this has involved dealing with the local consequences of wars and depression, the branch has not been deterred and has achieved a proud record of service. During the earlier years of the branch's establishment, its principal activities revolved around contributing to the nation's war efforts by organising supplies and equipment for sick and wounded service personnel.

More recently, the branch's fundraising efforts have resulted in its members providing much-needed assistance for those who have been caught up in devastating natural disasters, such as the recent bushfires in Victoria. Efforts within the Pittwater community also have been warmly received and have brought comfort, joy and assistance to many local residents. This has been seen through support of the Red Cross for local families who have encountered financial hardship, by members of the branch knitting soft toys for the children's ward at our wonderful Mona Vale Hospital, and by the branch arranging books and equipment for local organisations. These endeavours, and many others, have earned the branch enormous respect and gratitude throughout the Pittwater community.

The Avalon branch is supported by a team of highly dedicated volunteers who generously donate a great deal of their time, each and every week. While much of their work takes place behind the scenes, it is the culmination of their individual efforts that leads to the branch's outstanding achievements. This has always been



the case with the Avalon branch and it is something that current members are determined to ensure continues. Undoubtedly the cornerstone of the Avalon branch is their highly successful opportunity shop that has been in operation since 1969. For 40 years this popular local store has been the driving force behind the branch's fundraising efforts.

Last year it made a staggering \$251,000 to help those in need. So successful and well run is this store, that 35 times the branch has been awarded the coveted Patterson Cup—a remarkable record—in recognition of the members' achievements in raising more money than any other New South Wales Red Cross branch. While that is a great accolade for the branch's hardworking volunteers, their real reward is knowing that their efforts are making a significant contribution to the lives of others. Quite importantly, the award also applauds the Pittwater community's willingness to support such a worthwhile organisation, even during tough economic times. Their generosity has played an important part in the branch's ability to assist thousands of individuals and families within Pittwater, around Australia and overseas.

Recently I had the pleasure of attending the branch's seventieth annual general meeting since it was reformed in 1939, following the establishment of subcommittees in Mona Vale, Newport and Palm Beach. Interestingly, this milestone also coincides with the fortieth anniversary of the opening of the branch's opportunity shop, the ninetieth anniversary of the foundation of the International Red Cross Society, and the 150th anniversary of the battle of Solferino, where Henry Dunant originally forged the idea of establishing an international relief movement. Dunant's vision of providing assistance to the helpless is certainly being carried on today by a number of Avalon branch members, who this year were acknowledged for their outstanding commitment to the Red Cross. These include Barbro Wolthers and Ursula Waterlow, who were both praised for their commendable 10 years of service; Bunny Gifford, who reached an incredible 20 years of service; and Beryl Wales, who received the Red Cross Service Award for her outstanding contribution over many years.

The annual general meeting was also an opportunity to reflect on the branch's accomplishments, as well as the challenges it has encountered to get where it is today. This was conveyed through an inspirational speech by branch President Sally Vincent, who reminded the room full of volunteers that from little acorns big oaks grow. This is precisely what the Avalon branch of the Red Cross is built upon. Its members are well aware that even the smallest effort can make a big difference to the lives of others, and this is certainly something the branch has excelled in. I offer them my heartfelt congratulations and wish them the best of luck for their future endeavours. Witnessing the work of volunteers like the Avalon Red Cross makes being a local member a great vocation and a wonderful privilege. I am proud to represent such amazing people.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [5.30 p.m.]: I thank the member for Pittwater for drawing to the attention of the House the wonderful, generous work of the Avalon branch of the Red Cross. The branch was founded in 1914; by my reckoning, that makes it 95 years old. As the member said, a group of people set out to improve the lot of vulnerable people, beginning with the war effort during the First World War through to assisting in natural disasters, helping families and donating soft toys to hospitals. It was pleasing to hear the member refer to Mona Vale Hospital as "wonderful". The volunteers have made an outstanding achievement. The opportunity shop was opened in 1969 and has been operating for 40 years. Winning the Patterson Cup is a fine achievement, and the Avalon branch has won it 35 times.

As the member for Pittwater said, giving is often its own reward for these people. They do not want their names in lights but they make a big contribution. There is an old Chinese saying that some of the fragrance clings to the hand of those who give the rose, and I am sure that is true in the case of the volunteers of the Avalon branch of the Red Cross. I congratulate the President, Sally Vincent, and those who achieved outstanding awards for their service. I also congratulate Barbro, Ursula, Bunny and Beryl. Once again I thank the member for bringing to the attention of the House the work of the Avalon branch of the Red Cross. I commend the branch members for their work and thank them for their service to the Pittwater community, the Australian community and overseas communities.

#### **CAMDEN HOSPITAL AUXILIARY**

**Mr GEOFF CORRIGAN** (Camden) [5.32 p.m.]: On 19 August I had the pleasure of attending the annual general meeting of Camden Hospital Auxiliary. Camden Hospital Auxiliary, which is one of the largest hospital auxiliaries in New South Wales, does a fantastic job. I am sure all members would commend their local hospital auxiliaries. The Camden Hospital auxiliary holds bingo nights, as well as selling knitted goods such as booties and other items for babies at the hospital. Interestingly, the treasurer's report showed that last year the Camden Hospital Auxiliary raised \$57,210 and had outgoings of \$15,860. That is tremendous work by the

Camden Hospital Auxiliary, and I congratulate everyone involved. I congratulate the treasurer, Bill Richards, on his great work. Sometimes it is hard to be the treasurer of a volunteer organisation, and Bill does fantastic work. I also congratulate the president, Robyn Jance. Robyn—I better not say how many years she has held the position—and the honorary secretary, Helen Evans, were both re-elected unopposed.

More than 50 people attended the annual general meeting. Members who have attended annual general meetings know that that is a very good attendance. In her welcome, the president, Robyn Jance, spoke of the work of the volunteers at Camden hospital and thanked them for their support. The secretary, Helen Evans, is a wonderful lady. Unfortunately, Helen lost her son, Mark, when someone threw a rock off an overhead bridge. To this day Helen and her husband, Keith, miss him, but they have devoted their time to assisting the Camden Hospital Auxiliary and they do a fantastic job. I was pleased to meet the new United Hospital Auxiliary representative, Pam Gardner. Pam also gave a nice speech, as did the general manager of Macarthur area health service, Amanda Larkin, and the general manager of Camden hospital, Bradley Warner.

Brad does a fantastic job at the hospital. Any time I have a problem or a constituent wants to know what is going on at Camden hospital I refer them to Brad. I was delighted to thank the volunteers of Camden Hospital Auxiliary for their fine work. I will mention in some detail the work of the patron, Graham Bush. Graham has been the patron of Camden Hospital Auxiliary for more than 20 years. He is a former chairman of the South Western Sydney Area Health Service. Today I pay tribute to Graham for his work while he was chairman of the area health service. He had to leave the position in rather unfortunate circumstances, in my view; he copped the blame for a lot of what happened at Campbelltown and Camden hospitals.

Graham was mayor of Camden and a councillor. As chairman of the South Western Sydney Area Health Service under both Labor and Liberal governments he was outstanding. On behalf of the community, I thank Graham for his work. As patron, Graham said, "This is one of the largest hospital auxiliaries I have seen in the State." Graham attended many hospital auxiliary annual general meetings. I was delighted to see that last year the auxiliary donated to Camden hospital a Dermatemp thermographic scanner, a mini doppler probe, a Manning evacuation board plus medicine cart and, most importantly, an Arjo Huntleigh Sarapulus Lifter and transfer sling, which helps people with reduced mobility to move around.

The nursing manager of the rehabilitation department, a wonderful young man named Brian Lane—I should not refer to him as young—gave us a demonstration of the Arjo Huntleigh Sarapulus Lifter. One item of equipment costing \$12,770 that was donated to the hospital by the auxiliary is invaluable. As we know, hospitals are well provided for by the State Government, but at times additional items are needed. I congratulate Camden Hospital Auxiliary on its work. I was interested to listen to the address by Deanne Bebe, the new acting business manager for the polyclinics. The University of Western Sydney has established polyclinics at Camden hospital, which has proven to be a fantastic innovation. Deanne told us that more than 4,000 patients have been through the new hospital clinics in the past 12 months. That is a fantastic effort. Today I praise the great work of Camden Hospital Auxiliary. I thank Robyn Jance, Helen Evans, Bill Richards, the committee and all the volunteers for their hard work in assisting Camden hospital.

**Mr BARRY COLLIER** (Miranda—Parliamentary Secretary) [5.37 p.m.]: I thank the member for Camden for bringing to the attention of the House the fabulous work of Camden Hospital Auxiliary. Clearly, the member for Camden works closely with his hospital community, surgeons, doctors, nurses and volunteers who give so much of their time and effort. The member spoke highly of the hospital staff, the auxiliary staff and the volunteers, and it is to his credit that he works so hard with them in the community. Last year Camden Hospital Auxiliary raised \$57,210. I understand that Camden Hospital Auxiliary is one of the largest hospital auxiliaries in the State, and includes volunteers such as the treasurer, Bill Richards, the president, Robyn Jance, and secretary, Helen Evans.

More than 50 people attended the annual general meeting. The auxiliary has donated much-needed equipment to the hospital. Obviously the patron, Graham Bush, brings a lot of experience to the role. He is a former chairman of the South Western Sydney Area Health Service. One thing I know from my electorate is that people value their hospitals and the hospital staff. Hospitals are an important part of the community. The couple who lost their son and who are still grieving make a valuable contribution to the Camden community. Once again I thank the member for Camden for bringing to the attention of the House the fabulous work of Camden Hospital Auxiliary.

### ELECTRONIC WASTE DISPOSAL

**Ms CLOVER MOORE** (Sydney) [5.39 p.m.]: I share the serious concerns of my constituents about the amount of electronic waste in landfill across the country. As a result of years of inaction by State and

Federal governments, there are already 37 million computers, 17 million televisions, 56 million mobile phones, and 70 million fluoro lamps in landfills across Australia. Television waste is expected to increase dramatically as Australia changes to digital television next year. While I welcome the long-awaited agreement between State and Federal environment Ministers at the last Environment Protection and Heritage Council meeting to investigate regulatory options, I join community calls for the immediate development and implementation of a mandatory take-back scheme for electronic waste, with no more delays.

Electronic waste product stewardship programs already exist in the European Union, Japan, China, South Korea, United States of America, Canada and parts of South America. Electronic waste contains toxic chemicals such as mercury, lead, arsenic, beryllium, chromium and barium that can leach out of the waste stream and contaminate land and water. A number of community groups have developed programs to retrieve unwanted computers and donate them to charitable organisations but this only delays the waste going into landfill because old computers are difficult and expensive to repair or upgrade and rapidly end up in landfill. While old broken electronics are more than 95 per cent recyclable, the Total Environment Centre reports that only 1.5 per cent of computers, less than 1 per cent of televisions, less than 4 per cent of mobile phones and less than 1 per cent of fluoro lamps get recycled.

The Total Environment Centre identifies only six electronic waste recycling operators in Australia, which, without regulation, risk operating below their potential capacity. Much of the recycling occurs overseas, because there are no appropriate local facilities, adding to consumption and waste through freight. Introducing a mandatory product stewardship scheme could create more than 850 jobs across the country. I was very concerned to read that two of the last four remaining electronic repair associations are closing. Unfortunately it has become cheaper and easier to buy new products than get old ones maintained and repaired. The incentive is for manufacturers to purposely create computers with replacement in mind because "built-in obsolescence" is more profitable. Without government enforcement, there is no incentive to design durable and easily recyclable goods.

Regulated recycling of electronic waste can reduce our greenhouse gas emissions, slow the rate of landfill reaching capacity, prevent toxic chemicals contaminating land and water, help conserve resources, create green jobs, and improve design and innovation. Industry supports an electronic waste product stewardship scheme. The Australian Information Industry Association has signed a Product Stewardship Compact with environment groups for computers and computer peripherals, calling for mandatory participation in a product stewardship scheme of all industry participants to prevent free riders, with shared responsibility from other stakeholders including consumers, governments and businesses. Product Stewardship Australia, which was established by the Consumer Electronics Suppliers Association, and represents about 70 per cent of televisions supplied in Australia, believes that regulation is needed for television recycling because recycling is a "cash negative" exercise.

There is strong community support for a mandatory take-back scheme with a recent Environment Protection and Heritage Council report showing that most people were willing to pay more for electronic products to increase our poor recycling rate of electronics. The City of Sydney runs a free electronic recycling day for local residents. Since November last year 670 people have used the day to get more than 30 tonnes of what would have been waste recycled. The day is very popular and demonstrates people's desire not to send their end-of-life items to landfill. Our next scheduled day is this Sunday 6 September.

The Federal and New South Wales governments must ensure that the new national electronic waste take-back scheme is mandatory, covers both televisions and computers with capacity to expand to include other forms of electronic waste such as radios, mobile phones, batteries and fluoro globes, and covers all brands including obsolete brands such as white-box computers. We should be introducing strong recycling targets. We urgently need a mandatory product stewardship scheme to prevent recyclable electronic waste going to landfill and I call on the State and Commonwealth governments to have a mandatory wide-ranging scheme finalised by the next Environment Protection and Heritage Council meeting in November so that it can be introduced at the beginning of next year. I strongly call on the Deputy Premier, Minister for Climate Change and the Environment to support and promote this urgently needed initiative. I really condemn the Leader of The Nationals for so rudely talking through the whole of my statement.

## **YEAR OF THE BLOOD DONOR**

### **ORGAN DONATION**

**Mr ANDREW STONER** (Oxley—Leader of The Nationals) [5.44 p.m.]: Members would be aware that this year is the Year of the Blood Donor. I encourage as many people as possible to participate. I will advise

the House of the efforts of an outstanding young man from the Nambucca Valley. Peter Argent was a former Macksville High School captain who was tragically killed in a freak skateboard accident at Nambucca Heads just 12 months ago at the age of 19. Peter was a very popular young man in his community. He was also a regular and enthusiastic blood donor. Fittingly, his blood type was B-positive, reflecting his personality. In life, Peter strongly encouraged blood donation and even after his sad passing he continues to do so. Many of Peter's mates have been inspired to donate blood, and his family have set up a Facebook site, Be Positive 4 Pete, to record the numbers of people who donate blood. More than 1,000 members have joined that Facebook group, which I will also join. I, for one, will donate blood next week.

Peter also wished to be an organ donor and had indicated donor "A" on his licence. Sadly his wishes could not be met with his family totally unprepared for his sudden and tragic passing. Peter's mother, Kerrie Argent, is an award-winning head teacher of secondary studies at Bowraville Central School. Mrs Argent has made the very good suggestion that the low organ donation rates in New South Wales, and indeed Australia, can be improved through the education of our young people in high schools. I am very pleased that the Minister for Education and Training is in the Chamber. Mrs Argent suggested that the new national education reform package is the ideal opportunity to adopt a nationally consistent educational approach to educate students in regard to organ donation and transplantation. That is done in other jurisdictions with great success with Queensland having a pilot scheme underway. I ask the Minister to take up this issue with her department and her State and Federal colleagues.

Mrs Argent has offered to contribute to this effort via secondment within the Department of Education and Training or perhaps via a study grant. As her local member I support her as an outstanding teacher with a strong commitment to this issue. I ask the Minister to support Mrs Argent in her very worthwhile endeavours. It is germane upon all of us to increase the levels of blood and organ donation in Australia and, indeed, in New South Wales. Peter Argent did all he could in regard to blood and organ donation. His mother wants to ensure that his legacy lives on and that the issues that contribute to the relatively low donation rates in this jurisdiction are addressed. In Peter Argent's memory we should all endeavour to improve blood and organ donation rates in New South Wales.

### **BALLAST POINT PARK**

**Ms VERITY FIRTH** (Balmain—Minister for Education and Training, and Minister for Women) [5.47 p.m.]: It is my pleasure to inform the House that during the parliamentary recess one of Sydney's newest and destined-to-be iconic parks was opened in my electorate, Ballast Point Park on the tip of the Balmain peninsula. I was delighted to join the Premier, the Minister for Planning and former Prime Minister Paul Keating to officially open the site to the public. Ballast Point represents not only the results of community and government working together but it is also iconic of our working harbour heritage.

To truly appreciate Ballast Point we must understand the history of the area. Members would be aware that throughout the last century the Balmain peninsula was a crucial part of Sydney's industrial harbour hub. By the later part of the 1980s, five large industrial sites—locally dubbed "the Big Five"—were operating: the Unilever factory, the Ampol depot, Balmain Rozelle power station, Chemplex, and the Caltex refinery at Ballast Point. By the end of the 1990s all sites were the subject of speculative development. And one by one they were transformed from industrial hubs to residential development.

Ballast Point was the last remaining harbour-front site to have its fate determined. Accordingly, local residents stepped in to assert their voices: Ballast Point should not be locked off for private homes but should be opened up for the entire community and greater Sydney to use and enjoy. Reflective of the spirit of my electorate, the community got organised and began its fight. A 15-year battle was begun by the Ballast Point Campaign Committee. I was reminded by the mother of one of my friends, whom I met at the opening, that I had attended one of those early organising meetings as a high school student. The committee first lobbied Leichhardt council to acquire the land, but was unsuccessful. It then lobbied the State Government to save the site.

Today I would like to recognise the resident voices behind the park—the local community members who brought the site to the attention of Government and continued to lobby until it was saved. Key local activists Roger Parkes, Fergus Fricke and Tom Uren, along with many others, never gave up the campaign. In 2002 the Government announced that it would purchase the site and return it to the people of New South Wales. Seven years of further struggle, remediation and landscaping followed, and the entire community gathered in celebration at the opening in late July.

The tenacity of the community has seen the former Caltex refinery site transformed into an extensive headland park complete with historical sculptures and memories of its working harbour history. The landscaping at Ballast Point Park involved \$11 million of State Government money and contributions to create a truly magnificent harbour park not just for local residents—although they will particularly enjoy it—but for all residents of Sydney. Originally a natural wooded headland occupied by Darug-speaking people of the Eora tribe, Ballast Point Park is also known by the Aboriginal name "Walama". Walama means "to return", and reflects the return of the site from its industrial past to a natural state. The change of land use from industrial refinery to public park not only relieves the site from the burdens of industry but also reflects Sydney's cultural evolution over the past 200 years—a change that has seen our view of the harbour move greatly, from industrial hub to natural wonder. I think Tom Uren's words sum it up best:

Sydney harbour is more than a jewel—it is Sydney's heart.

I have travelled the world and I have found nothing to compare with its Beauty.

As a member who represents a harbour electorate, I look forward to continuing to work with my community to ensure increased harbour foreshore access for all and the protection of our shared natural heritage.

### CASTLE HILL BYPASS PROPOSAL

**Mr MICHAEL RICHARDSON** (Castle Hill) [5.52 p.m.]: The biggest road project in the Castle Hill electorate over the past 12 months has been the conversion of Terminus Street, Castle Hill, into a bypass known as the Eastern Ring Road. The plan is to re-route traffic from Old Northern Road onto Terminus Street, with Old Northern Road becoming a low-traffic zone. Some \$26 million of ratepayers' and taxpayers' money has already been expended on this scheme, with more needed to beautify Old Northern Road and create a bus interchange between Arthur Whitting Park and the ring road. The road was originally planned to be opened in March, but there were delays involving Burton Contractors that blew out not only the opening date but also the cost of the road, by some \$11 million. On 3 June The Hills Shire Council, which has been the prime mover for the ring road, issued a press release proclaiming:

Within a matter of a few short weeks, the new ring road will be completed, resulting in the smoother flow of traffic around Castle Hill and calmed vehicle activity within the town centre. The new opening date is set for 13 June 2009.

Council continues to work together with Burton Contractors to complete the project in a safe, timely and efficient manner. The final stages of work are now being carried out subject to weather and final RTA approvals.

However, it is now September, the road is still partially closed and no new date has been set for the official opening. The key to this situation is contained in the second paragraph of council's press release: subject to final RTA approvals. That approval has not yet come, thanks to a safety issue involving the Castle Hill Day Surgery, which is located at the southern end of Terminus Street. The multistorey surgery was designed more than 10 years ago with a curved facade to accommodate the proposed new ring road. It contains a car park with 80 spaces with an exit onto Terminus Street. The car park has functioned perfectly well until now, with no accidents involving any of the 92 cars a day that exit it. The entrance, I might add, is from MacDougall Lane, on the other side of the building. However, the design of the ring road differs considerably from the original proposal as the Roads and Traffic Authority insisted that it should be capable of accommodating B-doubles. As a result of that proposal, the road has been made a metre wider than was originally planned, which has impacted considerably on sight distance. I might add that my office looks out onto Old Northern Road and I have never seen a B-double on it, which begs the question: Why is this a B-double route?

The Hills Shire Council claimed that drivers exiting the day surgery car park need to be able to see motorists coming at a distance of 55 metres, an amount of sight distance the council said was available. However, the doctors who own the day surgery were not satisfied with this claim and commissioned an independent traffic consultant, Lyle Marshall, to audit the site. Mr Marshall said the required sight distance for cars travelling at 50 kilometres per hour is 50.46 metres and for trucks it is 64.08 metres. He measured the sight distance for a driver exiting the car park at just 36.8 metres. The Roads and Traffic Authority requires the speed limit on this stretch of road to be 60 kilometres per hour, not 50 kilometres per hour. One can imagine what would happen if a semitrailer slammed into the driver's door of a patient's car exiting the car park.

The doctors gave me a copy of the Lyle Marshall report earlier this year. Given the obvious safety issue involved, I felt duty-bound to pass the report on to the Minister for Roads. The Minister in turn consulted with the Roads and Traffic Authority, which, despite having four times previously signed off on council's audit of the site, has since refused to agree to the handover of the ring road, leaving the \$26 million project in limbo.

Council's traffic engineers and the doctors have each proposed a solution to the problem. Council wants cars to exit from the car park via the entry from MacDougall Lane, with a system of traffic lights inside the car park controlling traffic flow. The doctors have rejected this proposal, saying it will make accidents more likely inside the building precincts and that ambulances will find it difficult to access the main entrance. Instead, the doctors want to knock a hole through their northern wall into the council-owned car park. Council will not entertain this proposal, saying the car park is a development site and there is no guarantee any building constructed next to the day surgery will have a car park at this level.

A third solution was thrashed out at a meeting in my office on 25 July. It involves creating a slip lane north from the existing exit, using the nature strip and footpath. This would be a shared zone with pedestrians, who will have right of way. There would be a barrier to protect exiting cars from traffic on the ring road until they merged. This is unquestionably the most elegant solution anyone has yet devised. There would be costs involved. Part of the building next to the existing exit would have to be removed to allow vehicles to turn left into the slip lane, and of course the existing nature strip and footpath would have to be converted into roadway. However, it would make exiting the car park safe for the elderly patients who often use the day surgery, without compromising ambulance access to the building.

I understand this proposal is being worked through with the Roads and Traffic Authority. It should have been discussed with the Roads and Traffic Authority representative at the 27 July local traffic committee meeting at council, but the authority—despite council emphasising the importance of the meeting—failed to send a representative along. This was disappointing, as it would have been enormously useful to everyone concerned about breaking the stalemate to have had an indication from the Roads and Traffic Authority as to the viability of the proposed slip lane. I ask the Minister to expedite this issue with his department, so the road can be opened and the public can obtain some benefit from the expenditure of \$26 million of taxpayers' and ratepayers' money.

### TRINITY POINT DEVELOPMENT PROPOSAL

**Mr GREG PIPER** (Lake Macquarie) [5.57 p.m.]: Following a protracted application process, the Minister for Planning is, I understand, close to making a determination on the proposed tourism and marina complex at Trinity Point, on Lake Macquarie. The zoning for a mix of uses for the site is progressing as Amendment 40 to the Lake Macquarie Local Environmental Plan, and I understand that a decision is imminent. The proposal by the Johnson Property Group will become the largest development on southern Lake Macquarie. The development will be an enduring feature of the lake, so it is important to give appropriate consideration to the environmental constraints of the site and the lake, and to impacts on the residential amenity of this quiet and relatively remote setting. It is important to get this decision right, particularly because of the impacts the marina would have on the lake and the many people who enjoy it.

In 2004 Lake Macquarie City Council sought to change the zoning of part of the site from special uses to tourism. The size of the proposed tourism area was opposed by the then landowners, the Hospitaller Order of St John of God, and the then partner and now proponent, the Johnson Property Group. A compromise was reached with significant input from the office of the Minister Assisting the Minister for Infrastructure and Planning for council to acquire the foreshore with the remainder of the site split to deliver 3.66 hectares for tourism, and the remainder residential. In 2005 a master plan was developed in line with this agreement. In 2006 a concept plan was prepared for a 200-berth marina and 170 apartments in blocks up to seven storeys tall. Both elements of this were broadly criticised as excessive by the community and the council.

In 2007 a revised concept plan was exhibited with the marina increased to 308 berths and including a helipad and land-based tourism facilities, including a club, boat repair and maintenance, a chandlery, a restaurant and cafe, function rooms, conference and business centre, gymnasium, boardwalk, shops and associated parking. The concept now included 150 apartments—75 residential and 75 for tourism. There was broad and passionate public response against the proposal, particularly the marina. Critics, including councillors, said that the marina was too large and would have too much impact on the small bay. Criticism of the land components was based on many factors, but high among these was the bulk of the proposal.

Many of those concerned about the marina felt that a maximum of 50 to 60 berths could be accommodated in Bardens Bay. While various limits were proposed, they were generally under 100 berths. My view was in the order of 60 to 80 berths. In a confined bay such as this the marina should be constrained by existing uses, the need to maintain navigable areas and site impacts such as the cumulative effects of pollutants associated with use and maintenance of boats. There is also a real need to prevent impact on other users in the lake proper.

For the land-based component, Johnson Property Group argued that the project's viability depended on introducing the 75 residential units and Council ultimately supported this by resolving to amend its local environment plan. This decision was made on the basis that the zoning and development were separate matters. I supported the local environment plan [LEP] amendment, as I believe the components will allow for a mix useful to a viable tourism precinct, not because I believe the quantum proposed is appropriate. In a separate response to the concept plan, council formed the view that the bulk and scale of the proposal were inappropriate for the site and, in particular, that the marina was excessive and unjustified. This position was unanimous amongst councillors. Following a review of submissions, the preferred project report was issued on 5 June 2009. The marina was reduced to 188 berths and the buildings reduced in height. While building height was reduced, desired yield was not, resulting in a greater development footprint.

The preferred project was not acceptable to council and many in the community, particularly, but not only, because of the size of the proposed marina. The marina challenges and compromises significant elements, such as the marine ecosystem, the available recreational area on the lake, navigation and visual amenity so prized in this relatively remote area of Lake Macquarie. The council, the community and the State Government have spent millions of dollars over the past 10 years remediating the wonderful asset that is Lake Macquarie. It is understandable and appropriate that higher levels of caution are applied to protect this wonderful waterway. I have previously written to the Minister on these matters and I am sure that she is aware of the concerns. As a decision draws closer, I respectfully request that the Minister use all her endeavours to understand the implications this significant project has for the future of southern Lake Macquarie.

**Private members' statements concluded.**

**The House adjourned, pursuant to standing and sessional orders, at 6.02 p.m. until  
Tuesday 8 September 2009 at 1.00 p.m.**

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