

INAUGURAL SPEECH OF MR DAVID SHOEBRIDGE

Mr DAVID SHOEBRIDGE [5.01 p.m.] (Inaugural Speech): This Chamber stands on the land of the Gadigal people of the Eora nation. This Parliament, the oldest in Australia, has a direct link to New South Wales' colonial history of invasion, dispossession and often callous indifference to the history, rights and interests of Australia's first people. A little over 82 years ago, Jack Patten, Aboriginal activist and first President of the Aborigines Progressive Association, together with William Ferguson, a trade unionist and Aboriginal politician, co-authored a pamphlet titled "Aborigines Claim Citizens Rights". It was part of a rising tide of Aboriginal activism in response to white Australia's celebration in 1938 of the sesquicentenary of the arrival of the First Fleet in what was to become Sydney. They were Elders from this State worth remembering and their words are worthy of repeating. They said in part:

You are the New Australians, but we are the Old Australians. We have in our arteries the blood of the Original Australians, who have lived in this land for many thousands of years. You came here only recently, and you took our land away from us by force. You have almost exterminated our people, but there are enough of us remaining to expose the humbug of your claim, as white Australians, to be a civilised, progressive, kindly and humane nation.

In the years since, indigenous Australians have done more than survive; they have engaged in a successful struggle towards equality and recognition. If Jack and William were with us today they would still be pressing us to become what we promised: a civilised, progressive, kindly and humane nation. I pay my respects to the indigenous Elders of this place, past and present, and to those from across the State. This land always was, and always will be, Aboriginal land.

As a Greens member, I am a proud member of a party committed to political activism. The party's roots are found in two emblematic conservation struggles. The first occurred in Tasmania when a collection of conservationists, originally known as the United Tasmania Group and then known as the Tasmanian Greens, joined together to attempt to save Lake Pedder. From that initial campaign grew a national campaign that successfully saved the Franklin River in the early 1980s. The second happened right here in Sydney with the green bans movement of the early 1970s. At that time forward-thinking unionists such as Jack Munday publicly stated that they would not let their labour be used to destroy the natural and built heritage of this city. They joined with residents and conservationists from across the State to place green bans on building projects that otherwise would have bulldozed remnant bushland, demolished our colonial housing stock and cut great swathes through our public parks. It was following that green ban movement, based on grassroots organising and a progressive politics that include the women's, peace and antinuclear movements, that the Greens New South Wales was ultimately formed.

Faced with the success of the green bans movement and the voice it gave to a community that was increasingly disgusted with pro-developer planning laws, in 1979 this Parliament finally moved to give communities a greater say in planning decisions. Of course, the following 30 years have seen developers fighting back, and once again community anger is growing and new pressures for change are building. The roots of this party confirm my firmly held view that changes are brought about in the community and only then can they be successfully pressed upon an often reluctant Parliament. The core function of a Greens member of Parliament is to bring to the floor of the House, and more broadly into the national political debate, the beliefs and aspirations of the very many active and progressive elements in our society. By doing this we can help to deliver the changes that our society must make if it is to thrive in the face of mounting environmental and social challenges. To be this bridge requires our party and our

members of Parliament to be constantly out amongst the community, and not locked away in a parliamentary office. With all due respect to my fellow members, all of us have more to learn from forest activists, climate change campaigners, drug law reformers, the lesbian, gay, bisexual, transgender and intersex community, prisoners' rights groups, parents and teachers, unionists, indigenous Elders and refugee advocacy groups than we do from lobbyists, political donors or each other.

Each time I enter a native forest to join with courageous women and men speaking up for our planet and taking a stand against the woodchippers and loggers I remember again why I am a member of this party. I feel the same when I see communities join together to fight against developer greed, challenge the indifference of the Roads and Traffic Authority, celebrate multiculturalism or call for dignity and respect in their workplace. Working with these people, while sharing some of their campaigns, keeps me grounded. It directs my political life. It is why I am here.

The Greens in New South Wales are blessed with some 55 active local groups drawn from right across the State, including the Central West, Marrickville, Bega Valley, Woollahra, the Nepean and Lismore, to name just a few. We are, to say the least, a diverse lot. Yet these local groups, each powerfully self-assertive, all come together to form the New South Wales Greens. It is a collective of principled people, committed to a more sustainable, peaceful, democratic and just world. Through consensus decision-making, often in the face of an initial hostile public reaction, the party has continued to champion what is right rather than succumb to what is easy. From climate change to drug law reform and marriage equality, it is refreshing to recall that policies adopted by the Greens well over a decade ago have now moved from the margins to the centre of political debate in Australia.

As I enter this Parliament, two long-term Greens parliamentarians have just left—Sylvia Hale and Lee Rhiannon. I pay tribute to both Lee and Sylvia for their selfless dedication to the interests of not only the people, but also the natural and built environment of New South Wales. I aim to build on Sylvia's principled defiance of the unholy mess that calls itself planning and development law in New South Wales. I will say a little more on this later. I will also keep close to mind Sylvia's courageous stance against secret and oppressive police powers that are increasingly being primed for use against our own citizens. The past decade has already seen our governments intrude greatly on our civil liberties. This has included jailing people without charge through preventative detention orders, putting sniffer dogs on our streets and train stations, new blanket powers to outlaw suspect organisations and the march of closed-circuit television cameras that record our every movement on our public streets.

Each of these steps can be justified by arguments promising greater crime detection. The cowardly defence of these changes is that if you have done nothing wrong, then you have nothing to fear. This argument forgets that laws must not only be designed to catch criminals, they must also be designed to respect the innocent and protect the great majority of law-abiding citizens from the over-reach of the police. Sliced by slice, we are being documented, followed, recorded, searched and graded by an ever more intrusive State security service. This is not the kind of vigilance that sustains liberty. As a Greens member with a vision of grassroots decision-making, I believe that this growing centralised control and surveillance jeopardises our freedom. I, like Sylvia before me, will speak out against it.

To this end, one of my first acts as a member of Parliament has been to move for the adoption of a bill of rights in New South Wales. Australia is one of the few advanced democracies in the world that does not enshrine its citizens' rights to essential freedoms in a core bill of rights.

Without this, we give a far freer rein to governments of all political colours to legislate away our rights, and bit by bit to limit our capacity to express dissent, to organise and to protest. There are some essential rights and obligations on which almost all members of this Chamber would agree. They include the right and obligation to vote for a democratic government. All of us must have the right to a fair trial, which, if the charge is of a serious nature, should be heard before a jury of our peers. Any bill of rights must also guarantee the freedom of assembly, freedom from torture and freedom from discrimination on the basis of race, gender, ethnicity, religion or sexual orientation. We are all equal and free, and this Parliament should say that proudly.

While enshrining individual rights must be part of any parliament's role, of equal importance are our collective rights. In recent history these collective rights and the great possibility for collective action have been little more than a side story in the public debate in Australia. Government is not just a big corporation, nor is it an oversized household, and our society is far more than a gathering of self-interested individuals. Government done well can achieve great things, and this Parliament has a proud history of social and economic achievements. It was State Government that built this State's electricity power supply that to this day continues to keep the lights on across New South Wales. In the first part of the last century visionary State governments built a network of rail lines throughout New South Wales, linking suburbs, towns, farms and ports to each other and to the world beyond. Our public schools, unquestionably the single greatest tool we have to promote opportunity, equality and fairness across our society, are again the product of more than a century of collective action by State governments. Our public hospital system is also testament to what governments can achieve. Yes, it has waiting lists, delays and inefficiencies. However, for all its limitations we do not have to look far to realise how fortunate we are to have a public hospital system that treats all comers, regardless of what is in their bank account.

The promise of government in New South Wales is not a new story. This year, 2010, marks the 200th anniversary of the arrival of Governor Lachlan Macquarie. Governor Macquarie served for a little over 10 years as leader of New South Wales, from January 1810 to December 1821, and his example proves that our achievements can bring longstanding benefits to society. One of Macquarie's first actions, and it remains a lesson to politicians today, was to quell the corrupting influence of a coterie of officials and landholders, who, fuelled by a growing alcohol and hotels industry, had been running New South Wales in their own interests for years. He is still remembered for his far-sighted town planning, laying out town centres across the State capable of lasting more than 200 years. He built public institutions that still stand, including hospitals and women's shelters, whilst still having the vision to set aside great public commons for all of us to share. Governor Macquarie achieved all he did with a budget of less than £250,000, which, even adjusted for inflation, is still only some \$30 million in today's dollars. The current State budget runs to more than \$55 billion. Surely this wealth, rationally applied to the common good, is able to deliver us a more sustainable, just and peaceful society. Now more than ever we have the capacity to build public institutions and public infrastructure that 200 years from now people will remain thankful for, while preserving our natural world for our great grandchildren to enjoy. In preparation for this speech I looked to Lee Rhiannon's inaugural speech, and I saw that in 1999 she said this:

The Greens will continue to campaign to remove the conflict of interest between money received by a party and the decisions that party makes when in government. While this blatant form of political patronage dominates political life in New South Wales, the quality of life of the people of this State will continue to suffer. The New South Wales Government must put people and their communities first. The common good needs to be central to all policies and projects undertaken in this

State. Anything less further entrenches inequality and adds to the hardship of this State's one million poor and low income households. Four years of a Labor Government in this State have led to a divided Sydney and divided New South Wales.

Lee and a team of party members and volunteers around her made good on her promise. She, more than any other single person, publicly exposed the extent of the money flowing from corporate donors to the major political parties in this State. When legislation eventually comes to this House to stifle the capacity of corporations to buy their own politicians, it will be in no small part due to the work of Lee and her team. We should all thank them. In New South Wales more often than not big money and big donations come from big holes in the ground and no one digs bigger holes in New South Wales than the coal industry. Anyone with their eyes open must recognise that the coal industry is ripping the heart out of the Hunter Valley. Grazing and farming land that had been productive for generations has been progressively turned into a moonscape by a rampaging open-cut coal industry. After a few short years of producing the coal, the land is then abandoned by the coal companies after they have turned it into either a degraded paddock or a stunted forest unfit for future agriculture.

Lee was a constant voice for communities and ecologies suffering from the devastating impacts of coal mining in this State, and more recently Lee has rung the bell on a coal seam gas industry that is looking to expand into the Liverpool Plains to the south of Gunnedah. The Liverpool Plains contain some of the richest black soils with the most dependable rainfall anywhere in New South Wales. Over the past decade as many other regions failed to produce a saleable crop due to drought, the Liverpool Plains consistently provided grain to market. It can quite properly be called the State's food bowl. All of this is threatened by a coal seam gas industry, supported by State-issued exploration licences, that wants to pockmark the plains with gas wells, while discharging its polluted water directly into the region's aquifers and waterways. If we are to survive as a species we need more politicians willing to say no to the short-term dollars offered by a dying fossil fuel industry and to look instead to preserving our climate, our land, our waterways for ourselves and generations to come. The coal industry is not only causing direct damage to our farmlands and water through the extraction process, it is also this State's prime greenhouse gas polluter. If this generation of politicians fails to tackle the reality of climate change by adapting our economy through a renewable energy future, then we will rightly be condemned by generations to come.

We can have a political debate about the responses to climate change, but I find it remarkable in the twenty-first century that there continues to be a debate about physics. The basis behind climate change is not open to rational challenge. Countless peer review papers have proven that human induced carbon emissions over the past century have led to increases in the planet's temperature, changes in wind and rainfall patterns, increased sea levels, higher ocean acidity and less snow cover. There is not one substantial government, institution or academic body that doubts this science. The scientific consensus is that we must drastically cut our carbon emissions to ensure that concentrations of carbon dioxide in the atmosphere do not exceed 350 parts per million. In New South Wales coal-fired electricity generators are responsible for more than 37 per cent of the State's carbon emissions. Yet rather than cutting our emissions, New South Wales is looking to build two new coal-fired power stations that together will increase the State's

carbon emissions by a further 18 per cent. That is like putting a further seven million cars on the road.

Acknowledging the reality of climate change, the physical and scientific reality of it, the Green's message on coal is simple: no new coal, no new coalmines, no expansion of existing coalmines and no new coal-fired power plants. If we do not act and begin to make the change ourselves to a zero carbon renewable energy future, rich with sustainable green collar jobs, we risk becoming an international climate pariah and we will have change forced upon us by a more advanced global community. I know that together with my Greens colleagues, both within and outside this Parliament, I will take great pleasure in continuing the work to bring to heel the coal industry in New South Wales and to build in its place a sustainable and renewable public sector power industry. This is a campaign we will win in the interests of our global climate, our local health and our future food security.

Greens representatives have a responsibility to restore people's belief in the fact that we can come together freely to protect the vulnerable and achieve a brighter future together. Currently, few people talk of the potential of the New South Wales Parliament to do this. Yet its history proves that it has the capacity to drastically improve the lot of ordinary people. We must deliver more resources to the vital public institutions of education, health and transport. Unless and until these great public institutions are truly world class, we simply must prioritise their funding ahead of providing subsidies to a private sector that delivers only for those fortunate enough to have the resources to choose.

For people to have faith in government they must believe that when they interact with it, their opinions will be heard and their positions will be respected. The current planning system fails to deliver this. The last decade has seen the progressive gutting of community consultation and the marginalising of environmental considerations for most major planning decisions in this State. Part 3A of the Environmental Planning and Assessment Act has delivered to the Minister for Planning untrammelled powers to approve a whole range of developments ignorant of the community's opinion and blind to the local planning laws and the environmental effects. This must stop. While there is a place for development of genuine State significance, such as railways, ports and hospitals, to be decided at a State level after meaningful consultation, there simply is no warrant for the Minister for Planning to approve marinas, hotels and apartment blocks under the guise of State significant development.

My past six years serving as a local councillor in Woollahra, being only one of 75 Greens councillors elected throughout New South Wales, has taught me a number of things about local democracy: It is far from perfect. But local government is the level closest to the people. Councillors and staff know the very streets, parks and shopping centres amongst which their residents live and work, and because of this local councils are best placed as the main instrument to decide local development matters. Local government must be respected by this place. It must be resourced and prized as an essential building block of our democracy. As for my personal history, while some of my more memorable work was for the Royal Agricultural Society as a cellerman and superintendent, my first real job was in the law. I still remember my job interview with Eric Baker, an appeal judge in the Family Court. In response to a somewhat trite answer I

gave about why I wanted to work for him, he said, "Son, whatever the law might be it has little to do with justice."

I then spent the better part of three years working for Eric. He taught me just how the law could be used for justice. One of many examples comes to mind. I recall a distraught litigant who, after a contested hearing, had been ordered to sell the family home so as to divide the matrimonial assets as fairly as possible between her and her former husband. Time and again she kept coming back to the court applying for more time to obtain finance to avoid the sale until eventually her former husband and the court tired of it. The judge made an order for the immediate sale of the property. She was losing her house, she was in tears. She reached for a glass of water beside her. She cursed the judge in unparliamentary language. As she ran from the court she hurled the full glass directly at him. I bravely ducked. The glass broke and shattered on the bench just above me sending water and glass flying.

I then heard on the bench behind me a familiar tap, tap, tap, something that any associate would be familiar with. I crawled back up and looked up. I remember Eric saying calmly to me, "Call the next matter." Despite the serious contempt of the court, which a great many other judges would have prosecuted, the woman walked free from the court that day. My boss thought she had troubles enough. After leaving the court I found work as a solicitor at Taylor and Scott. This was a union law firm with its main clients traditionally the construction unions and workers who were members of those unions. Again I came under the tutelage of another good man, David Coleman. David taught me to place the clients—most often at that time it was an injured worker or a union—ahead of the interests of the firm. He taught me also about lawyers' lunches, loyalty and basic human decency. I thank him and the other members of that firm for the loyalty and friendship they have shown ever since.

I have spent the past 7½ years at the bar. My practice at the bar has been from Denman Chambers. The floor may have lost one of its resident Greens—perhaps its only resident Green—but it keeps a colourful mix of politics and opinions from Tory corner right down to ALP alley. I will miss all of you. From my observation, most barristers find themselves at the bar when they realise they are socially incapable of working for a law firm. I loved my time at the bar and, while I do not intend to practice while a member of the Parliament, I will keep my ticket. It is both a privilege and a challenge to stand before a court to argue a client's case. In my time I mainly represented employees, unions and injured workers, although my practice included a wide array of civil litigation. One of the many pleasures during my practice at the bar was to obtain a judgement in the Equity Division of the Supreme Court on behalf of a dozen new members for what their employer considered to be an extraordinarily overgenerous redundancy package. I highlight this case because it was but one of many examples where, with the support of the union, ordinary working people were able to face their employer as equals in court. I saw many others working alone buckle when faced with the costs, time and risks of litigation against a well-resourced employer or insurance company. My experience tells me that an independent bar remains an essential element in our system of justice and I do not intend to forget that in my time here.

I stand here as the product of a happy and close family. My mother, Janet, is here with me today. I thank her for the love, guidance and care she has always given me: 39 years is an awfully long

time for anyone to suffer my passions and tolerate my foibles. My older brother, Michael, and my younger sister, Karen, have come here to support me as they always have done in the past. I say hello, too, to Wayne and my young nieces and nephews in the gallery, Oscar, Martin, Gabrielle and Henry. I know that Margaret and the twins would be here if humanly possible. It is at moments like this that I feel a real sadness that my oldest brother, Brian, is not able to be with us. As a young child I enjoyed playing in the local creeks around my home, perhaps, with reflection, taking an unsustainable approach to the harvesting of local reptiles and amphibians. Growing up I enjoyed many trips into the bush, camping with my family and heading out to western New South Wales with my father, catching crayfish and mucking around on large sheep and wheat farms. I remember to this day sitting on the banks of one of the tributaries of the Paroo River and watching with amazement as it fell more than a metre in the course of an afternoon. I found out later that they had turned on the pumps upstream for a cotton farm.

However, my real love of the bush and bushwalking has flourished as I have shared it with the real love of my life—my partner, Patricia. Whether it was freezing near to death in a Kmart sleeping bag in the Snowy Mountains when she checked to see if I had died—only once I point out—walking the Cradle Mountain trail, pulling off leeches in the Barrington Tops, or tramping in New Zealand, I cherish the time we have spent together, just us, amongst the natural beauty of this planet. I cannot imagine my life without Patricia, nor where I would be without her support, encouragement and love over the 14 short years we have had together. The greatest gifts Patricia has brought to me are our two beautiful daughters, Jessica and Hannah. Watching them grow up, become friends and develop into their own little people has been a revelation to me. They could not have a prouder or happier dad. I must mention also the support of Patricia's parents, Dr and Mrs Tsang. I thank them for the warmth they have shown our little family and especially the time and energy they give to their granddaughters.

I have become less emotional now because I am fortunate to be amongst fellow Greens in this Parliament, particularly those of the calibre of John Kaye, Ian Cohen and Cate Faehrmann. Ian's record on championing the environment over his 16 years in this Chamber is well known. I note and respect it, Ian. John continues to be a boundless source of commonsense, intellect and principle, coupled with what I can only say is a staggering capacity for hard work. We heard about Cate yesterday: Her campaigning background, her strong communication skills and her commitment to environmentalism round out our team. Having only been a member of this House for a little over 10 days, I acknowledge that I have much to learn about many of my fellow representatives. I readily accept that there are good people across the political spectrum, most working in their own way towards what they see as a better society.

The Greens in this Parliament have shown a willingness to fully support good laws, no matter where they come from, and a determination to staunchly oppose laws that offend Greens principles. I make a commitment to stay true to this history and, in consultation with my colleagues and my party, to vote on the substantial merit of any proposal that comes before the Chamber, from whatever source.

A more accountable government, partly delivered through a stronger Parliament infused with new ideas, is an essential first step in restoring our faith in democracy, particularly in this Chamber and in this Parliament. With an upcoming State election, the challenge will be to bring

those new ideas, that community passion and a renewed belief in the potential of good government to achieve great things, back into this Chamber and back to New South Wales so that we can benefit all of us.

As a Greens member of Parliament, I am forever grateful to be supported by the party membership, including its many links to an active and lively community. No Greens member is elected to this place simply on his or her own merits. Each of us is the product of countless committed members and supporters who are working year in, year out to raise our issues, campaign on our policies, and press the case for a fairer, more peaceful and sustainable New South Wales. I feel genuinely moved to be a representative of this party and forever grateful for the trust that the membership of the Greens has shown in me. My highest aim in my time here is to earn the right to that trust.